

# Scottish Police Federation

## Interim Report



Image Credit: Police Scotland

Deep Dive

Police Service of Scotland

L Division

15 – 19 April 2019

24 April 2019

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## **Introduction**

The Scottish Police Federation (SPF) is the statutory body that represents every police officer in Scotland up to and including the rank of Chief Inspector. The remit of the SPF is provided for by Section 59 of the Police Act 1996 and extends to ALL matters affecting the welfare and efficiency of police officers. Further the Police Federation (Scotland) Regulations 2013 provide;

*The joint central committee may, in relation to matters in which the Federation represents its members, make oral or written representations to any of the following:—*

- (a) *the Scottish Ministers;*
- (b) *the Scottish Police Authority;*
- (c) *the Chief Constable;*
- (d) *a Local Commander of the Police Service (a Constable designated under section 44(2) of the 2012 Act);*
- (e) *a local authority;*
- (f) *the Police Investigations and Review Commissioner (the Commissioner established by Section 33 of the Police, Public Order and Criminal Justice (Scotland) Act 2006(1) and renamed by Section 61 of the 2012 Act).*

The SPF has also appointed Safety Representatives under the Safety Representatives and Safety Committees Regulations 1977.

## **Deep Dive Exercise**

The SPF undertakes deep dive exercises twice a year (April and October). The deep dive involves the immersion of a considerable number of SPF full time officials in a particular policing area for a sustained period of time. During this time every police station and if appropriate, other police premises, are visited by full time officials. Where available, police vehicles are checked, and individual/group interviews with officers take place. Every group of officers, in every station are spoken to. Each officer is supplied with a questionnaire and their responses are treated completely confidentially. This report is compiled on the basis of oral and written evidence received as well as the observations of the SPF officials themselves.

## **L Division**

The Argyll & Bute and West Dunbartonshire Division serves around 182,000 people across 2950 square miles, from urban Clydebank to rural Argyll and many island communities such as Mull, Islay and Bute. The Division has three Area Commands covering the Local Authority areas. One Area Command for West Dunbartonshire and due to the vast geographical area two Area Commands for Argyll and Bute. L division is served by approx. 572 officers.

The division is a popular tourist destination and local police stations report steady tourist footfall for a variety of differing reasons.

The division was selected for the deep dive due to an exceptional number of concerns being raised by members there covering a range of issues including, but not limited to:-

- Refusals of requests for annual leave over the summer months
- Frequent transferring of officers between police stations
- A lack of cover for officers who have changed shift for court and training
- Lack of supervisory cover and remote supervision for custodies
- There have been a number of high profile incidents in the area including the murder of a young child and a large P.I.R.C enquiry due to a death in custody
- Poor condition of the police estate
- Poor standard of accommodation offered in rural areas
- A lack of vehicles in the rural areas
- Lack of visibility of senior officers
- Sense of loyalty and fear for colleague's safety resulting in officers not able to take breaks; time off, or go sick when they should - worrying that their abstraction will disadvantage their colleagues
- The division has one of the highest number of grievances submitted in the West local policing area suggesting there are a wide range of issues in need of address
- Recent recruitment drives to encourage applicants to look at policing in the rural areas have not been successful

This interim report does not detail the findings in respect of each of the issues highlighted above. The full findings will follow in the final report, which will be submitted after a full analysis of the information received has been completed.

The SPF has taken the unusual step of submitting a formal interim report as some of the issues identified during the deep dive are of such significance as to present major risk to the Scottish Police Authority (SPA) and the Police Service of Scotland (PSoS) and require immediate attention.

### **General Observations**

Police officers across L Division are personally motivated to deliver the best policing service they can to the public. This personal motivation is tested daily by the frustration that officers are denied the most basic of tools to deliver that service effectively. Officers often feel that they are letting the public down and despite their individual efforts, they routinely have to apologise for shortcomings in service. By way of example the following have been highlighted;

- Concern Hub officers having to buy their own notepads and pens
- Breath kit tubes in short supply
- Detective officers face a budget bun-fight when seeking to order essential supplies like medical kits for rape and sexual assault victims

- Orders for fire production bags have been rejected even though Police Scotland's own management information shows that the per capita number of fire raisings recorded in West Dunbartonshire are amongst the highest in Scotland.

In addition, officers working in the more landward areas feel they are out of sight and out of mind. There is an unwillingness to provide much needed support from divisional resources due to distance and the lack of ability to incur overtime. Support from national assets is unknown.

