



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

### **JUSTICE SUB-COMMITTEE ON POLICING**

Thursday 5 November 2015



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**JUSTICE SUB-COMMITTEE ON POLICING**  
**10<sup>th</sup> Meeting 2015, Session 4**

**CONVENER**

\*Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP)

**COMMITTEE MEMBERS**

\*John Finnie (Highlands and Islands) (Ind)

\*Alison McInnes (North East Scotland) (LD)

\*Margaret Mitchell (Central Scotland) (Con)

\*Elaine Murray (Dumfriesshire) (Lab)

\*Kevin Stewart (Aberdeen Central) (SNP)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Chief Superintendent Mike Leslie (Police Scotland)

Chief Superintendent Angela McLaren (Police Scotland)

Superintendent Kate Stephen (Police Scotland)

**CLERK TO THE COMMITTEE**

Joanne Clinton

**LOCATION**

The David Livingstone Room (CR6)



# Scottish Parliament

## Justice Sub-Committee on Policing

Thursday 5 November 2015

*[The Convener opened the meeting at 13:17]*

### Local Policing

**The Convener (Christine Grahame):** Thank you. I welcome everyone to the 10th meeting in 2015 of the Justice Sub-Committee on Policing. I ask everyone to completely switch off mobile phones and other electronic devices.

No apologies have been received.

Our only item of business today is an evidence session on local policing during which we will explore some of the issues that were raised on our recent visits to Dumfries, Elgin and Glenrothes.

I welcome to the meeting our witnesses from Police Scotland: Chief Superintendent Mike Leslie is from Dumfries and Galloway; Chief Superintendent Angela McLaren is from Fife; and Superintendent Kate Stephen is from Moray. Thank you for coming.

I also thank you, and your divisions, for facilitating our very useful visits—I am trying to remember when they took place, but I think that it was back in June.

We will go to straight to questions from members. Margaret Mitchell will be followed by Kevin Stewart, John Finnie and Elaine Murray. I will put Alison McInnes down in reserve.

**Alison McInnes (North East Scotland) (LD):** Yes, just put me down.

**Margaret Mitchell (Central Scotland) (Con):** Good afternoon. I start with the issue of communication, which is so important to the effective running of Police Scotland. Are officers still being bombarded practically every day with a volume of things that apparently have to be looked at? If so, what is the purpose of that, and does it deflect officers from the local priorities that they should be looking at?

**The Convener:** I advise the witnesses to indicate to me if they want to reply to a question and I will call them. Chief Superintendent Leslie wants to start.

**Chief Superintendent Mike Leslie (Police Scotland):** I think that in the first couple of years a lot of information came down to us, but that was a by-product of bringing eight forces into one. We needed to make sure that there was a corporate

response and a corporate outlook and that we had not created 14 different forces just because there were 14 divisions.

A lot of information is still coming down, but more recently I do not think that we are feeling the same pressure that we felt in the past. We have got into a routine now, if that makes sense, and I think we have learned from the past and streamlined the process.

**Margaret Mitchell:** Does anyone else want to comment on that?

**The Convener:** It is all right if you want to chair, Margaret—I will just drift.

Chief Superintendent McLaren wants to comment.

**Chief Superintendent Angela McLaren (Police Scotland):** Certainly from an operational point of view—I am talking about the daily operational business—information is really quite streamlined. As Mike Leslie suggested, we have set processes in the divisions. People who need to know information will know it—it is kept at the right level. We have one briefing document in each division, so officers know where their priorities lie. There are operational priorities every day.

**The Convener:** Do you want to add anything, Superintendent Stephen, or is it just the same for you?

**Superintendent Kate Stephen (Police Scotland):** I would just echo what colleagues have said.

**Margaret Mitchell:** I will bring up a specific point. The Criminal Justice (Scotland) Bill makes changes to arrest and custody arrangements that will obviously impact on you very directly. However, 70 per cent of the respondents to the Police Scotland staff survey have said that they want more opportunity to influence decisions that are made. I ask for comments on that.

**Chief Superintendent Leslie:** There will be a period during which Police Scotland will engage with internal stakeholders—police staff and police officers—on the staff survey results, which were published recently. We will develop an action plan that will then be communicated to staff and taken forward so that the organisation learns from what came out of the survey.

Going back to the information that comes down, I know that, at the start of the safer communities initiative, material came down to us a week late. That happened in relation to the freshers initiative, for example. In Dumfries and Galloway, freshers week is a week earlier than freshers week in the central belt. We have addressed that issue. In a recent operation—operation Monarda—on bogus workmen, the material arrived on time and we

implemented the initiative and had quite a bit of success on the back of it, protecting vulnerable people, especially the elderly.

**The Convener:** So sometimes it was simply that things were happening in different divisions at different times, but you were getting the briefings at one fixed time. Has that all been sorted?

**Chief Superintendent Leslie:** The information for the freshers initiative arrived a week late because, as I said, freshers week starts in Dumfries and Galloway a week earlier—

**The Convener:** Yes, I understand that.

**Chief Superintendent Leslie:** We would get information as it was being sent out to the central belt. However, we have addressed that, we have learned from it and we have moved on.

**Superintendent Stephen:** We have events diaries and national units that deliver on initiatives such as safer communities. Over the past two years, we have streamlined the processes and much more localism has been added in.

With safer communities, single points of contact—SPOCs—in each of the divisions have an input and meet monthly with the national teams. When issues arise, they can be addressed at those meetings—indeed, they can be forecast. Everything is much smoother and more streamlined, with divisions receiving information when they require it in time for national operations or events or initiatives in an area.

**Margaret Mitchell:** What about legislation and, in particular, the changes to arrest? Is information on those changes coming down to you? Are you being consulted on them? Were you consulted on them?

**Chief Superintendent McLaren:** There are always changes on the criminal justice side of the business in terms of police warnings, recorded warnings, discretionary powers and changes to process.

The criminal justice field is very wide. We have a criminal justice division, but if a new procedure is coming in there will be a nominated SPOC in each of the divisions who will be the link for that.

The criminal justice division provides bulletins and information on which people can receive personal as well as written briefings. There is a lot of information, but that has always been the case in policing. There has always been a lot of change and we have always been able to find the best ways to get information out to our staff.

