

# **JUSTICE COMMITTEE**

Tuesday 20 November 2007

Session 3

£5.00

© Parliamentary copyright. Scottish Parliamentary Corporate Body 2007.

Applications for reproduction should be made in writing to the Licensing Division,  
Her Majesty's Stationery Office, St Clements House, 2-16 Colegate, Norwich NR3 1BQ  
Fax 01603 723000, which is administering the copyright on behalf of the Scottish Parliamentary Corporate  
Body.

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

---

# CONTENTS

**Tuesday 20 November 2007**

**Col.**

<b>DECISION ON TAKING BUSINESS IN PRIVATE.....</b>	<b>325</b>
<b>SUBORDINATE LEGISLATION.....</b>	<b>326</b>
Criminal Proceedings etc (Reform) (Scotland) Act 2007 (Incidental, Supplemental and Consequential Provisions) Order 2007 (Draft) .....	326
<b>BUDGET PROCESS 2008-09.....</b>	<b>327</b>

---

## **JUSTICE COMMITTEE** **10<sup>th</sup> Meeting 2007, Session 3**

### **CONVENER**

\*Bill Aitken (Glasgow) (Con)

### **DEPUTY CONVENER**

\*Bill Butler (Glasgow Anniesland) (Lab)

### **COMMITTEE MEMBERS**

Cathie Craigie (Cumbernauld and Kilsyth) (Lab)

\*Nigel Don (North East Scotland) (SNP)

\*Paul Martin (Glasgow Springburn) (Lab)

\*Stuart McMillan (West of Scotland) (SNP)

\*Margaret Smith (Edinburgh West) (LD)

\*John Wilson (Central Scotland) (SNP)

### **COMMITTEE SUBSTITUTES**

Aileen Campbell (South of Scotland) (SNP)

Marlyn Glen (North East Scotland) (Lab)

John Lamont (Roxburgh and Berwickshire) (Con)

Mike Pringle (Edinburgh South) (LD)

\*attended

### **THE FOLLOWING ALSO ATTENDED:**

Kenny MacAskill (Cabinet Secretary for Justice)

### **THE FOLLOWING GAVE EVIDENCE:**

Doug Cross (Association of Chief Police Officers in Scotland)

Chief Superintendent Iain Gordon (Association of Scottish Police Superintendents)

Chief Superintendent Clive Murray (Association of Scottish Police Superintendents)

Chief Constable David Strang (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 20 November 2007*

[THE CONVENER *opened the meeting at 10:15*]

### Decision on Taking Business in Private

**The Convener (Bill Aitken):** Good morning. We have apologies from Cathie Craigie, who is attending a funeral.

Item 1 on our agenda is to decide whether to take business in private. In line with previous practice, members are asked to agree to consider in private the main themes arising from today's and future evidence sessions on the draft budget. Do members agree so to do?

**Members** *indicated agreement.*

## Subordinate Legislation

### Criminal Proceedings etc (Reform) (Scotland) Act 2007 (Incidental, Supplemental and Consequential Provisions) Order 2007 (Draft)

10:16

**The Convener:** Item 2 is consideration of a piece of subordinate legislation. Kenny MacAskill, the Cabinet Secretary for Justice, will speak to the draft order. He is accompanied by Gerry Bonnar, from the Scottish Government's criminal procedures division, and Stephen Crilly, from the Scottish Government's legal and parliamentary service. I do not think that we will detain you long this morning, Mr MacAskill. I invite you to speak to the draft order and move motion S3M-782.

**The Cabinet Secretary for Justice (Kenny MacAskill):** The order is being made under section 82 of the Criminal Proceedings etc (Reform) (Scotland) Act 2007. Section 82 allows the Scottish ministers to make such incidental, supplemental, consequential, transitional, transitory or saving provision that is necessary or expedient in connection with the act. The order amends the act in relation to three matters: the presumption of proof in prosecutions for failure to appear while on bail in solemn proceedings; the prescribed timescales for agreeing uncontroversial evidence in summary proceedings; and the requirement for justices of the peace to retake oaths.

The amendments are supplemental, incidental and consequential to the provisions and policy aims of the 2007 act. Many of its provisions will come into force on 10 December and the amendments are necessary to ensure the effective operation of the provisions and to give effect to the original policy intentions.

