



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Justice Sub-Committee on Policing

**Thursday 31 May 2018**

**Session 5**



The Scottish Parliament  
Pàrlamaid na h-Alba



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**Thursday 31 May 2018**

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**JUSTICE SUB-COMMITTEE ON POLICING**  
**7<sup>th</sup> Meeting 2018, Session 5**

**CONVENER**

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

**DEPUTY CONVENER**

\*Margaret Mitchell (Central Scotland) (Con)

**COMMITTEE MEMBERS**

\*Daniel Johnson (Edinburgh Southern) (Lab)

\*Rona Mackay (Strathkelvin and Bearsden) (SNP)

\*Ben Macpherson (Edinburgh Northern and Leith) (SNP)

\*Liam McArthur (Orkney Islands) (LD)

\*Stewart Stevenson (Banffshire and Buchan Coast) (SNP)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Drew Livingstone (Unison Police Staff Scotland Branch)

Superintendent Ronnie Megaughin (Police Scotland)

**CLERK TO THE COMMITTEE**

Diane Barr

**LOCATION**

The David Livingstone Room (CR6)



## Scottish Parliament

### Justice Sub-Committee on Policing

Thursday 31 May 2018

*[The Convener opened the meeting at 13:01]*

### Decision on Taking Business in Private

**The Convener (John Finnie):** Feasgar math, a h-uile duine, agus fàilte.

Good afternoon, everyone, and welcome to the seventh meeting in 2018 of the Justice Sub-Committee on Policing. We have received no apologies.

Item 1 is a decision on whether to take business in private. Do we agree to take in private a discussion on the sub-committee's work programme?

**Members** indicated agreement.

## Firearms Licensing

13:01

**The Convener:** Item 2 is an evidence session on Police Scotland's firearms licensing process. I refer members to paper 1, which is a note by the clerk, and paper 2, which is a private paper. I welcome Superintendent Ronnie Megaughin, national firearms and explosives licensing, safer communities, Police Scotland; and Drew Livingstone, service conditions officer at Unison police staff Scotland branch. Thank you for supplying written submissions in advance; that is always helpful to members. We go straight to questions.

**Liam McArthur (Orkney Islands) (LD):** Could the witnesses kick off with a general description of the processes and procedures for handling firearms licence applications?

**Superintendent Ronnie Megaughin (Police Scotland):** We have had firearms and shotgun certificates in Scotland for a significant period, and the Air Weapons and Licensing (Scotland) Act 2015 added air weapons to the certification process.

The processes are very similar, although there are slight differences in the process for air weapons. An application is drawn down online and submitted in physical form, and a fee is paid. The application goes through a number of checks; as you would expect, background checks are done on the applicant. The licence goes out initially as a grant—for a first-time-around certificate—or a renewal, when an existing certificate holder wishes to renew their certificate at the point of expiry. That goes out to a local policing division, where inquiry is carried out. Invariably that involves engagement between a police officer, or the member of police staff who conducts firearms inquiries, and the individual to establish that we are satisfied about security, how the weapon will be stored and so on.

Once that process is complete, the application comes back to the central administration team that initiated the whole process and a certificate is issued from there. That is a potted description of the application and issue process in Scotland.

**Liam McArthur:** I appreciate what you say about the change resulting from air weapons recently having been brought within the ambit of that process. In general terms, how many applications are granted and what is the geographical spread of applications?

**Superintendent Megaughin:** There are 70,656 certificate holders in Scotland; 50,696 of those are firearms or shotgun certificate holders and 19,960 relate to air weapons. Those details are a couple

of months old so the numbers will have increased in that time.

The way in which the demand for firearms and shotgun certificates manifests is due to the past implementation of the requirement for the certificate, which means that we have fluctuating demand: we have a three-year period during which there is a gradual increase to very high demand and then we have a two-year trough where demand is very low. For example, we currently have about 150 new grant applications a month for firearms and shotguns and about 100 for air weapons. We also have a projected figure for renewals—we can put a fairly accurate figure on that because we know the current number of firearms certificate holders.

The geographical spread is such that there are significant numbers of certificate holders in the north-east and in the Scottish Borders. Those areas have the heaviest demand in terms of the number of certificate holders.

**Liam McArthur:** Has that pattern changed at all over the years?

**Superintendent Megaughin:** No, it is consistent with the pattern in the legacy forces, and is partly due to the demographics of those areas.

**Liam McArthur:** I appreciate that the air weapons component of the data that you have given does not have comparable data going that far back. What has been the trend in numbers for the firearms and shotgun certificates during the most recent decade?

