Justice Committee

Post-legislative scrutiny of the Police and Fire Reform (Scotland) Act 2012

Written submission from the Association of Scottish Police Superintendents

In response to the Scottish Parliament’s Justice Committee call for evidence regarding post legislative scrutiny of the Police and Fire Reform (Scotland) Act 2012, the Association of Scottish Police Superintendents (ASPS) has collated views from members and hereby submits the following comments and observations in summary form. Additional information and detail can be provided if required by the Justice Committee.

Part 1. Views on the remit

The remit for the Committee's post-legislative scrutiny is to consider whether:

the policy intentions of the Police and Fire Reform (Scotland) Act 2012 have been realised and are being delivered; and whether any further policy or legislative changes are required to improve the effectiveness of the Police and Fire Reform (Scotland) Act 2012.

Response

The remit of the post-legislative scrutiny appears appropriately focused yet sufficiently encompassing to enable examination of tangible outcomes and delivery against the policy intentions.

Part 2. Questions.

Police service

1. In your view, what have been the consequences of the 2012 Act for the police service? Please set out your views on (a) any benefits and (b) any negative consequences of the 2012 Act for the police service.

In general terms the Association of Scottish Police Superintendents (ASPS) considers that the implementation of the Police and Fire Reform (Scotland) Act 2012 has been positive. The Association has not identified consequences that it would describe as being ‘negative’ but rather recognise issues or elements of the change process that the service requires to understand and manage. All comments are encapsulated under the benefits section hereafter.

Benefits: -

- National access to specialist resources. (see response under Question 2 below)
- The ability for the Service to speak with one voice and have a singular approach to vision, values, priorities, policy, procedure and standards.
- Convergence of contractual commitments and strategic capability in terms of purchasing power and acquisition of equipment and assets.
• The identification and standardisation of best practice. There remains scope for stimulating and embedding a culture of innovation and empowerment especially with operational officers and staff who are delivering services directly to citizens.

• More consistent implementation of large scale legislative change such as the Criminal Justice Scotland Act 2016 through appropriate allocation of project resources.

• Flexing of local resources across divisional boundaries (not just national resources) has become simplified and common place. What was formerly mutual aid now being commonplace, easier and quicker without financial cross charging.

• Planning and delivery of policing response to major sporting, cultural or national events (pre-planned or spontaneous) has been enhanced through improved resilience and the ability to mobilise and flex resources.

• For some officers and staff there have been improved opportunities for career and personal development however there is scope for more opportunity to be offered for lateral development and mobility. Effectively engaging with officers and staff through fully embedded Professional Development Conversations is key to this. ASPS has reservations about the gravitation of (senior) posts toward the central belt. ASPS advocates for greater openness to flexible, agile working and a distribution of leadership posts throughout the country.

2. Have the policy intentions of the 2012 Act in relation to the police service been met?

• To protect and improve local services despite financial cuts, by stopping duplication of support services eight times over and not cutting front line services

The terminology of ‘front line services’ and ‘local services’ is broad and open to differing interpretations. Policing services invariably have a local impact even if the issues being addressed are regional, national or international in scope and scale. It is difficult and perhaps unhelpful to seek to delineate ‘national' versus ‘local’.

Local Policing delivered through the current structure of 13 territorial Divisions continues to be the principal mechanism by which day to day response policing, community policing, roads policing and crime investigation is delivered to local communities. Given that the 13 territorial Divisions are largely constituted of conjoined Divisions from legacy forces, there has been considerable continuity of
service delivery in local communities. There have been improvements in consistency of approach such as the response to, and investigation of domestic abuse.

Stopping of duplication of support services eight times over has been realised to some degree with further work ongoing. This appears to have assisted with realising efficiencies to stave off financial cuts and partially address the structural deficit in the budget. However, it is the case that there remains considerable work to be done to transform Corporate Services functions and ICT Support functions, which are often the source of duplication between central HQ functions and territorial or specialist departmental Divisions

- **To create more equal access to specialist support and national capacity** – like murder investigation teams, firearms teams or flood rescue – where and when they are needed; and, ASPS believes that there is considerable evidence that this policy intention has been largely achieved. There continues to be the need for prioritisation in order to meet various demands from all parts of the country. This is managed through tasking and co-ordinating processes at operational, tactical and strategic levels and appears to work effectively.

- **To strengthen the connection between services and communities**, by creating a new formal relationship with each of the 32 local authorities, involving many more local councillors and better integrating with community planning partnerships.

There has been an increase in involvement of local councillors through local scrutiny arrangements and there are strong working relationships between local police commanders and local elected members. There is considerable variety in the scrutiny arrangements which is understandable given the different community needs across the country.

Community Planning Partnerships continue to function along similar parameters as they did prior to reform. There has not been progress in terms of better integration, largely because of the financial pressures within policing which have led to very strict central budgetary control. To date, there has been little or no devolved budgeting or autonomy to local police commanders which would have assisted with fuller integration of community planning and stimulated community empowerment.

**Other issues**

Question 5. Are there any other issues you would like to raise in connection with the operation of the 2012 Act?

ASPS consider that a review of the senior officer ranks (section 7) would be appropriate. ASPS recognise that there was a consideration of this matter previously but a review could be informed by experience to date.

Ivor Marshall, Chief Superintendent
President
24 May 2018