JUSTICE COMMITTEE

Tuesday 6 November 2007

Session 3

£5.00

Produced and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by RR Donnelley.

CONTENTS

Tuesday 6 November 2007

Col.

SUBORDINATE LEGISLATION 213
Premises Licence (Scotland) Regulations 2007 (SSI 2007/452) 213
Licensing (Procedure) (Scotland) Regulations 2007 (SSI 2007/453) 213
Gambling Act 2005 (Fees No 4) (Scotland) Regulations 2007 (SSI 2007/461) 213
POLICE RESOURCES INQUIRY 214

JUSTICE COMMITTEE
8th 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:

Doug Cross (Association of Chief Police Officers in Scotland)
Malcolm Dickson (HM Inspectorate of Constabulary for Scotland)
Alasdair Gillies (Scottish Police Federation)
Joe Grant (Scottish Police Federation)
Superintendent Val McHoull (Association of Scottish Police Superintendents)
Chief Constable Colin McKerracher (Association of Chief Police Officers in Scotland)
Chief Superintendent Clive Murray (Association of Scottish Police Superintendents)
Paddy Tomkins (HM Chief Inspector of Constabulary)
Chief Constable Peter Wilson (Association of Chief Police Officers in Scotland)

CLERK TO THE COMMITTEE

Douglas Wands

SENIOR ASSISTANT CLERK

Anne Peat

ASSISTANT CLERK

Euan Donald

LOCATION

Committee Room 2

Scottish Parliament

Justice Committee

Tuesday 6 November 2007

[THE CONVENER *opened the meeting at 10:19*]

Subordinate Legislation

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

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

Item 1 is subordinate legislation. There are three negative instruments for consideration by the committee today. We carried forward the first set of regulations from last week, pending clarification of the requirements relating to the layout plan, and the reply from the Scottish Government is included in our papers. Further concerns have been raised this morning about the regulations, and clarification is being sought from the Scottish Government. It is proposed that the regulations are held back until next week, when the Cabinet Secretary for Justice will address the committee. Are members content with that?

Members *indicated agreement*.

Licensing (Procedure) (Scotland) Regulations 2007 (SSI 2007/453)

The Convener: As members have no comments, are we content to note the regulations?

Members *indicated agreement*.

Gambling Act 2005 (Fees No 4) (Scotland) Regulations 2007 (SSI 2007/461)

The Convener: As members have no questions or comments, are we content to note the regulations?

Members *indicated agreement*.

Police Resources Inquiry

10:20

The Convener: Item 2 is our inquiry into the effective use of police resources. I thank all the witnesses who are attending this morning. In particular, I thank them for the full and comprehensive written submissions that they have given us. Those submissions have been exceptionally helpful to the committee, and I can assure the witnesses that committee members have read them in great detail. That being the case, there is no need for opening statements. After I introduce the witnesses, we shall move straight to questioning.

To the first panel we welcome Joe Grant, general secretary, and Alasdair Gillies, secretary of the inspectors' central committee, of the Scottish Police Federation. Thank you for coming, gentlemen. I shall ask the first question.

I do not wish to narrate the terms of the paper that you submitted to us, which has been helpful, but it would help if you could enlarge on that paper by stating how many more police officers need to be directed towards community policing and what benefits you would expect if that was done.

Joe Grant (Scottish Police Federation): That is a difficult question. You will have seen from our evidence that we did not suggest a specific figure. However, we have had an indication from the Government that it will put 1,000 additional officers into our communities, and that step is absolutely needed. The best people to answer your question are the people in our communities—the public—who have been saying for some time that they need more visible policing and more active engagement with police officers. Getting a figure for that is not my responsibility, but it is certainly a question for the public and for joint police boards, for police authorities and for this committee.

The Convener: You obviously speak from experience, and there are difficulties with the level of police numbers at present. Will you enlarge on those difficulties?

Joe Grant: The current difficulty is that we cannot be there when the public need us, to reduce or minimise criminal and antisocial behaviour or to prevent it from taking place. Often when we arrive—and we arrive as speedily as we can—we are told that we are too late, and we cannot spend sufficient time making quality inquiries into the public's concerns. Those are the areas in which our quality of service needs improvement.

Bill Butler (Glasgow Anniesland) (Lab): I turn to the associated issue of community wardens. Do

you think that, in conjunction with police officers, community wardens perform a useful role in helping to provide community policing?

Joe Grant: They play a useful role in our communities. I am sure that there is much debate on whether they should perform what has traditionally been understood as a policing role—we could get into that argument right now—but the vast majority of communities in which community wardens are based at present are content with them. Whether they want growth in the number of community wardens remains to be seen. It is our position that, rather than divert resources into growing the numbers of community wardens, policing should be properly funded, so that we can provide the broad spectrum of policing roles in our communities.

Bill Butler: I understand that, but if more resources were given to the police and, as a supplement to assist the police in some areas, some resource was added to the provision of community wardens, would that be useful? You have said that the public perception is that wardens are useful, but do you think that they are useful?

Joe Grant: I rely on what I have read in the Scottish Executive's report, which was lukewarm about community wardens, to say the least. It showed that, in many areas in which community wardens currently work, crime has gone up.

This issue is part of the wider debate about policing that we want to take place. What is our precise purpose today and in the future? What functions should we undertake? What strategies and structures should we use? How community wardens are operating at the moment and whether there should be an increase in their number should be considered as part of that wide-scale review. However, I do not want us to lose sight of my point, which is that we need those 1,000 additional officers right now. That will give us the breathing space that will enable us to undertake that review.

Bill Butler: I hear that point. You have put it clearly and I think that no one is under any misapprehension about what you are saying.

To what extent must a visible presence be provided by police officers? Can you quantify that, or, at least, give us a general impression?

Alasdair Gillies (Scottish Police Federation): If you speak to the public and ask them what they want, they will tell you that they want to see a visible police presence when they open their curtains or walk down their high street. They do not particularly want to see the wardens.

Community wardens now have a role in Scottish society. In West Dunbartonshire, we work daily with the wardens and the antisocial behaviour investigation teams. I would like to think that that combined approach effectively tackles local problems. However, I can say without a shadow of doubt that members of the public—and I include myself within that group when I am off duty—want to see police officers on the street. That is what matters to them. It provides a comfort blanket, as it were, for the public.

Bill Butler: I understand that, and I accept that people's perceptions are important and that communities need to feel that they are safe and secure. However, do you, as police officers, see a visible police presence as the be-all and end-all, or do you think that, on certain occasions, the main way in which you can achieve safety and security for the public is through intelligent policing rather than having a visible police presence?

Joe Grant: There is no competition between a visible police presence and intelligent policing, which has a variety of names. However, intelligent policing has to start from day-to-day policing and patrolling in our streets, because that is where the police get their street-level intelligence, which feeds into what is known as the national intelligence model. There must be sufficient resources on the streets. We are not harking back to the 1960s and the days of "Dixon of Dock Green", when police officers were portrayed on television as roaming about aimlessly. We are talking about structured patrolling in areas of our communities in which people live, work and go to school. That work fits together with the intelligence-gathering process and the national intelligence model.

Nigel Don (North East Scotland) (SNP): Could you give me a clue about whether having more police on the beat is, to some extent, inconsistent with the ability of the police to arrive quickly at an incident, as I suspect it is? If an incident happens before the police officers' eyes, they are there to deal with it. However, if they need to get somewhere else, will they get there as fast as they would if they were not on the beat? Surely the public would rather that the police arrived at an incident quickly, rather than that they stood about doing nothing.

Joe Grant: You are engaging in a debate about response policing. You are asking whether there will be unintended consequences in that regard if we are all out in the street.

We aim to achieve an improvement in the quality of service and a reduction in crime through crime prevention. It is true to say that we must be able to respond quickly to incidents, but if you put sufficient resource into the crime prevention benefits of having police officers patrolling the streets, you will end up reducing the demands that are created by failure. It should be borne in mind

that when someone phones the police because something has happened, there has already been an element of failure somewhere. We would far prefer to reduce and prevent crime than simply respond to failure demands.

10:30

John Wilson (Central Scotland) (SNP): Did you say that the number of reported incidents has increased in areas in which community wardens are located, or did I pick up wrongly what you said?

Joe Grant: It might be a bit of both. The Scottish Executive research and some reports have demonstrated that crime has increased in areas in which community wardens have been placed. Crime did not increase in all such areas; rather, it increased in a select few.

Paul Martin (Glasgow Springburn) (Lab): You said that crime has increased in areas in which community wardens have been placed. Has crime appeared to increase because community wardens have reported crimes and acted as professional witnesses, whereas such crimes would have gone unreported if community wardens had not been in those areas? Is that an issue?

Joe Grant: That is sensible speculation. However, that issue was not covered in the research that was undertaken—at least, it was not reported in that way.

Paul Martin: But that is a possibility.

Joe Grant: Absolutely.

John Wilson: I have a question that follows on from the point that Paul Martin made. If your argument is that the number of reported crimes goes up the more community wardens there are, does that mean that the number of incidents that the police would deal with would increase if there were more police on the beat?

Joe Grant: I say no twice in response to that question. The first part of your question was about community wardens. I have reported what the research found. However, I do not think that the situation will always be the same.

Let us get back to the people who have the tools, power and authority to prevent crime and take instant action: police officers. I do not want to give the impression that the Scottish Police Federation wants to set up a debate on community wardens or that we have a negative sense of them: we simply do not. However, policing roles are for police officers.

The Convener: Cathie Craigie will lead our questions on civilianisation.

Cathie Craigie (Cumbernauld and Kilsyth) (Lab): Good morning, gentlemen. The federation's written submission refers to the significant civilianisation of tasks in the police service. What benefits has that civilianisation produced?

Joe Grant: To a certain extent, it has released police officers over time as the requirements on them, whether as a result of legislation or crime trends, have changed. Let us consider civilianisation from 1985, when it started. Over the past 10 years, the number of police officers has increased by just under 8 per cent, whereas the number of force support staff has increased by 60 per cent. However, that has not led to a release of police officer time and functions to the extent that officers have gone back to patrolling the streets; rather, the increase has soaked up the additional responsibilities that have come to us in relation to governance, accountability and crime trends.

Cathie Craigie: Has the 60 per cent increase in the number of civilian support staff over the past 10 years taken paperwork and administrative tasks away from police officers? How have those support staff been used?

Joe Grant: Some staff have had public interface functions—force support staff can be seen in the front offices of police stations—but the vast majority have had back-office functions. There has been exponential growth in the number of support staff posts where there has been a requirement for the expertise, but not the powers, of police officers. That has not exacerbated the pressures on our uniformed police officers, but that is not to say that there are not continuing and considerable pressures on those who should be out there patrolling.

Cathie Craigie: Has the greater use of civilian support staff caused any problems for front-line police officers?

Joe Grant: By and large, no. When any dynamic changes in a workforce, there will be frictions but, by and large, that has not been the case in the police service. The police family—police officers and support staff—work together and to a common purpose.

Cathie Craigie: Those of us who are not involved directly with the police imagine that providing greater civilian support for our front-line policemen and women gives them more time to be on the streets and get on with the job that they are trained to do rather than complete paperwork. Do you agree with that? Is there scope to increase further the number of civilian support staff?

Joe Grant: There is scope for that, but it would be at the margins only—there will not be great swathes of new staff. I have mentioned the statistics on support staff—the reality is that the overwhelming majority of jobs that can be done by

support staff with no police powers are already being done by them. However, some posts might be released at the margins as a result of continued civilianisation.

Margaret Smith (Edinburgh West) (LD): Your submission makes what you refer to as "an extremely important observation", which is that further restricting police officers' role could damage their relationship with the public. Can you say more about that concern? Do you have any evidence, such as research or survey work, that supports your claim? Is it not possible for civilian police staff to maintain good police-public relations by carrying out a broader range of work with the public? Do the public really care, as long as a service is being provided?

Joe Grant: The public care. The messages that they give us and members and those that come through the media are that people want police officers to engage actively with them. You asked whether we have research to provide to the committee—we may wish to write to the committee to provide additional information on that. If that satisfies you, I will leave my answer at that.

Margaret Smith: It does and does not satisfy me. Your submission states:

> "If the police were only to carry out duties which required powers or which involved them in only conflict situations, it would fundamentally damage the relationship between the public and the police which underpins the fundamental principle of policing by consent."

Your submission is unequivocal on that point, so I would like to hear a little more from you. My secondary question was about the research on which you based the comment, but I would like to hear a bit more about why you think the relationship would be damaged.

Joe Grant: That situation would change the existing paradigm, which is that, when we can, we engage actively with members of the public. They understand why we are there and what we do. If we increased the layers of bureaucracy and introduced more strands of individuals or groups, whether in the public service or elsewhere, to carry out policing roles to the extent that police officers were left simply to turn up with the handcuffs—to take it to the extreme—that would alter fundamentally the relationship that police officers have with the people whom they police with and for. Scotland might consider having that paradigm, but I do not think that we would want to go in that direction. That is the baseline for us as police officers.

Margaret Smith: Is there a wider benefit in having that on-going relationship that you talk about, rather than just a relationship in conflict situations? For example, and to lead you slightly, you talked earlier about gathering information on the ground. If we took away the on-going relationships, would that impact on the sort of information that you could gather on the ground?

