

# **JUSTICE COMMITTEE**

Tuesday 30 October 2007

Session 3

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## JUSTICE COMMITTEE

### 7<sup>th</sup> Meeting 2007, Session 3

#### CONVENER

\*Bill Aitken (Glasgow) (Con)

#### DEPUTY CONVENER

\*Bill Butler (Glasgow Anniesland) (Lab)

#### COMMITTEE MEMBERS

\*Cathie Craigie (Cumbernauld and Kilsyth) (Lab)  
\*Nigel Don (North East Scotland) (SNP)  
\*Paul Martin (Glasgow Springburn) (Lab)  
\*Stuart McMillan (West of Scotland) (SNP)  
\*Margaret Smith (Edinburgh West) (LD)  
\*John Wilson (Central Scotland) (SNP)

#### COMMITTEE SUBSTITUTES

Aileen Campbell (South of Scotland) (SNP)  
Marlyn Glen (North East Scotland) (Lab)  
John Lamont (Roxburgh and Berwickshire) (Con)  
Mike Pringle (Edinburgh South) (LD)

\*attended

#### THE FOLLOWING GAVE EVIDENCE:

Councillor Martin Greig (Grampian Joint Police Board)  
David Higgins (Scottish Police Authorities Conveners Forum)  
Liz Levy (Scottish Government Police and Community Safety Directorate)  
Councillor Norman Macleod (Northern Joint Police Board)  
Councillor Iain Whyte (Lothian and Borders Joint Police Board)  
Frances Wood (Scottish Government Police and Community Safety Directorate)

#### CLERK TO THE COMMITTEE

Douglas Wands

#### SENIOR ASSISTANT CLERK

Anne Peat

#### ASSISTANT CLERK

Euan Donald

#### LOCATION

Committee Room 2



## Scottish Parliament

### Justice Committee

*Tuesday 30 October 2007*

[THE CONVENER *opened the meeting at 10:30*]

### Decision on Taking Business in Private

**The Convener (Bill Aitken):** Good morning ladies and gentlemen, and welcome to this meeting of the Justice Committee. I remind members of the committee and the public to ensure that mobile phones are switched off.

Item 4 is on the committee's approach to consideration of the budget process. It has been the practice of committees to consider such items in private. Are members agreed that item 4 can be taken in private?

**Members indicated agreement.**

## Subordinate Legislation

10:31

**The Convener:** Item 2 is subordinate legislation, and there are four negative instruments for consideration by the committee.

### Administrative Justice and Tribunals Council (Listed Tribunals) (Scotland) Order 2007 (SSI 2007/436)

### Civil Legal Aid (Scotland) (Fees) Amendment (No 3) Regulations 2007 (SSI 2007/438)

**The Convener:** Are members content to note the instruments?

**Members indicated agreement.**

### Premises Licence (Scotland) Regulations 2007 (SSI 2007/452)

**The Convener:** Are members in a position to make any comments on the third instrument, or are they content to note it?

**Nigel Don (North East Scotland) (SNP):** It seems that the layout plan as prescribed in the regulations can be generated on a piece of graph paper by anybody with the competence to use a sharp pencil and a ruler. I would welcome confirmation—and perhaps we could get that in writing—that there is no requirement for professional services at that stage, because I am concerned about the cost of those services to small premises.

**The Convener:** That is a sensible suggestion. I propose that we write to the Scottish Government to ask it to clarify that particular matter, and continue the item pending receipt of a reply. Are members agreed?

**Members indicated agreement.**

### Licensing (Transitional and Saving Provisions) (Scotland) Order 2007 (SSI 2007/454)

**The Convener:** As members have no comments on the fourth instrument, are we content to note it?

**Members indicated agreement.**

## Police Resources Inquiry

10:33

**The Convener:** Item 3 is our inquiry into the effective use of police resources. I welcome to the committee Councillor Iain Whyte of the City of Edinburgh Council, who is the convener of the Lothian and Borders joint police board; Councillor Norman Macleod of Western Isles Council, who represents the Northern joint police board; and Councillor Martin Greig of Aberdeen City Council, representing the Grampian joint police board. They are accompanied by David Higgins, secretary of the Scottish police authorities conveners forum.

We are grateful to you for giving up your time and attending the committee to give evidence. I understand that Mr Greig will give an opening statement.

**Councillor Martin Greig (Grampian Joint Police Board):** I thank the committee for the opportunity to offer oral evidence to its inquiry into the use of police resources. The submission from the conveners forum is succinct, and generic in content. Members will be aware that police authorities have submitted separate written responses in their own names highlighting authority-specific viewpoints, because each force has its own unique pressures and particular concerns. However, as a general response, the forum recognises that, given the complexities of 21<sup>st</sup> century policing, the issue before the committee is not solely about police numbers. Our constituents have made it clear to us, as elected members, that they desire greater police visibility on the streets, faster and more effective response policing and more vibrant community policing. As members of police authorities, we recognise the challenges that have to be overcome in order to achieve that public desire within the current policing arrangements. We therefore welcome this opportunity to contribute to the wider policing debate by giving evidence to your inquiry.

Before I close, I want to address for the purposes of accuracy comments made in a previous evidence session and in certain written submissions about the role of police authorities. For example, the composition, role and function of police authorities in Scotland have been compared to authorities south of the border. Here, councillors are elected initially to local authorities and are then nominated for places on police authorities. It has been said that that practice reduces local accountability. However, the function of the current police authorities was set out by statutory instrument in 1995 and, although it could be argued that that legislation reflected the views, opinions and policing pressures of 1994, the fact is

that policing issues have not changed substantially over the past 13 years.

Like this committee, our forum is new. On 7 September, we met the author of the recent Audit Scotland report, "Police call management—An initial review", which commented critically on the role of police authorities, not only to consider the historical role of the authorities but to determine our future requirements in the policing area. Police forces have to be as efficient and businesslike as possible and call centres are vital in improving communication between forces and the public.

Finally, a separate submission commented on the difficulties that police authorities are likely to face in meeting current non-statutory requirements in Scotland with regard to determining chief officer bonus payments. Some consider this matter to be a test of police authorities' abilities. On Friday, police conveners will hold an inaugural meeting with key stakeholders to discuss that very issue. The police authorities feel that, if this is to be a test of our abilities, our intention is to pass it.

I offer these threshold comments to illustrate our awareness of the key pressures and concerns that need to be addressed and our commitment to resolving all of them. In closing, I repeat what we said at the end of our written submission. Police authorities view this

"Inquiry as an opportunity to consider the 'traditional' function of the policing role"

in Scotland

"in the light of present day requirements"

and to assess and "determine" the most "appropriate method" of delivering

"policing services ... to meet the expectations of all."

**The Convener:** Thank you, Councillor Greig. As you might imagine, the committee is likely to ask you about those matters, but we will be more than delighted to hear from your other members if you wish to pass questions over to them.

Margaret Smith will open with questions on the role of police authorities and joint police boards.

**Margaret Smith (Edinburgh West) (LD):** How, in practical terms, do police authorities and joint police boards oversee the work of chief constables and hold them to account for policing in the force area, control police force budgets, and help to ensure that policing arrangements achieve best value?

**Councillor Greig:** Your first question was about how we oversee the work of chief constables and hold them to account. Under the existing tripartite system, local authorities appoint members to police authorities or joint boards, and that is the method by which chief constables are supervised and monitored. The performance of the force for

which the chief constable has independent operational responsibility is reflected in quarterly and annual reports on crimes and detections, and that has been an effective way of monitoring the work of the chief constable.

**Councillor Iain Whyte (Lothian and Borders Joint Police Board):** The regular reports that we receive allow us to monitor issues over time, as well as performance at any one point in time, so we gain a picture of whether performance is improving over time.

Within force areas—it is certainly the case in the Lothian and Borders area and other colleagues might amplify my point—there is also some local accountability in monitoring what is going on. In the City of Edinburgh, through community planning and other mechanisms, and through direct contact, many local councillors are in contact with divisional commanders and can see what is happening at a more local level. In future, we would like there to be more direct input into how priorities are set and measured. As we move towards a more formal method of local priority setting by police boards, I would like localised statistics to be published and more local community planning at neighbourhood level, to ensure that performance is monitored at that level in the force area as well as it is at chief constable level.

**Margaret Smith:** You have almost anticipated where I was going with my second question. You said that you get performance figures, quarterly and annual reports, and so on. At the level of the regular board or authority meeting, is the chief constable held to account at a strategic level, or do you also decide on specific areas of interest, whether localised or generic? For example, if you were particularly concerned about knife crime, would you tell the chief constable to report to you on the situation with knife crime and what he is doing to tackle it? Do you also get that kind of report?

**Councillor Whyte:** We certainly do. The Lothian and Borders board recently had a report on knife crime. The issue was raised by an individual member at a previous board meeting, and as a result of that we had a formal report back from the chief constable.