Officers feel vulnerable due to a lack of supervision and relationships with managers across the division through to senior and chief officers, are reported as being fractious or non-existent. Officers report that some managers find themselves in parts of the Division they have no interest in being in and simply want to keep their head down to get out as soon as possible. This creates an environment where the issues are ignored for a quiet life in the hope they will simply be picked up by their successor.

The SPF has previously highlighted that officers are facing pressure not to arrest offenders. This has been confirmed by numerous officers we spoke to and the most common reasons cited are:-

- Concern that an arrest will result in the "loss" of a local officer to custody division
- Making lengthy journeys (in excess of 2 hours in each direction) to transfer prisoners to Clydebank

It is apparent that lack of resources; support, career development opportunities, coupled with managerial pressures at all levels deny officers their regulatory entitlements are having a considerable negative impact on the morale and well-being of officers. This will be expanded upon in the final report but it is clear to see that many officers are emotionally drained by organisational behaviours and practices.

## Summary of Recommendations

1. The SPF recommends that Oban Police Station be closed forthwith. It does not provide a safe working environment and emergency interim working arrangements should be secured.
2. The SPF recommends that custody operations cease immediately at Oban and an alternative custody suite utilised. We would recommend the use of Fort William as a brand new state of the art custody facility.
3. The SPF recommends the SPA refer itself to the Crown Office and Procurator Fiscal Service to cause an investigation into whether it breached the provisions of the Housing (Scotland) Act 2006 to take place.
4. The SPF recommends the police accommodation at 326 and 328 Argyll Street Dunoon be closed immediately and suitable alternative accommodation for the police officers residing there be provided.
5. The SPF recommends that any officer who was charged (and paid) rent to live in the premises at 326 and 328 Argyll Street Dunoon be reimbursed immediately by the SPA to avoid the potential for any civil legal action.
6. The SPF recommends that as a matter of urgency the SPA reviews its entire housing stock to ensure it is compliant with all legislative requirements.
7. The SPF recommends that if any occupied premises are not found to be legislatively compliant, the occupants immediately be found suitable alternative accommodation until compliance is achieved and their safety can be guaranteed.
8. The SPF recommends that Lochgilphead Police Station (including the custody facility) be closed forthwith. It does not provide a safe working environment and emergency interim working arrangements should be secured until the safety of the premises can be guaranteed.
9. The SPF recommends that pest exterminators be contracted to eradicate the rat infestation at Lochgilphead Police Station.
10. The SPF recommends that the local Environmental Health Department be contacted to undertake any necessary investigations into the health risks associated with vermin infestation.
11. The SPF recommends the police accommodation at Campbeltown & Lochgilphead be closed immediately and suitable alternative accommodation for the police officers residing there be provided.
12. The SPF recommends that any officer who was charged (and paid) rent to live in the police accommodation at Campbeltown & Lochgilphead be reimbursed immediately by the SPA to avoid the potential for any civil legal action.

## Oban Police Station – Safety Inspection

The Police Station in Oban was subject to a Safety Inspection between the 15<sup>th</sup> and 18<sup>th</sup> April. A copy of the safety inspection report will follow in due course. The most significant issues identified are highlighted below:-

- Damp and crumbling plasterwork are evident throughout. Requests to repair the damage have been ignored by estates. The crumbling plasterwork is being covered by various posters, tape and cardboard in an attempt to improve the ambience of the premises. (photographs 1, 2, 3, 4, 5, 6, 7, & 8)
- One hole in the wall penetrates right to the exterior of the building. (photograph 9)
- The building is known to contain asbestos. We understand an asbestos plan exists but it was not available to view. We consider that the asbestos is unlikely to be managed safely given the degradation in much of the internal fabric of the building.
- Office chairs were in such a state of disrepair that officers have salvaged chairs from skips and a local legal firm who were updating their own furniture
- Building security is poor. The door locks can be easily overcome. The gates to the rear compound "hasn't been used in years."
- The fire escape in the custody area is understandably locked. However no key appears to be available rendering the escape route useless
- The area for custody food preparation shows signs of mould and flaking paint, and presents an obvious health hazard (Photographs 10 & 11)
- The cooker electrics in the kitchen appear damaged (photograph 12)
- Numerous self-harm opportunities and ligature points are present within cells (photographs 13, 14, 15 & 16)
- The victim suite is neglected and does nothing to mitigate the victim experience (photographs 17 & 18)

Oban Police station is in a general state of poor repair. It is clear the premises have been neglected and seen no significant refurbishments or remedial works for a considerable period of time. We understand the opportunity to co-locate with the Scottish Fire & Rescue Service arose in the recent past, but was rejected for reason(s) unknown.

