



OFFICIAL REPORT
AITHISG OIFIGEIL

Justice Sub-Committee on Policing

Thursday 20 February 2020

Session 5



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JUSTICE SUB-COMMITTEE ON POLICING

4th Meeting 2020, Session 5

CONVENER

*John Finnie (Highlands and Islands) (Green)

DEPUTY CONVENER

Margaret Mitchell (Central Scotland) (Con)

COMMITTEE MEMBERS

*James Kelly (Glasgow) (Lab)

*Fulton MacGregor (Coatbridge and Chryston) (SNP)

*Rona Mackay (Strathkelvin and Bearsden) (SNP)

*Liam McArthur (Orkney Islands) (LD)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Liam Kerr (North East Scotland) (Con)

Humza Yousaf (Cabinet Secretary for Justice)

CLERK TO THE COMMITTEE

Diane Barr

LOCATION

The David Livingstone Room (CR6)

Scottish Parliament

Justice Sub-Committee on Policing

Thursday 20 February 2020

[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 Justice Sub-Committee on Policing's fourth meeting of 2020. We have apologies from Margaret Mitchell, and Rona Mackay has indicated that she will need to leave the meeting early due to a prior parliamentary appointment. I welcome Liam Kerr to the meeting. Liam, do you have any interests to declare that are relevant to the sub-committee's work?

Liam Kerr (North East Scotland) (Con): Thank you, convener. I thank the sub-committee for allowing me to be here this morning. I have no interests to declare.

The Convener: Thank you.

On behalf of the sub-committee, I place on record our thanks to Jenny Gilruth for all her work as a member of the sub-committee. I wish her all the best in her ministerial role.

Agenda item 1 is a decision on whether to take in private item 3, which is a review of today's evidence. Do members agree to take that item in private?

Members indicated agreement.

Draft Budget 2020-21

13:02

The Convener: Item 2 is the policing 2020-21 draft budget. I refer members to paper 1, which is a note by the clerk, and paper 2, which is a private paper. I welcome our witnesses. Humza Yousaf, Cabinet Secretary for Justice, is joined by two Scottish Government officials: Claire Hicks, deputy director, police division; and Avril Davidson, head of finance and assets team, police division. I invite the cabinet secretary to make some short opening remarks—you have up to three minutes, cabinet secretary.

The Cabinet Secretary for Justice (Humza Yousaf): Good afternoon, and thank you, convener. As members know, on 6 February, the then Minister for Public Finance and Digital Economy published a draft budget, which seeks to strengthen Scotland's economy and deliver long-term investments to support and transform Scotland's public services. The budget seeks to protect and—vitaly—improve public services, as part of our strong social contract with the people of Scotland.

Within the budget, there are several significant gains for policing in Scotland, not least the Scottish Government's total budget for policing for 2020-21, which is more than £1.2 billion. The sub-committee will be aware that we are providing an additional £42.2 million for the Scottish Police Authority budget, which is an increase of 3.6 per cent in 2020-21, compared with the 2019-20 position. That means that the police revenue budget will increase by 3.4 per cent, which is an additional £37.2 million and is £12 million above the real-terms increase that we had promised.

That will ensure that Police Scotland has the money that it requires to maintain officer numbers at current levels, recognising the concurrence of unprecedented events that Police Scotland will deal with in this financial year, including on-going Brexit planning and the significant task of policing the 26th conference of the parties, or COP26. With the budget increase, we have also exceeded our commitment to provide an extra £100 million to the policing budget over this session of Parliament.

Once again, I have listened to the sub-committee and noted its report. The police capital budget will increase by £5 million, which is a 14.3 per cent increase on last year. We have also included last year's one-off increase of £12 million for mobile devices in this year's budget baseline. Over the past three years, the police capital budget has doubled from a baseline of £20 million in 2017-18 to £40 million in 2020-21. As part of the Scottish Government's commitment to address the

global climate emergency, the £5 million funding increase will allow Police Scotland to accelerate its commitment to greening its fleet and to share its learning across Scotland's public sector.

Together, the increases in the resource and capital budgets will also allow Police Scotland to maintain and modernise its estate. We have continued to provide police reform funding to invest in transformation and in the delivery of the 10-year policing plan, to ensure that we have a police service that is fit for the 21st century.

