



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

JCC Circular 13 of 2021

Ref: CS/KB

13 May 2021

Attachment: Letter from BJ to All Members re Driving Police Vehicles

Dear Colleagues

Please find attached self-explanatory documentation.

Yours sincerely

CALUM STEELE
General Secretary



SCOTTISH POLICE FEDERATION

Established by Act of Parliament

To all members of the SPF

Ref: BJ/KB

13 May 2021

Dear Colleague

Driving Police Vehicles

As you know, as a police officer, you must faithfully discharge the duties of the office of constable with fairness, integrity, diligence and impartiality. You must also comply with all lawful orders. Nothing in this letter seeks to dilute these conditions.

For over seven years the Scottish Police Federation (SPF) has reported its concerns to the Police Service of Scotland (PSoS), prosecution, and other authorities about a dearth of police driver training and the lack of protection and effective legal exemptions from prosecutions in relation to driving police vehicles on duty. Significantly, there are now an extraordinary number of response police officers who have not received emergency response driver training, without taking cognisance of those officers in specialised roles. We believe this is totally unacceptable and it puts these officers, their colleagues and the public at unnecessary risk. In addition, there have been prosecutions of police officers in circumstances where we believe legal exemptions should have applied. Unfortunately, we have been unable to secure assurances that our concerns either are or will be sufficiently and appropriately addressed.

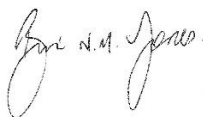
Officers are required by law to drive at all times to the standard of the careful and competent driver. The SPF completely understands that operational demands and a desire to provide a good police service can lead to significant pressures on officers while driving. As you are aware, during response and pursuit driving, it is not uncommon for traffic signs and speed limits to be contravened. This could constitute careless and or dangerous driving, on receipt of a complaint or following a collision. Currently there are no protections or exemptions to such charges and if convicted this would impact your personal driving licence and private motor insurance. Additionally, this could be considered as either misconduct or gross misconduct which could result in dismissal.

However, in light of what we consider to be insufficiently supportive responses from Police Scotland and other authorities, our advice to you when driving police vehicles, whether you are trained or not, is:

- A Continue to perform your police duties as normal
- B Drive in a way which is lawful and does not contravene the laws of dangerous And or careless driving
- C Do not undertake any manoeuvre which may fall outside the standard of the Careful and competent driver

It is hoped that this correspondence will reduce police related accidents and significantly reduce proceedings against police officers for motoring offences and or misconduct offences. On your behalf, we will continue to press for proper driver training and appropriate exemptions.

Yours sincerely



Brian Jones
Vice Chair