With the 2007 act's core objectives of approving the efficiency and effectiveness of the summary justice system in mind, the amendments are intended to remove unnecessary inconvenience and expense and to facilitate the successful transition to the new system. Each of the amendments that the order makes is clearly within the scope and intention of the 2007 act and is intended to secure the original policy aims and the effective operation of the act's provisions.

I move,

That the Justice Committee recommends that the draft Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (Incidental, Supplemental and Consequential Provisions) Order 2007 be approved.

*Motion agreed to.*

10:18

*Meeting suspended.*

10:19

*On resuming—*

## Budget Process 2008-09

**The Convener:** I welcome Chief Superintendent Clive Murray and Chief Superintendent Iain Gordon, who are, respectively, the national president and the vice-president of the Association of Scottish Police Superintendents.

Gentlemen, we have received your submission, which is helpful. I have to say that it would have been even more welcome if we had received it a bit earlier. It is quite important that people who are appearing before the committee and are asked to provide evidence to the committee provide that evidence timeously.

We now move to questions.

**Bill Butler (Glasgow Anniesland) (Lab):** Good morning, gentlemen. Can you tell the committee, for the record, whether you are pleased, in general terms, with the funds that have been made available for policing in the 2007 spending review? What is your take on that?

**Chief Superintendent Clive Murray (Association of Scottish Police Superintendents):** Our main concern is with the 2 per cent cashable efficiency saving and stems from the question whether there is a clear understanding of the impact that such a saving will have. If demand on the service continues to increase and pensions provision, which is an essential item of police expenditure, cannot be contained, a 2 per cent efficiency saving might start to cut into police numbers, including operational police officer numbers.

**Bill Butler:** Do you view the 2 per cent efficiency saving as being 2 per cent in real terms? Are you saying that greater efficiency savings will be required if, for example, pensions start to eat into the available money and affect police numbers? Can such savings be made?

**Chief Superintendent Murray:** The evidence from the work that has been done over the past three years is that the police have made non-cashable and cashable efficiency savings over the period. That has been a challenge, but the service has now been asked to bite further into its resources to make a 2 per cent cashable efficiency saving, which is a 0.5 percentage point up on what the saving has been previously.

**Bill Butler:** Can the service bite further into its management, overtime and procurement resources, for example?

**Chief Superintendent Murray:** No. We have said before that the equation is fairly complex. We are aware of the demand that exists, but if as we

go into the 2008-09 financial year there are increased demands on the service as a result of additional police activity that is brought about by events, legislation or changing procedures, those increased demands will have an impact on the service's operational core. In such circumstances, the service invariably reacts by drawing from its operational core to meet the needs that result from the additional burdens that it has been asked to take on.

**Bill Butler:** You said that pensions provision and the effect of savings on police numbers represent your main possible challenges. Does pay also play a part?

**Chief Superintendent Murray:** Yes. As you know, it all comes from the same budget. Perhaps outgoings for pensions provision are at the top end, but there will be other outgoings. Unfortunately, at this stage, we do not know the settlement for the previous periods over which our pay arrangements run, and that will obviously have an impact if it is more than has been budgeted for. We think that there will be pressure if the pay settlement and the pension arrangements are more than has been budgeted for. A squeeze from both sides would affect the service's operational core. Colleagues who run divisions throughout Scotland have experienced the effects of such pressures on budgets. People endeavour to control budgets throughout the financial year, but we can end up with gapping. For example, when officers retire, there can be delays in recruitment to save money within the financial year, the obvious impact of which will be fewer officers on the streets.

**Bill Butler:** Chief Superintendent Gordon, do you concur with your colleague?

**Chief Superintendent Iain Gordon (Association of Scottish Police Superintendents):** Yes. Mr Murray is right. We must sustain the number of officers on the streets—that is our main concern. We know what the demands are and what the public are looking for, and we must try to adjust our budgets to ensure that we meet those demands. More and more pressure is certainly being put on divisional commanders to consider their budgets; at the same time, there is demand for high-visibility policing on the streets.

**Nigel Don (North East Scotland) (SNP):** Can you elaborate on what you do at the end of the year? I know, from the years when I used to run factories, what sort of things can be done to reduce costs at the end of the year. For example, repairs can be put off until the next financial year. Apart from simply not replacing staff in a hurry to make up a perceived gap, what else can you do towards the end of the financial year to try to balance your budget?