There is a sense of hopelessness amongst officers over the condition of their working environment. A common theme was, "why bother reporting it, as I know it won't be repaired any way". This however should not detract from the pride they show in their work and service they strive to provide to the public.

Officers advised that following the review of Custody by HMIC(S) several years ago the majority of the issues highlighted in this report were identified as being in need of remedy. We understand that the cost of remedy was identified at £160,000 and that to date the work has not progressed due to a lack of funding.

The refusal to spend this money presents significant legal and reputational risk for individual officers, the SPA, and the PSoS. It is the SPF view that use of the custody facilities in its current condition amounts to a breach of section 3 of the Health & Safety at Work (HASWA) Act 1974.

It is the view of the SPF that Oban Police Station is no longer safe or fit for use. Officers who work there describe it as a s\*\*\*hole. Whilst we struggle to disagree with that assessment those who undertook the inspection describe it as by far and away the worst police station they have ever encountered across the totality of the PSoS estate. It is the view of the SPF that continued use of this police station amounts to a breach of section 2 of the HASWA 1974.

1. The SPF recommends that Oban Police Station be closed forthwith. It does not provide a safe working environment and emergency interim working arrangements should be secured.

In our view we consider that it is likely the investment required to bring the building to an acceptable standard would be such that a new build should be pursued.

2. The SPF recommends that custody operations cease immediately at Oban and an alternative custody suite utilised. We would recommend the use of Fort William as a brand new state of the art custody facility.

#### **Police Officer Accommodation – 326 & 328 Argyll Street, Dunoon**

The disgraceful condition of the accommodation provided to police officers working in Dunoon (referred to locally as the barracks) is difficult to convey in words. SPF representatives described the accommodation as being as bad as they have seen supplied by slum landlords. The attached photographs (19 – 28) give a flavour of the myriad of issues identified.

The male barracks are in particularly poor condition. Almost every radiator in the building was either leaking or did not produce any heat, leading to sodden carpets and mould. SPF officials found mushrooms growing in the shower room where a towel was used in an attempt to stymie water ingress.

The mattresses supplied are worn and do not fit the bed bases. Curtains and blinds are damaged and/or translucent. It is hard to see how officers working shifts would be able to get to sleep during the day.

Plumbing fittings are severely corroded and electrical fittings were broken exposing wires.

The fire alarm system was not fully operational even though rooms are situated above offices and garages used by roads policing where there are cars full of fuel; items of electrical equipment, batteries being charged etc.

Firefighting equipment was out of date. We consider this suggests no fire safety inspection has been carried out and that it is likely the premises do not have a fire safety certificate.

A condition of the lease is that the SPA will maintain the residence in a good and reasonable state of repair. This has demonstrably not been done. A further condition is that furniture and equipment will be provided and maintained in reasonable working order. Again this has demonstrably not been complied with.

It is known the SPA applied to have the Dunoon Barracks register as a House in Multiple Occupancy (HMO) in terms of Part V of the Housing (Scotland) Act 2006. We believe this application was rejected due to the poor standard of the accommodation not meeting the minimum standards required for a HMO license. We further understand that the SPA sought estimates to bring the premises up to standard, but thereafter did not do so for what we assume to be an unwillingness to release funds, and did not make further application to license the premises as HMOs.

Our observations suggest that the accommodation would not meet the standards required of a HMO. The available evidence leads us to conclude that the SPA has been illegally operating HMOs without a licence in an effort to avoid the substantial costs needed to bring the accommodation up to the proper standard. The SPA has created leases and charged rent, and may have committed offences under section 154 of the 2006 Act.

3. The SPF recommends the SPA refer itself to the Crown Office and Procurator Fiscal Service to cause an investigation into whether it breached the provisions of the Housing (Scotland) Act 2006 to take place.

The male barracks were closed immediately upon the concerns of the SPF being raised. That being said the female barracks were in only marginally better condition. In light of the significant issues identified by the SPF we make no recommendation on short term mitigating action.

4. The SPF recommends the police accommodation at 326 and 328 Argyll Street Dunoon be closed immediately and suitable alternative accommodation for the police officers residing there be provided.
5. The SPF recommends that any officer who was charged (and paid) rent to live in the premises at 326 and 328 Argyll Street Dunoon be reimbursed immediately by the SPA to avoid the potential for any civil legal action.
6. The SPF recommends that as a matter of urgency the SPA reviews its entire housing stock to ensure it is compliant with all legislative requirements.
7. The SPF recommends that if any occupied premises are not found to be legislatively compliant, the occupants immediately be found suitable alternative accommodation until compliance is achieved and their safety can be guaranteed.