We have tackled other issues too. It is mostly done through questioning, and I can tell you that the chief constable gets robust questioning on the wider performance reports when individual board members go into detail on particular issues. Some colleagues have an interest in roads policing, for instance, and will go into detail on that, particularly with regard to numbers of fatalities. We have had lengthy discussions on that recently. The board asks members to take a specific interest in an area of the force's activity so that they can be

champions of those areas, hold the chief constable to account on them and bring issues back to the wider board in future.

**Margaret Smith:** To pick up on another part of my question, how would you go about controlling the budget of police forces? That must obviously be a large part of your work.

**Councillor Greig:** The police board or the police authority sets the annual budget for the force, based on the grant-aided expenditure settlement from central Government. The budgets are controlled by regular financial monitoring of revenue and capital, so the force is held to account on a rolling basis throughout the year. Robust questions are always asked if the budget starts to go in any particularly extreme direction.

10:45

**Margaret Smith:** The inference from your response is that you are always struggling with a budget that you feel will never necessarily be adequate for your needs. I am also aware that, as you said earlier, we have received not only a generic response from the Scottish police authorities conveners forum, but individual responses from the boards for the different areas. As a member whose constituency is in the Lothian and Borders area, I am well aware that the capital city has particular policing needs—I am interested in hearing more about that from Councillor Whyte—but each area, whether rural or urban, obviously has its own needs. What part do you play in making representations on behalf of your areas for a better GAE settlement or for particular local needs to be taken into account in the budget, given that you obviously have an idea of what the local policing priorities should be?

**Councillor Greig:** There is no fixed method of lobbying for increases in the GAE income on which police forces rely. One successful lobbying campaign resulted in a GAE working group, which produced a paper whose recommendations were accepted in 2004. In that campaign, the four most underfunded forces in Scotland—Northern Constabulary, Grampian Police, Central Scotland Police and Fife Constabulary—asked for a levelling up process, including a specific request for an increase in funding, to ensure that they moved further up towards the Scottish average. Over the past three or four years, that process has been very successful as the significant amounts of additional funding that have been given to the four forces have moved them up towards the national average—although we are not quite there yet. That is one example of how we have tried to influence central Government by putting pressure on it to increase our funding.

The Grampian Police submission gives details about how it is underfunded and about the significant and unique pressures that it faces. Every police force has its own pressures—my colleagues will explain the local pressures that they face. It would be welcome if, as a result of the committee's inquiry, a careful analysis was made of the GAE process.

**Margaret Smith:** Let me put that question also to Councillor Whyte. I remind him that his submission states that in 2004—this was obviously a live issue at that time as well—a case was made about the needs of the capital city. The 2007 cost is now estimated at over four times the cost that was suggested in the original bid. The submission goes on to say that less money was given at that time because it was thought that the costs

“would be properly reflected in a revised grant-aided expenditure formula.”

Is it generally thought that we need to go back and revise the grant-aided expenditure formula once again?

**Councillor Whyte:** I think that the impression overall is that grant-aided expenditure needs to be looked at. It is difficult for us to know exactly how the budget setting process will go, because we have become conveners since the election earlier this year and we have inherited this year's budgets from previous boards and authorities. I certainly intend to have discussions with the local authority finance officers, but if we can lobby for greater resources, that would be helpful.

I wrote a submission on the needs of capital-city policing to highlight to the committee not only a particular need for Lothian and Borders, but the kind of issue that can affect the efficient use of resources and direct them away from areas, such as visible local policing or community policing, to which the public think they go.

As Margaret Smith said, in 2004 our force bid for extra resources to deal with capital-city policing problems. I am told that the force was allocated £600,000 at that time, although it made a submission for £978,000. The difference between the two figures was to do with security and protection services for VIP and royal visits. The interesting point is that since then the number of such visits has risen from 29 to 150 a year, if we take the 2006-07 figures, and the number of venues visited has gone up from 89 to 454. I am told that the best estimate is that that part of the service now costs about £1.4 million, with a dedicated unit in place to service that work, although that is not funded through the GAE settlement. Those kinds of pressures fall across all forces. Our force is making a particular submission on the issue to the Cabinet Secretary for Justice.

Obviously, we also want the committee to be aware of the issue.

**The Convener:** That is useful information, but I am not anxious to go down the route of special pleading, as you will appreciate. Is there anything else from Margaret Smith?

**Margaret Smith:** One of the questions that I wanted to ask was about the role that police authorities and joint police boards play in shaping local and national policing priorities. I am aware that one of the easiest ways to get into that area is to look at the budget and funding from the viewpoint of local need. However, on the wider issue of shaping local and national policing priorities, how do you do that in your dialogue with the chief constable? What do you, as elected councillors, bring to the table and to the discussion? Do your authorities expect you to express their views? Or is it very much left up to you, as board members?

**Councillor Whyte:** We have a light input on national priorities, some of which are for areas over which we have no control—for example, the recent terrorist incidents and the need to combat terrorism. We have no direct control over that part of our budget and we are reliant, to an extent, on Scottish Government or United Kingdom Government funding to cover for overtime and other aspects of work that the force does on those areas.

There are issues around budgeting. We set overall budgets within what is available to us, but some parts of the budget go off to deal with national priorities. As I said, that aspect is almost predetermined, but it is part of a tripartite agreement. We, as conveners, hope that, through our forum, we will have a constructive dialogue with the Cabinet Secretary for Justice on that type of issue and others.

**Councillor Greig:** Just to add to that, obviously the Scottish Government sets the strategic priorities of fighting crime and antisocial behaviour. Extra funding was given through the implementation of the Antisocial Behaviour etc (Scotland) Act 2004 and through community safety funding to ensure that tackling crime and disorder is high in the political order of priorities. However, the public will have more confidence in the police and, in fact, the Scottish Government if there is transparency, fairness and clarity about where policing income comes from and where it goes. Funding is important for meeting public expectations and providing reassurance to the public.

**John Wilson (Central Scotland) (SNP):** Good morning, gentlemen. The existing eight Scottish police forces vary greatly in relation to size, geography and population, which is reflected in



the number of local authorities that are involved with particular police forces. How do those differences impact on how boards carry out their work? Do competing local authority interests and priorities on policing issues pose problems for decision-making processes in boards?

**Councillor Greig:** Each force has a unique identity and particular method of working. All the forces work well within their territories. Obviously, competing demands arise between local authority areas, but the joint board or police authority is a place where representatives can explain local priorities and come to solutions and agreements. All forces and boards agree that the current set-up works well. We have a wide spectrum of force types, but there is no harm in being different.

**The Convener:** Perhaps Councillor Macleod, might like to contribute, as his board includes some of the rural and smaller authorities.

**Councillor Norman Macleod (Northern Joint Police Board):** Thank you, convener. As you know, the Northern joint police board has four constituent authorities—Western Isles Council, Shetland Islands Council, Orkney Islands Council and Highland Council. Totally different priorities arise within the four authorities—each area has its priorities and requirements. However, the board has good representation from each authority. Something that is a high priority in Shetland might not necessarily be a high priority in Highland, but we generally arrive at what we deem to be a satisfactory decision and move forward in the best interests of the whole board.

The issue of best value is very much to the forefront, so that when we move forward we achieve the best that we possibly can for the people whom we represent. At the end of the day, they are the people who put us there and they can ensure that we are put back out. Consultation with boards, community groups and local authorities is important. There is team work, and feedback comes through from all those groups.

**John Wilson:** Let me explain the point that I was trying to draw out. I will take Strathclyde joint police board as an example, although I know that none of the witnesses represents it. When a large number of local authorities with vastly different issues come together, how do boards deal with the dilemmas that exist? For example, the issues for Glasgow City Council will be different from those for East Renfrewshire Council. How are the competing differences resolved, particularly for what are seen as the smaller members of the police boards?

**Councillor Whyte:** The Lothian and Borders area, although not as big as Strathclyde, has some of the issues that Mr Wilson mentioned. We have the City of Edinburgh Council, which itself

has a variety of areas, from affluent areas to suburbs with serious multiple deprivation; we have rural areas, particularly in the Borders, which has a sparse rural population; and we have new towns in West Lothian, such as Livingston. It is a varied geographic area. The board allocates resources that, for operational issues, are generally then spread under the direction of the chief constable, who allocates on the basis of need.

As our submission states, the resource prioritisation reflects national strategic assessment, force assessments and the national intelligence model, as well as the Scottish policing performance framework. A lot of work is done to determine need and allocate on that basis. To an extent, we do not get into that. Some of the work is done on an operational level by the chief constable and his staff.

The issues that members from the different areas raise tend to be similar, in that they are requests for resources. We have regular requests at board meetings for more visible policing and more resources. We also have specific requests to deal with particular problems in a particular area, such as road traffic accidents in the Borders, where there are a lot of rural roads, or house break-ins in a part of Edinburgh. Members from all areas come with similar resourcing issues, and they make their points very clearly. In that respect, we are very fair in allowing members from all areas to put their point across.

11:00

**Stuart McMillan (West of Scotland) (SNP):** Do we have a sufficient number of police authorities and police forces? Is eight the right number, or are there too many or too few?

