



Scottish Police Federation
5 Woodside Place Glasgow G3 7QF

**Joint Central Committee
Conduct Subject Committee**

Ref: CS/DJK/LS

MINUTES

14 January 2020

1. Attendance and Opening

North Area Committee
North Area Committee
North Area Committee

Andy Horne
Caroline Macnaughton
David Threadgold

East Area Committee
East Area Committee
East Area Committee
East Area Committee
East Area Committee
East Area Committee
East Area Committee

Peter Jones
Heather Macdonald
Andy Malcolm
Craig Menzies
David Reid
Michelle Ritchie
Euan Sinclair

West Area Committee
West Area Committee
West Area Committee
West Area Committee
West Area Committee
West Area Committee
West Area Committee

Stuart Burns (by VC)
Dougie Chalmers
Gordon Cumming
Stuart Finnie
Lynne Gray
Lorna Hogarth
Paul McWhinnie

Deputy General Secretary
Assistant to the General Secretary (Conduct)

David Kennedy (meeting Chair)
Amanda Givan

Business Manager
Business Administrator

Doug Keil
Lesley Stevenson

The Chair opened the meeting by welcoming everyone and invited all to take an active part.

Apologies were received from Graham Ross and Eddie Mather who were replaced by Craig Menzies and Dougie Chalmers and Martyn Turner who could not attend the meeting due to adverse weather conditions.

2. Minutes of Previous Meeting

The Minute of the previous meeting had been circulated with JCC Circular 53 of 2019 and was noted.

3. Criminal Cases

The AGSC told the Committee that since 29th October 2019, there had been 18 applications from members seeking legal advice and assistance for criminal matters, two in the East, thirteen in the West and three in the North. Of the 18 cases, five had been opened and closed due to the individual being convicted and sentenced or no copy complaint had been received by the officer.

There were a further two applications for Legal Advice and Assistance made by two serving officers who required to be legally represented at the forthcoming Fatal Accident Inquiries.

Since the last meeting there had been an increase in the number of officers suspended from duty. The figure was now 23 with four officers being suspended since the last meeting and one suspended officer resigning from the service. Members further discussed suspended officers in more detail.

The Committee were of the view that appropriate support was being provided to members involved in these matters.

Area Leads reported as per the table below:

CRIMINAL CASES			
TYPE NEW	NORTH	EAST	WEST
Applications	3	2	13
Total Criminal Cases	Not reported on this occasion	18	36
Criminal On Duty	7	2	19
Criminal Off Duty	15	3	17
Criminal Closed	5	5	9

Members discussed the increased drink driving cases and believed that job related stress was bound to be a factor. It was agreed that this should be further considered and that a suitable conference input be explored for 2021.

4. Conduct

The AGSC reported that there were no cases progressing to a PAT. She said it should be noted that since the last meeting two officers had returned to duty having been reinstated many months ago at a PAT. In one case the officer had been dismissed in 2015. There remained a further one officer who remained in discussion with the service around financial matters.

She reported that a significant number of members provided updates to the conduct leads regarding criminal cases they were assisting in supporting officers and this was very helpful.

Area Leads reported as per the table below:

CONDUCT CASES			
TYPE NEW	NORTH	EAST	WEST
On Duty - New Cases Gross	Not reported on this occasion	3	See below
On duty - New Cases Conduct	Not reported on this occasion	2	7 not defined on this occasion
Off Duty - New Cases Gross	2	3	0
Off duty - New Cases Conduct	2	2	0
Total Conduct Cases	12	12	24
Conduct On Duty	4	7	14
Conduct Off Duty	0	5	10
Conduct Closed	11	4	4
Conduct Hearings	2	3	1
Conduct Meetings	0	2	1
Numbers of Suspensions	Not reported on this occasion	3 new	Not reported on this occasion

Members again discussed work related stress and its connection to conduct cases and were of the view that the SPF should look for expert advice and guidance from outwith the service perhaps beginning with Professor Duxbury's report. Members also expressed great sadness at the number of members taking their own lives and believed the SPF should examine this matter to establish if PSoS or it should be adopting any new practices.

5. Complaints Against the Police

The PSoS PSD Quarterly performance report had been circulated with the papers. It was noted that the report showed a small increase in the number complaints against the police but a decrease in the number of separate allegations.

The AGSC said that referrals to the PIRC had increased largely because of increased firearms cases, the National Gateway Assessment Unit continued to offer value for money. She also said the most common complaints received related to disclosure of information, controlled drug use and supply, inappropriate associations, sexual misconduct and perverting the course of justice.

6. Performance

The AGSC reported that she had not been advised of any performance issues since the last meeting. A recent discussion with the AGSE confirmed that he was in a similar position regarding attendance issues. David Threadgold confirmed that there was one performance case ongoing in the North. Andy Malcolm confirmed there were three ongoing in the East and Lorna Hogarth stated there were none in the West.

Members again expressed the view that misconduct proceedings were being utilised where performance proceedings would be more appropriate.

7. Post Incident Procedures (PIP)

The AGSC reported that there had been 2 PIP's held since the last meeting. There had been a death in custody and a serious injury in contact in Elgin Custody Centre in November. Full time officers in the North attended to provide support to the officers involved. PIRC were investigating both incidents. Feedback was that both processes worked well.

The Committee were advised that a leaflet was being prepared on PIP and it was hoped that it would be available to the membership soon.

The Committee also discussed Dame Eilish Angiolini's Inquiry and an apparent controversy over conferring/collusion. It was considered that a better quality statement would be provided where time was allowed for contemplation and reflection.

David Threadgold reported positively on a PIP held in Elgin. He said that a Superintendent involved had done a very good job and that there was no conflict between SPF aim's and objectives and that actions of PSoS. The only slight criticism of the process was an over emphasis for the potential of legal advice to be provided.

8. Police Investigations and Review Commissioner (PIRC)

A paper had been circulated with the Agenda showing live PIRC investigations commenced and PIRC reports published since the last meeting. All were available on the PIRC website. This was noted. She said that there were no concerns over PIRC reports published since the last meeting.

The Committee discussed the fact that PIRC investigators would not give officers a copy of their statements. It was also reported that officers were not given the opportunity to sign their statements. It was agreed that this matter should be further looked at by the Federation solicitors.

9. Review of Complaints Handling, Investigations & Misconduct

At the conclusion of the last meeting, the Committee discussed the review recommendations and these were circulated with the agenda papers.

The AGSC and Deputy General Secretary had attended a meeting the previous day where a number of the report recommendations had been discussed specifically on the make-up of the Independent body. The Deputy General Secretary, highlighted that there had been discussions re a "barring list" designed to prevent certain ex-officers from obtaining employment in certain other occupations. It was unclear as this time to how any such list could be used in Scotland and further updates would be given when more information was known.

10. Training

The AGSC reported that since the last meeting, she had completed the conduct input on what she believed was the final SPF Representatives course. She said that anyone wishing to be trained should contact her.

11. Conference 2021

It was agreed at the last meeting that wellbeing/psychological issues and mental health could be a topic for 2021. An update would be provided at the next meeting.

12. Competent Business

It was reported that SPF were engaging a new IT support company to replace Alistair Kinnear who was retiring. This had instigated a review of business practices and the proposal to obtain iPads had been put on hold meantime.

13. Closure

Date of next meeting: 7 April 2020

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