**Superintendent Megaughin:** It has stayed fairly constant. There has been a slight increase, but it is not enormous.

**Liam McArthur:** When the air weapons licences came in, one of the points made by people who had concerns about them was that if the process for air weapons licensing was as bureaucratic as that for firearms and shotguns, people might move from air weapons to shotguns. Is there any indication in the figures that you have outlined that suggests that that has happened to any extent?

**Superintendent Megaughin:** No. We are finding that firearms and shotgun certificate holders now also possess air weapons. We try to align the certification period and expiry for all those certificates. In my experience, a slightly different demographic has made applications for air weapon certificates. That is a generalisation on my part, but my sense is that it is a different group of people.

In many cases, the possession of air weapons has a different purpose from the possession of firearms. One of the stipulations in the firearms

and shotgun certificates process is that you have to provide good reason for their possession and use.

**Liam McArthur:** Another concern that was raised at the introduction of the certification and licensing scheme was that there are peaks in demand and that the demand for air weapon certificates would exacerbate those peaks. I know from my constituency that there were time delays in turning round applications that could almost be predicted. Is that managed more efficiently now?

**Superintendent Megaughin:** Most definitely. The luxury that we have in relation to air weapon licensing is that the legislation was created in Scotland. The firearms and shotgun certification process comes under the Firearms Act 1968 and its subsequent amendments and the Home Office dictates the guidance and practice on that.

We have managed to stagger renewals for air weapon licensing. Since the implementation of the legislation, it has been a very busy and industrious period for us. However, we have now effectively flatlined the demand. That is the position that we would also love to get to with firearms and shotguns. It is clear that steady demand would allow us to provide a resource model that did not have to accommodate those huge fluctuations.

**Liam McArthur:** Notwithstanding the point that you make about the genesis of the legislation, is there any way in which you can move towards a more smoothed-out application process for firearms and shotguns?

**Superintendent Megaughin:** No, not without Home Office approval. However, there is a growing appetite for that. I am in regular contact with the forces down south and the same situation arises in England and Wales—there is a period of high demand, followed by a period of low demand. Resourcing that presents the same challenges for everyone.

Projecting forward to the high demand is fairly easy, because the vast majority of it comes from renewals. The question is about what we do with those resources when we get into a period of low demand. How do we utilise them efficiently and get best value from them? That is the significant challenge.

**Liam McArthur:** We will come on to that.

**Stewart Stevenson (Banffshire and Buchan Coast) (SNP):** Just to help us understand about resources, I will give Drew Livingston the chance to participate by asking him to describe the roles undertaken by administration staff and how those fit with, and differentiate from, those of the uniformed inquiries officers.

**Drew Livingstone (Unison Police Staff Scotland Branch):** From what I can gather, the

administration function deals more with the processing of applications, whereas the inquiries officers go out into the field. They attend addresses, check premises and ensure that firearms are checked and kept in facilities that are in accordance with the legislation, so that they cannot be stolen or acquired by other individuals. They also ensure that the individuals are fit and proper people to be holding the weapons.

**Stewart Stevenson:** I thought I heard—although I may have misheard or chosen to mishear—the superintendent say that some civilian staff make assessment visits; I am getting a nod. Is that the Unison administration staff? Do they also participate in that?

**Drew Livingstone:** No. Following the Cullen report, in some parts of Scotland some firearms inquiries officers were employed by specific police divisions, pre-merger, and that carried over into Police Scotland. A review of how that work should be conducted decided that not as many civilian firearms inquiry officers were needed, so some of those individuals or posts were made redundant. Police Scotland compensated for that with a more flexible deployment model, in which divisional police resources—community officers—filled that role, spending 10 per cent of their time on firearms inquiries.

**Stewart Stevenson:** One must therefore logically assume that the administration staff who are involved in firearms inquiries carry out other activities during the two years in which there appears to be lower demand.

**Drew Livingstone:** Yes.

**Stewart Stevenson:** In particular, how does the balance between those two sets of resources work?

**Superintendent Megaughin:** There are 30 administrators who carry out the processing elements of certification, as described, and three members of police staff, or co-ordinators. They are based in hubs in different regions of Scotland. From the time of the review of the structure in its first and following iterations until implementation of the new model in 2015, the number of police staff full-time firearms inquiry officers was reduced to 14. As Drew Livingstone has said, that number is now supplemented by police officers who carry out the inquiry part of the process in their communities.

**Stewart Stevenson:** You have indicated that the number of certificate holders is rising. How are the costs? Part of the justification for creating the national police service was that there would be increased efficiency and improved outcomes through standardisation of approach. How is that working in this area? Is the national model delivering what you expected it to deliver?