Given the concurrence of significant events that I have mentioned, a robust workforce strategy is more important than ever. We will continue to support Police Scotland to develop its workforce plan, which will, in turn, support the delivery of transformation and the development of refreshed financial plans.

Our hard-working officers continue to be the public face of policing in Scotland and have contributed to a 42 per cent fall in recorded crime since 2008-09. Unlike the United Kingdom Government, the Scottish Government chose reform over budget cuts, and, as a result, Scotland has more officers than at any time during the previous Administration. With a total of 17,259, we have 1,025 more officers than the number that we inherited in 2007.

We will continue to ensure that policing benefits fully from being able to reclaim VAT of around £25 million a year, and we will continue to press the UK Government on the £125 million in VAT that was unfairly paid to Her Majesty's Revenue and Customs by the police service in Scotland. That money would be better used to protect communities in Scotland.

However, we must constantly bear in mind that, despite the UK Government's promises, this year's budget will, once again, be set against a backdrop of continued austerity and in the shadow of the UK's withdrawal from the European Union.

Despite the challenges, I am pleased that the budget will protect officer numbers and that it represents a more-than-real-terms increase, all with the aim of protecting communities and keeping Scotland safe.

The Convener: Thank you, cabinet secretary. The first few questions are from Rona Mackay.

Rona Mackay (Strathkelvin and Bearsden) (SNP): Thank you, convener, and good afternoon, cabinet secretary. You will be aware that Police Scotland has stated that, excluding the ring-fenced funding for greening the fleet, the capital funding available in 2020-21 represents a real-terms reduction on last year's funding. I acknowledge what you said in your opening statement, but how

do you respond to Police Scotland's statement? Does the budget represent a real-terms reduction?

Humza Yousaf: Put simply, the answer is no. You cannot just decide to lump out £5 million from the capital budget and suggest that, therefore, there is a real-terms decrease. I have two reasons for saying that. First, the figure of £5 million is part of an ask from Police Scotland for money to green and modernise its fleet. It is not a case of buying a bunch of Nissan Leafs for the sake of it; it is about upgrading the fleet, which needs to be done, and replacing it with more carbon-efficient vehicles.

The second reason for my saying that it is absolutely not a reduction but a 14 per cent increase is that the £12 million that the Government provided last year was meant to be a one-off payment for mobile devices for 10,000 officers. We have included that in the baseline for the capital budget, so that £12 million is now not ring fenced but is flexible—the chief constable can use it as he wishes to. Therefore, any suggestion that that is a decrease in the capital budget does not stand up to scrutiny.

Rona Mackay: Thank you. Are you able to elaborate on any discussions that you had with Police Scotland and the SPA prior to the announcement of the capital budget allocation? What discussions did you have with trade unions and staffing associations, prior to making your bid to the finance secretary? What were the main concerns that those bodies raised at the time?

Humza Yousaf: All the meetings that I have with the trade unions, for example, and other police stakeholders are on the public record and minuted, and budgets are often discussed at those meetings. What the sub-committee and the Justice Committee may hear in evidence from the SPA, Police Scotland and the Scottish Police Federation is what they tell me as well. Those bodies had many asks. I have been a minister for seven and a half years in different ministerial roles. Public bodies often have a number of asks. We are still in a tight financial circumstance in relation to the decade of austerity and the austerity that we are still facing, but I do my best to ensure that I get the best possible deal for policing.

The justice portfolio includes several challenges, which some members rightly raised today during First Minister's question time. A number of conversations take place, and I then have conversations with the finance secretary, which is why I am very pleased that we have a more-than-real-terms increase. The Government's promise and commitment in its manifesto was to protect the police revenue budget in real terms over this session of Parliament. We have gone above and beyond that. Of course I recognise that there are still challenges; it would be foolish not to accept that. There is still a period of negotiation to be had

with other political parties, as well as a UK budget and a capital spending review to come, and we will continue those conversations beyond the formalities of stage 3 of the budget.

The Convener: Police Scotland and the SPA believe that the capital funding available is significantly less than what is required to provide an effective and efficient police service going forward. Can you comment on that, please?