**Councillor Greig:** I am not sure whether it is really up to us to answer that. The eight forces and the eight boards work very well. The Scottish policing performance framework will enable boards to get information on crime and detection rates broken down into almost any level in the force area. We are able to find out about the scene in any part of the force area quite quickly, particularly using the Scottish intelligence database and other information technology resources. It is not difficult to find out what is happening around the force area. There are no disadvantages for a force being any particular size.

**The Convener:** You have anticipated a number of the questions that we were going to ask. We will move on to information on performance and local priorities.

**Nigel Don:** Good morning, gentlemen. Now that you have neatly dragged the discussion on to information, can you identify any deficiencies in

the information that you receive? We are aware of the national performance framework from last week's evidence. Are there any glaring omissions?

**Councillor Greig:** The information is there; it is just up to boards and authorities to ask the right questions. The new information and communications technology system—which is being introduced in Grampian and will be introduced throughout Scotland—will provide a Scotland-wide database, which will centralise the knowledge bank for all Scottish forces. That will enable us to ask questions and to compare how we are doing with how other forces are doing. We will be able to measure performance within a force and in comparison with other forces in a very meaningful way. We just need to know which questions to ask.

**Nigel Don:** Forgive me, but you have got to exactly the point that I and some of my colleagues want to tease out, which is how much help you get in trying to interpret the information that is available. When you start with a small amount of information, you can usually pick out the question that is not being answered. When you have a whole range of indices and a vast amount of information, you can be worse off, because you may not know what to highlight and how to interpret what is out there. To what extent do you get help in knowing where to look and what to ask?

**Councillor Macleod:** The Northern joint police board has regular—sometimes weekly—meetings with our area commands. If we are not clear about the information that comes from them, we ensure that we are clear by the time we leave the office. If there are issues when that information is brought to the board, we raise those with the chief constable. At the end of the day, it is up to each member to be satisfied that he has asked the right question and that we are looking for the correct answer. It is about not just satisfying whoever is drawing up the report or the chief constable, but ensuring that we have got the information that enables us to move forward and to learn.

**Nigel Don:** Am I right in identifying, at least in principle, a governance issue here? This is no dig at the police, for whom I have absolute respect—I know many of my local policemen very well. However, if you get information such as statistics from police records, if your general dialogue is with your senior policemen and if your lead is from those policemen, do you recognise that there might be a deficiency in your ability to interpret seriously the data and to pick up issues that the police might want to hide?

**Councillor Whyte:** Mr Don asks an important question. However, although I do not wish to denigrate his point, it is not relevant in this context. We have to interrogate the information that we are

given in the same way that we interrogate information that we are given as councillors by local authority senior officers. I presume that ministers in the Scottish Government interrogate information that they are given by civil servants in a similar way. In that respect, I do not think that there is a need for direct independence, and I am not sure how someone independent looking at that information would help us any more than our looking at the information ourselves. It might be important to have more assistance in looking at the breadth of information, because there is a lot of it. However, I hope that we can get there with a board of 18 people.

We can be reassured by the fact that, in the past few years, we have moved to a national standard for recording crime statistics. That gives us an assurance that the information that is recorded is capable of being compared between different force areas. That did not happen a few years ago, but we can now compare like with like across different areas and make judgments.

**Councillor Greig:** I add that police forces are also subject to scrutiny by HM inspectorate of constabulary, which provides a senior and independent level of surveillance of police forces and their performance.

**Cathie Craigie (Cumbernauld and Kilsyth) (Lab):** Councillor Greig was right to remind us of the democratic process when councillors are appointed to the joint police boards. I am interested in how the boards ensure that policing issues and priorities have the backing of local communities. Iain Whyte mentioned what is happening in the Lothian and Borders area. Will the witnesses tell us more about that method and whether it is being used in other board areas?

**Councillor Greig:** The police boards and police authorities have members who represent the public, and there are many ways in which boards and authorities are held to account. All members play a full part in the community planning process and councillors do their best to keep on top of key pressing issues that are raised by constituents and members of the public. That has been an effective way of ensuring that police forces are responsive to what the public want, need and expect, and I see no requirement to alter the arrangement.

**Councillor Macleod:** I concur. In the Northern joint police board area and in the islands there is an excellent relationship between the local authorities and the board. As you know, the board is made up of council members from each constituent authority. At the end of each board meeting, when the minutes are put out into the public domain, any council member who has any concerns about anything that has—or has not—happened in a locality can discuss it with the board members. If they are not satisfied, the

matter can be taken to a divisional level and then to a more senior level.

It is essential to have local authority representation on police boards. We are responsible to the people. If the police do not appear when they have been called out, the people look to us—we are the second port of call. Our responsibility is then to discover why the police did not appear, and, if the reason is that there were other priorities, to explain that to the public. Again, community planning is all about team work. We are all in this together.

**Councillor Whyte:** Cathie Craigie spoke about what we are doing in the Lothian and Borders Police area. Generally, we do things through the board, but, at the local level, councillors are often given the opportunity to meet chief inspectors or superintendents to discuss issues in their area. Working in conjunction with other local authorities, Edinburgh's neighbourhood partnerships and other local community planning partnerships throughout the force area could publish local statistics in a way that is meaningful for local communities. That approach has not been put in place yet, but I would like it to happen.

In its submission, the Scottish Police Federation talked about local statistics being produced in a similar way to compstat, which is the New York system. When I went to New York, I spoke to the police chief of one of the precincts whose view was that local performance indicators were a great help. He agreed that strategic indicators for New York were useful in driving down crime and in bringing greater accountability to precincts across the city. He also spoke about his direct role in relating to local community organisations.

In future, I would like local statistics to be used as a way of driving up performance locally. If I think that we can achieve that in Edinburgh, I will seek to do it, but in a way that does not increase the burden on the police, given the statistical data collection that they currently undertake. The police have their own internal performance monitoring, but I would like some of the data to be put into the public domain. That would allow local community councils and neighbourhood partnerships to discuss the information with local chief inspectors and so on.

**Nigel Don:** Thank you for again getting neatly to the point that I want to address, which is whether there is a benefit in formalising local accountability. My intention is not to make more work for anyone, but to allow neighbourhood partnerships, community councils and other local community groups some formalised, statutory way of holding the police to account.

**Councillor Whyte:** I am not sure whether it is absolutely necessary to make such accountability

statutory. My view—colleagues may take a different one—is that partnership works where everyone in the partnership is committed to it. Certainly, in the Lothian and Borders area, I get the sense that the police are committed to the community planning system, at both officer and board level. We do not need a statute for that, although guidance may be helpful in getting consistency across Scotland. If one area starts to work on a partnership basis—with accountability seen to be more local—and the change brings improvement in local performance and a reduction in crime, I get the feeling that other areas will quickly follow on once the data are published.

**Cathie Craigie:** I am more interested in communities being able to look at what is important to people in their area rather than the statistics that boards may want to bring them, although they are also important. At the local government, national Government and Parliament level, we are all being encouraged to consult and to allow communities to participate in the processes of government. Before boards sign off the papers in which they set out their priorities for a given period of time, is there scope to involve local communities, whether through community planning partnerships, community safety partnerships or neighbourhood partnerships? The issue is about trying to allow participation rather than having the boards tell people, "This is what we've been doing on your behalf."

11:15

**Councillor Whyte:** There is scope for that. We make it clear in our submission—other people have made it clear in their submissions—that public expectations of the police service are high at the moment. Although it is right and important that people have an opportunity locally to feed into what local priorities are, they must do that within a framework in which they have information about what the expectations are. The expectations on all our forces are growing all the time, but resources have not necessarily kept pace with that. Although extra resources would help in meeting the expectation of greater visibility in policing—we would all welcome those extra resources—it is not easy to see the direct correlation with front-line policing because the other demands on forces also continue to grow.

**Councillor Greig:** Community safety partnerships and neighbourhood planning groups have an important role in advising how policing should be conducted. However, the key issue is the accountability of the police service through the existing tripartite scheme whereby joint police boards and police authorities are the local accountable units. We set the budget and hold the chief constable to account. The local autonomy

that joint police boards and police authorities have is important for us, as it enables us to express the views of the communities and to hold the chief constables and police forces to account. It is helpful for us to have a central point of reference through the performance monitoring framework, which will enable us to see how the chief constables are performing, how crimes are being detected and whether the desires and expectations of the public are being met.

**The Convener:** We will examine those questions in more detail.

**Bill Butler (Glasgow Anniesland) (Lab):** Good morning, gentlemen. You are probably aware that, last week, the argument was made that the leg of the tripartite system that is formed by police authorities and joint police boards needs to be strengthened, but Councillor Greig and most of those who have spoken this morning seem to be saying that the current set-up works well. Councillor Greig has also said that the joint police boards and police authorities have to hold the chief constable to account and express the views of the community. Do you all agree that, by and large, the system works and there is no need drastically to reform it?