## **Lochgilphead Police Station**

The police station has a rat infestation. Officers had been complaining for some time in respect of this and SPF officials raised this with L division management as far back as 2017. Evidence of rat presence within the custody food preparation area was found. It is not known if environmental health officers were advised given the self-evident health risks. The SPF considers it is likely this may amount to a breach of Section 3 of the HASWA 1974.

Contractors were sent at the time but it appears no follow up check on the effectiveness of their endeavours was carried out.

Officers reported that they were expected to continue working in the station during the rat extermination treatment, and actually had to move furniture and fittings during the works.

During the deep dive, local officers reported that despite the extermination works, rats remain in the building. They can hear them in the walls and ceilings. Officers are reluctant to drink from the water supply or eat within the building. The SPF considers it is likely this may amount to a breach of Section 2 of the HASWA 1974 and officers are understandably concerned that they are at risk of contracting Leptospirosis (Weil's disease). This has a massive negative impact on morale.

8. The SPF recommends that Lochgilphead Police Station (including the custody facility) be closed forthwith. It does not provide a safe working environment and emergency interim working arrangements should be secured until the safety of the premises can be guaranteed.
9. The SPF recommends that pest exterminators be contracted to eradicate the rat infestation at Lochgilphead Police Station.
10. The SPF recommends that the local Environmental Health Department be contacted to undertake any necessary investigations into the health risks associated with vermin infestation.

## **Police Officer Accommodation – Lochgilphead & Campbeltown**

It is worth noting that similar concerns to those for the Dunoon barracks were raised over the condition of the police accommodation in Campbeltown & Lochgilphead. The premises are damp and mould is described as being so bad that officers look to move out as soon as is humanly possible. Despite this the premises are still used to house officers who may be temporarily seconded to the area.

SPF officials were advised that residents in the accommodation are advised by senior officers to declare themselves as homeless in order to get priority on the housing list.

The SPF understands that the SPA does not hold an HMO license in respect of the police accommodation at Campbeltown or Lochgilphead.

11. The SPF recommends the police accommodation at Campbeltown & Lochgilphead be closed immediately and suitable alternative accommodation for the police officers residing there be provided.
12. The SPF recommends that any officer who was charged (and paid) rent to live in the police accommodation at Campbeltown & Lochgilphead be reimbursed immediately by the SPA to avoid the potential for any civil legal action.

## Fleet

Officers across the division expressed frustration at the dearth of police vehicles available to permit them to do their jobs effectively. Officers are confirming that they are having to drive vehicles that are not fit for the road because no others are available. SPF representatives put one of the police vehicles they examined off the road due to a bald tyre.

There is a particular issue within the Public Protection Unit at Clydebank. The Rape Unit and Domestic Abuse Unit have 2 cars which are shared between 10 officers. They are spending inordinate amounts of time working out how they will use their vehicles rather than completing their enquiries. One officer reported being dropped off at a victim's house to complete an enquiry. The victim asked for a personal attack alarm and the officers explained that they would have to walk back to the station to retrieve one. In response the victim drove the officers back to the station and collected the alarm herself.

The Offender Management Unit has access to only one dedicated vehicle which they have to use for attending Multi Agency Public Protection Arrangements (MAPPA) meetings and for the monitoring of over 100 registered sex offenders in the community. Quite simply this presents considerable risk for the PSOs and the wider public.

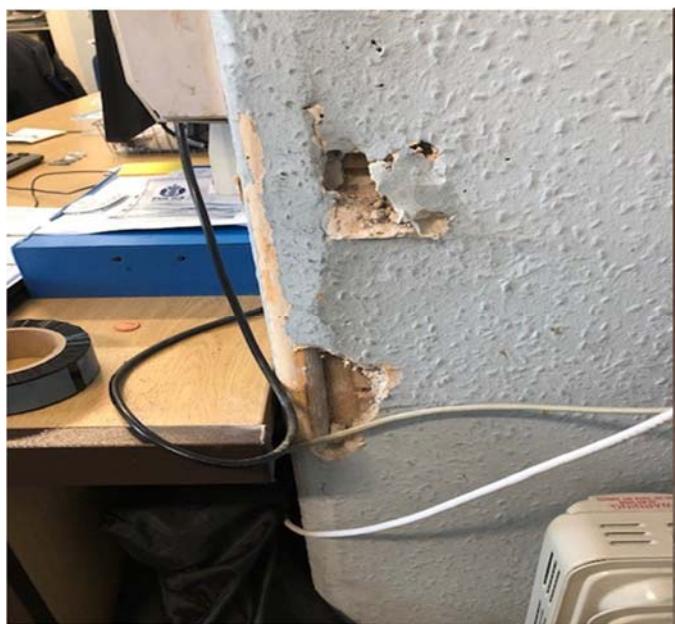
Oban has only two police vehicles. This has necessitated the appropriation of the vehicles from Dalmally and Appin. The consequence of this are highly wasteful roundtrips of up to 90 minutes each day to and from Appin and Dalmally to collect the officers for their tours of duty.