Humza Yousaf: I am in danger of repeating myself. I do not doubt that the police service will face several capital challenges. All public services will have to prioritise, including the Scottish Government, because we have not had the budgets that we have wanted over the past decade. As the First Minister said during First Minister's question time, a decade of austerity has seen more than £800 million taken out of our discretionary resource budget. We are all having to prioritise, and I do not doubt that the police will have to prioritise the capital budget, despite there being an increase.

I have got into this argy-bargy at the sub-committee before, but I am loth to step into operational matters, where it is for the chief constable to decide how to spend that money. Of course money is ring fenced for certain priorities, but most of the capital funding is for the chief constable to prioritise. I know the chief constable well and I have a great deal of respect for him. He will prioritise the wellbeing, health and safety of his officers. The approach allows him to spend money, if he chooses to, on things such as modernising the estate, because the estate is not only capital, but resource, in terms of maintenance and repairs. Therefore, I am not dismissing what Police Scotland said. Its ask, which was in a letter that came to the sub-committee, was for a greater capital budget. However, there is an increase in the budget, and it is the job of Police Scotland to prioritise its spending, which I am sure it will do.

The Convener: I accept that that is your position on the adequacy of funding. Do you acknowledge that, when those two important public bodies talk about effectiveness and efficiency and the direct effect that funding has on those, there is almost a reputational concern to which you must have regard?

Humza Yousaf: You are absolutely right to mention reputation. Police Scotland holds that to be vital. That is why the outcomes are so important. In my opening remarks, I referenced the 42 per cent reduction in crime since 2008-09, which is set out in the Scottish crime and justice survey. The number of adults who report being victims of crime has fallen drastically since 2008-09, when it was 20 per cent, to closer to 12.5 per cent. Most people view our police service as doing a good or excellent job, so the outcomes are

positive. I would say that Police Scotland has a very strong reputation. An above-real-terms increase in the police budget helps to preserve that reputation, but we should never be complacent, and I will continue to listen to what police stakeholders and Opposition colleagues say about that.

The Convener: Many would agree that Police Scotland's officers and staff are doing a very good job. On the view that the budget is inadequate even to stand still, what implications does the budget allocation have for the transformation process that Police Scotland and the SPA aspire to achieve?

Humza Yousaf: That is a good question. There is money that allows for continued transformation. When I look at the transformation projects that are being delivered, I see Police Scotland undertaking on-going transformation activity, much of which on delivering the 10-year policing strategy, "Serving a Changing Scotland", and to do with information and communications technology. The budget allows for that. If your question is insinuating that more money would allow Police Scotland to go further with that transformation, the answer would be yes. However, I hope that I am able to set out the context of a challenging financial situation in which everybody has to prioritise, including the Government. Police Scotland, despite getting an increase, will also have to prioritise; I accept that. However, I have absolute faith in the chief constable's and the SPA's ability to do that.

13:15

The Convener: Police Scotland has also stated that the current system of a one-year allocation of capital funding makes it difficult to plan ahead with any confidence. Do you agree that that creates a difficulty? Do you have any plans to review the system of allocation?

Humza Yousaf: I absolutely see that a one-year allocation creates difficulty. The convener knows as well as I do that we face challenging circumstances as a result of the UK Government's budget setting. The UK Government did not even tell us the date of the budget; we found that out from press reports. The Scottish Government faces that challenge, and if we are given one-year budget allocations, our ability to provide multiyear budget allocations becomes immeasurably more difficult.

There is on-going work in relation to infrastructure, for example. The convener will be aware that the infrastructure commission for Scotland published phase 1 of its report in January 2020, recommending the development of the 2020 infrastructure investment plan and capital spending review. Mr Matheson, the Cabinet

Secretary for Transport, Infrastructure and Connectivity, who knows his portfolio well, intends to publish the draft infrastructure investment plan before the summer recess, and that will cover the next parliamentary session. Therefore, there may be more certainty for future years. I will be engaging in that process and meeting with Michael Matheson shortly, on the justice perspective. However, I understand that Police Scotland will also meet directly with Mr Matheson about the infrastructure plan. There may be some certainty as a result of that work, but I hope that the convener understands some of the Government's challenges in relation to the UK Government.

The Convener: You can be assured that I absolutely accept that and acknowledge the disrespect that has been shown to the Scottish Government, and indeed to the Scottish Parliament, through the way in which the UK Government has chosen to conduct itself.