**Superintendent Megaughin:** The clinical costs that were put on paper in 2015, at the point of implementation, were undoubtedly achieved because there was a removal of staff. At that time, we had 33 full-time civilian police staff inquiry officer posts and that number was reduced to 14. In effect, that is how the calculation was done; we removed that number of staff and the figure that came from that was presented as the savings.

In reality, as described and always intended, some of that work went to officers in the communities of Scotland. There was a natural logic to that and it allowed flexibility. The intention was never that those police officers would become full-time firearms inquiry officers, as existed in the legacy forces. There were some full-time police officer firearms inquiry officers but the intention was that there would be a flexible approach. The rationale behind that was to deal with the fluctuation that I described.

The number of full-time civilian firearms inquiry officers meant that there would be a surplus during the period of low demand. At the time, the view was that the most efficient use of resource was to take the baseline figure—the number of civilian firearms inquiry officers who were required for low demand—and supplement that with police officers to deal with the increased demand during the periods of high demand.

13:15

**Margaret Mitchell (Central Scotland) (Con):** My question is on the fact that firearms inquiry officers were police staff in the past. The Unison submission says:

“Firearms Licensing processes as they currently stand are not entirely effective and certainly not efficient”

and

“there is simply no good reason why the function of Firearms Enquiry Officers should not be performed by Police Staff”.

Will you elaborate on why the processes are not effective or efficient as they stand, Mr Livingstone?

**Drew Livingstone:** Yes. Prior to the implementation of the structure in 2015, we became aware through attendance at a divisional meeting that a policing division—it would be remiss of me to specify which division it was—was concerned that, because of the removal of a number of civilian firearms inquiry officers, it would be unable to cope with demand. Therefore, it advertised for police officers to apply for full-time posts within the structure, which was not presented in the initial business case. That division then changed the name so that the posts became firearms licensing co-ordinators and the postholders would adopt a couple of different

tasks. Primarily, that was so that the process would not be regarded as backfilling.

That was not the picture throughout Scotland, but it was certainly the picture in a couple of local policing divisions. We are aware that that is still happening.

**Margaret Mitchell:** In effect, it has been backfilling on a permanent basis.

**Drew Livingstone:** Yes.

**Margaret Mitchell:** The new structure was supposed to be a method of making a cost saving. Cost saving, efficiency and effectiveness have to be weighed up. Do you have any figures to say that the advertised police officer posts cost more than when the job was done by police staff?

**Drew Livingstone:** We are uncertain. We do not have sight of that information. We have raised challenges at a number of levels in the organisation and with the Scottish Police Authority. The board approved the business case on 25 August or 27 August—I cannot remember the date, but I believe that it was around then—but it was the day that Stephen House resigned. The board was due to implement the new structure that day and we had notified it prior to that to make it aware that the structure was not as it was being advertised or as had been consulted on with the staff who were affected.

**Margaret Mitchell:** I notice that you have considerable concern that was not raised at that board meeting. No concern was expressed and the points that you raised were not considered.

**Drew Livingstone:** No.

**Margaret Mitchell:** Her Majesty's inspectorate of constabulary in Scotland criticised strongly the fact that the SPA seems to have stood aside and done nothing to look for more information or ask how the process was working.

I have a question for Mr Megaughin. HMICS also says that it

"would have expected ... reporting to the SPA by Police Scotland of the ways in which the model as approved had not been implemented."

Has that been done? We are considering the efficiency and effectiveness of the approach, which goes to the core of whether police staff could easily have done the job and, in fact, done it more efficiently.

**Superintendent Megaughin:** The fundamental issue that was presented to the project team that developed the model was the fluctuating demand. The 30 administrative staff have used the period of low demand to remove all our backlog of paper records and to upload old records to the national firearms information technology system. The staff

have been used to great effect in the period of low demand. Could that have happened if we had full-time civilian firearms inquiry officers? Their role profile had a rigidity that meant that finding alternative functions for them would have been difficult in a period of low demand. That is why the team opted for the model of taking a baseline to service the period of low demand and complementing that with police officers.

None of the documentation that has been presented has ever stated that the intention was for police officers to do the role full time; the arrangement was to be part of a flexible approach. An initial number of 185 police officers was proposed for training on a three-day course in firearms inquiries. That number was way above what was required, but it afforded flexibility. Given the geography of Scotland and the diversity of the local policing divisions, that was considered to be the best number to start with.

It is clear from the HMICS report that the number of police officers who have been trained has increased, but the documentation that was presented internally to the governance regime in Police Scotland and to the SPA suggested that the natural logic was to increase the number of trained police officers, as that would increase flexibility.