**Councillor Macleod:** I would argue that the present system has worked well since its inception although, as in every other aspect and avenue, there is probably room for improvement and change. In the beginning, I was against change: why change unless it could be demonstrated that improvements would be made? I now have no problem with change, provided that it is for the better, but I do not want to start taking apart something that is not broken.

**Bill Butler:** I am not talking about change for change's sake. Are there changes that should be considered?

**Councillor Macleod:** There should probably be more dialogue with the forces. We have good communication with our electorate, with community councils, with residents groups and with the local area commands, but more discussion is always good.

**Councillor Greig:** I am not convinced that a case has been made to change the structure and constitutional set-up of the tripartite arrangement, which works well in providing accountability and reassuring the public as far as is possible. The key issue for the Scottish police service is funding. The inquiry—the point of which is to consider police resources—is therefore welcome. Police resources are a worthy and timely issue for the committee to consider.

**Bill Butler:** Funding is obviously important, but we are talking about how you prioritise the resources that you have and how you are directly

accountable to the people whom you serve. Mr Higgins was going to say something. I want to take off his veil of silence.

**David Higgins (Scottish Police Authorities Conveners Forum):** I want to raise an issue that relates to the question that was asked and to how the public can be involved and engaged in the process. Sir Ronnie Flanagan is considering four policing themes, two of which he considers in his document entitled, "The Review of Policing: Interim Report", which is on policing in England. A report on local accountability will be published in the next report. The interim report refers to an England and Wales Home Office paper on the governance of Britain that discusses a change to the definition of "best value" to accommodate how local authorities, or those who deliver local services, engage with members of the public to ensure that the services that they deliver and which the public receive are appropriate. That suggestion is obviously for the future because, although the paper is a Home Office paper, it intimated that such changes would come to Northern Ireland, Wales and Scotland.

I am secretary of the Scottish police authorities conveners forum and work within the Strathclyde board, which is currently considering how we can enhance our relationships with local groups. The exercise will involve reviewing staffing and looking to take on additional staff, partly to accommodate and enhance our relationships with local groups and others. We must consider what are the correct statistical questions to ask. That probably answers some other questions that have been asked.

**Bill Butler:** I refer to what Councillor Greig said. Is it possible for a police authority to express the views of the community, given that we are talking about not one community, but a number of diverse communities that perhaps have conflicting needs?

**David Higgins:** We need to look back. Community planning is probably the most important key element. Where several local authorities are constituent authorities in a joint board, there is a statutory requirement for community planning within each of those authorities. Elected members lead the process, which involves all the local partners and is where many local policing requirements are determined. Police authorities necessarily reflect that in wishing to enhance their services. That responsibility cannot be taken away. The issue is more about trying to determine how the police authorities can plug into the process to add value, which is partly what we are seeking to do with a view to the future.

**Bill Butler:** Are you saying that that is another source of information that adds value from the community, filtered through the conduit of the police authorities?

**David Higgins:** Prior to my current job, I was a community safety manager in a local authority and was heavily involved in that process. My experience is that, where an issue that arises in a local authority requires to be discussed by the police board, one elected member will contact another elected member so that it will be discussed at strategic level.

**Bill Butler:** I am getting the clear message from the witnesses that they see the tripartite system as working reasonably well, by and large. Are there any areas where there is a need for improvement? Do you believe that you can effectively hold the chief constable to account? Do you have enough staffing and information-gathering resources to allow you to be constructively critical?

**Councillor Whyte:** The issue is more to do with overall resources than resources for us. Mr Butler spoke about how we can reflect local opinion. When I speak to people from community councils or neighbourhood watches, for example, their general view is that they want to see more policemen in yellow jackets walking around on the streets in their neighbourhood. Although we would all wish to react to those views when we can and improve that situation, we receive a great deal of other information that often conflicts with that. We must therefore mix those views in with information that we are given on national priorities, the intelligence-led model of policing and response times.

A difficulty in Lothian and Borders in recent years has been that calls to the force are graded and responses to lower-grade calls have perhaps not been as members of the public would wish. That is all about prioritisation. You ask, "Do we hold the chief constable to account?" We do, but the difficulty is the limit—

**Bill Butler:** Do you do that effectively?

**Councillor Whyte:** I think we hold the chief constable to account effectively, but we are limited by the overall resources that are available to us and to the chief constable. Although we can ask him how well he prioritises and we can—and often do—challenge how much resource he puts into community policing or local-response policing to lower-grade calls, we, as well as the chief constable, have to balance that against the other national and strategic priorities that have been set for the force.

**Bill Butler:** For the record, would you like to see any changes to the composition or role of police authorities to improve police governance arrangements? I ask that question in the light of Councillor Greig's comment in his opening statement that there has been no substantial change in policing issues since 1994. I would have thought that terrorism or organised crime might be

areas of such change. Are you satisfied with the current arrangements?

**Councillor Greig:** I think that we are satisfied with the existing governance arrangements.

**Councillor Whyte:** We are largely satisfied. I do not want to get party political, convener—

**Bill Butler:** Do not worry about that—the convener would not let you.

**Councillor Whyte:** My political party holds the view that conveners or chiefs should be directly elected in some way. That is not the view of the forum of which I am a member, but it is a measure that my party thinks would strengthen the direct relationship with the public in challenging what the police force does.

**Bill Butler:** Why would that strengthen things?

**Councillor Whyte:** It would do so because it would give the person elected to the post a direct role in putting forward the public's view throughout their area, and if they were not performing in the way that the public wanted they could be removed at the next election.

**Bill Butler:** Surely you are all elected members.

**Councillor Whyte:** We are all elected, but we get on to the board and then into our position of convener through a rather circuitous route through our local authorities. We are all responsible locally in our areas, but the public's opportunity to influence matters at strategic level within the force area is fairly limited. Having said that, I want to see within the current system improvements to local accountability and to neighbourhood policing arrangements.

**Bill Butler:** That is interesting. I look forward to going back and reading your party's manifesto.

**The Convener:** As that particular issue is not on the agenda we will move the discussion on. Margaret Smith has a follow-up point.

**Margaret Smith:** I have a question, on the back of Bill Butler's one, about the composition of police authorities, which currently consist entirely of elected members. Do you see any arguments for extending membership of police authorities to people who are non-elected but who might have particular expertise or other roles within the criminal justice system?

**Councillor Greig:** We cannot see any benefits in that. Police board members are democratically elected: independent members would have no accountability. The key issue before us is that police boards have unfunded necessary commitments. That is where our key difficulty lies, rather than with the governance arrangements. The unfunded but necessary commitments include city-centre policing, the capital-city commitment,

the protection of royalty on Deeside and work in relation to the oil and gas industry, which are not accounted for through the grant-aided expenditure settlement. Each force finds it difficult to meet public expectations and to give the public confidence because we do not get enough funding from central Government.

11:30

**Paul Martin (Glasgow Springburn) (Lab):** Good morning, gentlemen. You have already set out how you envisage some additional resources being used. How would you react to a Government initiative that would prescribe how those resources could be used? For example, how would you react if the Government settlement later this year determined that you would receive additional resources but could use them only to place police officers on the streets throughout Scotland?

**Councillor Macleod:** It would be for the chief constable to determine where the additional officers would go. It has been evident for a number of years that every police authority is well under strength and that crime rates have increased substantially. Each authority's workload has increased greatly over the years; they have had lots of additional work to do, such as work on drugs and sex offenders. We would be grateful for additional officers. The Government's pre-election commitment to put 1,000 additional officers on the streets would be very welcome indeed, but how such officers would be distributed is a matter for the Government and chief constables. The chief constables would certainly have plenty use for them.

**Councillor Greig:** Every police force has been able to identify the number of officers it needs. Grampian Police has done the maths and, using the nationally agreed patrolling methodology, has identified that it needs an additional 76 officers just to meet basic requirements. To achieve the Scottish national average for police officer numbers, Grampian Police would need an additional 200 officers. I am certain that every force will be well aware of its need and the capacity with which it could cope.

**Councillor Whyte:** The question suggests that officers might be provided in a way that would break previous policing models in relation to the tripartite agreement. In Edinburgh, we have a number of officers in different teams for whom the City of Edinburgh Council pays. There is a city-centre team of 36 officers and youth action teams throughout the city. Those officers are spread to particular areas or are used to deal with particular issues. Although the council has paid for those officers and local politicians expect that the officers will be used for specific duties, the chief constable has always said that they are

operational officers and that they will be drawn in to deal with major incidents or emergencies in the force area, should they be required. Chief constables make every effort to ensure that the officers are not abstracted for events such as major football matches or city-centre demonstrations, but it still happens.

**Paul Martin:** I want to ask Mr Higgins about the legalities of the matter. It is clear from the Police (Scotland) Act 1967 that decisions on how officers are used are for the chief constable. How would that conflict with a Government initiative that made it clear that the additional officers would be provided only if they were to be placed on our streets?

**David Higgins:** Resource allocation has always been in line with national and local priorities. Personnel plans are usually presented to police authorities in relation to changes to structures and have always been agreed according to need and prioritisation.