We recognise that the staff survey has picked up on staff wanting to be able to influence decisions more, have fewer emails and certainly have more personal contact, whether with senior officers or across departments. As Mike Leslie

said, we are looking at that now, as part of moving forward.

**Margaret Mitchell:** I have another example that was brought to my attention recently. Again, it is about communication.

We are aware that last year, when all the leaders spoke to the police, the issue of maternity leave was brought up—it is 13 weeks in Scotland and 18 weeks in England.

**The Convener:** Wait a wee minute. Slow down. The remit of this committee is to deal with the operation of Police Scotland as a single police force. That, not the issue that you raised, is the remit. I have to rule that—

**Margaret Mitchell:** But I think you must let me—

**The Convener:** No.

**Margaret Mitchell:** It is communication, convener.

**The Convener:** No, no. I am in the chair. You are raising the difference between what happens in England and—

**Margaret Mitchell:** The police negotiating body reached an agreement on 7 October. It was published in the press on 8 October, but rank-and-file officers were not notified of it.

**The Convener:** Sorry, Margaret, but I am putting my foot down. Our remit is to deal with the operation of Police Scotland as a single force. This discussion is about localism and whether there is failure. When the national force came in, there were difficulties with losing local accountability.

The issue that you raise is irrelevant to what this meeting is about today, and you cannot expect witnesses to speak to an issue, nor will I allow them to be asked to speak to an issue, that they did not expect to speak to and which is not within the brief for today's meeting. Sorry.

Could I have a question from Kevin Stewart, please? I know that he has to leave a bit early.

**Kevin Stewart (Aberdeen Central) (SNP):** Thank you, convener. In case the witnesses do not know, I am from Aberdeen, where I deal regularly with Chief Superintendent Adrian Watson.

One concern for some folk was there being a national diktat, with you guys not having the flexibility to deal with issues in your own patches. However, in my experience, the police have certainly been flexible in dealing with some of the complaints that I have had in Aberdeen. I praise the force there for that flexibility.

Do you feel that, under the new set-up, you have the flexibility to deal with local concerns that

have been raised either by elected politicians or by the public, and sometimes to prioritise them above the national issues that come your way?

**Chief Superintendent McLaren:** Yes, absolutely. I have had the benefit of working in two different divisions since Police Scotland started up. I was in Tayside before I was in Fife, and it is very much for the divisional commander and the command team within an area to deploy their resources where they see fit and where demand is.

In Fife, for example, we have a really strong community engagement system. We had that prior to Police Scotland, and it still exists. We have regular contact at a local level, and local people are able to tell us their concerns. That forms part of what were our ward plans and are now our local area plans. That emphasises the local flexibility, in that Fife moved to area plans to fit with the seven council areas. That was a better fit for us.

I would say that I have only very seldom come across a local issue that does not in some way fit with a national priority. For me, there has never really been that rub about whether a local priority can be serviced.

Certainly, we flex our own resources locally, and I know that my colleagues do the same. If we have a particular issue in an area—for example, we had a ward that experienced an increase in antisocial behaviour and violence—we have the flexibility to bring in national resource to assist us where and when we need it. I certainly feel that I am able to flex my resources locally, and my local area commanders, at chief inspector level, are able to do so, too.

**Chief Superintendent Leslie:** Like Angie McLaren's division, my division is coterminous with the local authority area and the national health service board area. I think that we have very strong working relationships with the local authority, with the NHS and, most important, with elected members, including MSPs and MPs.

In the past 10 days, I have met every local MSP, the two local MPs and a number of councillors to brief them on a matter. That gave them an opportunity to influence me or bring matters to my attention that they think we need to address. I think that those are very strong working relationships.

We run a continuous improvement group in Dumfries and Galloway. The chair of the local police, fire and rescue scrutiny sub-committee sits on that group, alongside his senior command team. He hears what we are looking at and is given a chance to influence and contribute to the debate about where we need to go. We had a meeting with him on Monday, when one of the

issues that we discussed was how he is helping us to promote the special constabulary in the region.

13:30

**The Convener:** I would like to ask a supplementary question to that. It sounds as though things have moved on since 1 June, but the note that we have in front of us from Dumfries and Galloway division admits that there is a strong view

"amongst officers that the leadership style of the national force had softened and become more understanding to the need for flexibility".

However, it also says that

"Officers and Councillors noted that national policies on road closures and charging of events had replaced local flexibility."

Has the situation stayed the same? Local flexibility is important to local people.

**Chief Superintendent Leslie:** I will give the context around that. If there is to be a gala event, a temporary traffic restriction order—TTROs, as they are known by police officers—must be applied for to the council. The council asks us to conduct a risk assessment and then we make a recommendation to the council. It is up to the council what happens thereafter. The particular example relates to an individual in Kirkcudbright who thought that he was going to be charged an extortionate sum of money—£1,000, I think—when in fact he was going to be charged £100 by the council.

I will make another very important point about TTROs. In Dumfries and Galloway we have gala events every week through the summer. On many occasions there will be more than one event on. They are policed free—there is no charge, although the police put significant resources into those community-based events. The charge for the TTRO is made by the council.

**The Convener:** Do you want to come in on that Elaine? It is your patch, is it not?

**Elaine Murray (Dumfriesshire) (Lab):** Kirkcudbright is not in my patch.

**Kevin Stewart:** Obviously some forces were ahead of the game in terms of ward policing plans and local policing plans. Now all the divisions have to do such things. One of the things that often tell a story about how a force and a community are co-operating is how involved the community is in formulating local policing plans. I was not on the recent visit to Elgin, but when John Finnie and I were there previously, the community council there seemed to have had fairly good input to the local plan and was happy with its formulation. Are you taking enough cognisance of the views of the

man and woman in the street when you formulate local plans?

**Superintendent Stephen:** Yes. I do not think that the position has changed between the first visit in 2014 and Mr Finnie's second visit to Elgin. I would argue that we are taking cognisance of people's views through various methods—through local councillors or at community council meetings. Officers and inspectors attend those grass-roots meetings and take on board the concerns of members of the public in the Elgin area, who feature in and form the process.

**Kevin Stewart:** As I said, the then Grampian Police seemed to be ahead in that respect, before the national force was formed. I am interested to hear how you feel that it is going in the Fife and Dumfries and Galloway divisions.