Alasdair Gillies: Even if we veered towards being a police force—rather than a police service—I would not necessarily subscribe to that suggestion. In any case, we are a police service in Scotland. We provide many facets of the policing and judicial strata. When members of the public phone the police, they perceive, in the first instance, that they are speaking to a police officer. If they wish to see a police officer, they will be content to see one come to their doorstep to discuss the matter under examination.

People tend not to phone the police lightly. The matter might be fairly insignificant in the great scheme of things. Referring to Mr Don's question about the number of officers, I would say that if we had more professional officers patrolling more areas, the natural consequence is that those patrol areas would be smaller, so the likelihood of an officer being on hand would be far higher. In 29 years, I have come across more significant criminal matters on foot, as a beat person, than I ever did when patrolling in a motor car or by any other means. That method actually works, and the public like to see police officers on the street where they perceive that they get the benefit of that.

Margaret Smith: How much progress has there been in recent years in ensuring that police resources are used as effectively as possible?

Alasdair Gillies: The effective use of policing depends on the nature of the area in which the police are working. No quick fix that would work in the city centres of Glasgow, Edinburgh, Aberdeen or Dundee would have a similar positive effect in some of the rural outposts of Scotland. We have a country of extremes. The country is diverse, and to accommodate that we therefore have to police it in a diverse manner. Without doubt, a police officer patrolling in the streets will have a greater impact than anything else that we can possibly throw at certain areas. In other areas, there is no great requirement for a 24/7 police presence. We are working with finite resources; we would like more resources to expand our work.

Margaret Smith: What part has technology played, and what part can it play, in making more effective use of police resources?

Joe Grant: It has played a part. Please do not get the sense from any of our public espousals that we have been doing nothing over the past 20 years to bring ourselves up to date with information technology. Clearly, we have been bringing ourselves up to date. We could fixate on IT and say that it is the answer in itself, but that

would simply take us into the arms of software and hardware producers as our problem solvers. That is not the reality.

What further can we do to produce efficiencies in our systems and processes? There is a fantastic example in Lothian, where a systems-thinking approach was taken to the question of where the waste and efficiency lie, from the starting point of receiving a report to getting our report to the procurator fiscal. The police in Lothian reduced the reporting time from eight weeks to 23 days. That was the result not of a piece of equipment but of examining the end-to-end business, establishing where the waste was and eradicating it. It meant taking the hurdles away and allowing the work process to work. That change is happening in Lothian right now.

Similarly, there has been success with the clean-stream system in Aberdeen, under which systems and processes were examined and then people were layered in—ultimately followed by the piece of technology. That is where the success has been; it has not been achieved simply by jumping to use a piece of IT equipment.

Margaret Smith: Can other forces learn lessons from the two force areas that you have just mentioned, where progress has been made? Could they simply conclude, "We could do that as well," or is there too much of a tendency for everybody in their own areas, or silos, not to learn lessons from others?

Joe Grant: The cohesion of chief officers in Scotland demonstrates that they are willing to learn good practice from one another. The difficult question is about where the funding comes from for that. When it comes to putting a piece of IT on top of a system to continue to smooth it, where does the funding come from? Forces are already scrabbling about to sustain their present level of service. They simply do not have the additional money at the moment, even though using it in that way would have a fantastic benefit further down the line.

Margaret Smith: I have a slightly different question to ask on the suggestion in your written submission that a selection of statistics for each local area should be published monthly and that senior police officers should be made more accountable to local areas. You also suggest that we should look no further than New York for a demonstration of what is possible. That is always an interesting suggestion to make to a parliamentary committee, because members will immediately start booking their tickets. However, without us having to make that trip to New York, can you tell us what is possible?

10:45

Joe Grant: Such statistics and information should be available every month in an area or police division within a force. At that level, the divisional command structure has a degree of responsibility and accountability. In Scotland, we should be moving towards that.

We understand that the Scottish policing performance framework is layering itself throughout Scotland at the moment. However, one of its failures is that it suggests that we should still produce annual reports. That does not do it for us: it does not give the appropriate engagement with communities or allocate responsibility for governance so that a community can say to a local commander that there is an issue with some police activity that the commander will have to prioritise. That can happen in many suburbs in New York, right down to individual beats. We have been there and we have also done a lot of reading about it. The police service now has a far better opportunity to engage in issues of governance and accountability of the police to the public.

Margaret Smith: Is that engagement not happening in Scotland at the moment? I am aware of some areas where community engagement is at the level of beat officers having good relationships with community councils and local elected representatives. If it is happening, could it be improved?

Joe Grant: It is happening, but the pockets of good practice have not been spread throughout the service in Scotland, and we would like to see that happen.

The Convener: We will carry on with questions on resources.

John Wilson: My question is on the pursuit of efficiency savings. Much has been made of the efficiency savings that have been imposed on the police service. Have those savings made any difference to the level of front-line policing? Have there been any problems with the efficiency savings that have been introduced so far?

Joe Grant: On whether the efficiency savings have realised benefits for the police service, our current view is that we have managed to run to stand still.

The question whether the efficiency savings have brought specific pressures to areas of activity would best be addressed by colleagues in the Association of Chief Police Officers in Scotland and the Association of Scottish Police Superintendents. However, meanwhile the sergeants and inspectors are running to stand still.

The Convener: Mr Wilson seems to be satisfied with that answer.

Paul Martin: We have heard a lot today about the resources that are required for response policing and the connection with community policing. Are there other areas at which resources should be targeted? For example, are you satisfied that effective resources are in place to deal with registered sex offenders?

Joe Grant: From time to time—and such cases are reported widely—we find that mistakes happen and that there is not sufficient supervision of sex offenders. To resource the supervision of sex offenders in the way in which the public might think we should would mean a far greater increase than the 1,000 officers we are talking about. We have previously given evidence about that. There is a vast under-resourcing if the need is as described by those who are caught up in such circumstances as victims. If you wish me to say more on that, I will repeat our previous evidence in writing.

Paul Martin: We have talked a great deal about community policing, which seems to be the focus of the submissions that we have received, but there are other areas of policing. Even with the reconfiguration of services and reductions in bureaucracy, could we ever have the appropriate resources to deal specifically with the policing of sex offenders?

Joe Grant: Up until now, we have drawn on officers on street patrol to enable us to meet our responsibilities in relation to the sex offenders register. The same is true of our counter-terrorism activities; I could list half a dozen other examples. That cannot continue. I am not talking about a pit into which we should continue to put resources, without there ever being a beneficial effect. Given that we resource other areas, such as the supervision of sex offenders, do we need the additional resources so that we can carry out the street-level function? Do we need to draw breath to review the purpose of policing and to examine our systems and processes to ensure that they are as lean as possible? Absolutely. That is what the additional resources will do for us—they will give us the opportunity to look around to ensure that we are as efficient and as well resourced as possible in those competing areas.

Paul Martin: I appreciate the importance of community policing, but might some police officers—for example, those who deal with registered sex offenders or with possible terrorist attacks—be slightly frustrated when they hear politicians talk about putting an extra 1,000 police officers on our streets? Is there a case for saying that those 1,000 extra police officers should be not just for our streets, but for those other activities?

Alasdair Gillies: I have had the good fortune to have served both as a front-line police officer and as a specialist. Officers in the specialist departments are always of the view that their department is just as understaffed as everyone else's. If we were to get 1,000 extra police officers, they would start their careers as front-line police officers performing uniformed patrol duties on the street. Within the police family, we have a defined career path. People can choose to remain uniformed officers or they can specialise, but those who want to become specialists must have a good grounding and good experience, and they will get that only at the coalface.

Paul Martin: Your submission mentions a report by Professor Midwinter, in which he refers to the fact that police expenditure in Scotland is the lowest in the United Kingdom. Do you wish to comment on that?

Joe Grant: It is interesting that Professor Midwinter describes that as a "puzzling anomaly". We have grave concern about what has happened, historically, over what we have described as the past seven years of underfunding. The Midwinter report offers an understanding of how that has happened. There is a mismatch between public statements on the police service's priorities and the spending priorities of whatever Government happens to be in power. Our aim is to right that and to seek a fair share of the cake for policing.

We understand why the Barnett formula takes the form that it does. It demonstrates that expenditure on policing in Scotland should be in excess of expenditure on policing in England and Wales, but the fact that expenditure on policing in Scotland is vastly under that level is of grave concern and ties our hands in being able to deliver.

Paul Martin: Does the recent attack at Glasgow airport further support the case for additional funding, given what Professor Midwinter said?

Joe Grant: There are a variety of ways of funding counter-terrorism activities, which ACPOS would be best placed to describe. Part of the dynamics of policing is that when circumstances change, so must one's priorities. Our resounding call is that the priority should be—now and in the future—to ensure that policing is properly funded and gets a fair share alongside other public services.

The Convener: We come finally to questions on police governance, to be led by Stuart McMillan.

Stuart McMillan (West of Scotland) (SNP): Thank you convener, but before I ask about police governance, I have a wee supplementary to Paul Martin's questions.

The Scottish Police Federation submission mentions the various aspects of the increased workload that the police have had in the past 10

years or so, but I did not see any reference to the introduction of the European working time directive. How has that affected the effectiveness of the police and police funding in the past 10 years?

Joe Grant: First, there has been no additional police funding as a result of that European legislation. The Scottish Parliament is at last considering the financial impact of legislation, but such consideration is not often found elsewhere, certainly not in Europe.

There has not been a huge impact on outturns. We are starting to see this year, probably for the first time, pinch points in annual leave among those youngest in service because of the European directive. However, that is not a huge problem or cost for the service at the moment. It is still being negotiated through the routine police negotiating forum.

Stuart McMillan: I am surprised by your answer. In the past four or five years, the working time directive has been used by various members of the health service as a reason, argument or excuse for shortages of consultants and other doctors.

Joe Grant: We have to bear in mind the fact that there are certain derogations in place for the police and the military. We may feel a certain discomfort about that, but those derogations are often why the full impacts of the working time directive are not felt in the police service.

Stuart McMillan: Your submission argues for the reintroduction of establishment controls for police numbers. What benefits would that bring?

Joe Grant: It would bring absolute clarity for public representatives. We are not saying that there should be a control on chief officers and how they apply their operational resources—please do not be confused on that point. However, since establishment controls were abolished in 1996, we have seen a lack of clarity about who is responsible for the numbers—how many constables, sergeants, inspectors and so on—in each of the ranks in a police force.

We think that the public, police authorities, Her Majesty's inspectorate of constabulary and politicians in the Scottish Parliament should describe what that picture should be. It should not be within the domain of chief officers. We believe that that alteration in governance would bring a gain in accountability to the people whom we police for and with.

Stuart McMillan: Are there any other areas in which you would like to see changes to the current arrangements for police governance?

Joe Grant: You referred to our point about the reintroduction of establishment controls. That is as we see it, back to 1996. Are we satisfied that we can hoist a flag and say that that is the only way in which we can shift the engagement, responsibility and governance back towards the public? No, we should look at a variety of governance models—that one is your anchor, this one is the least likely to move forward. We could find a shape that fits Scotland better than the current paradigm; there are examples from Chicago, Northern Ireland, England and Wales.

John Wilson: I have a supplementary on Stuart McMillan's question on the working time directive. What is the average working week of a police officer, and how much overtime is usually included?

Joe Grant: The actual working week of police officers is 40 hours, which is the highest anywhere in the public sector and generally higher than anywhere in the private sector. If we include overtime on top of that, it can extend to 45, 46 or 48 hours in any particular week.

The Convener: As no other committee member has a question, that brings us to the end of questioning. I thank the witnesses for attending and for being clear and succinct in their answers.

I will suspend the committee briefly in order that the panel may change.

11:00

Meeting suspended.

11:01

On resuming—

The Convener: We continue our inquiry into the effective use of police resources. It gives me great pleasure to welcome Chief Superintendent Clive Murray, who is the national president of the Association of Scottish Police Superintendents, and Superintendent Val McHoull, who is its national vice-president.

You will have seen how we are running things this morning. We will go straight to questions, the first of which is on the role of the police.

Nigel Don: Good morning. As I read it, your submission suggests that there should be a review of what is expected from a modern police force. Can you give me some clues as to what has changed in the past couple of decades that prompts you to think that there should be such a review?

Chief Superintendent Clive Murray (Association of Scottish Police Superintendents): What have not changed are the resources available to divisional commanders out there in communities. What has changed

significantly is the burden placed upon them by new legislation, new procedures and new processes, all of which draw resources from the front line—the 24/7 element of policing.

Nigel Don: Are there any specific areas where the police have been given duties that perhaps they do not need to carry out, or particular areas for examination that you would like to point us towards, please?

Chief Superintendent Murray: There are probably a number. The submissions to the committee suggest that there are dozens of areas in which we have been given additional work to undertake, which perhaps could best be done by community planning partners. Our view is that we have lost sight of what the core policing activity should be. We have officers out there performing myriad functions from counter-terrorism to the provision of social and emotional care. Further investigation is required to identify the police role. Once we identify the core police role, we can perhaps get round to determining how many resources we need to deliver it.

Superintendent Val McHoull (Association of Scottish Police Superintendents): I understand your question to be about responsibilities that the police might no longer wish to undertake. One example is that we have already transferred responsibility for prisoner escort, but that could be widened out greatly to cover responsibility for prisoner handling in custody centres. One of the biggest drains on police budgets is medical provision for persons in police custody. We could transfer responsibility for prisoner handling to another agency—that has been done in some other areas.

