



Scottish Police Federation
5 Woodside Place Glasgow G3 7QF

**Joint Central Committee
Conduct Subject Committee**

Ref: CS/DJK/LS

11 October 2016

MINUTES

1. Attendance

North Area Committee	John Crawford
North Area Committee	Karen Harrison (VC)
North Area Committee	Neil MacDonald (VC)
East Area Committee	Stevie Herd
East Area Committee	Nigel Bathgate
East Area Committee	Heather MacDonald
East Area Committee	Graham Ross
West Area Committee	Gary Mitchell
West Area Committee	Lorna Hogarth
West Area Committee	Stuart Finnie
Deputy General Secretary	David Kennedy (meeting Chairman)
Conduct Secretary	Jim Foy
Business Administrator	Lesley Stevenson

Apologies were received from David Threadgold, Scott Meechan, Amanda Givan and Sandy Smart.

The Chairman opened the meeting by welcoming everyone to the Conduct Subject Committee meeting and invited everyone to take an active part.

Chief Superintendent Alan Speirs and Superintendent Andy MacDowall (newly appointed Superintendent, Professional Standards Dept. (PSD)) attended the meeting and provided an input to the Committee before taking questions. Chief Supt Speirs had recently taken over from Chief Supt Carole Auld as the new head of the department. The Conduct Secretary asked that thanks be recorded from the SPF to Supt Mike Thompson of PSD in his retirement from the service.

2. Minutes of Previous Meeting

The Minutes of the previous meeting had been circulated with JCC Circular 46 of 2016 and were noted.

3. Legal Assistance

The Conduct Secretary confirmed that there had been 18 criminal cases submitted since the last meeting on 2 August 2016.

He told the Committee that meetings had taken place with SPF solicitors in Aberdeen and Inverness and had been very worthwhile. A date had been arranged for Dundee and would be attended by himself and David Hamilton. It was noted that the new legal system was working well. Gary Mitchell asked if an area breakdown was available and said it would be helpful to have it before the next area meeting.

4. Complaints against the Police

The Conduct Secretary told the Committee that he had been unable to attend the last SPA Complaints and Conduct Committee meeting.

He stated that from the Minutes available, the total number of complaint cases recorded by Police Scotland in the last quarter was 1703, a decrease from 1736 in the corresponding quarter the previous year.

The number of complaint cases in the North decreased by 14%.

The number of complaint cases in the East increased by 9.3%.

The number of complaint cases in the West decreased by 14%.

The total number of allegations recorded in the quarter was 2405, a decrease of 15.5% from the previous year. It was again noted that complaints had levelled out in line with predictions due to the frontline resolution desk being in operation for some time.

5. Conduct

The Conduct Secretary said that the total number of live cases being monitored by the leads was 229, a reduction of almost 100 since the last meeting. This was due largely to the new streamlined recording system. The numbers in the West had reduced significantly and this was largely due to the diligence shown by the area lead in scrutinizing and updating current cases. There were 49 in the North, 80 in the East and 100 in the West. It was noted that the recording system had changed since the last meeting which had caused a reduction in the numbers and it was hoped that this would continue.

Since the last meeting there had been two misconduct hearings; one in the North and one in the West. One resulted in a final written warning and the other resulted in an extension to a final written warning. One case will progress to an appeal. There had only been one misconduct meeting which resulted in a verbal warning being issued. It was noted that several meetings/hearings were anticipated in the coming months.

The Conduct Secretary said that since the last meeting, the SPF had commissioned Victor Marshall OBE, to prepare a report in relation to what issues should be considered performance matters as opposed to misconduct. This had been shared with PSD and the Deputy Chief Constable (DCC) as well as area conduct leads.

The Committee was told that the Conduct Secretary had recently attended a final meeting with PSD on proposed changes to the 2014 Conduct Regulations. It was noted that the SPF remained opposed to many of the proposals and would be responding accordingly.

A training day for senior officers is to take place on 31 October, due to the Conduct Secretary recently writing to the DCC with concerns over a lack of training and guidance relative to the 2014 Regulations. This is in relation to what is expected of them in their role as chairs and determining officers. This is separate to another training issue of how to interpret regulations and further work is ongoing in relation to this.

The SPF have successfully managed to negotiate several assessments from gross to misconduct in recent cases and others were ongoing, the assistance of PSD and the DCC in this process was recognised.

Area conduct leads met after the last meeting to discuss themes for conference and will revisit this.

6. Performance

The Conduct Secretary said that Performance Regulations as an alternative to Conduct Regulations, remain largely unused by the service despite promises that this would change. The SPF's disappointment was noted.

7. Police Appeals Tribunal

It was noted that there was one outstanding appeal in the North area.

8. Police Investigations and Review Commissioner

It was noted that the Conduct Secretary had made further attempts to arrange a meeting with PIRC and had received a response back. A meeting would be arranged in the near future.

The Committee discussed PIRC seizing personal property in matters where officers were not suspects in any enquiry. It was hoped that this matter could be discussed at the meeting in the near future.

It was noted that there were currently 22 ongoing investigations.

9. Vetting

It was noted that the Deputy General Secretary attended the last meeting of the Vetting working party and the Conduct Secretary was to attend the final meeting in the near future. SPF concerns on a number of areas had been well documented. Recent cases involving probationary officers had given significant rise to concerns regarding the vetting process and a review of these cases would be sought at the appropriate time.

The Conduct Secretary gave an update on the current practice of warnings issued under the 1996 and 2013 Conduct Regulations being used as a means to prevent officers being

supported when applying for posts. He said he had received a letter from the DCC and a response was being considered.

10. Competent Business

There were no items.

11. Closure

Date of next meeting: 17 January 2017

The Chairman thanked everyone for their contribution and wished them a safe journey home.