The capital allocation means that no new change improvement activity will be possible in the coming year, which will have an impact on plans to equip officers with mobile devices and body-worn cameras. Can you comment on that? Do you agree that such equipment is essential if officers are to be able to carry out their functions effectively?

Humza Yousaf: You mention two issues: mobile devices and body-worn cameras, and I note that they were mentioned by some police stakeholders and by Police Scotland itself in a letter to the sub-committee.

On mobile devices, it was always my understanding—and I have been looking over my notes and correspondence with Police Scotland—that last year's one-off payment of £12 million in capital funding was to pay for 10,000 officers to have mobile devices. Therefore, it is news to me that there would be a mobile device for every officer. There may be a question to ask on that, and I have not yet had the chance to pursue the issue with the deputy chief officer, David Page, who wrote to you. However, I question whether every officer needs a mobile device, depending on their role. If the position has changed and Police Scotland, rather than wanting 10,000 officers to have mobile devices, now wants many more officers, or even every officer, to have a mobile device, that change is news to me. Therefore, I need to have a conversation about that with Police Scotland. I certainly did not have that conversation in the run-up to the budget, unless I missed something. I will continue to look back at my notes on that.

There is a role for body-worn cameras to play. I have seen some of the research and evaluation from England and Wales on that. However, their use was not a big feature of the discussions in

advance of the allocation of the budget. Given the implications of storing the data that is captured by body-worn cameras—and I know that you take a very keen interest in that, convener—it is important for us to have a wide-ranging debate about not only the efficacy of body-worn cameras, for which there is a strong argument, but the ethical considerations. I am not unsympathetic to that being part of a future discussion, but, before there is any roll-out of body-worn cameras, I would want the independent advisory group that I set up to look at emerging technologies to examine the implications and, in particular, the ethical considerations. I am very sympathetic to the argument for body-worn cameras from a policing perspective, but also from a public perspective. However, that simply was not really part of the conversation prior to the budget.

The Convener: I will write shortly to Police Scotland on behalf of the sub-committee. In 2017, the sub-committee took evidence on and considered all the points to which you refer about the necessary assessments and the case for body-worn cameras. The interaction between body-worn cameras and other information technology systems is important, so I was also a bit surprised to see that aspect raised.

I have a final question. In light of what we have discussed, can you confirm that the SPA will continue to be able to recover VAT in the next financial year and say whether that money will be made available to Police Scotland in order to pursue its reform agenda?

Humza Yousaf: Once the UK Government recognised the unfairness of collecting VAT from Police Scotland, we put that sum into the baseline of Police Scotland's budget. There is no desire to change the processes relating to that. I will continue to fight regularly and robustly with the UK Government to give us back the £125 million of VAT that was unfairly taken from Police Scotland, which was the only police force that VAT was taken from. However, although I am an extremely optimistic individual, even at the best of times I am not hopeful that we will see a penny of that £125 million coming back, I am afraid.

The Convener: Thank you. The next questions are from James Kelly.

James Kelly (Glasgow) (Lab): Cabinet secretary, when I raised the issue of the police estate with you last month in the chamber, you dismissed it as "hyperbole". Do you accept that that was an unfortunate—to be charitable about it—choice of words and that there are challenges to do with the police estate?

Humza Yousaf: I do not think so highly of myself as to believe that I could not have chosen a better word. Looking back, I have no problem with

saying that, if I communicated the idea that there were no challenges at all with the police estate, that was not the impression that I was hoping to give. I recognise that there are challenges to do with the police estate, but I would not suggest that the entire police estate was crumbling, and that is where I took exception to the comments. I was not seeking to give the impression that I was dismissing James Kelly's concerns.

It is important to note that the increase in the capital budget will assist with the police estate, but so too will the above-real-terms increase in the revenue budget. Many of the issues that James Kelly, the Police Federation and others have raised come under revenue as opposed to capital, because they may well involve maintenance repairs, depending on their scale. Therefore, with the increase in the revenue and capital budgets, we should see some prioritisation of work on the estate. I do not doubt that Police Scotland will do that.