Nigel Don: Thank you very much. One of our problems—it was exemplified earlier—is that we are posing our questions to people who are very experienced and very skilled, and most witnesses are reluctant to give an opinion. You would much rather say that something needs to be investigated than tell us what you think, but we need to tease out what you really think. Your written submission notes evidence that the general public wants to see police on the beat. Do you agree that we should put resources—in so far as that is at our behest—into visible policing or should it be about response policing?

Chief Superintendent Murray: We need to get the terminology and definitions clear. While sitting here this morning, I have heard people use numerous expressions including "community policing". I am not sure that everybody understands what community policing is. From our perspective—I speak on behalf of divisional commanders throughout the country—community policing is that type of softer-edged policing that includes diversionary work in youth clubs and liaison with various community groups.

There have been numerous surveys asking the public what they want from additional police resources, but our experience is that they are after harder-edged policing. The public has to deal with antisocial behaviour, troublesome elements and other such problems in communities and they want the police to provide a solution to that.

When we describe community policing, do we mean community policing at the softer edge—more diversionary activity—or do we mean front-line officers in communities dealing with troublesome elements for the benefit of the wider community? It is my and the association's view that the public wants the harder-edged, enforcing arm of the police as opposed to more work in youth clubs, schools and on the softer side of policing.

Nigel Don: If I have got you aright, perhaps I can divide policing into three areas: one is the soft community part about which you spoke; another is hard-edged policing from officers on the beat; and another element is response policing from the folk who can, if required, arrive in a car following a telephone call.

Chief Superintendent Murray: There is another blur in your description. Community policing means to us the softer side of things. Response policing involves policing a community, and therefore the public and my colleagues are after more resources to respond to the demands that the public place on us through treble nine calls to deal with antisocial behaviour or incidents that occur in communities throughout Scotland.

Superintendent McHoull: In addition to the three categories that Nigel Don listed, there have been questions this morning about specialisms and the complexity of policing. New legislation, the 24-hour society and all the extra burdens placed on the police have meant that a great deal of what was response policing or visible community resource on the street, is now, by the nature of the complexity of policing, working in sex offender monitoring, terrorism, freedom of information and so on. The front-line officers form the only pool from which we have been able to draw the resources in order to staff the departments to deal with all those additional matters. In Strathclyde police, 45 per cent of officers are currently in community or response policing; the rest are in specialisms. The number of officers who are now seconded to agencies such as the Scottish Crime and Drug Enforcement Agency has doubled in the past 10 years.

Chief Superintendent Murray: I offer a point of clarification. I think that it was Mr Martin who asked earlier whether increasing the number of

officers engaged in community policing would be to the detriment of officers who deal with sex offenders. All officers who go into specialisms, almost without exception, come from the 24/7 pool of officers who are out there in communities. If you look at community policing, our view is that community police officers come from that pool as well. If we are putting 1,000 officers into policing, they go into that pool of officers and, ideally, we red-circle the pool so that it continues to provide the same level of service to communities. If the police service is being asked to take on an additional burden, whether that is through new legislation, or additional training in new technologies, processes or procedures, additional resource must be provided to undertake that function. If it is not, the resource comes from the pool of officers who provide the cover out there, 24 hours a day, seven days a week.

Nigel Don: I want to tease out from your experience and your expertise whether you think that it would be better policing to have officers walking around on the streets, or to make those same officers—or at least some of them—available to arrive at an incident faster than they would do if they were walking around. Is there a conflict there? If so, how would you resolve it?

Chief Superintendent Murray: There is no conflict—we have to get the balance right. My colleagues were asked earlier about the position in New York. I have had the benefit of being in New York, and when you walk down the streets in that huge American city you feel safe. You are reassured because the police are visible on street corners and in some numbers. You see them on foot and in vehicles. That is something that the public here clearly want because they ask us often enough for more police officers on the beat. There is no doubt that it modifies behaviour to have officers visible and on the beat, whether in vehicles—I include road policing unit officers in that—or on foot patrol. With that modification in behaviour comes a feeling in the community that a place is safer. That reassures a community, which is what we are trying to achieve.

Margaret Smith: You are saying that when you wander around New York you see police on the beat and in police vehicles. Are you talking about central Manhattan, or every street in Queens? In his written submission, Paddy Tomkins says that maybe we have got to accept that visible policing on city centre streets has its place and is effective. However, much as it might pain me to say this, using that rare resource of a fully trained police officer out on suburban streets is not necessarily the best use of resources.

Chief Superintendent Murray: That is absolutely correct. I use the example to indicate how an individual might feel when they are walking about the streets. Police visibility is high in Manhattan—it is the tourist area, and the police are there for a purpose. If you move out of Manhattan, you see a reduction in police numbers, and you start to have a sense that perhaps you should not be in that area. I have experienced that, and it is exactly what happens in Scotland in the communities out there. Police resources are finite, but we can either tell the public that it is unlikely that we will ever get to a Manhattan situation and modify their expectations, or deliver on what we promise. The promise is that every Scottish community should feel safe and be reassured. It may be that we cannot do that with the resources that we have.

Nigel Don: I want to continue with consideration of the model, from down south, of community police officers and neighbourhood wardens. Do you feel that that model in England and Wales, which I hope I do not need to tell you about, would have a value in Scotland?

11:15

Chief Superintendent Murray: I remain to be convinced, as does the Association of Scottish Police Superintendents. We believe that that model has some value—for example, in increasing the visibility of officers. However, information filtered through a few months ago that police officers were going out with police community support officers to provide them with protection because their role was being undermined by certain elements in communities. I have also heard of police officers going out dressed as PCSOs to try to catch individuals who were throwing stones at the PCSOs. When matters get to such a stage in an area, it is clear that police officers are needed, rather than individuals with limited powers. Clearly, the area in which the PCSOs were placed was not compatible with what they can do to ensure a lawful community.

Superintendent McHoull: There is also an issue about flexibility. We have around 590 neighbourhood wardens in Scotland, who have restricted powers for dealing with matters such as noise and litter. However, if their powers were extended so that they were like PCSOs, whose uniform is almost indistinguishable from that of police and whose powers are not much less than police officers', that would place us in a parity of pay situation, which would mean that we would have been as well having a non-contract, flexible resource that could be deployed wherever there was need.

The Convener: Cathie Craigie has a question on the theme of civilianisation.

Cathie Craigie: The committee could be accused of moving on in an orderly fashion. You

draw to our attention in your written submission that there has been a programme of civilianisation since 1985. In the previous evidence session, the Scottish Police Federation witnesses told us that the number of civilian support officers had risen by 60 per cent. What impact has the greater use of civilian staff had on the police service? You referred to an area that could be considered for further civilianisation to support the police service. Can you give us an idea of what scope there is for further civilianisation and in what areas?

Superintendent McHoull: As you said, we have followed a civilianisation programme robustly since 1985, so not an awful lot more can be done on that in police forces. When I talked about custody centres and prisoner management, I was thinking more along the lines of responsibility for that area being moved from the police to another agency. There is more merit in considering doing that than in considering how much further we can go with support staff within police forces.

There was a question earlier about how much the increase in the number of support staff has helped to put officers on to the street. The answer is that that has happened only to a limited degree, because the vast majority of the support staff who have been employed over the past 10 years are employed in areas of additional responsibility. They have taken on some of the extra burden that has landed on the police. For example, in a medium-sized police force, about 20 support staff would deal with freedom of information requests. That does not make life easier as such for the officer in the street, but had we not employed such support staff, we would again have had to draw people from the pool of front-line officers to do that job.

Cathie Craigie: That is not my point, though. I am concerned about areas that have not involved coping with new legislation. For example, the job of escorting prisoners has been taken away from the police, in many cases. Have there been increases in the numbers of police on the beat because of that change? We are not involved in the front-line management of the police, but we are customers, if you like. It would be expected that if a significant amount of work was taken away from an organisation and passed on to another agency, that organisation would then be able to deploy more police to carry out community work and patrol the streets.

Superintendent McHoull: Although prisoner escort has gone to another agency, and therefore the officer who would have been in the back of a van escorting a prisoner to a prison is now on the street—because that is probably where they would have been drawn from to do the prisoner escorts in the first place—I stand by the comment that the vast majority of support staff who now work in the organisation are doing additional jobs, as opposed to jobs that were previously done by police.

I agree with what Mr Grant said earlier regarding the caveat to how far we take civilianisation. If we reach the point where we civilianise all posts other than those that require police powers, we lose a lot of our engagement with the community on a daily basis. There are other areas. For example, it would be easy to say, "Let's completely civilianise police training", and bring in a person who is trained in presentation techniques to teach road traffic law, but only an officer who has dealt with a road accident can really teach another how to deal with one. There is a line beyond which it would be dangerous to take civilianisation any further.

Cathie Craigie: This question is for both of you—I do not want to focus all the pressure on Superintendent McHoull. Are there no areas in which, at the present time, a police officer is required to do something that you think could be done by a civilian?

Chief Superintendent Murray: No, that is not the case at all—there are. I think that you might be referring to what was said on the radio this morning about the taking of witness statements and some other administrative functions. We should use a police officer for a function that requires police powers, because only a police officer has police powers, as well as police experience and police training. We might also find police experience and police training in an officer who has retired and is no longer in the service—that is a valuable resource, and one that we do not tap into too readily. Certain functions—predominantly administrative—can be fulfilled by a pool of officers who have had police experience and training over a period of time, but who do not necessarily need to have police powers. In my own force the work is at a fairly early stage—I know of one other force in Scotland that is actively looking at that.

In England and Wales there is the modernisation programme, which involves studying what is termed a mixed economy, in order to determine where exactly police powers are required and where non-police officers can be used more efficiently. The essence of it is to try to get individuals to perform a function at a cost lower than that of a police officer.

The problem arises when we get to the stage where the activity becomes so close to that of a police officer that the individuals who are not police officers expect the same salary as a police officer. I am aware that that has happened south of the border—my colleague Superintendent McHoull mentioned it earlier. We then have to step back and say that, in that case, there is no benefit in doing it, because we might as well have the flexibility and additional enhancements that a

police officer brings, as opposed to employing someone who is not an officer.

The Convener: The stories may have been apocryphal, but I have heard that since civilianisation has taken place within the courts—involving the use of Reliance for escort duties and so on—the number of police officers who are delegated to patrol the corridors of the courts in certain Scottish cities has increased. Is that the case?

Chief Superintendent Murray: Thank you for that question, because my next point was going to be about the benefit that Reliance has brought. Some benefit has been gained but, in reality, it is marginal. I know of one sheriff court complex where 10 police officers will at present be providing a policing response in the building. From the association's perspective, that must be addressed fairly rapidly, because the benefits would be obvious if those police officers were on the outside in communities rather than in courtrooms.

Cathie Craigie: I am not equipped with information on how many police officers were deployed on prisoner escort duties prior to the changes, so we need to get more information on that. Everything in life has a cost. However, the driver for bringing more civilian support into the police force was not just to reduce cost, but to allow trained and skilled police officers to get back to doing the job that they were trained to do. I ask you to go away and think about any areas where trained police officers do a job that unskilled people could do. We are trying to get ideas about that. It is a long time since we considered the police's roles and powers. The inquiry might lead to further consideration of that matter, as you suggest in your submission. I would appreciate it if the association took time to consider the issue and got back to us on it.

I will move on to collaboration, which Val McHoull mentioned previously. What scope and opportunities exist for greater collaboration with other organisations, and how could collaboration most help the police in delivering with their key partner organisations?

Chief Superintendent Murray: Collaboration is a good issue to raise. I will come at it first from the angle that you asked about and then pick up on another aspect. Divisional commanders throughout the country are engaged fully in community planning partnerships. The partnerships have community plans, antisocial behaviour strategies and a series of objectives that they seek to achieve on behalf of their communities. Our view is that the police remain burdened with some activities—I was going to say lower-level activities, but they are important to somebody, so it would be wrong to use that expression. For example, I am talking about dealing with noise, litter and dog fouling. When we carry out surveys and ask the public what more they would like the police to do in the community, without fail the answers are about more activity on dog fouling and litter.

Responsibility for enforcement in such areas should be taken away from the police—it should be undertaken by community planning partners, who should make it clear to the public that they are undertaking that role. Through a collaborative approach, more can be done to relieve the police of that burden and to modify the public expectation that such matters are a core function of the police service. In our view, those functions are not as core as other ones are.

Other opportunities for collaboration exist. I recently read about search facilities. An inordinate amount of time is spent on training to provide search facilities, and police resources are deployed for that. However, colleagues in other emergency services, such as the fire service, could assist with searches. Such collaborative working needs to be explored further, and work is on-going on that.

Our association has an issue about how efficient it is to do things eight times in the police service. We strongly take the view that the service can be more efficient if we collaborate more, for example by producing human resources policies that emanate from legislation or guidance only once, as opposed to officers throughout Scotland doing it eight times. Early work has been done on that, and we would like it to be progressed—perhaps a bit more rapidly—to ensure that the service enjoys the benefits of the efficiencies that can be gained by agreeing to do things once, rather than eight times.

11:30

The Convener: We will now talk about resources.

Paul Martin: May I briefly return to the issue of escorting duties, convener?

The Convener: Certainly.

Paul Martin: Mr Murray, you said that Reliance's impact was "marginal". Will you confirm two things? My understanding is that 250 officers have been released from escorting duties. Has that been evaluated? Are you speculating, or has a study—

Chief Superintendent Murray: I expected somebody to ask about that. I will explain. I used the word "marginal" because it is more than likely that the burden that the police service has had to carry as a result of legislation and procedural changes has significantly cut into the benefits that

Reliance has brought. I base that view on the fact that, throughout the country, my divisional commander colleagues who have duty sheets have said that there has been little or no change. Indeed, in many instances fewer officers are available now for front-line police duties than were available 10 years ago.