**Margaret Mitchell:** I ask Mr Livingstone to comment on the point about the flexibility of police staff.

**Drew Livingstone:** A business case and a structure were presented to the trade unions as part of what was to be meaningful consultation, but it was not meaningful, because the structure that was presented bore no resemblance to what was implemented. That brings challenges. If we are presented with something that says that X number of police staff need to be made redundant, we expect that to be borne out in the structure in the future, but that has not been the case.

**Margaret Mitchell:** The police staff were replaced with full-time police officers. I would expect the SPA to pick up on that concern.

Although the SPA is holding its board meeting today, I would still have expected someone to be here to respond to the serious concerns that have been raised.

**Daniel Johnson (Edinburgh Southern) (Lab):** I thank Drew Livingstone and Unison for flagging up the issue, which has provided a useful opportunity for discussion. The key issue that is at stake, which the HMICS report highlights, is how the implementation of the new model compares with the plan. A critical point, which Superintendent Megaughin mentioned, is that the plan was for 350 police officers to be trained, but 1,000 officers have now been trained. They are supported by 14 civilian staff.



Superintendent Megaughin said that the training of 1,000 officers was a natural result of implementing the plan. Why was the figure of 350 given if it was not the natural expectation?

**Superintendent Megaughin:** In reality, the figure of 1,000 officers is way beyond the expectation. The initial figure was 185, and it rose to 350, which was probably reasonable.

The implementation issue arises because not enough cognisance was taken of geographical differences and because not enough autonomy was allowed in how the service is provided in the structure of local policing. As the person with responsibility for moving forward the recommendations that are in the HMICS report, I welcome the recommendation that national service standards should be defined and published. Given the degree and focus of localism in Police Scotland, perhaps the best model—it will be subject to review—will be to allow local autonomy for decisions on how best the service can be delivered.

I think that everybody would accept that, with the initial plan in 2013 and its iterations thereafter, there was very much a single model that was driven from the centre. However, that is not the same as the current approach or culture in Police Scotland. It is clear that, as an organisation, we have grown and matured during that period. The focus on localism in the policing 2026 strategy takes us to a very good point in respect of how the service can be delivered in the most efficient and effective way.

At the point of agreement for implementation by the SPA, a review period was placed on the plan, and there was a caveat that a review should be conducted on its effectiveness within a two-year period. I was not in post then, but my understanding is that that was stalled because we knew that the HMICS inspection was coming. Therefore, rather than start a review process internally, the approach was to allow HMICS to carry out that inspection. That clearly highlighted that we need to look at demand nationally and locally and develop a model that provides the most efficient and effective firearms licensing for Scotland, from the point of view of not just the public purse but customers who pay for the service.

**Daniel Johnson:** I want to follow up on two important points that you have made about national standards and localisation. Is work under way to develop and implement national standards? When will they be ready to be rolled out?

**Superintendent Megaughin:** Yes, that work is under way, along with work on a number of the recommendations. A significant amount of work on

the performance framework is on-going, and the standards very much align with the performance framework.

We have always had standards in place. We hit a success rate of 99 per cent in respect of the 16-week period for renewals, and we have internal standards that we aim for in our business. HMICS has clearly highlighted that they should be published so that customers of the service clearly understand the agreements that Police Scotland has entered into. For example, a new applicant or a person who is renewing or submitting a request for a variation should be able to know what they can expect a reasonable turnaround of their application or request to be. That degree of transparency is entirely achievable and appropriate, given the nature of the service that we deliver, and work is already under way on that.

**Daniel Johnson:** When will that work conclude? When do you expect to roll out new standards?

**Superintendent Megaughin:** There are 23 recommendations, and there are varying timescales for achieving them. The performance framework is moving along particularly well. Police Scotland is developing a performance framework for policing, and we have managed to benefit from the assistance of existing expertise in the force. If everything goes according to plan, we will have our performance framework within the next three to six months.

I could publish standards tomorrow, but the reality is that, until my performance framework is in place, I have no mechanism by which to gather the information that shows whether I am achieving or not achieving. More important for me is the question: if I am not achieving, why is the business not achieving that, and what do we need to change?

**Daniel Johnson:** I welcome the commitments to empower divisional commanders to apply policing policies in a way that is relevant to local circumstances. That is important. I understand that a key issue is that some local divisions have ended up creating essentially standing specialist units to look at firearms licensing and that that is one of the key drivers behind there now being 1,000 officers who have been trained rather than 350. Is that correct?

**Superintendent Megaughin:** It is clear that we have a patchwork quilt across Scotland in respect of how those inquiries are conducted. Some divisions have taken a smaller number of people who have become more focused, and that work has become a greater part of their role. There are upsides to that because, once the skills have been acquired through the training course, people's competency can be assessed throughout a 12-

month period, and that process is much easier if they are doing more. However, flexibility is what this is ultimately about, and it is not my role to prescribe how local policing should do that.