**Chief Superintendent McLaren:** I would echo Kate Stephen's comments. I think that Fife was in a similar position: we had a recognised engagement model that we have maintained into Police Scotland. Our engagement has not changed a great deal; we engage in the same way as we did and we employ the same methods. We are starting to bring the planning process back to do it a bit earlier in order to give us more time to plan. We have started our local engagement, initially with partners—my colleagues will have done so, as well—and then we will take that down to the local level.

We are also looking to bring in over the next year more digital participation, because we recognise that although a form works for some people, for most the best way now to put across their views is through Twitter, Facebook or some other electronic method. We are just now trying to work out the best way to communicate with our different communities in each area, and how we can do that digitally.

We have in Fife citizenship groups that capture the views of far more people than we could capture on our own. It is very much about not doing things in isolation but instead looking for existing networks that we can tap into and put questionnaires out through. I am conscious of everybody's time, so I will say that we are looking at taking that a step further and at considering how we can do that with our partners as well, because local councils and the national health service are doing the same thing. We are at the stage now in Fife where we are, as part of our co-ordinated efforts, trying to think of ways that we can do that on a wider basis across organisations.

**Chief Superintendent Leslie:** V division is—as Angie McLaren's division is, and as I keep saying—coterminous with partners, but I think that there is a very important point to be made here. For me, community policing is underpinned by

policing by consent: we police with the consent of the community. We must never lose sight of that. Dumfries and Galloway V division is in a very rural community. We are tied in to the local community through the area committee process. That has been the case for a long time.

Through the area committee process—through what was the police and fire committee, which is now the scrutiny committee—there is, as in Angie McLaren's division, a lot of on-going consultation. Do I think that the consultation gives us an accurate understanding of the community? Yes I do, because we have developed it and moved it on. It is a very important principle in community policing. We should not lose sight of the fact that we police by consent.

**Kevin Stewart:** Do you think that the recent national consultations have been as robust as your local consultations? If not, how do you think they should be improved? Should you take the lead in national consultations as well as in your local consultations? After all, it is you and your officers with whom folk have daily contact.

**Chief Superintendent McLaren:** Mike Leslie picked up on the fact that there is a learning curve with any change process. National consultations have at times been top down, but at other times they have been bottom up.

Let us take control rooms as an example. Prior to my time in Fife, Fife division was changing control rooms. The team came into Fife and gave a presentation to elected members on our scrutiny board so that they could understand what was happening. This week, now that we have gone through that change, the scrutiny board has visited the area control room in order to understand how things are working. There is a learning process with any change.

Having spoken to elected members with whom I work, I think that they certainly feel that they have had an opportunity to be involved in the processes and have contributed at local level to what is happening nationally.

**Kevin Stewart:** I have one final question, convener. Many years ago, when I served on the Grampian police board, I was perturbed to hear that restrictions were put on officers about talking to elected members. The officer who tried to put that in place probably learned very quickly that that was not a very wise thing to do. Can you assure me that your officers, constables, sergeants and inspectors can talk openly and transparently to us and to councillors and community councils—the entire shebang? It is extremely important that they are able to do that.

**The Convener:** You are not going to hear a "No" in response to that. Never mind—I will let you get it on the record.



**Kevin Stewart:** I am asking the question because it is important.

**The Convener:** The question is as important as the answer.

**Chief Superintendent Leslie:** I expect that my area inspectors speak to councillors daily, especially when something is happening in the community—for example, councillors will be briefed if we are running a community impact assessment. There is a lot of trust because the relationships have developed over years, so there can be very detailed confidential briefings. Councillors have that trust: they need to know what is going on because they are part of the community. If we do not tell them what they need to know, it is going to come to them anyway, but if they are not sighted on it, it will backfire on us.

I can only speak from a V division perspective, as Elaine Murray will know, but such restrictions just do not happen.

As I said, there is a councillor on my continuous improvement group who is getting it warts and all in terms of local things that we are trying to improve.

**The Convener:** I will obviously give you all the opportunity to answer.

**Chief Superintendent McLaren:** I would say exactly the same as Mike Leslie. From the Fife perspective it is very much a case of consultation taking place at local level. If there is an on-going incident we will have discussions. I encourage my officers to speak especially to local elected members about issues in their area. It does not make sense not to do so because otherwise a letter will come in and we will end up giving it to the officers to deal with anyway. Consultation and engagement happen routinely: they are business as usual.

**Superintendent Stephen:** I echo what my colleagues have said. It is no different in B division in Aberdeenshire and Moray. I absolutely encourage such engagement; we encourage our inspectors, sergeants and constables to engage at local level.

As has been highlighted, engagement has not, since the inception of Police Scotland, changed in the north-east: it continues.

**The Convener:** I will call John Finnie next. You mentioned community policing, which was not followed up by John because Alison McInnes and I went to Glenrothes. I understand that you had an open-ended pilot scheme of having two dedicated community officers in each council ward and that it was very popular. Is that pilot continuing?

**Superintendent Stephen:** Yes, the pilot is continuing and is being reviewed at the moment.

As we say, it is, as I am sure you can imagine, a very popular method of community policing. There are in the wards recognisable officers whom not just elected members but community members can associate with. The pilot is under review and is working well.

**John Finnie (Highlands and Islands) (Ind):** Thank you, convener, and good afternoon, panel. Convener, may I make a wee comment before I ask questions?

**The Convener:** It depends where you are going with it.

**John Finnie:** I am sure that you will like it.

**The Convener:** Aha! Already, I am on guard.

**John Finnie:** I had the benefit of visiting Moray in January 2014 with Kevin Stewart, for which I am grateful to Superintendent Stephen and her colleagues. The records will show that there were issues there, but we were particularly impressed with the community's support for the constabulary. Due to unforeseen circumstances Kevin was unable to join me in September, but the picture was the same then. It is important to say that support for the constabulary is vital in such communities.

Due to some technical difficulties we did not get the show on the road quite as we thought we would, but I had some informal discussions with the senior management team who shared their frustrations about the level of negative publicity. I can understand that. However, that is my precursor to raising some of the negative issues in the report. It is important to say that at all levels there is an understanding of the process of change, and real appreciation of the effort that is being made.