James Kelly: You say that many of the issues to do with the estate will be addressed. However, it has been put to us that any available moneys will be used to fund the work that is required to meet the requirements of health and safety legislation and that it will not be possible to carry out maintenance of police stations. That will result in police officers and vulnerable witnesses continuing to be accommodated in less-than-adequate stations.

Humza Yousaf: I have been looking at the health and safety compliance of the estate. Police Scotland carries out a number of surveys in relation to its estate, and those will continue over the next nine months so that it can establish what to prioritise. A condition survey has been commissioned; the last one was commissioned in 2015, so it is right that Police Scotland has commissioned that. On health and safety, to which James Kelly refers, my understanding is that the latest compliance data, which covers January 2020, demonstrates that Police Scotland's estate is 99.5 per cent compliant with British and European building standards regulations. Given that almost all the estate complies with those regulations, I do not think that all the capital budget would be spent on simply getting the estate up to compliance levels. That would seem unusual, given the statistics that I have. It will be for the chief constable and Police Scotland to determine which locations to spend money on, but I think it will be spent on more than simply getting buildings up to compliance standard.

James Kelly: I will move on. You said in your opening statement that £5 million has been set aside for what has been called "greening" the fleet. There are 2,400 cars in the fleet. How many of the

vehicles will be greened or replaced as a result of that £5 million?

Humza Yousaf: I am afraid that I do not have the figure in front of me. I can ask Police Scotland how many vehicles need to be replaced. It is worth saying, as I did in my opening remarks, that greening the fleet is also about replacing vehicles that are due for replacement with more carbon-efficient ones.

Despite all the discussion about the fleet, it is worth putting on record that Police Scotland's maintenance team does an excellent job, given the targets that it sets itself. More than 96 per cent of the fleet is on the road, which is above the target. The fleet is maintained so well and to such an exceptionally high standard by the really dedicated team that that was recognised in 2018 when Police Scotland achieved the status of highly commended in the UK fleet of the year award. I do not have the exact figure for the number of vehicles—forgive me for that—but I am happy to speak to Police Scotland about that. However, in general, there is a positive story to tell about the fleet as well as there being inevitable challenges.

James Kelly: I accept that you do not have the figure, but we have been told in evidence that £13 million would be required in the first year alone to start the programme to adequately upgrade the fleet. A sum of £5 million has been provided, so there is a shortfall of £8 million. Does that not mean that some of the vehicles in the fleet will continue to be used after they have past their five-year replacement date, or after they have done more than 150,000 miles, and that those vehicles will require more maintenance and petrol, which will drain the revenue funding? The concern is not only that insufficient money has been allocated, but that the investment does not represent good value for money.

Humza Yousaf: It may be helpful to know that a number of the vehicles are leased. Therefore, it is not a case of doing simple arithmetic and saying that, if one vehicle costs X, we can purchase Y vehicles with £5 million. You get more bang for your buck if you also lease vehicles. I go back to the point that a not insignificant 96 per cent of the fleet is on the road. The overwhelming majority of the fleet is on the road and being maintained to a high standard. Therefore, I expect the £5 million to be used in such a way that, where there are challenges and a need to replace vehicles, the priority will be to replace the vehicles that are coming to the end of their life. However, I reiterate my earlier points: we have to prioritise, and there is an increase in the budget. The sum of £5 million has been ring fenced for greening the fleet, but the £12 million from last year, which has been included in this year's baseline, is no longer ring fenced. Therefore, there is nothing stopping the

chief constable using some of the capital allocation and spending additional money on the fleet, if he feels that he has to because of the fleet's condition.

The Convener: I know that James Kelly has another question, but Liam McArthur has a supplementary question on that issue.

Liam McArthur (Orkney Islands) (LD): We talked about greening the fleet—"greening" might have been used in the loosest of senses. A whole suite of infrastructure is required to support a move in that direction. Am I to understand that the ring-fenced component is simply about vehicle replacement, or does it also encompass the installation of the charging infrastructure that is required?

13:30

Humza Yousaf: It includes the infrastructure that is required.

James Kelly: You have spoken throughout the meeting about the importance of ICT resources. The SPA said that the budget requirement for that was £298 million. Has there been any discussion or communication with the SPA about whether there is adequate money in the budget to fund that?