Paul Martin: I want to clarify what you are saying for the benefit of our evidence and to ensure that we can progress the matter. You are providing anecdotal evidence; your colleagues have not provided comprehensive information.

Chief Superintendent Murray: The issue is not directly related to efficiency savings. Officers were freed up as a result of work going to Reliance. I cannot say definitively whether all of those officers are out providing 24/7 response coverage, but I can say that it will more than likely be found that any savings that have been made as a result of the Reliance civilianisation outsourcing have been eaten up by the range of additional FOI, multi-agency public protection arrangements—MAPPAs—and sex offender burdens that the service has had to carry.

Paul Martin: I want to move on to resources. How do local commanders clarify the local priorities in the communities for which they are responsible?

Chief Superintendent Murray: Through consultation with those communities. The process is fairly sophisticated now. You will have read about the national intelligence model, which involves tasking and co-ordinating resources, and which applies throughout Scotland. Throughout Scotland, daily and fortnightly meetings involving senior operational police officers and staff take place to identify current issues in areas. Partners are closely involved in the process, so information from social and education workers is married to police information about crime, antisocial behaviour and other problems. In some areas, that has happened for some time. From such working, divisional commanders throughout Scotland can get a picture of where the hotspots are and what the priorities are. If those commanders have the resources, they will employ them to address the priorities that have been identified. That is done in consultation with elected representatives, community planning partners and members of community councils.

Paul Martin: You have clarified that a sophisticated process is in place for providing information such as crime figures. However, you have not been able to tell me whether, throughout the country, there is any consistency in the engagement process between local commanders and local communities. I recognise that there are relationships between local commanders and elected representatives, but how do commanders communicate consistently with local communities? Is there a formal process that they are required to follow?

Chief Superintendent Murray: From my own experience, local commanders communicate through community councils and elected representatives, and they make use of the media, particularly local media.

Paul Martin: Can I clarify that in the sederunt of all the community councils throughout Scotland we will see the names of local commanders? Will we see them in the sederunt of meetings of, for example, local residents organisations?

Chief Superintendent Murray: There will be representatives. I used to go to monthly meetings, but it is physically impossible to get round them all. However, I am sure that you will find some police representatives at community council meetings.

Paul Martin: I appreciate the point about police representatives, but I am asking about local commanders. It is not a trick question—I am just asking whether I should expect to see commanders at meetings or local police officers representing them.

Chief Superintendent Murray: You should expect to see a police representative. It will not be the commander on all occasions, but you should expect the police representative to take issues from the community council meeting to the local commander so that they can be fed in with information from elsewhere in the division and the police can respond appropriately.

Margaret Smith: You have partly answered my question by saying that we should expect police representatives to feed information back to divisional commanders and for that to have some impact. However, as a councillor and an MSP, I have been to several meetings in my constituency that police officers have attended, and I would categorise as mixed my sense of whether the officers fed information back into a wider picture. I may have thought that the police officer was taking an issue on board and saying, "Next week I'll make sure that I cover that particular area," but is there anything systemic? What is written down to tell a community officer what to do and how to feed information back into the process, so that the community council secretary can expect to get a letter from the divisional commander saying, "PC Bloggs came and told me this, so this is what we are going to do"? I am not saying that that does not happen somewhere, but I would be surprised if it happened everywhere.

Chief Superintendent Murray: I cannot speak for everywhere; I speak from my own experience and from discussions with colleagues about how they operate. We are talking about the national intelligence model, which is a system of work. It is

a business model, and I am not aware of any force that has not met the standards in compliance checks. If there are exceptions, it is unfortunate in those areas.

Margaret Smith: One big issue that is swilling around in our discussion is the public's expectation and perception of the service. I do not know whether I have ever been in a meeting at which the community council or residents association knew about a national approach that said that because a meeting raised a particular issue with an officer, the officer had to take it back to a divisional commander, from which some action would flow.

People might have that hope, but they do not have an expectation. I assure you that, if they expected that to happen, they would pursue it when it did not, if not with the same officer at the next meeting—if they were lucky enough to have the same officer attend the next meeting, which is an issue in itself—with the divisional commander, and they would ask why they had not taken on board a matter that was raised.

Perhaps individual officers and divisional commanders know, but I do not think that community councils or organisations know that a system is in place to feed information into the national intelligence model.

Chief Superintendent Murray: Perhaps I am describing best practice. It may be fortuitous that one of the inspections on which the chief inspector of constabulary is about to embark is on engagement and feedback. As a result of that inspection process, best practice might be circulated where it is not evident.

The Convener: It might be worth pursuing that point with the chief inspector of constabulary later in the morning.

Margaret Smith: I am sure that he is looking forward to it.

John Wilson: I want to follow up some of the questions that have been asked. Paul Martin raised the question of divisional commanders attending tenants and residents association meetings. I have drawn up a small list of organisations that meet in communities, and I wonder who would be the appropriate individual or member of staff to attend those meetings. We have neighbourhood watches, tenants and residents associations, and community councils, and on top of them we have community planning partnerships. In your opinion, what would be the most appropriate level of officer to attend those events? We cannot say that divisional commanders should attend all tenants and residents association meetings. In Glasgow alone there are more than 200 tenants and residents associations, so divisional commanders would spend all their time going from meeting to meeting. In your opinion, what would be the appropriate level of officer for such meetings?

Chief Superintendent Murray: It would be local officers. In some areas, a local officer goes along because that is their function—to maintain a dialogue with the community, irrespective of the community group. Tenants associations are entirely relevant bodies for police officers to engage with so that they can tailor policing services and respond to issues that the associations raise. The same goes for community councils and other groups. The difficulty comes in servicing that function. Invariably, meetings take place at night, when demand for police resources is high, and although the police may want to have representation at the meetings, it may not be achievable, because of other commitments.

The Convener: That is interesting evidence, but I would like to return to the resources question that Paul Martin asked. Are you satisfied with the answer that you have been given?

Paul Martin: Yes, I am happy.

The Convener: That takes us to questions on police governance. I note, from your full written submission, that you are satisfied with the arrangements with police boards—in fact, you are quite complimentary about them. Are there any changes that you think might be useful?

Chief Superintendent Murray: I cannot think of any at the moment. We think that the system works. Throughout Scotland, we have a process through which we can engage with local authorities and chief executives to agree priorities under the community planning process. The system works, so we see no need to change it.

The Convener: We heard evidence earlier about the New York experience. Some of us have been there and have seen the system in action. It is impressive. Part of its strength is the information that the police are provided with at precinct level. In this country, do divisional commanders and sub-divisional officers have sufficient information about what is happening in their own areas to adapt local policing policies?

Chief Superintendent Murray: Yes. There are technological improvements to come but, at the moment, divisional commanders have a good idea of what is going on within their communities and the issues that they need to prioritise in terms of resources.

11:45

Superintendent McHoull: The issue is not so much having the intelligence on which to base the priorities as having the resources to implement action plans. We have talked about New York, but

it should not be forgotten that the number of police officers in the New York City Police Department was increased by 46 per cent when New York moved to the compstat model.

The police service has put an enormous amount of energy into efficiency savings—the national best value annual report for 2006-07 said that the Scottish police service had realised £42 million in police savings. We talked earlier about best practice—best value reviews are spread.

I want to make one small point about resourcing. The first question that we were asked was, what has changed? Our profile and gender mix has changed. In the past six months, 208 male officers and 113 female officers have gone through the Scottish Police College. ASPS is hugely supportive of recruiting many women into the service, so that it reflects the communities that we serve. Members should not get the impression that I do not support the increase in the number of women and their right to have children—I am a mother of three. However, the number of days lost through maternity leave was 8,500 in 1996-97 and 47,500 in 2005-06. On any given day in Strathclyde, the police can expect 120 women to be unavailable for duty. I am not saying that we should not recruit many more women or that those women should not have children, but the service needs the capacity and resources to be able to cope with that situation.

The Convener: You made that point fully in your written submission.

Stuart McMillan: Earlier this morning, I asked Joe Grant about the European working time directive and its effects on the service. You have just made a point about maternity leave. Has the directive had a negative effect on the service?

Superintendent McHoull: One negative effect of the directive is that we must now measure and monitor working hours. Resources must go into duty management systems, rearranging shifts and so on, in order that we comply with the directive. That has been an additional burden.

Chief Superintendent Murray: However, the impact of the directive has not been overwhelming. Obviously, when we want to change shift patterns we must take cognisance of the directive, but the service is great at adapting and dealing with everything that confronts it. This is another example of our getting around something that has been put in front of us.

The Convener: As members have no further questions, I thank you for your evidence.

One further issue has arisen. You indicated that the impact of Reliance's involvement with the courts has been marginal. If you have any statistics or other written evidence to support that view, it would be useful if you sent it to us, so that we could include it in our report.

Some of your evidence has reflected the fact that you listened carefully to the earlier evidence-taking sessions. Your evidence has been extremely useful and the committee is grateful to you for coming.

The meeting will be suspended briefly to allow the next panel of witnesses to take their place at the table.

11:49

Meeting suspended.

11:57

On resuming—

The Convener: Our third panel is from the Association of Chief Police Officers in Scotland. I welcome Colin McKerracher, the chief constable of Grampian Police; Peter Wilson, the chief constable of Fife Police; and Doug Cross, who is the director of corporate services at Tayside Police and the chair of the ACPOS finance management business area. It is a pleasure to see some familiar faces round the table. We will go straight to questions.

Paul Martin: In your written submission, you state that there has been

"a significant increase in the demands"

on police officers

"over the past 40 years".

Where have those demands arisen over the past 40 years?

Chief Constable Colin McKerracher (Association of Chief Police Officers in Scotland): The demands that were alluded to earlier are the most obvious—the increase in safeguarding the public from sex offenders, in monitoring violent offenders and in counterterrorism, and all the high-risk operational issues that we have to deal with daily. It is likely that technology, such as the emergence of the mobile phone, has also caused an increase in demand. When I joined the police, someone would have to run out to the telephone box at the end of the street and hope that it had not been vandalised. That was the demand profile then. Now, we get 10 or more calls for incidents that happen in the street, and we get much more reporting of day-to-day crime.

The increase has resulted from a combination of things: the progression of society, as people are more aware and more interested in what is going on around them; better communication; and an increase in the formal demands on us that were

alluded to earlier—we could go into more detail on those demands.

Chief Constable Peter Wilson (Association of Chief Police Officers in Scotland): The nature of society has changed. People are more inclined to phone us than to resolve issues in the community, because they tend not to know one another to the same extent. If the problem concerns youngsters in the street, people phone us rather than trying to resolve the issue with their neighbour. There is a greater expectation in the community that others will resolve matters that might have been resolved internally in the past.

Paul Martin: The same could be said of any emergency organisation. Other organisations have experienced an increase in demand because of changes in technology and because more information is available to the public. They have had to deal with freedom of information requests, which we heard about earlier. Is this not just about your organisation clarifying the areas in which there has been an increase in demand, and even the areas in which there may have been a decrease in demand? In a recent presentation, I heard that the incidence of car theft has reduced dramatically as a result of better car security. Are there areas in which you have seen decreased demand and some in which you have seen an increase? Should that not be properly quantified?

12:00

Chief Constable McKerracher: You are right in one regard. It is interesting that the core business—fires in dwelling houses—of another emergency service, the fire service, has shrunk over time. It is not necessarily true that the demand on each of the emergency services is falling or rising to the same extent. One of the most recent pieces of legislation—the Licensing (Scotland) Act 2005—introduced more work for the police. We are not saying that that is wrong; the relationship between alcohol and serious violent crime is an important issue for communities, and we must respond to the legislation and the need in the community.

Demand has risen in the balance. The Scottish Police Federation and the ASPS alluded to resourcing and the fact that it has not risen at the same rate as demand. That is fairly well documented. The issue is the balance between supply and demand; on a day-to-day basis, chief constables are trying to ensure that that balance is in place and that the priorities are right.

Paul Martin: Over the past 10 years, police numbers have increased by 1,400, and there has been a significant increase in civilian staff. Has that made no impact whatever? Are there no good news stories here?

Chief Constable McKerracher: There are a lot of good news stories—had I been able to give my opening address, I would likely have said that. This is a very positive time for policing in Scotland. Demand is at an all-time high, but so is our desire to modernise, to work in greater partnership with our statutory partners and others, and to have collaboration between the forces. The excellent work that we are doing on sharing resources internally and the introduction of the Scottish Police Services Authority are positive for policing and for the communities of Scotland. However, even with all that happening and with the efficiencies that we are drawing to ourselves, we are always having to prioritise resources to meet demand. That is the business that we are in in the 21st century.

Paul Martin: I have two quick questions on the back of that. First, are there issues about how you make best use of your resources? Secondly, could it be argued that modernisation of the legislation—for example on antisocial behaviour and on licensing—could lead to a decrease in police work? For example, as a result of the Licensing (Scotland) Act 2005 perpetual licences are in place and you do not have to assess licence applications annually. Are there areas in which additional legislation will help the police in the long term?