I am sure—

**The Convener:** I am sure that we have just had an evidence session, but never mind. Let us have some questions.

**John Finnie:** People would be surprised if I did not raise the issues. There was an issue in that some partners were more aware of police activities than others were. I am sure that that is something that Superintendent Stephen will have picked up on since our visit, or will be picking up on.

**Superintendent Stephen:** I am sorry. What is your specific question?

**John Finnie:** Let me just step back. Partnership representatives have not been formally asked to identify priorities for local and ward policing plans.

**Superintendent Stephen:** I do not have the details on the partners to which you are referring. That lack of awareness of activities obviously

came up as part of the engagement that you had with them while you were in Moray, but that is certainly not something that has featured locally with us or been highlighted as a problem by any partners. As I said earlier, the engagement process is as it has been in previous years in relation to consultation and informing what goes into local plans, which invariably also inform the national themes.

**John Finnie:** I am sorry: I had understood that the information was in the public domain and had been shared. If it has not, I am sure you will pick up on it.

The other matter that will apply across the divisional areas is that officers suggested to us that they are under pressure to put reports to the procurator fiscal when, with their knowledge, they did not believe that there was sufficient evidence to do so. Are you able to comment on that?

**The Convener:** I have been advised that what John Finnie is referring to is our note on the visits, which is in the public domain. I am sorry if witnesses were not aware that that is, in part, what we are looking at. I think that that is what John Finnie is referring to. That is just to put you at ease and to be helpful to John. On we go.

**John Finnie:** Let me quote directly:

“Officers were also under pressure to put some cases to the procurator fiscal without a sufficiency of evidence.”

**Superintendent Stephen:** Specifically in relation to the consultation that happened in Elgin, we have layers of quality assurance in crime-management units and layers of supervision to review evidence on cases that go to the procurator fiscal. It is, ultimately, down to the procurator fiscal to decide what level of evidence there is.

Pressure being put on officers was highlighted at your meeting with officers, but it has certainly not been brought to our attention locally.

13:45

**Chief Superintendent Leslie:** We have regular meetings with the local procurator fiscal and similar meetings will be happening elsewhere. They are not slow in telling you if that is happening; they do not want to see reports like that coming in because it is a waste of their time. They are busy enough and officers are busy enough without spending time on that.

We have a mechanism in place and, in my opinion, it will be operating elsewhere in Scotland. We have meetings with the fiscals in which they come and tell us that something has caught their eye.

**Superintendent Stephen:** When you look, for example, at domestic abuse cases, you can see

that we have the domestic abuse task force and investigation units across all the divisions. Those are new structures and new ways of working. Innovative practice has been developed in other legacy forces that has been introduced into specific divisions. There are toolkits and standard operating procedures and all sorts of things to help officers identify and, ultimately, to maximise the evidence that is available to them when they are presenting cases against individuals.

Perhaps what you mention was the view of a handful of officers in relation to specific types of reports that they are putting in. But in general—

**The Convener:** I have just located the point myself. It is on page eight of paper JSP/S4/15/10/1, the second bullet point down in the note about visits. You have found it too.

**Superintendent Stephen:** I echo what my colleague was saying about meeting the Procurator Fiscal Service on a monthly basis. There is a single point of contact at all levels, from the strategic down. We would know if the fiscals were highlighting issues. As my colleague says, they would not be slow in letting us know if there were a raft of cases coming through that did not have evidence. Ultimately, you are talking about human rights.

**John Finnie:** Yes, indeed. There are a couple of things that came up when Mr Stewart and I visited. There may be issues of perception about what is seen as micromanagement and the removal of discretion. Are you able to comment on that? Indeed, the example of domestic violence was cited: officers felt that they spent a considerable time on that and that when they came back five people in the office pored over their every action and often found something else for them to do.

**Superintendent Stephen:** I think you and other members will recognise that domestic abuse is one of our priorities—

**John Finnie:** Absolutely; appropriately so.

**Superintendent Stephen:** —both locally and nationally. I mentioned the domestic abuse task force and the domestic abuse investigation units; we recognise that this was a hugely under-reported area in the past. I make no apology for the level of scrutiny and the level of quality assurance that goes into ensuring that victims are protected in all cases of domestic abuse.

**Chief Superintendent McLaren:** To build on what Kate Stephen said, it is especially the case that in domestic abuse cases or cases involving children, a lot of the scrutiny is to do with the recording process. Although the officers might feel that there are five people poring over a single piece of information that they are recording, a lot

of that is just down to different recording practices. Certainly, information on the vulnerable persons database can ultimately be shared with other partners, so it is important that it is correct at the time of entry.

Domestic cases are often custody cases, and if an officer goes off for four days on a shift pattern and the process is not right at first point of contact, it just creates delays and issues further on down the line.

Again, however, I would put a lot of that down to change processes. When you bring in a new system, whether it is a different operating procedure or a different technological solution, there is always that period of adaptation.

**Chief Superintendent Leslie:** I would just point out that we are in a MATAC process for domestic abuse.

**John Finnie:** A what process, sorry?

**Chief Superintendent Leslie:** MATAC is a multi-agency tasking and co-ordinating group.

**The Convener:** We did not know that, but now we do.

**Chief Superintendent Leslie:** That is a very important process. I will give you a good example of how it works.

In the first two years of Police Scotland an individual came to our attention through that process. He was subsequently convicted at the High Court of nine rapes and is now serving a 13-year custodial sentence. Those nine rapes occurred over a 10-year period. That individual is now out of the way and there is no doubt that if we had not got our hands on him through that process he would just have continued.

**The Convener:** How did the process get to that end result?

**Chief Superintendent Leslie:** The process started in Strathclyde. Every Thursday, we come together and look at instances of domestic abuse that have been reported to us. We assess them, go through a risk assessment matrix and identify high-profile offenders for whom we think there could be other victims. What we are doing is going after the perpetrators. We proactively target them and build up the intelligence case. We then go and interview people who we think are the victims. In that instance there were numerous victims over a 10-year period. I think that the indictment had over 30 charges on it.

**The Convener:** I am getting at the multi-agency bit. Quite often things get missed because information is not shared, so what you say is interesting. How did you share information? Who did you share it with?