Once we have got into the process of looking at the full demand and carrying out a review of how we deliver the service, as recommended by HMICS, we can look at how to adequately, efficiently and appropriately resource firearms inquiries. They are two very different entities. The administrative part is very much a function that is centralised and is most efficient when centralised, and the inquiry part, which involves engagement with service users, is the critical part in terms of how local policing delivers that.

13:30

**Daniel Johnson:** The big variance, both in terms of how it has been implemented and in terms of sheer numbers, certainly points to a lack of planning and of taking those things into account. Indeed, the HMICS report states that the

“new model was inadequately evidenced and insufficiently consulted upon within Police Scotland and externally”.

Do you agree with that point? What are you now doing differently in terms of developing new standards?

**Superintendent Megaughin:** There is an absolute recognition that the demand profile that was used to develop a resource model was relatively basic in its nature. It looked at a linear function or process and it more or less counted the hours equivalent to people in terms of how long it took to do each one of those. Firearms inquiries are far more complex in nature than that. There are peripheral issues that wrap around that linear process, and some of that was not taken into account at the time. The new demand profile—it will have to be based around a properly completed and fully assessed demand profile—will, I believe, pull out far more, and stronger, evidence than was there in the first instance.

**Daniel Johnson:** Mr Livingstone, could you reflect on some of those points? First of all, why do you think that we have ended up so far away from the original model? Most importantly, on that point about consultation, what are Unison's thoughts about the level of consultation that took place and whether things have changed and the lesson has been learned?

**Drew Livingstone:** On that particular issue, I think that it is no coincidence that this was one of the last structures that came forward in the Stephen House era in Police Scotland. When we started to see the business try to apply flexible deployment models, such as the removal of citations officers, most of that work passed to divisional policing, and the divisional co-ordination

unit then had to resource that. The ethos was similar—that police officers would be able to carry out that work and that, if it took up 10 per cent of their duties over a certain period of time, that would equate to each officer conducting two inquiries a week and handing out two citations a week. The reality was that the figures that were actually presented were based on central Glasgow. The geography there is obviously somewhat different, with a large number of commercial premises, so police officers would go in and hand out perhaps four citations to a variety of different people. The logic that was being applied was not suitable or applicable to the whole of Scotland.

We find a similar kind of issue in the firearms licensing structure. It was based on very optimistic projections of levels of failure demand. Consider citations. Police staff can go to addresses and access them more readily, because people who have citations out for them know that they will not be apprehended the minute that they open the door to a police officer. Police staff therefore know that they can attend an address and access it more easily than police officers can, because people run the risk of being apprehended by police officers. The number of repeat journeys that police officers would then have to make to those addresses was factored in.

With firearms inquiries, there are similar sorts of challenges regarding failure demand. One of the issues that people are making us aware of—our members are still operating within this structure—is that there is a poor flow of information in terms of what applicants are required to supply. An experienced police staff firearms inquiry officer will know that the individual has to have their application and their photograph ready when they go out to their address. However, we are having issues where police officers attend those addresses and that material is not ready for them, so the inquiries take longer or the officers have to make repeat journeys.

There is a wider issue there as well. We keep hearing that the business requires a flexible deployment model and the ability to flex resources and demand. One of the consequences of that is that structures then lack stability. One of the issues that we raise frequently is the level of transience of police officers within policing. For example, we do not have an officer who is going to serve as a community officer for 10, 15 or 20 years; they may decide to take up other opportunities within policing that may see them redeployed. However, that has consequences for how staff have to engage with those individuals internally and for wider stakeholders.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** A lot of what I was going to refer to has

already been touched on, but what are your thoughts on the changes that are being made through the command profile and the performance framework? Do you think that those changes will solve the problems that were there at the outset?

**Drew Livingstone:** We are getting some very constructive feedback from our members, particularly on issues around general practitioner mandating. Some of the national processes are very good and provide a solid platform that reduces risk. Our big concern is about whether the level of transience and fluidity of officers in the organisation addresses the need for consistency and the need for people—particularly licence holders—to have the skills, knowledge and experience to engage with the wider public. That theme came through in the HMICS report.

**Superintendent Megaughin:** As I have said, the numbers that we reached in terms of those trends were never envisaged, but that is not unique to firearms licensing—it is prevalent across many areas of policing in which we have transience. We have people with the training and skills for one role who then move on. That sometimes needs to happen because we have to develop our people. Ultimately, they are our most important asset and the ones who serve our communities.