Humza Yousaf: Although you were not a member of the sub-committee when evidence was taken previously, you will be aware that the ask, as you articulated, is neither small nor insignificant. We are talking about just shy of £300 million, which is the initial estimate for what the digital, data and information and communications technology, or DDICT, project could cost. That cost is profiled over a number of years.

There have been discussions. Police Scotland has not been standing still when it comes to ICT investment. It has invested in a new national network, for example, to replace ageing legacy network infrastructure. It has also invested in its ADEL project, which allows the police workforce to log into the network from anywhere in the country, rather than having to be restricted to the legacy force area.

Those are some of the positive step changes and improvements that have been made. There is also the work on mobile devices that was funded last year. When I launched the roll-out of the mobile devices, I heard from some officers that that was the biggest change that they had witnessed in a decade.

As I said, there have been discussions. Those discussions should continue in relation to Michael Matheson's infrastructure and investment plan and the work that he is doing in that regard in the capital spending review. I will continue to have

those conversations in Government, and I know that Police Scotland is having direct bilateral discussions on those matters.

James Kelly: You are right to point out that it is a rolling programme and will not cost £298 million in the one year. If you do not have this information, it would be helpful if you would write to the sub-committee to provide it: of the £298 million, how much has been allocated up until now, including in the forthcoming year's draft budget?

Humza Yousaf: I will reflect on what you said, and if there is a need to write back to the sub-committee with further information, I will.

We have the £5 million that is ring fenced for the greening of the fleet, which we have already spoken about. Other than that, recognising that the chief constable has a large list of things that he would like to spend his budget on, it is at his discretion to prioritise what he thinks is necessary for his officers' wellbeing, the service and the service that they provide to the public. It will be for the chief constable to decide what to spend on ICT. However, we will continue the conversation, beyond the budget period, on what other opportunities there might be for that really significant level of investment over the years to come.

Liam Kerr: I have a quick supplementary question on that point. I am looking at the sub-committee's report, which, in paragraph 71, says that you will

"come to a view on the relevant level of ICT funding".

You responded to the report on 6 February with a fairly detailed response, in which you arrived at a figure for the fleet but not for the DDICT project, which James Kelly explored. I heard your answer to Mr Kelly's question. Will it be possible to arrive at the relevant level of ICT funding, so that the sub-committee can see how much is being requested and required?

Humza Yousaf: I will reflect on what James Kelly and Liam Kerr have asked. I want to be careful that I do not stray into operational matters. You are right that we have ring fenced a certain amount of money for the fleet. Due to the targets that we have set ourselves, we have to calculate how much money in the wider budget is used for carbon production. There is a policy logic for why we have done that, and we might not do it for other parts of the capital budget. Notwithstanding all that, I will reflect on the points that Liam Kerr and James Kelly have made.

I reiterate that, although there is nothing to stop the chief constable from using that capital spend on ICT, the conversation around further capital spend—be that on ICT or on other matters—may be part of the capital spending review discussions

that we are about to have. Notwithstanding those points, I will reflect on what has been said.

Liam McArthur: I refer to the Scottish Police Federation's submission to the committee, which acknowledges the increase in the capital spend and the lack of ring fencing around all but £5 million, but also points out that it is the smallest per capita capital allowance of any force in the UK and is considerably short of being able to provide the service needs of a 21st century national police force.

We have heard consistently that the DDICT project is fundamental to the reform agenda that Police Scotland is trying to roll out, and that funding is falling considerably short in each successive year of what it has laid out as being required within the terms of that overall £300 million capital allocation. There is growing concern that, whatever reforms it is able to take forward—I acknowledge what the cabinet secretary says about the impact that the work on mobile devices has had—the force is still unable to take forward the reform that is needed to deliver the savings. That raises questions about getting to a point where it is simply not possible for the police service to continue to do all the things that it currently does, as well as respond to the additional demands that are being placed on it. Do you envisage that the police service will have to stop any of its present roles?

Humza Yousaf: The short answer is no, but I do not take away from what Liam McArthur says, or what the Police Federation says about the need to update the ICT infrastructure. Those legacy issues are still being worked through. I gave the example of the ADEL network: previously, people had to log into the local legacy force area network; now, they no longer have to do that. I am trying to give the impression that things are not sitting still. The capital investment that we have provided over the years, including the transformation funding, is allowing digital infrastructure to be improved.