Chief Constable McKerracher: The legislation is there to help us to secure safer communities. I have no problem with legislation coming along that is positive for communities, but every such strand of legislation presents another demand that we have to face and which the public want us—Parliament and others—to address. That legislation brings with it a burden. We are not saying for a minute that the legislation is wrong or negative; all we are trying to say is that it is a legitimate burden and a legitimate area of policing, which we then have to address. By solving a problem with good legislation and good policing, we will have the space—we hope—to divert resources to another area of concern in the community.

Doug Cross (Association of Chief Police Officers in Scotland): We have estimated that the impact of the Licensing (Scotland) Act 2005 will be about £4 million over 18 months. In order to get the benefits somewhere downstream, that money has to be found from the budget here and now. However, no additional money is being made available to assist us in that process.

Paul Martin: There is a short-term burden, but in the long term the 2005 act could be a benefit as there will be more effective regulation of the industry.

Chief Constable McKerracher: The approach around licensing includes the introduction of the

legislation and the commitment of the licensed trade, local authorities, the police and other community partners. The hope behind the legislation is that if we work together properly, drinking habits in Scottish society will change, the incidence of serious violent crime will reduce and benefits will flow to the communities that we all serve. That is the best-case scenario.

We have been policing licensed premises throughout my period of service and long before that, and we will continue to do so. The changes that have been made are positive and we have to work with them. The point is that, having assessed the commitment that we must make to the 2005 act, we must take on an additional burden.

Paul Martin: It has been suggested that there should be a review to identify all the services that need to be provided by a police force. There has been talk of having a commission. We are conducting our inquiry, but do you believe that a more comprehensive approach should be taken?

Chief Constable McKerracher: The debate this morning has been fascinating, and it is right that we are having such a debate.

Our work is founded on the Police (Scotland) Act 1967, which states that it is our duty to guard, watch and patrol in order to protect life and property, prevent crime and detect offenders. That is the foundation of what we do. The language of 2007 is about safer communities, enhanced quality of life, community well-being, a safer and stronger Scotland, crime reduction and harm reduction. Those goals are to be achieved through greater partnership working and through the extended police family, which includes community policing, response policing, specialist policing, wardens, special constables and the voluntary, private and public sector people with whom we work daily.

In essence, policing today is still founded on what we did in 1967. People are saying that we perhaps need to consider the legislation that underpins policing in a 21st century environment. If such a review were to come out of the inquiry, the police staff associations, HM chief inspector of constabulary and others would welcome it, because it would clarify the public's and the Parliament's expectations of the police service.

Chief Constable Wilson: Mr Martin asked about the quantification of the additional load. My force did some work back in 2004 on the burden that we faced after call handling had been introduced. For the first time, we had a proper sense of the number of demands because we were answering almost all the calls. We produced 43 recommendations, which were shared with the ACPOS business area concerned. That led to changes in the way that we handled business. We stopped doing some things and negotiated with partners to allow them to pick up what was correctly their responsibility.

Demand often falls on the police, because other partners change the way in which they do business without engaging with us. The way in which we work now is far more about informing and influencing others. An example is that noise nuisance accounted for about 5,000 calls in my force area, but the number of court reports was about six. That told us that our police response was not an effective way of dealing with the public's concerns. We influenced and persuaded environmental services to change their hours of operation, so that they now have a night noise nuisance team. The same thing happened in other police force areas. Public satisfaction with the way in which noise nuisance is handled has increased vastly. My staff love that change, because they no longer have to go from one noise nuisance call to another at night. Throughout the country we have made other such changes, involving the Scottish Ambulance Service and others, to meet the new challenges of demand. The evidence is available.

Margaret Smith: A representative from the Scottish Police Federation said in response to my earlier question that there is scope for the police to continue to have face-to-face dialogue with the public. However, you indicate that in the case of noise nuisance people are happier with the service that is being provided. Are you relaxed about using other people to do jobs that the police do or have done? Can you, like the superintendents from whom we heard earlier, give us an idea of the sort of jobs for which there would be public support for taking them from the police and giving them to other agencies?

Chief Constable Wilson: We are in our current situation largely because other agencies stopped doing certain things. For example, there are no longer bus conductors or people to patrol parks. Such local, uniformed supervision has diminished, and the police service has picked up the response. The noise nuisance example that I gave involves a technical aspect that people with professional skills have to deal with. That does not mean that the police do not respond to noise nuisance calls. We have an arrangement whereby the calls are assessed according to risk, and we deal with those in which police involvement is necessary.

The Scottish Ambulance Service now triages all drunk and incapable people before we assess whether we need to lock them up in our cells or whether they need medical attention. That work lifts 30 per cent of the demand, which has benefits for police resources and the risk within custody. We engage with other agencies in a similar way. For example, as you have discussed already, all police forces engage with partners to share the

responsibility for dealing with sex offenders—that is not a task for the police alone.

I think that custody is worthy of further exploration, because it involves considerable issues. We are not a health force but a police force, and the health services need to take greater responsibility in the area of custody. The Scottish Government's health department is actively looking at such matters with us.

Civilian support staff do computer-assisted work on the routine but important tasks, such as resource management, that police staff used to do. We can also use support staff for search work. However, with regard to increasing civilianisation, we must bear in mind that today's firearms trainer, for example, could be the tactical adviser for a senior officer tomorrow. If we civilianised all training roles, the question would be where our professional expertise would come from. It is not always possible to civilianise a role completely, because more than one task may be involved.

Chief Constable McKerracher: The Scottish Police Federation representatives said that when people phone up, they want to speak to a police officer. However, I think that we have got beyond that in the 21st century as a result of the professionalism of the people in our call centres. For example, 50 per cent of the calls that come into Grampian's call centre are dealt with there and then, and people are hugely satisfied with that. Depending on resources, it can be difficult for the public to get a call through to the police in the first place. However, we now have an interface with the public in many situations in which people do not see a police officer but are still greatly satisfied with the service that we provide.

Margaret Smith: On the efficient use of resources, has an appropriate balance been achieved between centrally provided police services and services that are provided by individual police forces? If not, what still needs to be done?

Chief Constable McKerracher: ACPOS has supported the journey towards a common police service over the past few years, and we strongly support the SPSA as it develops and finds its feet. We had huge success in drawing the forensic science services into a single service for Scotland, which happened in April this year. We look forward to the information technology directorate passing over to the SPSA next April. We fully support having such centrally provided services and support the potential for more such services.

We have just completed a capability and capacity review under Ian Latimer, the chief constable of Northern Constabulary, in which we looked across Scotland to ensure that any gaps in our protective services are covered through protocols between forces and strategic alliances. The concerns were about serious and violent crime, serious crime investigation, firearms and other areas of our business. We want to ensure that, for every community in Scotland, if there is a difficult investigation involving something that the police do not come across every day in their force's area, there will be a caucus of trained people in Scotland with the necessary expertise who can come together to close the gap and provide the high level of service that everyone in Scotland demands and should get. I believe that we are doing a tremendous amount on central services.

The other thing that we do locally throughout the eight forces is to work with our local partners. We do an awful lot of work through the community planning partnerships and beyond to share services locally and ensure that the efficiencies that we draw are not only in the policing community but in those wider partnerships that we enjoy throughout Scotland.

12:15

Doug Cross: A tremendous amount of collaboration happens between forces' support services, which are often referred to as the back office. There tends to be a view that such work is replicated entirely eight times, or that it is for the SPSA or some other central service to deal with. However, we have made significant steps in areas such as procurement by sharing framework contracts for important police equipment. In estates management, we have been looking at asset management across the eight forces, and three forces are looking at using a shared financial ledger, which backs on to payroll. A significant amount of work goes on in the eight forces to consider the available resources in each force and how we can maximise the benefits. Sometimes the work is about looking at a centralisation measure through the SPSA; at other times, it is about working together to maximise efficiency.

Margaret Smith: It has been suggested that the recruitment of police officers can take too long, can be difficult and that there should be more central co-ordination of recruitment. What are your views on that?

Chief Constable McKerracher: That sweeping statement cannot apply throughout Scotland, because recruitment is healthy and can be swift in different areas at different times. Grampian has been fortunate to have been recruiting quite heavily in the past couple of years and we are looking for 130 new officers this year. We can get those officers in line with the pattern of recruitment at the Scottish Police College.

As regards national recruitment, we have always said that there is likely to be benefit in national publicity and national standards. Some areas still have questions about whether recruitment should be focused into a single point in Scotland when they have to do a lot of work that depends on the local economic situation and what the job market is like. We have to work hard in my force in the north-east to attract people who have many other avenues because of the high employment rate.

We must be careful not to lose our local impact by drawing recruitment to a central point. However, it is worth while looking at the area.

Margaret Smith: Would I be right in thinking that there have been situations in which people in certain areas have been keen to apply for jobs, but they have been told that there are no positions at the moment and that they should come back at some point in the future? You spoke about the situation in Grampian; the same situation might arise in Lothian and Borders or Glasgow, where there are other things for people to do. Such people will not necessarily say, "Oh well, I'll just wait until I can get into the police force" and sit on their hands for a year; they are likely to go into other avenues of work.

Chief Constable McKerracher: We have been looking to recruit people with life experience for many years. We have looked for older recruits as a useful way of recruiting officers to hit the streets because they do not need to be given learning for life when they join the police. Some of us joined as young boys almost, but we learned on the job and that matured us fairly quickly. We now recognise that because of future recruitment patterns, we have to make efforts to draw people into our organisations early and ensure that we keep them so they do not get lost to other professions.

During the past few months, Strathclyde Police has not been recruiting to anything like its normal level. That means that it has people in the system, if you like. We recently spoke to Strathclyde about the possibility of lettering those who are awaiting a position in Strathclyde to see whether they would be interested in coming up to Grampian. That would not be the full recruitment process but a much shortened version, involving an interview and medical examination, that would allow them to come up to us. Agreements exist throughout the country to allow that kind of shift and it would be positive to formalise them.

Margaret Smith: You mentioned trying to bring in older recruits. At a previous evidence-taking session, we heard that there is potential for retired officers to do some of the more administrative tasks. What are your views on that?

Chief Constable McKerracher: A significant number of officers who retire from the police then take up civilian posts within the police. Over time, we have recognised that posts can be civilianised. The other comment that was made referred to the fact that there are some agencies in England and Wales with police officers on their books. Forces have contracts with those agencies and can draw in former police officers to take part in investigations and so on. Those facilities are open to forces in Scotland, should we wish to tap into them.

Stuart McMillan: You suggested that, because Strathclyde Police has not recruited as many people recently, Grampian Police could contact the people on the waiting list. Why is Strathclyde Police not recruiting and training as many people?

Chief Constable McKerracher: That is a question for Sir Willie Rae rather than for me. In broad terms, the answer relates to the profile of recruitment and the loss of officers at the current time in our evolution as a police service, which is based on a large amount of recruitment 30 years ago. We expected a lot of officers to leave in 2007 or 2008 with 30 years' service, because we recruited a tremendous amount of people on the back of the Edmund-Davies pay award back in the late 1970s. Because of that, the Government allowed forces to recruit beyond their requirements—and gave them money to do so—so that there would not be a gap and a need for lots of recruitment when those officers retired. A few years ago, we were allowed to overrecruit on the understanding that, when we reached 2007 and 2008, the number would level off. That is the situation in which Strathclyde Police finds itself.

Doug Cross likely has a better handle on the matter, but I think that Strathclyde Police has a gap in recruitment because not as many people have left as it expected. It has taken people through the recruitment process up to a point, but it does not have the funding to take them on.

Doug Cross: I understand that, from a finance management and business area perspective, Strathclyde Police has been particularly active. It sought to go beyond the funding that was made available to accelerate recruitment so that, when police officers retired, they were replaced by trained police officers rather than new recruits. That is now slowing down. Strathclyde Police made that investment, but it could not continue forever.

Cathie Craigie: The panel knows that I have focused on questions about civilianisation this morning. I do not intend to change that.

Your submission states:

"While there are undoubtedly some further posts that could be considered for 'civilianisation' there will be divergent views about their appropriateness."

Will you expand on that? Which further posts might be considered for civilianisation?

Chief Constable McKerracher: When I went to Grampian Police as chief constable three and a half years ago, we still had chief inspectors in charge of information technology, human resources, and finance and administration. It was obvious that those posts did not require police skills and that it was better to have the professional skills that Doug Cross and his colleagues bring to the service. In the main, the police service has rid itself of such positions. Professional skills other than police ones have been introduced and officers have been released to front-line and other duties.

When we introduce resource management, police experience and skills are often required to ensure that we direct resources appropriately in response to the demands that we face. In time, however, it becomes obvious that such skills can be transferred to civilian members of staff and that police officers can be released.

In some operational areas, such as the monitoring of sex offenders or violent offenders, although police skills are naturally very important, the use of civilian staff in part of the process would release officers for mainstream operational policing. We are not talking about the pure civilianisation of posts, which is a difficult juggle, because if there is a job to be undertaken, we need somebody to do it. It is not always about making a straight swap by putting the police officer on front-line duties and employing someone else to do the other work. There is a ratio by which we would put more officers on the front line.

It is about smarter working and considering the process of what we do. The national criminal justice board has taken on board the good practice shown in the clean-stream experiment in Grampian and the Lothian criminal justice experiment, which will be shared throughout Scotland.

A couple of years ago, we in Grampian had 21 officers engaged full time throughout the year in firearms licence renewal. We used a systems-thinking approach to consider the process and the quality of service offered to firearms licence holders in the area. We changed the process to make it much more efficient and put in 10 full-time support staff to do the work, which released 11 officers full time to go back out into mainstream policing. We are now considering the business processes that are in place to ensure that they are as efficient as they can be. As a result, where possible, we are releasing police officers back out into front-line policing duties.