Within the existing model, we have had difficulty spreading the cling film across the dish; there always seems to be one part that is not quite covered. Unfortunately, that has affected police visibility.

I cannot answer the member's question about whether it is legal for the Scottish Government to determine where officers should be placed, as I am not legally qualified.

**The Convener:** That was a diplomatic response.

**John Wilson:** We are aware that police forces throughout Scotland have made a number of moves to achieve efficiency savings. What is the scope for further efficiency savings in the service? In what areas could savings be made?

**Councillor Greig:** Every force has been given efficiency targets to meet. I understand that generally those are being met. I can speak only for Grampian Police, which has met and by far exceeded the efficiency savings—cash and non-cash—that were required. Grampian Police has been able to do a lot, and I am sure that other forces feel the same way. The new information and communications technology system will be a huge benefit in that it will be of real advantage to the Scottish police service to have a centralised databank and ICT system. Tapping into that system will enable local forces to function effectively and will help to guarantee and strengthen our local autonomy and abilities. Keeping the existing forces will ensure that there is local accountability.

**Councillor Macleod:** I will explain to the committee the background in the Northern Constabulary. We are currently reviewing our

operations and are now in the second phase of the review, in which we will streamline the administrative side as much as is humanly possible by making more use of IT. We have 11 area commands, which we will reduce to three superintendent-led divisions. The savings that we make on the administrative side by making better use of IT will be used to fund new officers. We hope that by April 2009 about 100 additional officers will be in place. We are seeking continuous improvement and must be open to making things better and more efficient. Instead of having eight or 11 different methods, let us use the technology that is available in one central location.

**John Wilson:** I am glad to hear about what is happening in the Northern Constabulary area. You indicated that the number of area commands would be reduced but that there would be 100 additional officers. What type of officers are you talking about?

**Councillor Macleod:** We hope that savings will be generated by the reduction of administrative staffing levels. Given the advances that have been made in the IT system, we have more administrative staff than we need. If we save the equivalent of five posts, we can invest those resources in additional new officers.

**Councillor Whyte:** The member is asking whether, if we create efficiencies, we will generate funding for direct front-line officers. I welcome that important question, but I urge some caution. Front-line investment is taken up by a number of issues.

Yesterday, I had a discussion with our chief constable about ICT and the extent to which the Scottish Police Services Authority taking responsibility for that will enable efficiencies. There is a general view that some efficiencies can be gained, but up-front investment of capital will be necessary and different forces' systems will have to be brought together. There are up-front costs to some of those measures.

I also urge caution on how we measure what can be put into front-line policing. The Scottish Government's submission mentioned personal digital assistants, which are hand-held devices. We know from the roll-out of PDAs in Lothian and Borders Police, which is quite well advanced, that they give officers additional time when they are out and about moving from incident to incident, but it is also acknowledged that they might mean that officers take slightly longer at each incident. That is not a bad thing—we would all agree that it is better for officers to attend an incident than it is for them to have to retype information into a computer at the end of their shift. PDAs simplify that process, but they are not a panacea.

When we determine what can be achieved, we must take into account not only incremental

movements—there is still no measure, because a methodology has not been developed, of how many officers we might obtain—but of the fact that different forces are at different stages. If we were to say that up-front investment by the Scottish Government in rolling out across the country a PDA system for all eight police forces was designed to release a certain number of officers or a certain amount of officer time, that would be fine, but because in Lothian and Borders we are quite a long way down that road, we would need a different method of releasing officers to perform other activities, or the methodology would have to take account of the fact that we have already invested in that technology.

**Councillor Greig:** Front-line officers are police forces' most precious resource. The best-value and continuous-improvement processes are designed to maximise the presence of officers on the streets so that we can reassure the public, and fight crime and antisocial behaviour as effectively as possible.

Under the best-value process, many projects have been undertaken by different forces. As has been mentioned, the PDA scheme is a good example of best practice that has been adopted in Lothian and Borders. PDAs are of great help in reducing bureaucracy and helping officers to do their job as best they can, but many other best-value projects are on the go, some of which are described and explained in the Association of Chief Police Officers in Scotland's useful annual report on best value. For example, the clean-stream project in Grampian is being rolled out. That is a summary justice project, under which the time that summary criminal trials take has been reduced from around eight months to about a month, thanks to the police working with the courts, the procurator fiscal and other relevant agencies, such as criminal justice social work, to find out where there are inefficiencies and waste. The partners have come together to identify where in the system people hang around wasting time, with the result that the clean-stream project has produced huge benefits in reducing bureaucracy. That is just one example; there are many others.

It might be helpful if encouragement were given to the sharing of best practice—on a voluntary basis, of course—between forces. If funding were made available to help us to implement some of the good best-value projects, that would bring huge efficiencies.

**Paul Martin:** What are the panel's views on greater use of civilian support staff?

**Councillor Greig:** Civilianisation has been a real benefit—it has released front-line officers from office and other routine work and has enabled them to get out on to the streets. As I said, front-line officers are our most precious resource and

we must ensure that they are out on the streets doing the job that they are trained to do. They are highly trained professionals and they need to spend as much time as possible out on the streets helping the public, so appropriate civilianisation of some posts has been really helpful.

11:45

**Paul Martin:** I have two questions. First, should we use retired police officers to carry out some of those support roles, as I suppose we already do in some way? Secondly, should we not consider what we get back from civilianisation? It may release police officers for front-line duties, but the public do not always see that gain. How do we ensure that they do?

**Councillor Greig:** That is difficult. I would be all in favour of retired officers coming back to do whatever job they can. Special constables also have an important role to play. They do a tremendous job and their numbers have certainly been growing in Grampian.

On your question about getting back to the public, I think that we have to keep trying to do that.

**Paul Martin:** What is the point of releasing police officers from their bureaucratic duties? There needs to be further analysis to clarify the issues involved. For example, the Reliance contract released 250 police officers for front-line duties, but is there not a quid pro quo in such a situation? Having released police officers from those duties, we have to see exactly what benefit that has given us. How do the boards ensure that that benefit is quantified or analysed?

**Councillor Greig:** It is often difficult to analyse the benefit. For example, when our project for a force communications centre—a call-handling centre—was implemented, it was intended to free up officer time by allowing civilian staff to take on a lot of the work that was previously done in local control rooms by police officers taking calls. That has largely been the case, but there must still be some police officers there to deal with those matters. Part of the problem is that, although civilianisation has released officers back into what are seen as more mainstream front-line duties, that has happened against the background of an ever-increasing demand on the service. The force communications centre now takes far more calls than it did when it first opened, and the volume is going up year by year. Although we are driving up performance there, releasing officers from those duties does not necessarily make a direct impact on what the public see, because of the additional workload that has been brought in.

**Councillor Macleod:** First, I must apologise and clarify a statement that I made earlier in response

to Mr Wilson's question. When I mentioned 100 new officers, I was referring to a review that commenced some time ago. With the additional savings that we were able to achieve between the start of the review and April 2009, we would have the equivalent of 100 new officers in post. I just wanted to clarify that, in case Mr Wilson thought that we had an awful lot of additional administrative staff, which is not the case.

**Paul Martin:** I have two final points. First, we may release police officers for front-line duties, but we cannot qualify that by saying exactly what will happen when we release them. My second point is in connection with civilians. Do you accept that there are some duties that just cannot be transferred to civilians, and that we need to be careful in our approach to civilianisation because of the specific skills that are involved in being a police officer? Retired police officers will have those skills, but other civilians will not.

**Councillor Greig:** There are four functions of a police officer that no other individual can perform. The process of civilianisation has involved careful analysis and assessment to determine which areas of police work it is appropriate to hand over to a non-officer role, such as dealing with calls, doing various types of office work and handling firearms licenses. That process is carried out very carefully.

**The Convener:** The fact that the other councillors are nodding suggests that there is a consensus on that.

**Councillor Macleod:** As Councillor Greig is well aware, police officers have a unique place in law that civilian officers do not have. If officers are happy to remain in the service or retired officers are happy to come back in—my understanding is that they cannot get out quick enough—then they can by all means. They are people with experience and they can be used anywhere. Civilians are restricted in what they can do. A police officer has to be able to go here, there and everywhere, and not be limited in their scope of duties.

**The Convener:** There was some interesting material in that answer.

**Councillor Whyte:** To add to that, we would all welcome a methodology that measured gains in front-line officer time resulting from things such as the ICT changes, new methods of working or civilianisation. We have not had that. I understand that the Scottish Police Federation has given evidence to the committee that, despite its best efforts, it has not been able to quantify the gains. I am not sure that we can do that for you—we might require an academic study or some joint work by the boards, the chief constables and the justice



department to identify the ways in which we can measure the gains.