Going forward, part of the improvement plan that comes from the 23 recommendations is about looking at whether we currently have the best model and whether it is the most efficient and effective way in which to utilise our resources and provide a service for the public. Most importantly, do we have the best way to safeguard public safety? Ultimately, that is the principal priority in the licensing programme.

I cannot give an absolute yes or no answer just now, but I commit to investing time in ensuring that the review goes wider than it did previously, because we have some time on our hands. We will have rising demand again at the start of 2020, and we will need to have the review done and the most efficient way of managing firearms licensing inquiries in place prior to entering that period of rising demand. The number of such inquiries and renewals will peak by 2021.

**Rona Mackay:** Am I right in saying that, this time around, you will collaborate more with Unison, which felt that it was sidelined the last time?

**Superintendent Megaughin:** Drew Livingstone will agree that, in 2018, we are a different service from the service we were in 2013-14. A programme of modernisation and change has taken place in Police Scotland, which is now incredibly well informed, and I think that consultation is at the heart of it.

When it comes to lessons learned, on many occasions, policing has gone public about the fact that we have not engaged as much as we should have done. It is not just me, as a superintendent, saying that—my current chief constable has said that publicly. We have learned lessons as part of our development. We are still relatively young as far as that growth process is concerned, but consultation is absolutely key. Consultation was the bedrock of policing in Scotland—we had a strong tradition of consultation in the legacy forces and in the Scottish Crime and Drug Enforcement Agency—and we are now back in a position of its being at the heart of every conversation.

**Rona Mackay:** The term “failure demand” has been used a couple of times. What does that mean?

**Drew Livingstone:** Failure demand occurs when it is not possible to meet the expectations of the people we engage with or the delivery requirements of—I hate to use this term—the customer. It could be a failure to act on what is specifically required. Having to do the same sort of work repeatedly would be an example of failure demand. The term is used consistently in the contact, command and control division.

**The Convener:** I displayed some failure demand by not calling Ben Macpherson, as I should have done, before Rona Mackay. I apologise for that.

**Ben Macpherson (Edinburgh Northern and Leith) (SNP):** I have a question for Unison. Has the setting up of dedicated units led to any of your members leaving Police Scotland or being moved into other roles in the service?

**Drew Livingstone:** Yes, there are such individuals who are still operating in the service. The Scottish Government’s policy of no compulsory redundancies is very welcome, but it has caused some confusion about whether individuals have been made redundant within the structure. In that respect, we say that it is not the individual but the post that has been made redundant. Some people took the option of voluntary redundancy or voluntary early retirement. It is not for us to argue whether those who are now working for the organisation in other roles are entirely suited to them.

**Ben Macpherson:** Would Police Scotland like to comment on that?

**Superintendent Megaughin:** “Redeployment” is the term that was applied during that period. Some people were moved out of posts that fell as a consequence of restructuring and change. The numbers that I gave are accurate. We had 33 full-time posts, but 34 members of police staff undertook firearms inquiries on a full-time basis, and that number was reduced to 14. Some of

them took voluntary redundancy or early retirement when that was available; others moved on to other positions.

I reiterate that, when that happened, it was not the intention that those staff would be replaced on a full-time basis by police officers. A flexible model was introduced to allow police officers to undertake community duties and firearms inquiries, but they were not to perform one role to the exclusion of the other.

**Ben Macpherson:** Mr Livingstone is shaking his head.

**Drew Livingstone:** That is not strictly true. Email correspondence was sent out in an effort to find officers to work full-time as firearms licensing co-ordinators. That happened in July 2015, and those individuals are still in post. The posts were advertised with a view to officers taking them up. Initially, the role was advertised as involving work between the hours of 8 and 4. In effect, the postholders were to carry out the role of the firearms inquiry officers. If a job evaluation of the role were to be carried out, it would find that perhaps 80 per cent of it involves performing the duty that the firearms inquiry officers carried out. Those officers are still in the structure, carrying out that role.

**Ben Macpherson:** Superintendent Megaughin, do you want to come back on that?

**Superintendent Megaughin:** Yes. There is a structure that involves police officers. At the time of the implementation of that model, we already had in place what were called divisional co-ordination units in all the local policing divisions. Those divisional co-ordination units had responsibility for the flow of information and for inquiries and tasks relating to firearms licensing.

13:45

That approach is right, because, in the governance structure, local policing divisions have responsibility for inquiries in their geographical areas. The jobs that were advertised were not for officers to handle firearms inquiries but for officers to undertake firearms licensing co-ordination—not as a unique role—and to fulfil other functions in divisional co-ordination units. Those jobs still exist, and some inspectors and sergeants in the units are decision makers. At a divisional level, decisions to grant licences are made by chief inspectors, and some renewals are granted by inspectors.