Cathie Craigie: Your submission directed us to a Home Office circular that was issued in 1984 and an update that was issued in 1993, which offered guidance on civilianisation. As you said, we started discussing this issue in the mid-1980s. Are you still working according to that guidance? I say to Colin McKerracher with respect that it took Grampian Police a long time just to catch up with the circular that was issued in 1993. To what guidance are forces now operating? Are they still operating to the 1993 guidance, or has that been updated?

Chief Constable Wilson: The situation changed in 1996. Prior to that time, the Scottish home and health department provided detailed controls on policing—we could not get an extra garage mechanic until the department said that we could. Happily, in 1996, the responsibility for managing resources was passed to chief constables and there was no longer a requirement for continual referral to the inspectorate and civil servants for approval. Up to that point, there had been a complete imbalance in the budget allocation for forces; who had last asked for more influenced the grant-aided expenditure assessment and the division of the police cake in Scotland. It has taken us until the spending review 2007 to resolve that problem.

There is no current guidance, because we are left to manage our resources to deliver an efficient business. We do that through our police authorities, which consider our budgets, our aims and objectives and our policing plans for improving the way in which we deliver the service. That fits the complex, detailed way in which we deliver services. Our submission recognised that police forces are in different places because community planning partnerships, criminal justice partnerships and community justice authorities differ on where it is useful to put police and non-police resources—a third of our staff are now civilian staff—in order to make the most efficient use of them. All police forces are focused on continuous improvement in deploying resources and squeezing out the money to allow us to do what we want to do.

We now have some support staff that we did not have before, such as analysts, who add value because they provide us with so much more information. We use up a bit of our budget on such things. I am currently considering community policing in new local authority arrangements in Fife. My increased work with local authorities may include creating new posts to work with the new arrangements that councils have made, so that we can deliver the service better. The short answer is that the guidance circular was changed in 1996—the requirement for continual referral does not exist. Part of the inspectorate's function is to check that resources are used efficiently.

12:30

Cathie Craigie: That is good. Is it your opinion that police forces in Scotland are moving in the direction of introducing—or have already introduced—civilian posts where police officers' time can be better used? Do you have evidence to back up that view? I am looking for you to tell us that there are jobs that police officers are still doing that could be done by other people.

Chief Constable Wilson: The evidence will come in the best-value review; Doug Cross may speak about that. Each year, we complete the best-value review, which often shows how police forces across the country have sought to deliver efficiency savings by doing things in different ways. Sometimes that involves civilianisation of posts. The civilianisation of prisoner escort some years ago was a big example of that.

At our last meeting, my police board asked me whether there were still posts at police headquarters that could be covered by support staff. I sought to reassure the board that I did not have scores of people who could be put out immediately; we have not developed Fife Constabulary like that. About three years ago, we took on an extra 11 officers to deal with sex offender management. There are grounds for thinking that we could civilianise a number of those posts.

We are required to have officers deal with our part of the disclosure process. That is to do with intelligence assessment and making a judgment about whether we disclose, which is very important for people's employment. Most of my intelligence office consists of civilian staff, but some police staff are still involved. Is that right? My professional judgment at the moment is that it is. I might be able to civilianise the posts, but I would lose the professional expertise that is currently available. If we decide to squeeze a post that could arguably be civilianised, we risk losing expertise that is important for the delivery of the service. We have moved on significantly, but there are still bits and pieces left over. As I suggested in an earlier answer and as ASPS said, the big wins are still to come in the processes that we provide with other people. That is where we will benefit from a better use of police time.

Doug Cross: Peter Wilson is right. Across the forces, I am not aware of significant numbers of police officers who are in inappropriate roles. Undoubtedly, there are elements of their jobs that could be undertaken in a different way, by the use of support staff or with the aid of technology. We need to continue to look for opportunities to work smarter.

Peter Wilson is right to make the point that sometimes opportunities for civilianisation come in the extra tasks that we take on. Only when a police officer has undertaken those tasks and bedded them down is it possible to have them done in a more cost-effective way. Opportunities arise all the time, and sometimes they come from the added burdens that we have to take on.

Chief Constable Wilson: Chemist inspections used to be a police responsibility. Some forces used community police officers to conduct them, whereas some used retired police officers. Only this year have those inspections been taken back to whether they belong—to the health sector. We do not carry them out any more.

Cathie Craigie: I have a question about community wardens. Your written submission seems to suggest that diverting resources to warden schemes can be problematic, because wardens provide a service that can be difficult to use in relation to changing priorities. You contrast their role with the service that police officers provide. Can you provide us with examples of situations in which that problem has arisen?

Chief Constable McKerracher: We were trying to make the point that the criteria under which wardens were introduced in Scotland were fairly tight. Wardens were tied to the local authority areas in which bidding processes had taken place. That meant that it was difficult to take the resource across if there was an emerging issue in the neighbouring community; the criteria that had been laid down did not allow that to happen.

Wardens provide a superb resource throughout Scotland. Although the model is slightly different in each area, wardens are associated with the local authority but work closely with our officers. That is the right balance in the relationship. We certainly value their visibility in the communities and the intelligence gathering that they perform. They help us to drive through the national intelligence model so that we get a strong picture of each of the communities that we police and for which we are responsible. That allows us to ensure that resourcing is appropriate in those communities.

Cathie Craigie: I understand the point that you make.

Bill Butler: Good afternoon, gentlemen. I got the clear message from Mr McKerracher's response that the community warden schemes are a superb resource. In what ways could they be improved on? You say that there are things that community wardens do well. Are there other ways in which they could be better at supplementing the service that police forces provide, or are they targeted effectively?

Chief Constable McKerracher: My personal opinion is that the current balance is good; community wardens are associated with the local authority but work in partnership with us. The best

work that we do in communities is done in a partnership that goes beyond the formal community planning partnerships. We have a strategic understanding of community planning and an infrastructure for it, but it is at its most effective and powerful when it gets down to delivery in communities. That is where the partnership usually embraces the right people in each community that it serves. Some communities have wardens, who are a vital part of that jigsaw. Their work has been useful, as has our agreement with our local authority partners on their tasks and what the expectations of them should be.

ACPOS is not looking for a huge expansion in community wardens' powers or roles. However, a public expectation of wardens has built up and everyone is concerned about what will happen to that expectation if the funding disappears. That is a question for someone else to ask.

Bill Butler: Indeed it is. Do you agree, Mr Wilson?

Chief Constable Wilson: Yes, whole-heartedly. Wardens have been of great assistance because they provide a uniformed engagement within the local authority network, as Colin McKerracher says. That is important. My view from the outset has been that, had we taken wardens on as members of the police family, my negotiations with the head of housing and the head of transportation about things that need to be fixed in communities would have been regarded as the police wanting something again, whereas the ownership in the local authorities is evident to see.

Fife Council is a unitary authority. It is clear that there is a desire for money to provide more warden schemes because the councillors, too, realise their value. In their community safety partnership work, my police staff have had a lot of good experience of wardens doing all sorts of things that were beyond their remit.

Further work could probably be done on the community warden set-up. I try to use my influence in Fife on that. We have a variety of wardens, including community wardens as we now understand them, environmental wardens and litter wardens. We could do some work on common branding so that the public get the benefit of wardens across a wider area. Rather than having different sorts of wardens, a more generic service could be provided. That is work in hand.

Bill Butler: That is clear. Thank you.

Paul Martin: I understand that £12 million has been invested in wardens throughout Scotland. If we spread that across the various authorities, there is value for money. Do you agree with that?

Should wardens have the power of arrest? That has been piloted in other parts of the UK.

Chief Constable Wilson: My view—and, I think, that of ACPOS—is that we do not want to add coercive powers to wardens' powers. People play good roles in communities that are understood by the communities that they serve. If we start to mix those messages, we get into further complications.

A further point is that wardens open doors with the local authority and others to directing spend that improves community safety in Fife. A council decision was made, which I support, to place wardens in regeneration areas. If, because of the work that they are doing in those areas, wardens can argue for more decision making about and more resources for better lighting and other facilities that lead to a better quality of life in those areas, that is good for policing. That opens a door to a resource to which I would not otherwise have access. The money that is spent on having community wardens opens up additional funding to drive our agenda on community safety.

John Wilson: I will follow on from that with questions about community policing. The developing approach to neighbourhood policing in England and Wales appears to be based on a well-structured framework, under which police officers lead teams of people who are drawn from various sources, which include community police support units and warden schemes. What lessons can we learn from those developments? How could community policing develop in Scotland?

Chief Constable McKerracher: The neighbourhood policing initiative in England and Wales has been very impressive—obviously, we keep our eye on developments down there. However, it would be unfair to say that community policing in Scotland is not as well developed.

We have community officers who are cemented in communities. I return to the debate about the national intelligence model, which has been used effectively not only strategically but right in the heart of communities. In communities throughout Scotland, community officers draw together the right people around the table and have their own tasking and co-ordinating meetings locally.

In Torry in Aberdeen, a local businessperson chairs the tasking and co-ordinating meetings, at which headteachers from the two local schools, community health service representatives and community policing representatives are around the table. They consider the community as a single entity, determine its needs and priorities and task themselves with going out and meeting that community's needs. In essence, that is what the neighbourhood policing initiative in England and Wales does. The system is more formal there and funding was found to underpin it but, in essence, we in Scotland already have that structure, with good use of the national intelligence model.

Chief Constable Wilson: Margaret Smith asked about the cycle of returning to communities information about what is being done. I am not sure whether we mentioned in our submission the community reassurance strategy, which is available to the committee and was published just this year. That is led by ACPOS but works across all forces. The document contains a model of that feedback, which I checked while Margaret Smith asked me a question. It builds on the national standards for community engagement, because the issue is not just about policing. It sets out a model, to which all forces will work, of best practice in delivering the return of information, listening to what communities say and responding to them. If the committee does not have that document, perhaps we should provide it.

The Convener: I will ask a couple of questions about police governance. What roles do chief constables and your association play in shaping local and national policing policies?

Chief Constable McKerracher: As the leadership organisation in Scotland, ACPOS has a huge role to play nationally. We work extremely closely with the Government to safeguard Scotland's communities daily. We are always keen to discuss policy as it emerges and we are always keen consultees when documents are placed on the table. We engage day to day not only with those with whom people would think that we engage but with others throughout the public sector. ACPOS has done work to match ourselves with the Government's five objectives and it is interesting that we contribute to every one of them. At that level, we are well engaged. We have the professional expertise and experience to give the best advice on emerging policy and we will continue to do that.

Locally, the relationship between chief constables and their police authorities or joint boards is positive. I hear constantly about the need for greater governance by police boards—I do not know whether that is a criticism of police boards or a criticism of chief constables. However, in my experience, that relationship has worked powerfully over many years. The tripartite relationship, which some people call into question, has been a powerful safeguard for the public, to ensure that no part of that arrangement uses its power to excess and to the public's detriment. We are in a powerful position locally and nationally.

12:45

Chief Constable Wilson: The evidence is that we do not sit on our hands. If we think that something could be done better, we seek to make that difference. For example, it used to be the case that health did not recognise its responsibility on community safety and had no community safety agenda. After ACPOS raised the need to discuss the issue, the people involved in health changed their approach and they are now very co-operative. That change did not come internally from within the Government but came from policing, which recognised that changes needed to be made and took responsibility for taking forward the agenda. That is just one example.

The Convener: My final question, which I hope is not considered mischievous, arises from the written submission of Her Majesty's inspectorate of constabulary. The HMIC submission points out that ACPOS has an important role and suggests that it should be more accountable. Does ACPOS have any comment on that?

Chief Constable McKerracher: When the chief constables met yesterday—as we do regularly—for our ACPOS council, I think that, to a person, we were convinced that Scotland currently has a strong accountability regime. As well as being accountable to police board members, chief constables and their forces are accountable to local authority members at every layer and at every level of our engagement. We are accountable locally, we are accountable nationally through the Government and we are accountable to one another in ensuring that policing in Scotland is driven forward in the most effective way.

The Convener: I think that Stuart McMillan also has a question on that issue.

Stuart McMillan: My supplementary question is not on that issue but on the point that was raised earlier about Strathclyde Police and Grampian Police. According to the SPF submission, a survey of the public suggests that

"83% thought that a visible police presence would prevent crime".

The SPF submission also highlights other research, which shows that

"over a 24 hour period, only 7.5% were available for deployment."

Given those two pieces of research and given the spare capacity for recruitment in Strathclyde Police that was mentioned earlier, will retention and redeployment be vital in providing policing in the Strathclyde area in coming years?

Chief Constable McKerracher: Sorry, I do not understand the focus of the question. What is the question in relation to Strathclyde Police?

Stuart McMillan: Will redeployment and retention be vital if Strathclyde Police is to ensure that it has officers available on the street?

Chief Constable McKerracher: The issue affects not just Strathclyde Police but all Scotland's police forces. Each chief constable in Scotland must ensure that resources are

maximised by retaining officers where we can. There is a bit of a myth that officers are running out the door after 30 years' service. The majority of officers who leave after 30 years do so because, after that time, they get access to their full pension. After 30 hard years as a police officer, they can take their pension and go and do something else or they can retire. We have introduced schemes such as the 30-plus retention scheme to enable officers to hold on to their careers. Those officers who want to do so can stay beyond 30 years and officers in the federated ranks can stay until they are 55. There is a myth that officers are running out the door, but we retain officers whenever we can. We recruit officers at the maximum range of our financial capability. There is no force in the land that is not trying to maximise its front-end resources so that it can put officers out on the street.