**The Convener:** Margaret Smith has a brief point to make here.

**Margaret Smith:** I never said that it was a brief point, convener.

**The Convener:** I am always the optimist.

**Margaret Smith:** I had a question in my mind, but Councillor Whyte touched on something that triggered another one. I will make a brief point on the second issue—it will probably require just one of you to respond. Would the introduction of a non-emergency phone number be helpful locally as a way of allowing the best use to be made of officer time?

As a main question, I want to pick up on something in the conveners forum's written submission, in which you state that you are not just looking for more resources but are requesting

"an opportunity to define a policing model to address current, and future, needs and expectations for both the public and police service."

In a sense, we are all—both public and politicians—slightly guilty of quantifying policing and resourcing needs purely in terms of police numbers. What did you mean by the opportunity to define a new type of policing model? Does anything remain to be said on that, given the contribution that you have made so far?

**Councillor Greig:** Yes. We would like the inquiry to obtain as much information as possible from all the relevant people and partners in organisations involved in policing. Our aim was that that would inform the committee's view on what the most appropriate policing model would be. We would like to scrutinise carefully the findings of the committee's inquiry, in order to inform the most appropriate policing model for the future.

**The Convener:** Thank you. We now turn to a final question—

**Margaret Smith:** Can I have a one-word answer to my question about the non-emergency number?

**Councillor Whyte:** My one-word answer is yes—that would be helpful.

**The Convener:** You cannot be fairer than that. There is a final question, on community wardens, from Bill Butler.

**Bill Butler:** What has been your experience of community warden schemes?

**Councillor Greig:** Our experience has been very positive. We have had various schemes in Grampian that have worked well. The community wardens have built up strong and positive relations

with the communities that they serve. The funding will end in March 2008, and there has been no indication whether any additional funding will be provided beyond that. As a consequence, there are recruitment and retention problems.

As I said, our experience has been positive. The community wardens are playing an important role in tackling many of the key quality-of-life issues in the area, such as vandalism and graffiti. They are providing high levels of reassurance to the public.

**Councillor Macleod:** We appreciate all the good work that the community wardens do. However, given that there is a question mark over whether the funding is going to be extended, I would prefer the funding to be allocated to the police. I would prefer it to be spent on officers who were able to cover everything, rather than on community wardens who would be restricted in what they could do.

**Bill Butler:** Would that not be the end of community warden schemes in your police authority area?

**Councillor Macleod:** It might well be, but the situation may be different in different areas. The Northern Constabulary area cannot be compared with Strathclyde or Lothian and Borders.

**Bill Butler:** Sure, but you are saying that you would rather have extra police officers in your police authority area. That would mean doing away with community warden schemes, as you would take the money from such schemes and invest it in front-line police officers. Is that not correct?

**Councillor Macleod:** I would prefer the money to be invested in front-line officers.

**Councillor Whyte:** The experience is different in different areas. I know far more about the use of wardens in Edinburgh, where we have used wardens differently. They have been limited to specific roles such as that of environmental wardens, while the city has invested directly in paid-for police officers. I suspect that we have not had the same experience in Edinburgh that there has been elsewhere in Scotland.

**Bill Butler:** Are you content in Edinburgh?

**Councillor Whyte:** We are, in a sense. Many of the difficulties that we have had are being addressed in partnership. For example, our youth action teams are made up of police officers but they work with other influences in the community. It has been helpful that the police have led in that work. In some ways, policing displays a positive, can-do attitude that perhaps not all councils have. That is helpful in reassuring the public. Nevertheless, I think that the work that some wardens have done has been helpful in reassuring the public that issues that they saw as being too

trivial for the police to deal with are being dealt with by a different method.

**David Higgins:** My experience of wardens began in 2002, when I was put in place in Renfrewshire Council to run the first pilot schemes under the better neighbourhood services fund. The pilot schemes had a clear remit and, as the funding developed through the antisocial behaviour moneys, the majority of local authorities that were considering having warden schemes sent their officers—and, indeed, police officers—to find out what we had done and how we had gone about it, and to meet the public to see what the results had been. A lot of them were happy.

However, as Councillor Whyte said, there is great variety in warden schemes throughout Scotland. There have been national evaluations and other evaluations have been undertaken by Dr Donnelly, who has been round a lot of the schemes. I am not qualified to speak on the results, but the surveys seem to show that local authorities are supportive of community warden schemes in their areas.

In a sense, that brings us back to the point that was raised about our submission. The pressures of the 21<sup>st</sup> century mean that a variety of additional roles and tasks is being placed on police forces, so it seems appropriate not to include or exclude anybody off the cuff. Instead, there must be an opportunity to sit down with all the relevant individuals and develop what is most appropriate for the public primarily.

**Bill Butler:** I have one more question arising from that. To what extent should a visible presence always be provided by police officers? What is the balance?

**Councillor Greig:** I wanted to go back to the community wardens issue.

**Bill Butler:** You can do that as well if the convener is happy.

12:00

**Councillor Greig:** This will link to your question. Community wardens were set up around Scotland as part of a national initiative, and strict guidelines were placed on their deployment—we had to put them in areas with high levels of crime and deprivation. Each local authority welcomed the resource to fight crime and antisocial behaviour, but we would prefer to have the money and to decide for ourselves our priorities and what to spend community safety money on.

In Aberdeen, we are using some of the community safety money to pay for police officers as well as for community wardens. We would like the flexibility to decide how to spend the additional money for fighting crime. Some local authorities

may decide that they do not want a warden function and want to spend it all on extra police time. That is fine. The resources are all helpful because, as has been indicated, we are underfunded and the problems of crime and antisocial behaviour certainly seem to be on the rise.

**Bill Butler:** You have argued that you have been underfunded. I have listened to that, as have other committee members, but let me go back to the question. To what extent should a visible presence always be provided by police officers? What is the balance given the current funding circumstances?

**Councillor Greig:** The answer comes down to the local areas. It does not make sense to have a visible police presence in an area with low levels of crime, such as a suburban or rural area. The public have the right to a fast response from the police, but I am not convinced that we need police officers walking round quiet, peaceful and relatively safe streets. We need police officers to be deployed where they are most needed, which is in areas of high levels of crime and antisocial behaviour. That is what chief constables do—they decide where to deploy officers. That is usually in city centres, which is correct. Chief constables will know the best place to put their officers.

**Bill Butler:** Okay. I am obliged.

**The Convener:** Gentlemen, I thank you for your attendance today. It was particularly useful to have three representatives from three disparate authorities in Scotland. We have heard the view from each area very clearly.

I will suspend the committee briefly so that the witness panel can change.

12:03

*Meeting suspended.*

12:11

*On resuming—*

**The Convener:** I welcome Frances Wood, the head of the Scottish Government's community safety unit, and Liz Lewy, principal research officer with the Scottish Government police and community safety directorate. I invite Frances Wood to make a short opening statement.

**Frances Wood (Scottish Government Police and Community Safety Directorate):** The community safety unit has policy responsibility for a wide range of matters that make our communities safer places in which to live and work, including the role of community wardens and the current review of antisocial behaviour strategy, in which the committee has an interest.

On 25 October, the Minister for Community Safety announced the terms of reference for the antisocial behaviour review and a range of further relevant material was published, on which Liz Levy can give more details if the committee wishes. The minister stressed the importance and value of the role that community wardens play. The review will consider, among other matters, the future role of wardens and how they can contribute most effectively to making our communities safer. In doing that, it will draw on published research and consultation with key stakeholders.

As the committee has heard, from 2004-05 the Scottish Government has provided about £20 million of support for local authorities to establish community warden schemes. The document "Building Strong, Safe and Attractive Communities: Guidance for Submissions" laid out the guidance on which the original schemes were based. There were two broad models—crime prevention and environmental—but, over time, there has definitely been a move towards tackling antisocial behaviour. When the schemes were set up, there was a deliberate focus on crime and deprivation, so local authorities were invited to direct warden schemes to areas of perceived greatest need. As members are aware, the coverage throughout Scotland is not uniform. We now have about 590 community wardens, of which about 550 are supported by Government funding.

From 2006, the £20 million of warden funding was incorporated into wider antisocial behaviour funding—about £37 million was given to local authorities for partnership action. Those moneys were not ring fenced for any particular services, but were tied to performance against outcome agreements, with annual reporting. As members are aware, future funding is the subject of the current spending review and the current arrangements cease at the end of March 2008.

Recent research has found three common themes in warden work: community liaison, security and safety, and environmental issues. We are seeing increasing flexibility in the deployment and use of community wardens, for instance in relation to town centre disorder. In some areas, community wardens are the subject of co-ordination efforts by the police, local government and other agencies.

Enforcement powers for wardens vary. There is no uniformity, but some wardens may take enforcement action on, for example, littering, noise or graffiti. The independent research commissioned by the Government was published in March, and it sheds a lot of light on what has happened with warden schemes to date. Liz Levy can speak to that in detail.

In conclusion, it is difficult to attribute directly any positive changes to the presence of wardens,

but we have a general sense that they are valued by communities and that they have a positive impact on levels of crime and antisocial behaviour and on residents' perceptions of their own safety and security. I am happy to answer questions, as is my colleague.