**Ben Macpherson:** Can you provide more details of the firearms licensing review that you say you are going to undertake—particularly the timetable for its completion?

**Superintendent Megaughin:** The review will, first, have to go through our internal governance process. It is part of the improvement plan, and I have projected a date for completion to allow us to implement it before we get into the peak demand period. Our organisation is running a large number of projects and programmes just now as part of its change and transformation, so I will need to bid for my slot and provide a strong business case for the resource with the skill sets to conduct the review.

**Ben Macpherson:** The convener agreed with my suggestion that it would be good if you would keep the committee informed about the review. Will you do that?

**Superintendent Megaughin:** Yes. I am happy to provide progress reports on the 23 recommendations.

**The Convener:** The discussion that we have just had covered similar ground to previous committee discussions about arrangements for custody suites. I appreciate that Superintendent Megaughin has not taken the decisions, but the situations seem to stem from the fact that police officers cannot be made redundant, given the no redundancy policy, whereas it was seen that police support staff could be made redundant—or whatever euphemism was used.

It is important that we move on, as I have a number of questions. I was heartened to hear about local decision making, as a central diktat about the format would be inappropriate. I declare an interest as a former police officer who served in this city and then for 27 years in the Highlands and Islands. I undertook firearms inquiries there, although not after a three-day course, and there seemed to be a benefit from the discretion that was afforded then. I am sure that Mr Livingstone is not suggesting that we deploy someone from the mainland to Barra for a firearms inquiry when the two officers there could be trained. Is it correct that there is likely to be mixed staffing of the resource?

**Superintendent Megaughin:** My preference is for localism in its truest form. You are right to pick up the challenges of geography, as one size undoubtedly does not fit all. It is important to have a service level agreement that users understand and standards of delivery that local police buy into. How those are achieved is down to the geography, diversity and challenges of each local policing area. The only effective way to deliver the service is to give autonomy back to local policing commanders.

**The Convener:** Does Mr Livingstone think that some police officers will need to be moved so that they can be used in other areas?

**Drew Livingstone:** Absolutely. We do not hide from the fact that the approach will not be suitable in all areas. In the branch, we have discussed

processes in the former Northern Constabulary area, where it would not make sense to station a member of police staff permanently. I believe that that is the case for larger geographies.

If we have firearms inquiry officers who are police staff and who deal with a large number of inquiries but could make it from one side of the division to the other and back again while carrying out a number of inquiries, why not use them? It is a cheaper alternative and offers consistency and stability. We were always against the one-size-fits-all precept that was advanced.

**The Convener:** For the avoidance of any doubt, I was not suggesting that an area such as the Highlands and Islands should not have police support staff. We need to maximise the use of police officers for work that requires police powers rather than anything else.

When someone chooses not to renew their licence, how do you monitor what happens to the weapons? Will you give us a brief outline of what happens in that situation and, perhaps more important, when a licence is revoked in connection with behavioural issues?

**Superintendent Megaughin:** We have a robust process for monitoring, which has increased significantly and continues to be a strong focus for us. How the GP mandating process has been implemented in Scotland is an exemplar—indeed, conversations with my colleagues down south indicate that it is the envy of many other forces. That is an example of our commitment to ensuring that public safety is paramount and that we monitor all elements of a certificate holder's behaviour and continuing suitability to possess firearms, shotguns or air weapons.

We have a number of revocations every year as a consequence of existing certificate holders' reactions or of concerns that GPs raise. That is a positive indicator of how the engagement has been carried out. It is an on-going process. We introduced a new medium by which local policing officers could raise concerns and report information from incidents that they had attended at which a certificate holder was present. That relates to the certificate holder's presence not necessarily as a culprit but even, potentially, as a victim where the circumstances did not best sit with continuing possession of firearms.

We routinely work with certificate holders to find a resolution in the short term. Weapons will be removed, and in the vast majority of cases that happens with the certificate holder's co-operation. The weapons will be taken to a police station or, ideally, go with the certificate holder's agreement to a registered firearms dealer, where they will be stored until such time as suitability is reconsidered. If a decision is taken to revoke a

certificate—that decision is taken centrally by my team—the individual has a right to appeal and it goes through a judicial process.

**The Convener:** I am loth to bring information and communication technology into the discussion, but are you content that your systems are robust enough that, if someone was engaged in disorder or minor violence somewhere else, it would become apparent to Police Scotland that they were a firearms certificate holder?