There is an outline business case for a plan that spans over a decade, near enough, and that requires substantial funding. It may well have to be over a slightly longer timescale, and we will have to look at that, but we see the value in that investment. As you would expect—and I am thinking of other IT projects, not just in policing but across the public sector—we wish to continue to interrogate the figures around that to make sure that we get value for money. However, given the increased capital allocation that the Government has given, I do not see why Police Scotland or police officers would have to stop doing anything that they currently do.

Liam McArthur: You say that, as you work through the detailed business case, some of the spending may be back ended rather than front

ended. In the meantime, do you not accept that it will be difficult, if not impossible, for Police Scotland to take forward its reform agenda in the timeframe that it has set out if it does not have the capital allocation that it says it needs this year, as was the case last year?

Humza Yousaf: I see the logic of what Liam McArthur says, but it may be a case of reprofiling the spend. A 10-year spending profile might have to be adjusted, meaning an increase in some years, a decrease in other years, or a smaller portion of capital in a particular year—I am of course talking about ICT.

There is a capital increase. There are discussions around the capital spending review that Michael Matheson's work is feeding into. I will continue to make points on ICT. I will interrogate the figures and continue to have those conversations with colleagues in the Government. The police are also doing that directly, but they may have to reprofile or look at the spend over the years as opposed to elongating the timescale. That could be another option.

Fulton MacGregor (Coatbridge and Chryston) (SNP): We know that external funding from local authorities and other partners provides for about 300 police officer posts, but that that funding is declining because of well-documented pressures. That is experienced differently in different local areas. What are your thoughts on external funding? How much importance do you attribute to it? Have you discussed it with Police Scotland and the SPA?

Humza Yousaf: The short answer to your final question is yes. A number of police stakeholders, including Police Scotland and the SPA, have raised that issue with me. I think that the Scottish Police Federation has also raised it. There has been an argument around centralising the funding, and Police Scotland has raised that on occasion. More and more local authorities have withdrawn funding. There have recently been some press articles—I am not sure whether they came from confirmed sources—about this fair city, Edinburgh, withdrawing money for officers. My concern is that if we were to baseline that, it would create a sort of perverse incentive for all local authorities to withdraw their funding for local officers.

That is why it is so vital for Police Scotland to continue the work that it is doing on demand, productivity and workforce planning. Jude Helliker and the team who are working on demand and productivity gave a good presentation on that. They expect to have a workforce plan ready by the end of the calendar year. It is important that they put their shoulders to the wheel and get that work produced, because if they know the demand and productivity they can create a workforce plan, and then we can continue an evidence-based

conversation on the resources that are needed and where they are needed.

Fulton MacGregor: Thank you. I will move on to a topic that could be related to external funding: the impact of Brexit, which you mentioned in your opening remarks. Have you had any discussions about how Brexit might impact funding? On various occasions, the sub-committee has heard from the police about extra money that is being given to them to prepare for Brexit. Is that on-going, and is there any funding that may come from Barnett consequentials once the UK Government recognises what the impact of Brexit might be?

Humza Yousaf: I do not think that there is anything in the Barnett consequentials directly arising from policing EU exit—officials can correct me on that, if I am wrong. I will look back and check, but I do not think that that is the case.

Obviously, there has been an impact on policing. The member will be aware that a force reserve was stood-up, and continues to be stood-up, for Brexit planning, particularly when there was a threat of a no-deal Brexit—which continues to be the case, it has just been prolonged and kicked down the road into December 2020. We continue to pursue the UK Government to fulfil what we see as its obligation to meet that funding pressure. So far, it has not. Again, the member will be aware that this year we have provided £17 million to assist Police Scotland with EU exit funding.

The Convener: I am very conscious of time. We have to finish up at 10 minutes to 2 because chamber business starts at 2pm. We may have to write to the cabinet secretary on some matters, but Liam McArthur has got some questions and Liam Kerr wants to ask one brief question.

Liam McArthur: We have probably covered the Brexit element of my questions. The other external pressure that is coming down the track is COP26. I know that discussions are on-going on COP26 and the statement that was due to take place in a week or so has been postponed due to those on-going discussions. It would be helpful for the committee to understand where those discussions are at, particularly on the agreement on funding and resource transfers.