Stuart McMillan: I was not suggesting that. I do not know whether the Strathclyde Police situation that was highlighted earlier applies to other forces. Do other forces have excess capacity that could be used to put people through the recruitment process?

Chief Constable McKerracher: The point is that every force in Scotland will have in place a recruitment plan and will be working to that plan. In Grampian, I currently have enough people in my pool and in my selection process to allow me to recruit 130 officers this year. Other forces around the country also have a recruiting plan in place. A unique situation developed in Strathclyde because of the profiling that was carried out a few years ago. I do not think that that situation is detrimental; it is just a fact that, because of the current ebb and flow of officers, the force finds itself in that situation.

Nigel Don: What would you be able to do with extra officers? If next week we were able to transfer 10 fully qualified officers into your area or any other area, would those 10 officers—subject to shift patterns and so on—finish up on the front line? What attrition rate would there automatically be in the system?

Chief Constable McKerracher: That is a complex question and it takes us back to what was said earlier about the balance between response policing, community policing and the specialist demands that are made of us. The service model is based on the national intelligence model. It considers the risk to the community at the United Kingdom level, the Scotland level and then force by force right down through the divisional structures to individual communities. That allows us to determine how to prioritise and deploy our resources.

In my force today, I would attempt to put those 10 officers straight into the community and leave them there. However, if the intelligence picture changed and we moved to a critical national security situation, the safety of communities in the north-east of Scotland might be better served by putting those officers into special branch. Chief constables and forces perform that juggling act every day with resources.

We want a strong community presence so that our officers can build the relationships that we have been speaking about. Partnerships allow greater community cohesion, a better flow of intelligence, and a better understanding of need in a community. We would therefore like those 10 officers to be in the community. However, other demands, and their changing nature, mean that I could not guarantee that the officers would all go into the community and stay there.

The Convener: As committee members seem to have no further questions, I thank you, gentlemen, for answering our questions so thoroughly. You have made a welcome contribution.

12:52

Meeting suspended.

12:53

On resuming—

The Convener: We now welcome Paddy Tomkins, Her Majesty's chief inspector of constabulary for Scotland, and Malcolm Dickson, assistant chief inspector of constabulary. Gentlemen, we have received from you a lengthy submission. It contained, if I may say so, a very elegant turn of phrase from time to time. I do not know who was responsible for compiling it.

You have seen what has happened so far, so we will move immediately to questions. Margaret Smith will ask about the role of the police and about policing priorities.

Margaret Smith: Good afternoon, gentlemen—this is a bit of a Lothian and Borders reunion.

Your written submission argues for a rearticulation of the purpose of policing. In what ways has the role of the police in Scotland changed in recent decades? Are there particular areas where current expectations of what the police should provide will have to be updated?

Paddy Tomkins (HM Chief Inspector of Constabulary): Many points have been raised already and some of them are covered in our written submission. Since the 1967 act's definition of the policing role in Scotland, the circumstances of the police service have changed almost immeasurably, as have expectations of it—that is true of all public services—and the operating

context has become much more complex. There are now demands on the police service and its partners in other public services, to do with issues such as management of sex offenders, that have required development of new expertise, new support in the context of information handling and new technical approaches, and there are new expectations of technical excellence in the meeting of such challenges. It is inevitable that that has impinged on the overall resource that is available for deployment in responding to or anticipating operational demands on policing.

The short answer is that circumstances have changed greatly. The police service needs a clearer understanding, within the tripartite arrangement, of Scottish communities' priorities for and expectations of their police service, which of course seems to be best articulated by nationally and locally elected representatives.

Margaret Smith: In your written submission, you suggest that there is a need for a more uniform—if I can use that word—approach to the surveys that gather the views of the public, because it is difficult to get to the bottom of what the public wants.

Paddy Tomkins: Yes. We can get answers that are led by the nature of the question that was asked in the first instance—I am sure that members have experienced that. To some extent, answers are informed by the individual's recent experience, local circumstances and what the person might have read in the newspaper that day, but they are also very much a response to the nature of the question that was asked. If we were to ask the question more consistently throughout Scotland, we would gain a better understanding of the expectations of the public, while still being able to identify proper local nuances in expectations.

Margaret Smith: Do the general public have a proper understanding of the different roles of the police? For example, do people understand the role of intelligent policing? Do they expect the same force to supply such policing as supplies the police on the beat?

Paddy Tomkins: The quick answer is no. I do not think that there is sophisticated understanding of the range of demands that are placed on the police service. That is largely the fault of the police service—we do not articulate those demands or the nature of our duties as clearly as we might. It is interesting that locally elected representatives or other interested parties who spend time with police officers as they carry out their various duties often say at the end of the experience, "I didn't know it was like that. I had no idea of the nature of the workload, the breadth of expectation, or the complexity of the operating environment within which you are asked to do your job." I take that as anecdotal evidence that there is no breadth of understanding.

Most of us can conjure up an early memory or shared understanding of what the police service is in its most visible form—that has been alluded to. However, when people are led through a series of questions about whether management of sex offenders is important and whether it is right to protect our children in partnership with social work agencies and others, they answer, "Yes, that work is very important." When we start deducting those duties from the overall amount of policing effort that is available, it is clear that priorities must be set. In the written submission, the point is made that such priorities have been regarded as being for the operational judgment of the chief constable or local divisional commander. That is too great a burden on that individual. Politicians, who represent communities locally and nationally, can share responsibility for assessing what is important and what should be done first. We make that assessment in our private lives; we should do so in the context of national governance.

Margaret Smith: How effective are current systems in identifying and agreeing the public's priorities? More generally, how effective are the systems in identifying and agreeing local and national policing priorities? You might want to focus not necessarily on what the general public wants but on what partners want or on the interface with local government or national Government.

Malcolm Dickson (HM Inspectorate of Constabulary for Scotland): Our written submission says that well-developed systems are in place—they are largely common to the eight forces—for gathering the information that is required to make judgments on priorities and to agree priorities with locally elected representatives. Those are not, at the moment, standard although they are probably converging towards a standard with the adoption of the national intelligence model as a kind of business process, as much as a way of dealing with crime. The inspectorate is fairly satisfied that that goes on well at force level, but there are eight police forces that vary widely in size. At force level, prioritisation is probably quite standard; however, when it is subdivided beyond that, there will be differences.

Prioritisation at national level is also improving. For the past couple of years there has been, for the first time, a Scottish strategic assessment of all the information that comes in. That is part of the national intelligence model and results in the Scottish control strategy—the priorities on which the police service in Scotland as a whole thinks it should be concentrating. That degree of

prioritisation follows a kind of system and is certainly a lot better than it has been in the past.

13:00

Paddy Tomkins: What we do not have is the same degree of structure and national consistency that is imposed by statute in England and Wales around the requirement for a national policing plan and a local policing plan that is developed and owned by local police authorities, and for the delivery of which the chief constable is held to account.

Malcolm Dickson: Going back to the initial question about the purpose of policing, one of the advantages in trying to define a contemporary articulation of policing purpose would be that it would help police forces and their partners to work through that issue together. Who knows why police do what they do today? Why do they direct traffic? Is that serving the functions of the Police (Scotland) Act 1967? Why do they license firearms? We can guess that it is for public safety, but bearing in mind that most firearms crime is not committed by people who hold firearms licences, we might ask why the police, rather than some other agency, do the licensing. Even getting down to the core purpose of policing—preventing or reducing crime—I argue that there are other agencies that are much better equipped than police forces to reduce crime; therefore, we should not hold the police solely responsible for crime figures.

Margaret Smith: I presume that you are thinking about a preventive approach being taken through working in partnership with others.

How important is it to have a new definition? Should the first question be, "What are we doing and why are we doing it?" or would it better to start with the question, "What should the new definition be?" and then, having looked at that, to ask "What should we be doing?"

Paddy Tomkins: All definitions are problematic in the sense that they are obsolete the moment they are formed and new events or circumstances arise. We need to find—as Margaret Smith rightly said, in partnership with others—a more sophisticated articulation of the nature of policing.

We have talked this morning about policing as though it is delivered only by the police; that has been the main tenor of our discussion. However, increasingly, that is not the case—a point that was well made by the representatives of ACPOS. We need something that articulates the breadth of policing—how we work with other public and private authorities to deliver community safety in its broadest sense—and if there are competing priorities, what should take priority and where we should look first to dispose our resources—I mean where police forces should look to dispose their resources. I am sorry, but I have not got out of the habit of speaking as a chief constable as I have been in my present job only six months.

Margaret Smith: Let us move on to what is usually seen by the public and, often, by politicians as the top policing priority—the need to have more police officers on the beat. In your written submission, you state:

"*visible* policing is a relatively inefficient use of highly trained and expensive police officers."

Can you expand on that? Clearly, there is benefit to having officers on the beat. However, your argument seems to be that that is possibly not the most effective use of resources.

Paddy Tomkins: We go on to say that, of course, there are other means by which to achieve the perceived benefits of visible policing. Certainly, when I was playing in my primary school playground, I was always happy. I knew that the school bully would not attack me when I was in sight of the dinner lady. However, when I was behind the bike sheds or on my way home, the matter was different.

If we rely purely on the proximity to, and visibility of, police officers to suppress crime, we are doomed to fail. Unless we devote the entire resources of the Scottish Government to policing—which is clearly not possible—the geography and topography of Scotland mean that that is the case. That is the way that it is.

Margaret Smith: Or we could recruit thousands more dinner ladies.

Paddy Tomkins: Possibly so.

We go on to make a point about police being apparent in, and known to, local communities—to be a source of resort. The point was brought home powerfully when I attended the funeral of a community police officer who was tragically killed on duty in Coldstream almost two years ago. When I spoke to a member of the community at the graveyard about the officer, the person said, "The thing about Karen was that we knew she was there when she wasn't around. When she was away on her holidays, she was still our local community officer. We knew her and saw her occasionally. We didn't have to see her in a yellow jacket on the street corner all the time. In fact, six officers in yellow jackets couldn't replace Karen." I realised that we were discussing a sophisticated long-term relationship.

The point also brings to mind the officer who serves in north-west Sutherland, covering 900 square miles. About a year or so ago, his appointment was celebrated in the national press and his role commented on. The officer is very well known in an extremely dispersed community.

Most people will not see him from one year's end to the next, but they know who he is, where he is, and the job that he does. Through those attributes, his role brings the benefits that we are discussing. When we talk about visible policing, we are not really talking about visibility in its basic sense, but about there being the reassuring presence that the public want.

Margaret Smith: You included local policing examples in your submission, one example of which I am aware, given that it relates to Edinburgh. On visibility, you said that, instead of simply having officers out on the beat patrolling the streets, you target policing through measures such as Edinburgh's youth action teams and other uses of your resource.

Paddy Tomkins: Quite so. Activity has to be targeted and preferably done in partnership with others. The youth action teams in Edinburgh work closely with colleagues from the City of Edinburgh Council's education and housing departments. That sense of direction is essential to success.

When I was the chief constable of Lothian and Borders Police, I started some reorganisation work. In seeking to put more resource into community policing, I made the mistake of thinking that that was what the public wanted when, instead, people wanted continuity and stability in their local policing. People want us to deliver exactly the sort of policing to which the member referred. Again, we are talking not about numbers of officers in yellow jackets. People would rather have one person they know than six people they do not know. As another member said earlier, people also do not want change—they want to know which officer will attend the next meeting.

Malcolm Dickson: One point that has been made several times this morning is worth making again: we do not have an agreed definition of community policing. It is probably wrong to think of community policing only as a uniform visible on the street. A high percentage of people are not included in the HMI report that the Scottish Police Federation quoted in its submission, which mentioned the 7 per cent who are available for street patrol. Many other people are also engaged in community work, but are not necessarily in uniform. I refer to the ordinary criminal intelligence department officers who inquire about break-ins, drug squad officers who are trying to track down local dealers, and family protection officers who deal with domestic abuse incidents, as well as to child protection officers, or sex offender management teams. All those functions go on in communities and are as much about policing as is the uniformed officer on the street corner.

Margaret Smith: I have an observation to make. Very often at community public meetings, people get concerned about how many officers are on the street at any given time. You are sending out the message that although one or two officers are on the beat, lots of other people who are not necessarily seen or quantified in the same way are working away in the community. Although such people still have a policing role in the community, it is slightly different. Public perception is one of the difficulties that we have to deal with sometimes—people hear scare stories that only two and a half police officers are ever on the beat in the Edinburgh city area, which is patent nonsense.

The Convener: I see the witnesses nodding in agreement so there is no need to ask for a response. Nigel Don has a question about resources.

Nigel Don: I cannot help reflecting that we have got to the philosophy last rather than first—we should have had that debate long before we spoke to anyone else about anything. If we do not know what policing is about, we are in trouble.

I will pick up on a comment that I am sure is in your submission, although I cannot find it at the minute. It relates to the challenge of developing cost-benefit analyses. That is easy for bean counters in profit-making organisations, but it is a problem for anybody who delivers a service. It is probably worse for the police than it is for anybody else. That gives you a soft landing. Will we be able to develop good ways of doing such analyses?