**Chief Superintendent Leslie:** We are part of the MATAC process. We sit there with housing, the social work department, a representative from the prison and a couple of others. We share information so that we start to build up a good, balanced picture. The advocacy service is also there, as we are dealing with the victims. That way we can build up a picture of who the high-risk offenders are in a region and it is happening across Scotland. We can target them and get them into the best place for them, which is inside the jail.

**Superintendent Stephen:** There is a similar process in relation to victims of similar types of crime. A multi-agency risk management group meets and a support package is put around the victims of those crimes.

**The Convener:** Has the fact that we now have a single police force made that a better system, or the same or what? It seems to me that so many things go by because people have not shared the proper information fast enough.

**Chief Superintendent Leslie:** The process was developed and implemented in legacy Strathclyde. When we moved to a single service it was obviously seen as good practice and it was implemented across the rest of Scotland.

The case that I mentioned regarding the conviction for nine rapes is not the only one. Several individuals have been identified through that process, the cases have been built up and they then go through the criminal justice system. Quite a few of them have got quite lengthy custodial sentences at the High Court.

**Superintendent Stephen:** With regard to local, regional and national resources, I point out that, as well as resources such as the task force, we have a team based in the north that covers the whole of the north region. If a perpetrator has offended anywhere in Scotland, that team has a remit to go and deal with it. It is not down to the local officers; they can get on with local issues while the national and regional resource can go and identify the victims and build up the evidence case because it is a national asset and a national resource and it is able to work across Scotland and across divisions.

**Chief Superintendent McLaren:** I know that part of the Fife visit included Fife Women's Aid. Page 7 of paper 1 says that

"Partner organisations ... welcomed the work of the domestic abuse taskforce, particularly its investigation of historical cases."

It is not coming from us: it is Women's Aid that is saying that local officers have better training and are delivering a more consistent approach. Women's Aid is echoing our belief that things are improving.

**The Convener:** John, do you want to continue on the issue—Alison wants to come in on it—or on a different issue?

**John Finnie:** I think we went a bit off-issue to be perfectly honest.

**The Convener:** We are still on the balance between local and national and where it is better to get local things dealt with locally and where it can be an advantage for them to be dealt with nationally.

**John Finnie:** It is good to record that there is a lot of really positive stuff done in relation to domestic violence and victims.

Can I stress, Superintendent Stephen, that these are not my notes, they are in the public domain. If there are officers saying—

**The Convener:** Can we find the page?

**John Finnie:** Page 8 of paper 1 says:

“Officers spoke of being micro-managed, discretion having been taken away and a lack of trust.”

We were also told about areas in which discretion had been exercised, such as in relation to stop and search. I wonder whether there is a communication issue and whether some people are in the loop for understanding the wider picture and others are not. Is that something that is likely to be picked up on?

**Superintendent Stephen:** Obviously I cannot argue against what the officers that you met said about how they feel things have been in Police Scotland.

What I can say about the division is that we have engagement at all levels, through the local area commanders, through the command team and at meetings directly with officers. My colleagues and I are regularly in the muster rooms speaking to officers—as you or anyone would do. The flow of communication is a challenge, however, and a lot of information has been given to officers.

There is absolutely an element of scrutiny because we are all accountable for the performance of the division, but my view is that that is healthy scrutiny because it is a quality assurance.

**John Finnie:** I agree. Perhaps you just need to reinforce why some things are happening. Cops are busy folk; perhaps their minds are on the wider picture.

**Superintendent Stephen:** As a division we have a series of engagement events, if you like, with first-line managers and inspectors. Our message as a command team to the inspectors and sergeants is to go and pass that message back to the officers. Perhaps there is an

opportunity for us to have those engagement events with officers themselves, rather than the ad hoc, just to ensure that we capture everyone.

**John Finnie:** That is great, thank you very much.

**Chief Superintendent Leslie:** From a V division perspective, I point out that, under the heading “Communication”, page 3 of paper 1 says:

“Shift briefings were held at the start of every shift and staff and divisional briefings were held regularly. Information was also disseminated through the intranet”.

That is in the report on the visit to V division. That will happen elsewhere in Scotland because a national briefing process has been implemented. It was brought down the road by Chief Superintendent Eddie Smith, who is now in Tayside. They implemented it elsewhere and it worked and we have that process in place. I imagine that that comment is a reflection of that.

**Superintendent Stephen:** Ultimately change is unsettling for everybody. We have gone through an absolutely massive change in moving to Police Scotland. It is a new structure and there are new processes in place for many things. It is and will be unsettling. It is for us as commanders and command teams to manage that with the local officers. Where there are issues highlighted we will address them.

**Elaine Murray:** I can confirm that communication is an issue, and that might be on the record or off the record. The matter of flick sticks might be an example. An officer came to me with a concern about flick sticks being removed from vehicles.

**The Convener:** Flick sticks?

**Elaine Murray:** They have a formal name.

**Chief Superintendent Leslie:** It is a device that enables you to flick a rope out to someone who is in distress in water, for example, so that they can grab it.

**The Convener:** I know that you knew what you were talking to each other about, but the rest of us did not.

**Elaine Murray:** I took it up with CS Leslie and he took it to Police Scotland and there may well be a good result for everybody because it might be that all vehicles have them in the future.

As an aside, CS Leslie phoned up my secretary to speak to me about flick sticks and she misheard him and thought he wanted to speak to me about lipstick, which would have been rather unusual.

**The Convener:** CS Leslie, would you like to deny on the record that you ever asked about lipstick?

**Chief Superintendent Leslie:** I do not want to go there.

**The Convener:** That is not a denial; I would be careful there.

**Elaine Murray:** Particularly in Dumfries and Galloway, and of course in Fife too, as both CS McLaren and CS Leslie have said, the former police forces were coterminous with the council. I think that there has been a feeling, certainly in Dumfries and Galloway, that the introduction of Police Scotland has resulted in a lack of accountability and that the scrutiny and the accountability is somehow not as it was. I wonder whether you could give your view as to whether or not that is correct. Certainly from the point of view of councillors and so on there is a feeling that they do not have quite the same relationship with the force, or the legacy forces, as they did.

**The Convener:** It is not just for Dumfries and Galloway obviously, it is across all areas. We will start with Chief Superintendent Leslie. I am looking at you in a different way now: I am wondering which shade; never mind.

