



Scottish Police Federation  
5 Woodside Place Glasgow G3 7QF

**Joint Central Committee  
Conduct Subject Committee**

Ref: CS/DJK/LS

**MINUTES**

14 July 2020

**1. Attendance and Opening**

North Area Committee  
North Area Committee  
North Area Committee  
North Area Committee

Nick Clasper  
Andy Horne  
Caroline Macnaughton  
David Threadgold

East Area Committee  
East Area Committee  
East Area Committee

Andy Malcolm  
David Reid  
Michelle Ritchie

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

Gordon Cumming  
Lorna Cunningham  
Lynne Gray  
Pamela McFarlane  
Chloe Rice  
Chris Thomson

Deputy General Secretary  
Assistant to the General Secretary (Conduct)

David Kennedy (meeting Chair)  
Amanda Givan

Business Administrator

Lesley Stevenson

Due to the COVID-19 situation the meeting was done by Video Conferencing. The Chair opened the meeting by welcoming everyone and invited all to take an active part.

Apologies were received from Graham Ross, Stuart Finnie and Stuart Burns who was replaced by Chloe Rice.

**2. Minutes of Previous Meeting**

The Minute of the previous meeting had been circulated with JCC Circular 20 of 2020 and was noted.

**3. Criminal Cases**

The AGSC told the Committee that since the last meeting, there had been 21 applications for legal advice and assistance, 20 of which were criminal cases. Two had resulted in a

member being interviewed and the matter then concluding without any further criminal proceedings. Both cases were now closed. The remaining 18 cases had resulted in a standard police report being submitted. The members were now at various stages of the matter being considered by CAAPD.

She reported that there was a fairly even split during the last three months relative to on duty/off duty alleged criminal behaviour with crimes ranging from assaults, road traffic offences (Section 2 and 3s and speeding) and SOSA offences. She said that many of the summary cases being dealt with by the courts had been delayed due to COVID-19. Many officers involved were frustrated by delays and have required additional assistance. She thanked members involved in supporting them.

Area Leads reported as per the table below:

CRIMINAL CASES			
TYPE NEW	NORTH	EAST	WEST
Legal Applications	5	3	13
Total Criminal Cases	23	39	49
Criminal On Duty	15	8	23 (8 new)
Criminal Off Duty	8	4	26 (4 new)
Criminal Closed	1	8	14

#### 4. Conduct

The AGSC reported that the vast majority of conduct investigations and matters set for hearings and meetings had been delayed. A gross misconduct hearing and a conduct meeting had been held recently to confirm whether social distancing could be adhered to. Neither proceedings had any external witnesses due to current restrictions, but it was noted that PSD were now actively progressing conduct matters and serving paperwork on subject officers. This could result in opportunities for members to become more involved in the hearing/meeting matters.

It was noted that 24 officers were currently suspended from duty. Since the last meeting, 4 officers, two from the north and two from the east had been added to the list.

Area Leads reported as per the table below:

CONDUCT CASES			
TYPE NEW	NORTH	EAST	WEST
On Duty - New Cases Gross	1	4	0
On duty - New Cases Misconduct	0	0	10
Off Duty - New Cases Gross	0	0	2
Off duty - New Cases Misconduct	0	0	0

Total Conduct Cases	11	9	26
Gross On Duty	2	5	5
Misconduct On Duty	0	3	11
Gross Off Duty	8 (3 Whatsapp)	1	6
Misconduct Off Duty	1	0	4
Gross Closed	1	1	3
Misconduct Closed	0	0	4
Gross Misconduct Hearings held	0	1	0
Misconduct Meetings held	0	0	1
Numbers of Suspensions	8	6	7

## North

David Threadgold gave an update and said the NAC office bearers had held a meeting the previous day to discuss workloads and he would report back in due course. Many cases in the North area related to road traffic matters.

## East

Andy Malcolm gave an update and said that many cases in the East related to road traffic offences with a significant increase in careless and dangerous driving being reported. He also raised the matter of police email systems being used to forward information between officers (relative to court cases) and highlighted the risks with that.

## West

Lorna Cunningham gave an update and said that the vast majority of new cases related to data protection issues and she reported that she would be representing a colleague at a hearing to be held the following week.

The Committee discussed police computer systems, mobile devices and potential data breaches.

## 5. Complaints Against the Police

The PSoS PSD Quarterly Performance Report (dated 05/05/20) had been circulated with the Papers.

The AGSC reported that there was a 4.6% increase in complaints from members of the public albeit a 3.7% decrease in allegations ie less allegations recorded per complaint.

On duty allegations had decreased slightly.

Quality of Service complaints/allegations, irregularity of procedure and insufficient enquiry/updates continued to be the most frequent complaints.

It was noted that 111 early interventions had been carried out in the last 12 months.

It was reported that PIRC had carried out 218 complaint handling reviews incorporating 830 separate allegations. They had found 63% had been handled reasonably which was a marked improvement from the previous year.

There had been a 5% increase in the number of referrals to PIRC, 250 in the last year. Only 14.1% had resulted in a referral in PSD for a conduct assessment or to be dealt with by ACU or PSD.

There had been 313 preliminary assessments since 1<sup>st</sup> April 2019. 58 or 18.5% had been assessed as either misconduct or gross misconduct.

11 gross misconduct hearings and eight misconduct meetings had taken place.

ACU had received 177 referrals in the last year which was a decrease of almost 25%. A reduction in referrals ascertained from officers reports, integrity matters and intelligence logs were attributed to the decrease.

## 6. Performance

The AGSC reported that whilst she was aware that minor performance matters continued across the Areas, she had not been formally notified of any issues of concern. Caroline Macnaughton reported that she was dealing with one issue in the North which was at stage one but she had recommended progressing an appeal.

Area Leads reported as per the table below:

PERFORMANCE CASES			
TYPE NEW	NORTH	EAST	WEST
New applications	0	0	0
Total Performance Cases	0	0	0
Performance Closed	0	0	0

## 7. Post Incident Procedures (PIP)

The AGSC reported that there had been three post incident procedures held since the last meeting covering two separate incidents. Two had been held following an incident in Glasgow City Centre on 26<sup>th</sup> June 2020. The third PIP was in relation to a death in police custody on 11<sup>th</sup> July 2020. The Committee agreed that the procedures worked well however more training would be useful.

Pamela McFarlane gave thanks on behalf of firearms officers involved in the Glasgow incident to all for support/help given following the incident.

## **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. The Committee noted that there had been no criticism of any member included in the reports published by PIRC.

## **9. Review of Complaints Handling, Investigations & Misconduct**

It was noted that the report was expected to be published later in the month.

The meeting Chair reported that the SPF had been asked to share information gained from the Duxbury Survey.

## **10. Training**

It was noted that it was hoped training would commence once current restrictions due to COVID-19 were lifted. It was agreed that further conduct training and PIP awareness would be given top priority.

## **11. Conference 2021**

The Committee had agreed to consider the welfare of members under consideration for criminal or conduct matters. It was noted that arrangements relative to speakers etc would need to be considered in the near future.

## **12. Competent Business**

### **Whatsapp**

It was reported that the appeal had taken place by VC the previous week and a result was now awaited.

### **Tablets for Conduct Committee Members**

The AGSC informed the Committee that there was still no update relative to this matter. She said that the JCC had previously approved the purchase of tablets. The Committee agreed that the matter should be raised again at the next JCC meeting as a matter of urgency.

## **13. Closure**

Date of next meeting: 13 October 2020

The Chair thanked everyone for their contribution and due to the current situation with COVID-19, told everyone to take great care.