13:45

Humza Yousaf: I am conscious of the time, convener.

The UK Government has every right to scrutinise and analyse the figures that have been brought forward by Police Scotland. We would obviously look to do the same. Certainly, when I spoke to Michael Gove on the phone there was no argument about the principle that the UK

Government should pay for every penny of the costs related to COP26, including in relation to policing, which I specifically raised. There is no debate on that principle—that could change, but I do not think that it will. I hope that that principle is set.

Now it is about understanding the figures. Committee members may well have seen the figure of £250 million used by Police Scotland; quite a chunk of that—around £40 million to £50 million is for contingency. The largest portion of that funding is for mutual aid. Police Scotland anticipate that there will be about 7,000 to 8,000 additional officers—seven to eight thousand officers, just for the *Official Report*—[*Laughter.*]

Liam McArthur: Seventy-eight thousand would be a move to a police state.

Humza Yousaf: I spoke quite fast there. There will be seven to eight thousand additional officers from other UK forces coming to Scotland for mutual aid. The cost of that, including the cost of accommodating them in hotels, is the most significant chunk by quite a bit. I hope that we can agree with the UK Government that instead of recycling that money from the UK police force to the Scottish police force, it would be a better idea for the UK Government to pay that money directly to Police Scotland. Discussions are on-going and we hope that they will be concluded relatively soon.

Liam McArthur: You just referred to the accommodation costs. As I understand it, those need to be met later this month. Is that due to come out of the 2019-20 budget allocation?

Humza Yousaf: The position on that has changed a couple of times. We seem to have taken a step forward then a step back and a step forward. [*Interruption.*] I just asked my officials for the latest update. My understanding is that the UK Government has agreed to stump up the money for the accommodation costs and to do so directly from the central fund for other accommodation that they are already booking. I will caveat that by saying that we have been told that before and then Police Scotland has told us that, unfortunately, the UK Government had changed the position. Hopefully, there should not be spend from Police Scotland on accommodation in this financial year.

Liam McArthur: That is helpful. This is not for right now, because we do not have time, but could you update the committee on the likely implications of the resourcing of COP26 for the police force across the rest of the country? There is a real concern about a gravitational pull towards the centre that could leave forces across the country struggling, if not unable, to fulfil their policing roles.

Humza Yousaf: Absolutely; I can do that. I suspect that it would be better for the chief constable to do that, because of the operational decisions that he would have to make, but we can take that off the table and come to a form of update that the committee is comfortable with.

The Convener: Thank you. We will hear from Police Scotland about COP26 on 12 March. It may be that you could liaise with them on that. Liam Kerr—very briefly, please.

Liam Kerr: I will be brief. I ask for a clarification. Cabinet secretary, when describing the budget at the start you said that you will provide £37 million to keep officer numbers at current levels. Audit Scotland and the chief constable at one point put a figure of £50 million on that. Will you explain that discrepancy and will you be pushing for more in the budget as that process develops?

Humza Yousaf: Liam Kerr and his party will continue to engage with the finance secretary. I will continue to engage in the budget process, when relevant, regarding justice portfolio requests. We will continue that dialogue and discussion. Liam Kerr is right to allude to the fact that Police Scotland continues to have a structural deficit. It becomes challenging to tackle that deficit if you do not know the workforce mix and do not know how many police officers you need in X, Y and Z locations because you do not have a demand and productivity plan or a workforce plan. Once you have that, it becomes a lot easier to have a discussion on how to tackle the deficit over a realistic timescale and what a realistic timescale would be.

The chief constable has been clear that with the pressures of Brexit and COP26 and not having the workforce plan, reducing officer numbers at this stage would not be a good idea. We agree with that assessment. Our budget allows Police Scotland to maintain officer numbers and we accept that there will be a structural deficit as part of that central pressure that the Scottish Government will look to address.

The Convener: Thank you very much, cabinet secretary. You will be delighted to know that we have largely covered our questions so we will not be writing to you. I thank you and your colleagues for your input.

That concludes the public part of the meeting. Our next meeting will be on Thursday 12 March, when we will hear from Police Scotland on planning for COP26.

13:50

Meeting continued in private until 13:55.

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