**Chief Superintendent Leslie:** That is a good question.

When Police Scotland started, the local committee in Dumfries and Galloway V division was trying to find its feet. It was a big change and, because it had had a legacy force, it took a bit of time. I have certainly seen the process mature in recent times and I can say that on 30 June, at the last police, fire and rescue sub-committee meeting, I got some very in-depth, detailed questions on a wide variety of subjects.

14:00

I keep going back to the fact that you are trying to develop relationships. Obviously there was a change in the political administration down there which also had an impact and they were finding their feet. I like to think, and I may be wrong, that I have worked hard at developing a strong working relationship with the elected members. I do not want to keep repeating myself about the continuous improvement group; you know that, for me, that is a good example.

At our next meeting on 10 December there are a lot of meaty subjects on the agenda to give members the opportunity to discuss them. For example, we know that the number of fatal road traffic accidents in the division is up on last year, so we are getting an input from the national road policing unit. That will give members the opportunity to scrutinise us in terms of what we are doing to try and reduce those figures, and give them a better understanding of what the issues are for us.

**Chief Superintendent McLaren:** We all do scrutiny at a local level differently. The processes are different across Scotland, dependent upon the council areas. Speaking from a Fife perspective, it is a safer communities committee that forms our scrutiny board. Meetings are not always just about policing. They can be about policing, about fire, or about the actual safer communities committee—the wider committee—which can bring in a whole host of different organisations that are all trying to achieve similar outcomes.

I am not sure whether my colleagues are the same, but even if I do not have a paper to present at that meeting, I still attend. It is very much an interactive meeting at which we are scrutinised, but at the same time are supporting partners in trying to take business forward.

The important thing from a scrutiny perspective is that it is about the relationships outwith. We get scrutinised on a quarterly basis but that does not mean that we do not speak to our committees in between times, or discuss issues with them and with our wider elected members. We certainly do not feel that we are not scrutinised or are ineffectively scrutinised. When you are the one being scrutinised you are there to give an account of what you and your division have been doing.

Some of us were at the local scrutiny summit that took place recently and it was really helpful just to understand what was happening in different areas. I know from my scrutiny committee members who were there that they had picked up on some practice from other areas that they felt was beneficial and are looking at ways in which we can perhaps share different experiences across the board and how we can improve things. It is definitely a moving picture and it will be interesting to see how the scrutiny assessment and the report into scrutiny progresses as we move forward.

**Superintendent Stephen:** I echo what my colleagues have said. Chief Superintendent Thomson could not make it today because we have a scrutiny meeting in Moray that he made a commitment to go to. I think that that is obviously echoed in the report that Mr Finnie has prepared in relation to that level of partnership—

**The Convener:** It is not Mr Finnie's report. It was a report that was drawn together following—

**Superintendent Stephen:** Following his visit, yes.

**The Convener:** If only he would prepare a report, but no, this is on behalf of the committee.

**Superintendent Stephen:** Absolutely. Apologies. I am referring to the paper that is in front of me.

**The Convener:** That is a committee paper.

**Superintendent Stephen:** Chief Superintendent Thomson has made that commitment and that is where he is. The engagement and scrutiny at that level continue in a positive vein and, again, we invite the national resources to feed into that process. Indeed, we have had two sessions with members of our scrutiny board in Moray outwith the actual scrutiny board meeting—one in September and one in October—to cover specific issues that they had raised at the scrutiny board. Scrutiny continues positively in B division.

**Chief Superintendent Leslie:** Local democratic accountability is in my opinion fundamental to policing by consent. You have got to be held to account. I have really tried to encourage the local team down there to ask the questions and maintain those relationships.

**Elaine Murray:** Quite a number of us were at the local scrutiny committee. It was interesting.

Is there potential to devolve more responsibility and more budgetary control to divisional levels at least? Would it be of benefit in being able to tailor policing and have more flexible decision making if further responsibility was given to local commanders?

**Chief Superintendent McLaren:** We already have control of parts of our budget, especially in respect of police staff overtime, which gives us the flexibility to move resources to where we need them to achieve a local priority or address a local issue. That is already in place.

On scrutiny and making it even more local, Fife, like Dumfries and Galloway probably, has a local area committee. Therefore, as well as being held to account for policing and safety in the area at a divisional level, I, and each of the chief inspectors, report at a local area committee level as well. So there are many layers of scrutiny.

Obviously that is not quite so relevant in terms of budget but certainly scrutiny of how we are performing and perceptions of policing in each area are at a local level.

**Chief Superintendent Leslie:** When we were seen on 1 June, I commented that the organisation—the force—is maturing and we are having conversations now that we did not have before about certain issues. I think that that is down to the fact that at the start—

**The Convener:** Which issues?

**Chief Superintendent Leslie:** We have had the staff survey and we are moving forward. Eight forces had to become one, so we could not have 14 different sheriffdoms or chief constables. Two years in, we can see that the organisation is maturing and moving forward.

**The Convener:** I do not want to see issues in moving forward. Give an example that shows that the local level now not just has more input but is listened to and can change things, rather than things being top down, as they were. We appreciate that it takes a while.

**Chief Superintendent Leslie:** There is more flexibility now to look at local priorities. We have a performance framework that is about keeping people safe, but there is a bit more scope for us to look at issues. For example, recently in Dumfries we had an issue with youth disorder and we got the opportunity with resources from the centre to tackle it through operation resolve. Staff came down from up the road to assist us and increase visibility and we were able to address an issue that was a concern for the community.

**The Convener:** Do the other divisions have examples of priorities of theirs that came out top of the pops, as it were?

**Superintendent Stephen:** The flexible policing teams that were implemented as part of the original Police Scotland model were teams that could be deployed wherever in a division. In the north, particularly in A and B division, we did not feel that that fitted with what we required because of the geography. That was fed back to the licence violation reduction department, the position was reviewed and ultimately a decision was taken to give us the autonomy to retrieve the resources and bring them back to the division to deploy as we needed to.

**The Convener:** That is about resources. Chief Superintendent Leslie talked about the youth disorder issue in his area. Do you have a recent example where you have been able to pursue your priority rather than the national one? Domestic violence is an issue, we accept, but does anything vary in your area so that we get back to local emphasis?