12:15

**The Convener:** Thank you. To an extent, you have anticipated some of our questions, but I will ask Cathie Craigie to start.

**Cathie Craigie:** Thank you for your useful opening statement.

The committee knows that community wardens are deployed in all 32 local authority areas, and you have told us this morning that there are 590 wardens in total. To what extent are they focused in particular locations? Could you give us a wee bit more detail on the types of work carried out by wardens? You mentioned the £20 million for community wardens. Is that a true reflection of the cost or is the level of expenditure higher?

**Frances Wood:** Perhaps I could pass to Liz Levy the questions about the focus and types of work. On the funding question, I can say only that the Scottish Government made £20 million available to local authorities to set up schemes. We have not monitored what it actually costs to provide the services, and it is likely that the funds contribute to a wide set of activities to tackle antisocial behaviour. It is likely that the cost has varied over time.

**Liz Levy (Scottish Government Police and Community Safety Directorate):** I do not think that I can tell the committee anything about the areas in which wardens work, although I can say something about how we are being more flexible. I can also provide some information on the range of wardens' activities, which is varied. The research classifies their activities under seven themes: crime and antisocial behaviour; community safety; community engagement; working with vulnerable groups, including the young and the elderly; providing an information point; environmental services; and mediation services. If committee members want more detail on any of those, I can provide it from the research.

**Cathie Craigie:** The committee might want to consider that in more detail through the research paper. I know that we have been issued with some of the information, but members may want to see more.

The work that is carried out by community wardens varies between areas and, provided that local authorities meet the criteria that are set by the Scottish Executive, it is for local authorities to take the decisions. Does the Government intend to

gather any information on the actual costs? I take Frances Wood's point about £20 million being available, but would it not be useful for policymakers to know whether local authorities have been topping up the £20 million to provide better community wardens schemes or, indeed, whether the £20 million has been used for another purpose?

**Frances Wood:** Our interest has been in outcomes. As I explained, the ring-fenced amount for warden funding ceased to be ring fenced after the first couple of years. We have been interested in how local agencies can show us that they have met particular outcomes through the totality of their funding or the totality of what we have contributed. As part of the review, it might be interesting to examine how the focus of spend within the overall sum has changed or shifted in relation to the weight of different services, of which the community warden service is one.

**Cathie Craigie:** The GEN Consulting research states that community wardens appear to be meeting the objectives that the previous Administration set for them. Your comments so far suggest that you agree with that analysis. Where have the wardens proven to be most useful and least useful? Can we determine that?

**Frances Wood:** I can give you a general sense of the situation. Our perception is that wardens have been most useful in areas of high deprivation and crime. They are useful in working with young people in many areas. Their use is perhaps less obvious in quieter areas or in areas where antisocial behaviour and crime are less prevalent. We also perceive them as increasingly useful in town and city centre disorder situations. We have encouraged increased flexibility of deployment to enable them to respond to particular needs at particular times of the day, moving away from working in traditional daytime hours to doing evening or weekend work in order to respond to the needs in city and town centres.

**Liz Levy:** The research suggests that wardens have been particularly welcomed by the older population, who have found it reassuring to have them around, but that the impact on young people has been different. For example, young people find wardens approachable and they speak to them, but their approach to wardens changes when they discover that they do not have any powers. The evidence suggests that the wardens' real strength is in providing public reassurance.

**Frances Wood:** Lest you think that Liz and I are saying different things, she is talking about young people's perceptions of wardens, whereas I was talking about the useful work that wardens can do with young people in, for example, diversionary activities. However, there is no doubt that older

people have a better perception of wardens than do young people.

**Stuart McMillan:** I refer you to the executive summary of the research document, which is on the Government's website. Paragraph 30 states:

"The wardens' views on relationships with the police were less positive"

and describes the relationships as "'Poor' or 'Very Poor'". Paragraph 31 states:

"The main benefit of the wardens, as perceived by the police ... was their value in gathering intelligence."

What is the real position? The two services seem to be quite far apart. Is there a middle ground in relations between the wardens and the police?

**Liz Levy:** I think that the research overstated the wardens' negative perception. I do not think that the relationship between the police and the wardens is worse than wardens' relationship with councils. In fact, 78 per cent of wardens said that their relationship with the police was good, very good or excellent—that is fantastic. The research overplayed a wee bit the negative perception of relationships between wardens and the police. Generally, relationships with the police are good. We should be encouraged by that figure of 78 per cent and not focus on the proportion who said that relationships were poor or very poor.

I guess colleagues in the police would be better placed to answer the question about relationships with wardens. However, the research suggests that there was real value in the relationship and that the police particularly welcomed the wardens' ability to work as professional witnesses. They were often on the scene quicker than police could be because they were in the local area anyway and were not being pulled away to deal with other things. Being on the scene, they could just stand back, take notes and operate as professional witnesses.

**Stuart McMillan:** The committee understands that, initially, community wardens did not have enforcement powers, but that that has changed in some local authority areas. How common is it for community wardens to have enforcement powers and what types of powers do they currently have?

**Frances Wood:** A range of council officers have a range of delegated enforcement powers, and community wardens are no different in that respect. Generally, when people talk about enforcement powers they are thinking of the sort of powers the police have. Community wardens do not generally have such powers.

**Liz Levy:** The GEN research did not focus particularly heavily on enforcement powers, but I know of other research that has considered them. I am not sure whether you are aware that there is a wardens network. The chair of the network

issued a survey to all warden schemes, to get a snapshot of the extent of wardens' powers. Part of the survey considered enforcement powers. When I spoke to her yesterday, she said that the response rate so far was 50 per cent. Seven schemes reported that they had enforcement powers, which tended to be the power to issue fixed-penalty notices for littering and dog fouling. In some of the more rural schemes, wardens were used to enforce the smoking ban, but that was not very common. She talked a bit about views on enforcement powers.

**Paul Martin:** Is there any evidence of an appetite for giving community wardens powers of arrest similar to police officers?

**Liz Levy:** I did not talk about that yesterday with the chair of the network—that was not uppermost in our minds. We talked about the power for wardens to issue fixed-penalty notices. Her perception was that, initially, there was reluctance among wardens and they were not particularly keen on that power, but that that has changed. Initially, she was reluctant, but now she is thawing out and she thinks that it is quite valuable for wardens to have that power. Although where wardens have the power to issue fixed-penalty notices they are not issuing an awful lot of them, they feel that just having that power is having a deterrent effect. For example, because they have the power to issue a fixed-penalty notice for dog fouling, they feel much more able to deal with somebody who is allowing their dog to foul. They feel that it is a useful power, but they are cautious about using it.

**Paul Martin:** Is safety of community wardens an issue? They do not have the power, which is respected by perpetrators, that police officers have. Does that affect how wardens feel about their personal safety while they go about their enforcement duties?

**Liz Levy:** We do not have any research evidence on that—what I would say would just be anecdotal.

**Paul Martin:** Community wardens might serve fixed-penalty notices on pretty serious individuals who might be very concerned about being served such notices, so might the fact that few fixed-penalty notices are issued by wardens be down to their fear of such individuals?

**Frances Wood:** I would say anecdotally that that is probably not the case. I have spoken to a number of wardens in different settings in the past few months, and none has reported to me any threat to their personal safety in respect of issuing notices for things such as dog fouling. The worst that I have heard reported is a little bit of verbal abuse. We are told that people generally respond

quite well to being told that if they continue to let their dog foul, they may be issued with a notice.

**Paul Martin:** For clarification, is it correct that there have been no threats to the 560 wardens throughout Scotland, and that there have been no incidents in which their personal safety has been a concern?

**Frances Wood:** I am obviously not in a position to answer that. What I said was that among those to whom I have spoken, no one has reported to me that they have been threatened.

**The Convener:** There are 590 wardens.

**Frances Wood:** I have been at forums that were attended by 50 or 60 wardens at a time. I have not spoken individually to all 590 wardens, but at those largish gatherings of wardens I have heard no such reports in relation to issuing fixed penalty notices.

**Paul Martin:** Do we keep statistics on attacks on wardens?

12:30

**Frances Wood:** The Scottish Government does not do so, but I think every local authority or employing agency keeps a record of threats against its employees.

**Stuart McMillan:** How does the message about wardens' powers get out to the wider population?

**Liz Levy:** I do not know, but I know that research has been done on publicity and people's knowledge of wardens' role in local areas. Leaflet drops and wardens appearing at council meetings, for example, were mentioned, but there is a feeling that wardens have done as much as they could to publicise their role. Understanding of the role was not particularly good, but managers thought that they had done as much as they could do, and it was not thought that that was an obvious area in which there could be development. However, understanding of the role must still be an issue if that understanding is not as good as it ought to be.

**Margaret Smith:** I will stay on enforcement powers. Why have community wardens in certain parts of Scotland been given enforcement powers, but others have not?