## Conclusions

Police officers working in L Division find themselves doing so in some of the worst conditions the SPF has encountered. The physical accommodation provided to officers to work and live in, particularly in Oban; Dunoon, Campbeltown, and Lochgilphead is nothing short of a disgrace. The apparent singular obsession of the SPA with driving a cuts agenda at all costs has led to unsafe working conditions, put the health of police officers and public at risk, introduced significant risk to effective crime investigation and offender management, and almost certainly led to the law being broken.

The sense of helplessness and a resignation that things simply will not get any better is a matter of the gravest concern. The Division has been sorely neglected and whilst the public may not yet have noticed, the impact on the police officers working there has been stark. We are particularly concerned that years of organisational intransigence, have helped create a self-generating general managerial malaise. Officers are frustrated that their managers appear not to listen to or act on their concerns. Managers are frustrated that the fix to many of the concerns lie with funding and know through experience that they receive a rubber ear when concerns are escalated. This leaves managers carrying exceptional burden whilst senior leaders are able to rely on plausible deniability over the stark reality of policing in the division.

Photograph 1



Photograph 2



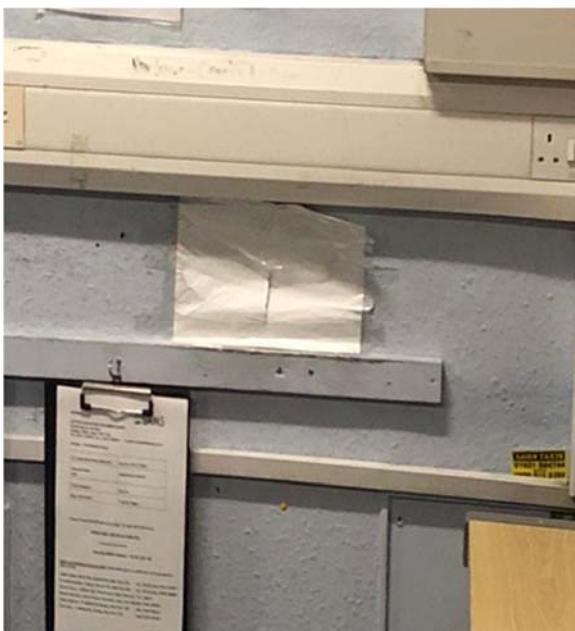
Photograph 3



Photograph 4



Photograph 5



Photograph 6



Photograph 7



Photograph 8



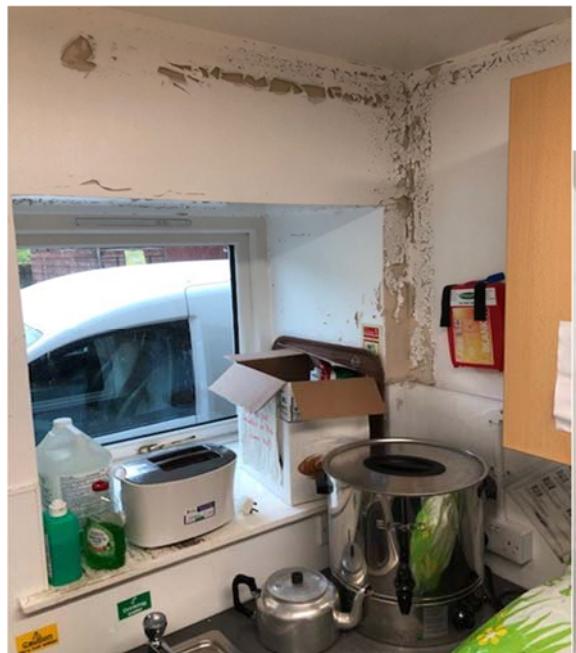
Photograph 9



Photograph 10



Photograph 11



Photograph 12



Photograph 13



Photograph 14



Photograph 15



Photograph 16



Photograph 17



Photograph 18



Photograph 19



Photograph 20



Photograph 21



Photograph 22



Photograph 23



Photograph 24



Photograph 25



Photograph 26



Photograph 27



Photograph 28