**Superintendent Stephen:** Again, this touches on resources—

**The Convener:** I understand, but what was the issue?

**Superintendent Stephen:** I had a very recent example in Elgin in relation to violence and disorder among the travelling fraternity. I secured national resources from the violence reduction task force, based in the central belt, in Glasgow, to have a team of six officers up in the Elgin area for three or four days to tackle that absolutely and deal with the issues very effectively.

That came about through the tasking process and having equitable access to the specialist resources that are available to divisions wherever they are in the country.

**Chief Superintendent McLaren:** As well as having national priorities, we all have our local priorities. This year, Fife division is looking at dangerous driving. As everyone will be aware, we have a local policing plan, which is a legislative requirement, and we have a single outcome agreement in each area and there is also community planning. To try to tailor things as we move forward and make our priorities more local, we are now at the stage of starting to develop our thinking and asking whether we could take what is in our local policing plan and make that part of our single outcome agreement. In relation to Dumfries and Galloway, I think, there was talk about cluttered landscapes, because we have a lot of plans, priorities and meetings, not just for the police but at a partnership level. There could be an opportunity for us still to have a policing plan but to take it forward more as part of the community planning process.

**Alison McInnes:** One of the objectives of the legislative reform was to protect and improve local services. Just last week, we learned of the merger of A and B divisions. How will that protect and improve local services? Will we be sitting here this time next year learning of more mergers?

**Superintendent Stephen:** A strengthening of divisions has been on the table and there has been extensive consultation on the proposal both locally and nationally. Personally speaking, as operational superintendent for B division, covering Aberdeenshire and Moray, I think that there is absolutely an invisible barrier between A and B divisions as it stands at the moment. If there was an issue that I needed to address in B division, it would make my job much easier if I had access to and could utilise the resources that service Aberdeen city as well. It will be a much more efficient and effective use of resource. We already have combined resources for our intelligence department, our referral unit is a joint resource, and another joint resource for analytical support is in the pipeline. So there are a number of areas in which in essence we already share resources between both divisions. Personally speaking, I think that it will make my job and operational delivery on the ground much easier.

That said, there is an absolute commitment that from local area commander level down, nothing will change, so we will still have local policing teams in the areas where they are at the moment, local policing inspectors and area commanders as they stand.

In essence, therefore, the merger will make it much easier for me, as operational superintendent, to deploy resources where they are required and where the operational need and demand arise across the area.

**Alison McInnes:** I imagine that A division will be saying the same thing, so is it not much more likely that the city will draw resources away from the rural areas?

**Superintendent Stephen:** That is absolutely a concern that has been raised, but again it is for us as a command team to deploy and maintain resources where they are required. We will still be required to service calls in Buckie, Elgin, Stonehaven and Laurencekirk, and there is an absolute commitment that from local area command level down that will not change.

**Alison McInnes:** And the driver for that was to save money?

**Superintendent Stephen:** For the strengthening? No, it was to improve local delivery of the service. Ultimately, savings will be made because there will be rationalisation. In some departments, we still have two specific units, one in A and one in B, but in a number of areas there is already shared resource. Ultimately, there will be savings, but again the commitment is to put those savings back into local policing.

**Alison McInnes:** Do the other officers have a view on whether this is the start of a process that will see the divisions reduced over the next year or two?

**Chief Superintendent McLaren:** Nobody could second-guess the future of the 14 divisions. To echo what Kate Stephen was saying, in Fife, I think that what is important for local policing is not so much what sits at the top level in a division, but what sits at the grass-roots level. It is about having local officers who are able to do their job at a local level and who have a ward responsibility. We see that working in Fife. Tayside had a slightly different model but, again, had a lot of community officers deployed in each area. You might have a slightly smaller command team covering an area, but what is important is having a model that suits your area. A model that suits one area will not necessarily suit another, so you might have a division made up of two old divisions coming together, but you might also have slightly different subsets within that division.

**Superintendent Stephen:** The reality is that we will still be committed to having scrutiny in all three local authority areas, so we will still have to service the requirements from the community and the public in the whole of the region.

14:15

**Alison McInnes:** It is just further centralisation; it is hard to see how that makes you more responsive. We have spent much of today talking about the tensions between national priorities and

divisional priorities, and now there is a further tension.

If we have time, convener—

**The Convener:** Does anyone want to comment on that?

**Chief Superintendent Leslie:** Obviously, a new chief constable is coming in. They will take stock, and they will have the opportunity to visit the various areas over the year, which will give local elected members the opportunity to influence the debate.

**Alison McInnes:** One would hope that the chief constable would visit all the areas of Scotland all the time, but that is—

**The Convener:** Now, now—come on, Alison. That battle is over, I think.

**Alison McInnes:** We have not talked about control rooms, although the issue featured during our visits. Since then, Her Majesty's inspectorate of constabulary in Scotland has produced its interim report.

It would be useful to hear from the witnesses how they think the control room closures have had an impact on the way they deliver local policing.

**Chief Superintendent McLaren:** I will start on that one.

When you came to visit us, we were going through the transition. As you alluded to, we have had the interim report and are now waiting for the full report, which I think is due very shortly. We will see what comes out from that.

It would be unrealistic to say that there is no change process to go through—just as with any level of change. From my perspective, we are working well with our new control room. We have built relationships and a lot of our processes are very similar to what we had before. Our response times are good and it is really just a case of continuing to build those relationships and take things forward.

As I said earlier, our scrutiny panel had input from the command and control team prior to the move. Its members therefore had an understanding of what the new control room set-up would look like. They toured the facilities at Bilston Glen on Tuesday evening and on the whole they were pleased with what they saw. They wanted to pick up on a couple of things, as we would expect, but on the whole they were really pleased. I understand that when people from other areas have visited the control room the feedback has been similar—people are impressed with how far things have come in the move to the new control areas.

**Chief Superintendent Leslie:** We lost a control room in May last year—our control room moved to Govan. In the past 10 days, I have met with a lot of elected members, including MSPs. I asked them whether they had any concerns that they wanted to raise but, to date, no issues have been raised about the local control room moving up the road, about calls being taken at Govan or about the 101 system at Govan.