**Superintendent Megaughin:** The one issue that we have, which was highlighted in the HMICS report, is that there is currently no interface between STORM—our command and control system that manages our resource attendance at incidents—and Shogun, which is our firearms licensing system. One of the HMICS recommendations is that there should be such an interface. We have had early discussions between the people who are responsible for our national systems and the private software developer who developed Shogun about how we can create that so that, before officers attend an address, the system flags up that a certificate holder is—or firearms are—present there. When we get to that point, which I hope we will do, it will increase our resilience and the robustness of the process. However, I am entirely satisfied with what happens just now.

There has been a significant increase in the number of concerned reports that come in to us. That is not because certificate holders' behaviour has changed dramatically; it is because our ability to monitor and receive information has been enhanced. The fact that we have a national IT system that enables us to see a certificate holder's details wherever we are in the country has assisted us with that.

**The Convener:** That is reassuring.

**Liam McArthur:** Is there a manual workaround as part of the processes and procedures that officers go through? How does it work in the absence of integration of the two systems?

**Superintendent Megaughin:** There is no manual workaround, unfortunately. If an individual officer already has knowledge of a certificate holder, knows that firearms are present or has other information that leads to a concern, they can access our firearms IT system and make the inquiry.

**Liam McArthur:** However, accessing Shogun in the way that you suggest would not be part of the triage process, either to confirm what the officer already suspected or knew or to inform them of the situation.

**Superintendent Megaughin:** The Shogun system is not accessed unless something about

the nature of the situation or incident is forthcoming at the outset that indicates that it would be relevant to make an inquiry. It is not routine for every incident to result in an inquiry.

**Margaret Mitchell:** I want to return to the business case. Unison has had concerns that the model does not reflect how the firearms licensing structure functions in reality, and we have established today that some of the roles for police staff are being backfilled by police officers. Who can give me figures on the implications of that? Is it something that the SPA should have been on top of? Does Police Scotland have the figures, or Unison? Where can we get that information?

**Drew Livingstone:** I assume that Police Scotland has to monitor the exact costs. I do not know.

**Superintendent Megaughin:** In relation to how the position has changed since the implementation of the model in 2015, we have 13 full-time police staff who are conducting firearms inquiries and we had 14—

**Margaret Mitchell:** With respect, Mr Megaughin, you have given me the figures on personnel, but what do they equate to in financial terms? If I understand Mr Livingstone correctly, the police staff posts would come not at the same cost but at a lower cost than backfilling them with full-time police officers.

**Drew Livingstone:** Yes.

**Superintendent Megaughin:** The police officer costs were fixed because of the establishment number that we have in policing. As I said, the figures that were presented back in 2014-15 were fairly clinical. They reduced the number of police staff full-time firearms inquiry officers from the original 33 down to 14, and that equated to a saving of £653,317. The number of posts has been reduced from 14 by only one, and that happened through natural wastage. We have not reduced that number any further.

**Margaret Mitchell:** However, there are more full-time police officers in roles that were probably covered by police staff before. Is there a cost analysis of that?

**Superintendent Megaughin:** More full-time police officers have been trained, but the demand has not changed. We are now in a period of low demand and some police officers are carrying out firearms inquiries, but not all the officers who have been trained to do so.

**Margaret Mitchell:** The committee and I would be grateful for some facts and figures on that. There seems to be a bit of a disconnect. Perhaps I am not fully appreciating the situation. It would be helpful if the way that the situations equate and have worked out in practice was spelled out in

terms of the business case. Mr Livingstone, can you help me out with that?

**Drew Livingstone:** I am aware of a division in which three officers are carrying out the role full time.

**Margaret Mitchell:** Would police staff have done that before?

**Drew Livingstone:** Four members of police staff previously carried out that function. I believe that it is supplemented by police officers and other firearms inquiry officers, but I would need to confirm that.

**Margaret Mitchell:** That goes to the heart of it. It was a savings exercise, or that was certainly a main objective, and it would be good to know whether that has worked out in practice. Representatives of the SPA should be here with the facts and figures at their fingertips, because that organisation was supposed to monitor the governance and how the system operates in practice. I say again that the SPA really should have been here.

**The Convener:** People may be listening in. The SPA sent a written submission, although it is not the most compelling piece of information that I have read.

Some of this might pre-date your time, Mr Megaughin, but I wonder whether there are relative figures on the costs of operating the firearms system at various points—perhaps before 2013-14—and the personnel who were engaged in that work. It could be something quite simple. I appreciate that the operation has expanded with the addition of air weaponry, but it will be helpful if you can provide the committee with that information.

**Superintendent Megaughin:** Yes.

**The Convener:** Likewise, it will be helpful if Mr Livingstone wishes to make a submission on the specifics of that.

**Drew Livingstone:** Okay.

**The Convener:** I thank Mr Livingstone and Mr Megaughin for attending. It has been very helpful.

14:00

*Meeting continued in private until 14:08.*

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