



Scottish Police Federation
5 Woodside Place Glasgow G3 7QF

**Joint Central Committee
Conduct Subject Committee**

Ref: CS/DJK/LS

MINUTES

29 October 2019

1. Attendance and Opening

North Area Committee	Andy Horne
North Area Committee	Caroline Macnaughton
North Area Committee	David Threadgold
North Area Committee	Martyn Turner
East Area Committee	David Reid
East Area Committee	Graham Ross
East Area Committee	Michelle Ritchie
West Area Committee	Stuart Burns
West Area Committee	Gordon Cumming
West Area Committee	Mark Dines
West Area Committee	Stuart Finnie
West Area Committee	Lynne Gray
West Area Committee	Lorna Hogarth
West Area Committee	Pamela McFarlane
West Area Committee	Paul McWhinnie
West Area Committee	Chris Thomson
Deputy General Secretary	David Kennedy (meeting Chair)
Assistant to the General Secretary (Conduct)	Amanda Givan
Business Manager	Doug Keil
Business Administrator	Lesley Stevenson

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

Apologies were received from Heather Macdonald, Euan Sinclair and Eddie Mather.

The Chair told the Committee that Heather Macdonald and Stevie Clarke were dealing with an extremely sad incident in the East area where an officer had died. Thoughts were sent to the family of the officer.

2. Minutes of Previous Meeting

The Minute of the previous meeting had been circulated with JCC Circular 40 of 2019 and was noted.

3. Criminal Cases

The AGSC told the Committee that since 1st May 2019, there had been 18 applications from members seeking legal advice and assistance for criminal matters, one in the East, 14 in the West and three in the North. Of the 18 cases, six had been opened and closed due to either insufficient evidence to progress or the individual had been convicted and sentenced.

The AGSC reported that there appeared to be an increase in Section 5s (drink driving) over the past number of months however there didn't appear to be any emerging trends as the remaining criminal allegations covered a wide gambit of allegations. Mark Dines said he felt that work related stress could be a factor in officers' use of alcohol and could be at least a partial explanation for the increase in drink drive cases.

Members discussed suspended officers and mental health and it was agreed that training for representatives was required. The Chair said he would look again at the document compiled many years ago by the then Chair of the Tayside Joint Branch Board, Chris White, which dealt with the needs of suspended officers. He also said he was attending a meeting with DCC Fiona Taylor the following day and would raise the issue with her.

4. Conduct

North Area

David Threadgold reported that there were 13 ongoing conduct cases in the North area, seven on duty and six off duty. He said that there were 27 ongoing criminal cases, 12 on duty and 15 off duty. Since the last meeting there had been two resignations, one written warning issued, two outcomes of no misconduct at a misconduct hearing and one improvement action issued at misconduct assessment. Six officers were currently suspended, two since the last meeting. One misconduct hearing and one misconduct meeting was to be held in the near future.

East Area

It was reported that since the last meeting there had been three conduct on duty, six criminal on duty and one criminal off duty cases in the East area. Five conduct cases had been concluded and eight criminal cases had closed. One misconduct hearing had begun on 8 October 2019 but was adjourned with no future date arranged as yet. Four officers were currently suspended from duty.

West Area

Lorna Hogarth stated that since the last meeting there had been two misconduct hearings which resulted in one final written warning and one finding of no misconduct with no further action to be taken. The officer who was reported as dismissed at the last JCC had his appeal upheld and had been reinstated. One misconduct meeting had been held which resulted in a verbal warning. One misconduct hearing which had been sisted had been cancelled with the officer receiving an improvement action after legal advice was sought by PSoS. Two hearings had been cancelled as one officer retired and one resigned. Nine officers were suspended, one misconduct meeting and one misconduct hearing had been scheduled for later in the month. Since the last meeting, five further officers had been

suspended. 14 conduct cases had been closed since the last meeting and 14 criminal cases had been closed. Lorna reported that she continued to have success with responses to Regulation 11 investigations with two recent cases being given improvement actions from a gross investigation. Currently in the West area there were 65 ongoing cases.

The AGSC reported that there was currently no cases progressing to a PAT. A recent appeal for a West officer who was dismissed at a hearing in May was upheld and reduced to a written warning. This officer had returned to duty.

The Chair sought the assurance from all present that members going through the misconduct process were receiving support. Members agreed that officers who wished support from the SPF were receiving assistance.

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 decrease in complaints against the police.

6. Performance

The AGSC reported that she had not been advised of any performance issues since the last meeting.

7. Post Incident Procedures (PIP)

The AGSC reported that there had been no PIP held since the last meeting. There had been two deaths in custody within the West Area but no PIP had been arranged. Both deaths had been investigated by PIRC.

She further reported that she attended a seminar arranged by PFEW relative to PIP which had shown E&W to be way in advance of Scotland in respect of deploying PIM.

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 AGSC advised that officers involved in the incidents reported had been updated of its contents by PSD prior to its release. She had no additional information in respect of the circumstances for those officers subject to criminal investigation.

9. Review of Complaints Handling, Investigations & Misconduct

It was noted that the Committee would meet at the conclusion of the meeting to discuss the recommendations contained in the Review of Complaints Handling, Investigations & Misconduct.

10. Training

The AGSC reported that she had carried out an introduction to conduct matters for new SPF representatives. A further course was to be held the following month. Anyone requiring

training was to be made known to the AGSC. Mark Dines asked if an external trainer could be arranged to provide training for all three Subject Committee's. The Chair said that in the past, external trainers were used where appropriate but training was part of the Vice Chair's portfolio and he would discuss it with him and give an update at the next meeting.

11. Conference 2021

The Committee discussed ideas for Conference 2021 and it was agreed that wellbeing/psychological issues and mental health could be a topic for 2021.

12. Competent Business

The Chair advised that the iPads for Committee members were to be distributed in the near future.

13. Closure

Date of next meeting: 14 January 2020

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