**Alison McInnes:** Okay. The other issue—

**The Convener:** If members agree, HMICS will be here on 3 December to talk about the report on control rooms.

**Alison McInnes:** It is good that we will look at that report.

On a local matter, officers in Fife reported to the convener and me difficulties arising from the size of the hubs into which they were organised. Basically, they were losing time travelling back and forth to the hub. Have you had an opportunity to review that at all?

**Chief Superintendent McLaren:** We are still looking at the issue as part of the community policing model for the ward officers. Hubbing is more relevant to the response officers, because they tend to work from the hubs.

I suppose the reality is that in the previous model Fife had a lot of stations with very few police officers in them. There was rationalisation, which was on the cards and which started before the move to Police Scotland. It is not necessarily a new issue; it has been evolving. However, we will continue to look at and get feedback on it.

Our main hub is in the west of Fife, and the new area commander is certainly keen to look at the issue. She is having on-going discussions with her staff—her inspectors, sergeants and officers—about how they find hubbing.

**Margaret Mitchell:** Two specific issues have been raised with me. One is that there have been complaints from the public about control rooms no longer sending officers to incidents that they would have attended previously. The other is a very odd one—that officers have to use the 101 number to speak to officers in another area. Is that still the case? It does not seem a very sensible way to progress.

**Chief Superintendent Leslie:** Internally in V division, we can dial round the 101 system quite easily because it is a CISCO system. For example, when I travel up the A74 and need to speak to someone in our division, I dial 101. I am sure that is what colleagues elsewhere do, too.

**Margaret Mitchell:** Is there then a delay in getting through? The suggestion was that officers



have to wait in line when they have very important information to—

**Chief Superintendent Leslie:** There is an option now: you can hit 3 on your mobile if you know who you want to speak to, which speeds up the process.

**Margaret Mitchell:** So the issue has been addressed.

**Chief Superintendent Leslie:** Yes.

**Chief Superintendent McLaren:** If an officer or a member of the public feels that they did not get a police response when they would have done previously, that could be down to changes in process.

Control rooms now have a public assistance desk, and somebody who phones in with something that does not necessarily require a police response can be dealt with at that first point of contact. I know that Fife had a public assistance desk previously, so it was not new to us. I do not know for certain whether that is behind those comments—it could be.

As I say, the issue could be changes in process and more efficient processes. For example, sometimes, people do not necessarily need the police. Indeed, sometimes they do not want the police to attend if it is something that is quite low level. If they can resolve it over the phone, they are sometimes happy to do that.

There is also a diary system. Somebody who phones in with a complaint—not an emergency but a routine matter—can get an appointment that suits both them and the organisation. Such things are a massive step forward for the areas that did not have them before.

**Margaret Mitchell:** The specific complaint that was raised with me was about a car being broken into on three different occasions. At no time was a police officer deployed. Perhaps there is an issue to do with linking incidents, intelligence and process.

**Chief Superintendent McLaren:** Such issues should be resolved now through Storm Unity, our control system. It should link incidents to previous incidents.

**The Convener:** The final question is about morale. The survey indicated that morale is at a worrying level. Chief Superintendent Leslie was quite right to say that policing anywhere, but particularly at the grassroots, is by consent. If officers' morale is low, that does not make for good policing.

How is morale at your local level, and how can the organisation, at a national level, improve morale?

**Chief Superintendent Leslie:** That is a good question. I think that the pension changes have had a significant impact on staff. If you talk to them about morale, probably one of the top things that they will mention is the extra years that they will have to work and what their pension will be at the end of the day. That issue has had the most significant impact by far.

We are going through the biggest change in public service and in my opinion human beings like consistency in their life. Further, the change process will take time. On morale, the boys and girls out there on the front line go out on a daily basis and do a cracking job.

When I came in on Monday morning, the cells at Dumfries and Stranraer were full. We had Hallowe'en at the weekend, with alcohol fuelling a lot of violence. A lot of people were locked up, having been arrested for assaults and so on—one individual was locked up for allegedly committing five rapes.

In my opinion, yes, morale is low. There are factors behind that, but it is still a great job. Staff are going out there and doing a great job. I just wanted to make that point.

**The Convener:** I asked what, at the national level, your new chief constable could do that would help you with morale. I think that there are issues about people up at the top getting you into a pickle when morale fell over—

**Chief Superintendent Leslie:** The new chief constable will come in and fundamental to his future—

**The Convener:** Or her future—

**Alison McInnes:** No.

**The Convener:** Are there no hers? I should have applied—I knew that I had missed something.

**Chief Superintendent Leslie:** —will be the staff survey, which highlights such issues. There will be an action plan to take that forward. I imagine that that will be done by the chief and the command team. You can see some of that in briefing documents and stuff that has come from Mr Richardson. It is recognised that there is an issue and measures will be put in place to try to address it.

**Chief Superintendent McLaren:** I echo what Mike Leslie said. The staff survey highlighted several issues, including some really positive aspects of policing—mainly, as he described, officers in the operational context still having a passion for what they do. It is still a vocation. They join policing, as we all did, because it is what they want to do. They want to make a difference, and that still comes through very strongly.

Officers have really a good relationship with their first-line manager—for most of our officers, that is their sergeant. As a command team and an executive team, we need to recognise and build on that and think of how we can best support those line managers to support their staff.

Now that we have the staff survey results, it is about that engagement process and action planning—not us action planning for our staff, but our staff engaging with us.

This has been picked up in a few other themes this afternoon, but what will drive morale up is our staff being listened to and feeling that they can influence how policing moves forward.

**Superintendent Stephen:** I also echo what my colleagues have said. I cannot remember the percentage, but on the welfare and wellbeing aspect, what came through in the staff survey was that staff felt that they were really strongly supported by their first-line manager. That obviously impacts on morale.

Mr Finnie made a comment about negative coverage in the media. Everyone who is in the police service, whether they are a police officer or a member of police staff, thinks of it as their family. When headlines slate the organisation, they are slating their family. I think that people take that almost as a personal slight, and that affects morale across the board, too. Nationally, we cannot stop what is printed in the press, but it impacts on how the guys and girls out there feel when they are delivering the service.

**The Convener:** We have gone right up to the buffers. I thank you very much for giving evidence today. I am sure that the boys and girls out there have been listening to what you have been saying. If they think that you have not put the case properly, you will listen to them because you have told us that you are all approachable.

*Meeting closed at 14:27.*

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