**Frances Wood:** Again, that is a matter for councils, which have the power to give certain employees responsibility for taking enforcement action in a range of areas. People who are designated as environmental wardens, noise wardens or community wardens are given different powers—which one would expect—as local agencies respond to local needs, consider how best to deploy their range of officers and prioritise what they want officers to spend their time on. The

Scottish Government does not have a view on the matter.

**Margaret Smith:** So local authorities must take such decisions in the light of local circumstances and other partnership working that is taking place. Therefore, the Government is not going to say that it is better to have a consistent approach across Scotland because community wardens are a new development, and that it would be easier for the public to understand what community wardens are about if everybody dealt with matters in the same way.

**Frances Wood:** That has not been the Government's approach to date. However, we are obviously at the start of a review of antisocial behaviour. We will listen to what people say about such issues and form conclusions at the end of the review.

**Liz Levy:** I spoke yesterday to the chair of the Scottish community safety network, who was keen to point out that community wardens want and welcome such flexibility. They do not want national direction; rather, they want to be able to respond to problems that their local communities face.

**Margaret Smith:** Do community wardens think that local authorities are listening to their preferences? Perhaps that question is unfair. Obviously, we have new and evolving circumstances and evolving best practice throughout Scotland. Are local authorities listening to what community wardens are telling them about how things can be improved on the ground in each area?

**Liz Levy:** The research that has been done suggests that relationships with councils are very good and that there are no problems; it does not suggest that there is an issue in respect of wardens not being listened to, although you would have to put that question to the Scottish community safety network.

**Frances Wood:** We have national antisocial behaviour and community safety co-ordinators who work closely with the various practitioner groups, and we certainly have a sense that the degree to which community wardens are linked into wider antisocial behaviour services and to community safety priorities in general varies quite a lot. I suspect that you will find that wardens in some areas think that they are very well listened to and very involved in decision-making processes, whereas wardens in other areas think that they are much less listened to and involved in decision-making processes.

**Margaret Smith:** Okay. We have heard about the partnership relationship of community wardens and the police, which is clearly one of the most important relationships, but how does the work of community wardens fit in with that of other types of

warden—for example, environmental wardens—who are employed by local authorities? I think that it was said that some wardens deal with noise. In some councils environmental wardens undertake such work. Is there any evidence yet of how they work in partnership with other wardens?

**Frances Wood:** Liz Levy might say something about research, but I am aware that there are developments in a number of areas to bring together different warden groups to try to provide more seamless services from people who are doing broadly similar jobs. Again, that is a matter for local authorities and is undoubtedly happening in several areas.

**Liz Levy:** There is nothing from research on that, I am afraid.

**Margaret Smith:** I have another question that comes from something that you said a minute ago, which was about the two different tranches of money from the Scottish Executive, the second of which is much more flexible. Frances Wood said that her interest is in outcomes, and it was said earlier that it is difficult in some ways to attribute positive benefits, but that the general message seems to be that wardens are valued. Given your interest in outcomes, does more work need to be done to evaluate outcomes, rather than what happens in the current set-up where, by your own admission, it is quite difficult to attribute benefit?

**Frances Wood:** When I spoke about attribution of benefit, I was referring directly to the findings of the research because that is what the GEN Consulting research told us. On outcomes, I was referring to the fact that the £37 million of funding for tackling antisocial behaviour is linked to local outcome agreements that we monitor and on which we receive annual reports. That has been an evolving process and has undoubtedly been refined and improved in the time in which it has operated. We are now looking at how we might operate after the current spending review.

**Liz Levy:** The difficulty with looking for hard data and outcomes is that the reporting of antisocial behaviour has increased in a lot of warden schemes. Anecdotally, people say that that is because of the presence of wardens who encourage people to report incidents and because the wardens themselves report incidents. We are not going to get round that—I do not know how we can improve in respect of pinning the focus down to hard outcomes.

**John Wilson:** How many wardens are employed in Scotland? I think I have picked up two different figures—590 wardens are employed, but I thought that Frances Wood said that something like 550 of them were funded through the Government.

**Frances Wood:** When I referred to 550 wardens, I was picking up from the research that there are about 590 wardens in total, of whom 550 are directly Government funded. Warden schemes were in operation before the Government gave funding support, so a number of wardens might still be funded from other sources.

**John Wilson:** I just wanted clarification on that. I am aware that many of the community warden scheme successes have come about because the community wardens are very much associated with the communities with which they are involved. It has been argued that giving community wardens in such circumstances more enforcement powers could undermine the relationship with the communities that they try to serve. You spoke earlier about the various enforcement issues with which wardens become involved. Has that been identified as a problem and if so, has there been any examination of how the problem could be overcome? It is argued that the police do not generally live in the areas that they serve. If we pick community wardens to serve in their own communities, that could lead to problems.

**Frances Wood:** Wardens are generally valued in communities because they are able to form close relationships. That does not necessarily mean that they live in those areas, but they are valued because they can spend time talking to people and picking up on issues that concern them. They develop a relationship of trust with people.

I have had various discussions with wardens lately about how they feel about having enforcement powers and they are generally happy about them in relation to relatively minor issues such as dog fouling or graffiti, but they generally do not want to have anything related to much more serious matters. As you know, the Government has no intention to introduce police community support officers or to create a warden with police-type powers—that is not on the agenda. All I can say is that, from my discussions with wardens, they are also heartily against that sort of thing.

**Liz Levy:** I know that you have Danny Donnelly's research report, which refers to views on enforcement powers. The figures in it suggest that 57 per cent of respondents are keen for more powers, but it does not give any detail on what type of powers they want. I offer a word of caution about the report—the response rate was not particularly high, so be aware of that when you interpret it.

**The Convener:** Thank you.

To some extent you have anticipated the question that I was going to ask. You will be aware that discussions are on-going about community

policing and plans to increase the number of police on the streets. How will that impact on community warden schemes? Have there been discussions on that?

**Frances Wood:** I cannot say how we would calculate the impact, but obviously we are in discussions and wardens have always been seen as part of the wider community policing family, because they contribute to people's sense of security and well-being and they play a useful role in deterring crime and antisocial behaviour. Wardens and police work side by side to similar ends. The antisocial behaviour review will bring out a lot more information about that, because we want to have more detailed discussions about how wardens' role can be strengthened and improved, and we want to set that alongside the commitment to increase the levels of policing in communities.

**The Convener:** We now need to examine what happens elsewhere. Bill Butler will lead on the issue.

**Bill Butler:** Good afternoon, colleagues. Ms Wood mentioned police community support officers, who are operational in England and Wales. You said correctly that the Scottish Government has stated that it has no plans to introduce them north of the border. Can you or Ms Levy explain the role of PCSOs in England and Wales and how that role differs materially from that of community wardens in Scotland?

**Frances Wood:** I will pass the question to my colleague, because we have examined the situation in England and Wales.

**Liz Levy:** The role of PCSOs, as defined by the Home Office, is:

"contributing to the regeneration of local communities ... Increasing public safety ... Dealing with truants, graffiti, abandoned vehicles, litter, missing persons inquiries ... Confiscating alcohol being consumed in a public space ... Helping to support victims ... Controlling crowds at major events."

**Bill Butler:** What are the major differences? Is it the last item that you mentioned? There seem to be similarities between community wardens and PCSOs.

**Liz Levy:** One major difference is that PCSOs are employed by police forces. In the vast majority of places, wardens are employed by local authorities.

**Bill Butler:** I mean the differences in relation to communities.

**Liz Levy:** I do not know enough about the detail of PCSO activity to comment on that.

**Frances Wood:** PCSOs have the power to detain, which wardens patently do not have. From the list that Liz Levy read out, we would not expect

wardens to be involved in missing persons inquiries, control of large crowds or confiscation of alcohol, to name but three.

**Bill Butler:** That is what I wanted to know. Thank you, Ms Wood.

Has any consideration been given to the potential benefits of introducing PCSOs in Scotland? Has research been undertaken that has informed the Scottish Government's view that there is no need to introduce them?

**Frances Wood:** The Scottish Government's view has been informed by a number of pieces of relevant research, including the Home Office's research in England and Wales.

**Bill Butler:** In what respect has it been informed? Can you be more specific? How has the research informed its view that it would be inappropriate to introduce PCSOs in Scotland?

**Frances Wood:** This is not my area of expertise and I do not lead on it, but I know that discussions have taken place, informed by the research that has been done.

**Bill Butler:** I accept what you say. Is it possible for written clarification on the point to be made available to the committee?

**Frances Wood:** I can ask colleagues to provide it.

**Bill Butler:** The committee would be grateful for that.

**The Convener:** That concludes the evidence-taking session. Two issues have arisen. The first is the point that Mr Butler just raised. Questions also arise from Ms Craigie's contribution. Ms Levy seemed to be reading from a prepared document that would have given us the relevant figures and provided us with answers on the types of work that community wardens are carrying out. It would be helpful if we could have a copy of the document or a paper encapsulating its contents. Thank you for coming.

We move to item 4. The committee has agreed that the item will be taken in private.

12:46

*Meeting continued in private until 13:19.*



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