Paddy Tomkins: We should try. The health service, which is another complex public service, is far advanced in developing such models compared with the police service. Think of NHS Quality Improvement Scotland or the National Institute for Health and Clinical Excellence down south, which has to determine the almost actuarial benefits that would proceed from the licensing of a drug for prescription or from a clinical process. I am not saying that we will be able to find a perfect formula that will allow us to press a button on the computer and get the answer, but our approach should be part of a wider discussion about the priorities for the police service. The answer is that they are different depending on where we are and in what circumstances we find ourselves.

If chief constables are to deploy always-constrained resources, they need some sense of what the outcome will be of a particular investment so that they can have a proper dialogue with their police board about the allocation of resources.

Nigel Don: Are you aware of any methodology or academic work that informs your criticism of police forces?

Paddy Tomkins: I am hesitant to answer that question too quickly, given the eminent academic adviser to the committee. I am not aware of any such methodology: that does not mean that it does

not exist, but it might be that I should do my research more carefully. It is certainly not in place in Scotland.

Nigel Don: Forgive me; I was not trying to trip you up.

There is a suggestion in your submission that increasing what is done by the Scottish Police Services Authority would free up other resources. Will you put some flesh on that? What more could be done?

Paddy Tomkins: Yes, by all means. First, I invite Malcolm Dickson to speak about some of the activities that could be undertaken and then perhaps I will come back to the point about the balance between national and local activity.

Malcolm Dickson: We feel that the first step has been taken in establishing the SPSA; it was encouraging to hear ACPOS voicing such strong support for it. The SPSA offers a huge opportunity for policing. It is not national policing by the back door.

Although some elements of policing must always be delivered locally, such as the visible community policing about which we have spoken today, other aspects might be better co-ordinated or delivered nationally, or at least, because of their size, above the level of most of the forces in Scotland. The range of activity goes from possible operational policing activities through to back-office services. There ought to be a systematic way of doing that rather than people just thinking, "That might be a good idea." People ought to agree criteria that could be used to decide what activities ought to go to the SPSA. I am referring quickly to my notes for criteria that might be helpful. For instance, does the idea concern a core-purpose activity? Does it actually require policing? Would it bring increased effectiveness? Is there a critical-mass issue, given the number of people who would be involved? Would there be economy-of-scale efficiencies? If something is connected to a local policing strategy, it should probably not be a national programme.

13:15

Is there a need for consistency? We have already heard this morning about inconsistencies in the way in which some policing happens. What needs to be available locally? Does there need to be a fraud squad in every single force in Scotland? Could there be just one for all of Scotland? When we apply such criteria, we can consider a wide range of operational matters.

Motorway and traffic policing, extradition and so on have been mentioned. Not many local people will bring up such subjects in constituency meetings or at community councils, but the police forces of Scotland must address such things, and have to collaborate on them. Such things might fall—conveniently—to the Scottish Police Services Authority. There are a number of other relevant services, including many back-office services such as legal services, which could be delivered nationally. Each force in Scotland consults lawyers separately on similar topics, given that they are employers and owners of property and deal with licensing and so on. That could be done nationally, which would give rise to economies of scale.

Nigel Don: I am conscious that Mr Tomkins wants to answer the other question, but could Mr Dickson tell me who would address those issues?

Malcolm Dickson: Do you mean who ought to ask the questions?

Nigel Don: I mean who should consider what should be happening?

Malcolm Dickson: That is for dialogue between all the main stakeholders: Government, Parliament, the leadership of the service through ACPOS and police authorities and boards.

Paddy Tomkins: I used to think in terms of how we manage serious crime and then, as we say in our submission, how we manage "less serious matters" with what is left. I do not think that such terminology serves anybody's needs because whatever happens to an individual is important and therefore serious. I have reached the conclusion that the only way to safeguard local policing—the sort of apparent, identifiable, visible and local policing that the committee has been asking about this morning—is by coping with the low-volume, high-cost, high-impact and high-risk areas of business on a collective basis.

The nature and scale of Scotland is such that that would be best managed nationally. That could be delivered through a national structure—the SPSA—that has been put in place by Parliament. The SPSA might need to change its shape and governance arrangements somewhat to accommodate those new requirements, but the structure is in place. As Malcolm Dickson said, the dialogue is about how we apportion the various responsibilities.

The Convener: Let us now turn to questions on the vexed issue of a visible police presence. You have answered some of our questions already.

Stuart McMillan: To what extent can a visible police presence be effectively provided by community wardens?

Paddy Tomkins: They cannot be a police presence, although they can be a uniformed authority presence. We have perhaps been gliding over terminology to a small degree this morning. The community warden structure in Scotland is varied in its application—and rightly so. If I were

asked—perhaps I am anticipating the question—to distinguish between the arrangements for Scotland and those in England and Wales for police community support officers, I would say that Scotland has gone down the better road. The inclusion of community wardens with local authorities ensures that authorities understand that they are part of the policing family, as was outlined by the ACPOS witnesses earlier. It ensures that arrangements are appropriate for local need.

In Edinburgh, for example, the highly visible environmental wardens are apparent to people in the streets. The Scottish Borders has invested much more in youth outreach work. That might not be quite so visibly apparent, but it is clearly impacting favourably on the behaviours that might give local communities cause for unease—disorder, rowdyism, vandalism and so on. It is important that response is shaped so that it is appropriate to local need. My answer to your question is that they can be part of that solution.

Stuart McMillan: You touched on my second question when you mentioned police community support officers. What benefits and problems would we see if they were introduced in Scotland?

Paddy Tomkins: I refer to experience in England and Wales. As with the review of community wardens in Scotland, the Home Office research department review of PCSOs in England and Wales gives a varied picture, which is perhaps not entirely surprising. The key issue is additionality—the wardens were recruited through additional funding from central government to local police forces. The capital city in particular benefited from that process.

As I understand it, the funding arrangements for those PCSOs are changing, so that local chief constables will now have to decide how much from their fixed budget they will apportion to PCSOs and how much to full police officers. The same would apply in Scotland if similar funding arrangements were put in place. Any additional resource will be welcomed if there is additional funding for it, but a decision about whether existing funding should be apportioned to police officers, community wardens, PCSOs or any other resource within the police force will be an exacting one for the chief constable.

I was talking recently to a group of chief constables from the Midlands, all of whom are responsible for what we might see as middling-sized forces of 2,500 or 3,500 police officers. They had concerns about the degree of flexibility that they were experiencing as they moved into the new funding arrangement. The terms of employment for PCSOs are not the same as those for full police officers. Whatever the rights and wrongs of it, a chief constable can tell X number of police officers to be fully uniformed and on duty at 6 o'clock tomorrow morning at Leith docks, and can say, "Don't ask any questions; I'll tell you why you're there in the morning." The same does not apply to people who are under different contracts of employment. That issue of resilience—the word was used by Mr McKerracher earlier—is important, because the overall head count of full police officers would inevitably fall if we were to recruit PCSOs within the police force from existing funding. I am sure that overall head counts are of interest to the public, and they are a sensitive issue for political commentators.

Stuart McMillan: Do you see a role for PCSOs working alongside the police force in places such as Glasgow, Edinburgh, Aberdeen and Dundee—the larger communities in Scotland?

Paddy Tomkins: My own view, which is not based on any inspectional research within HMIC, is that there is much more that we could do to work effectively with the existing community warden scheme and with partners in other public services as well as with the private sector—in the retail sector, for example—before we would need to move to that arrangement. In summary, I would be cautious.

The Convener: On police governance, you do not seem to be quite as enthusiastic as ACPOS regarding the performance of police boards in the way that they scrutinise police performance. How do you think that that could be improved?

Paddy Tomkins: I touched briefly on the answer earlier, when I made the aside about national government expectations and the statutory framework in England and Wales for setting a national policing plan and local policing plans for police authorities. I am not suggesting that we should emulate that directly, but it brings a clarity that we presently lack in Scotland. If Parliament were minded, on the advice of the committee, to consider legislating for those respective responsibilities, that would be helpful to all stakeholders.

The Convener: Do we have the appropriate balance in Scotland between police independence and political involvement?

Paddy Tomkins: It is not as balanced as I would like. Malcolm Dickson might wish to add his own perspective. The framework is entirely capable of being more balanced than it presently is—the point that we make in the submission is that national government is starting to be more interested and more assertive since devolution than was previously the case, and rightly so.

This is not a criticism of police boards—they do an important job and I was well supported by my police board in Lothian and Borders—but by and large, with the exception of the Strathclyde board,

they are poorly supported by officials. Many of the requirements imposed on police boards by national Government are actually delivered by the police force, so if the boards are asked to write a race equality scheme or a best value assessment, that work is often done by the police force rather than the police board, which raises issues about the proper balance of responsibility and accountability within the tripartite relationship.

Malcolm Dickson: I endorse that view. I look forward to a time when police boards feel able to adopt a more independent life, supported by some kind of officialdom. That should be replicated at national level, because the tripartite arrangement was conceived at a local level, although one group of partners—the ministers—has a national responsibility. It is also clear that much of what goes on in policing in Scotland in 2007 is decided at a national level, and ACPOS is a huge player in that. That is one of the reasons why we pointed to the fact that ACPOS, as things stand, is not technically or statutorily accountable to anyone, and yet it takes many big decisions about how policing should operate in Scotland. It is quite right that it should take that leadership role, but it seems that there is no framework for that to happen in. There is the conveners' forum, which represents the police authorities at national level, and it seems to me that we could replicate the tripartite arrangement at national level, but that needs to be on some kind of formal footing, otherwise there will not be accountability. More decision making about policing in Scotland is done at national level than ever before, so there needs to be political accountability.

Margaret Smith: I would like to pick up on a point that was made about HMIC's concern that the policing of residential areas from Monday to Sunday, during the waking hours of the majority of the public, is being disadvantaged by the requirement for public order policing in urban centres late on Friday, Saturday and Sunday nights. Is that something that the public just has to accept as a fact of life, or is there more that we can do to deal with that serious issue?

Malcolm Dickson: In considering that issue we must also look at the enforcement of the Licensing (Scotland) Act 2005, to which ACPOS referred. I am all in favour of the greater liberalisation of licensing hours, but it comes at a price. Local authorities and their licensing boards, in particular, must accept that an infrastructure is needed to deal with a town or city centre becoming a venue. It is not sufficient just to rely on the police to sweep up the mess afterwards. It is a fact that the young people who take over city centres at night are drawing more and more officers into policing that night-time economy in the urban centres of a small part of Scotland, and that has an effect for the rest of the week, because there will be fewer officers available at other times.

Hot spots have already been referred to. On any graph of hot spots of demand for police forces in Scotland, the biggest peaks will be on Friday and Saturday nights in town and city centres. If that is what you want police to do most of, that is fine, but if you also want them to be out where they are visible to the vast majority of the rest of the resident and working population of Scotland, you will need to think about that.

Margaret Smith: Do you have a solution to that? I am giving you an easy question to finish with. Do you think that part of the solution is to make better use of individuals from the council or from other partnership organisations to assist the police? A greater role for ambulance workers was mentioned, for example. How do we tackle the issue?

Malcolm Dickson: It will involve a combination of factors. Some cities are using transport marshals, for example. The whole public service infrastructure, especially public transport, needs to adjust to that night-time economy, to get people out of the places where friction and confrontation arise. We need better medical services and social services at night; it is not just about policing. We also need better lighting and better closed-circuit television, so that people feel safe and secure. There could also be a role for the licensed trade, because most of that night-time activity is attracted by and makes profit for the licensed trade.

The Convener: Thank you, gentlemen, for your attendance. I am sorry that we have kept you so long, but it was important to have all the agencies represented at one evidence session.

13:31

Meeting continued in private until 13:33.

Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice at the Document Supply Centre.

No proofs of the *Official Report* can be supplied. Members who want to suggest corrections for the archive edition should mark them clearly in the daily edition, and send it to the Official Report, Scottish Parliament, Edinburgh EH99 1SP. Suggested corrections in any other form cannot be accepted.

The deadline for corrections to this edition is:

Tuesday 13 November 2007

PRICES AND SUBSCRIPTION RATES

OFFICIAL REPORT daily editions

Single copies: £5.00
Meetings of the Parliament annual subscriptions: £350.00

The archive edition of the *Official Report* of meetings of the Parliament, written answers and public meetings of committees will be published on CD-ROM.

WRITTEN ANSWERS TO PARLIAMENTARY QUESTIONS weekly compilation

Single copies: £3.75
Annual subscriptions: £150.00

Standing orders will be accepted at Document Supply.

Published in Edinburgh by RR Donnelley and available from:

Blackwell's Bookshop

53 South Bridge
Edinburgh EH1 1YS
0131 622 8222

Blackwell's Bookshops:
243-244 High Holborn
London WC1 7DZ
Tel 020 7831 9501

All trade orders for Scottish Parliament documents should be placed through Blackwell's Edinburgh.

Blackwell's Scottish Parliament Documentation Helpline may be able to assist with additional information on publications of or about the Scottish Parliament, their availability and cost:

Telephone orders and inquiries
0131 622 8283 or
0131 622 8258

Fax orders
0131 557 8149

E-mail orders
business.edinburgh@blackwell.co.uk

Subscriptions & Standing Orders
business.edinburgh@blackwell.co.uk

Scottish Parliament

RNID Typetalk calls welcome on
18001 0131 348 5000
Textphone 0845 270 0152

sp.info@scottish.parliament.uk

All documents are available on the Scottish Parliament website at:

www.scottish.parliament.uk

Accredited Agents
(see Yellow Pages)

and through good booksellers

Printed in Scotland by RR Donnelley