**Chief Superintendent Murray:** We try to plan a bit more than that. There are examples of efficiency savings over the period, such as changing to liquid petroleum gas vehicles and trying to do things more efficiently. However, given that the bulk of the money goes on staffing, pulling back on overtime is invariably something that we can do. Overtime is one of the main expenses in addition to core staffing costs—that is, salaries.

**John Wilson (Central Scotland) (SNP):** Can you expand on that? What impact would there be on service delivery if you were to cut back on overtime?

**Chief Superintendent Gordon:** A commander faces incredible demand in their area, particularly at night, to deal with licensed premises and so on, which requires policing in the streets. Unfortunately, that policing cannot usually be done by using the core shifts, so the commander needs to consider bringing in officers on overtime to ensure that a visible presence is maintained in the streets. There would be an effect if the overtime budget were cut or if the commander had no money available for overtime to cover that policing.

**John Wilson:** I take it from that answer that you rely on overtime to police city centres because you have not built those working periods into your officers' shift patterns. You use overtime to supplement their normal working time.

**Chief Superintendent Gordon:** I would not say that we have not built those periods into our shift patterns. We try to plan as much as we can, but sometimes there is a real need to bring in officers on overtime. For example, major events, such as protests at Faslane, have to be policed, and we cannot do that simply by using officers who are on core shifts. We need to bring in officers on overtime from other divisions across the Strathclyde area to ensure that we maintain a police presence in the streets.

**Chief Superintendent Murray:** A police shift pattern that delivered all requirements would be the holy grail. There is a variety of shift patterns across the country, and some work better in some areas than others. Most forces have now moved to variable shift patterns, and those shift patterns tend to ensure that demand is met by capacity. When that can be achieved, that is fine, and we try to achieve it most of the time, but there are other times, as my colleague said, when the demand—whether it is a result of the late-night economy across Scotland, or of other events—outstrips the available capacity. At those times, the only way of meeting the demand is by using officers on overtime.

**John Wilson:** I am aware that the police service has been using intelligence-led policing, and I

accept that special events such as the Faslane demonstrations may create a need to draw on additional police resources, necessitating overtime or other payments. However, I would like to tease out the issue of policing the late-night economy. If there is a move towards intelligence-led policing—which has been introduced in certain forces in Scotland—there must be a realisation that police officers are most needed at those times. That need should be built into the normal shift pattern, rather than having to rely on overtime payments for police cover in city centres.

10:30

**Chief Superintendent Murray:** That would happen if we had sufficient resources at the outset to apply to that activity. Your question rests on the assumption that police resource levels—from an operational perspective—across divisions in Scotland are as they should be, and we contend that that is not the case.

**Stuart McMillan (West of Scotland) (SNP):** Is it possible for you to send the committee some information on overtime payments over the past two or three years—broken down by police force and by division?

**The Convener:** That question would be better put to the Association of Chief Police Officers in Scotland. Is it possible for you to provide that information, Mr Murray?

**Chief Superintendent Murray:** Yes, but it would perhaps be better coming from ACPOS. Information is available—indeed, I read a document last month that provided a benchmark for the amount that forces spent on overtime payments over a certain period. If you want us to supply the information, we will endeavour to do so, but our ACPOS colleagues, who are following us in giving evidence, might have the information to hand.

**The Convener:** I can see your colleagues listening avidly as we speak, so perhaps we should get it from them.

**Paul Martin (Glasgow Springburn) (Lab):** Good morning, gentlemen. In your written evidence, you suggest that the implementation of the Licensing (Scotland) Act 2005 will cost approximately £4 million. How did you arrive at that figure?

**Chief Superintendent Murray:** The detail has been provided—our ACPOS colleagues undertook a detailed piece of research, and costed exactly where the additional burden will fall on the service. The bottom-line figure for the additional burden is £4 million—the equivalent of 130 police officers—and because the pot of money to provide policing has not grown, it has to be absorbed in some way.

I am certain that one of my ACPOS colleagues is the master of the detail on that. I have seen a document that sets out exactly how that figure is arrived at, but unfortunately I do not have it with me.

**Paul Martin:** We look forward to receiving that information, but can you give some operational examples? For example, which areas of the work involved in implementing the requirements of the 2005 act will be carried out by police officers? Surely a great deal of that work could be carried out by civilians rather than front-line police officers?

**Chief Superintendent Murray:** That is exactly so, and I am sure, from memory, that the document that I mentioned states that about 20 administrative officers will be required. However, I emphasise again that there has to be some finance to support the presence of those 20 administrative officers within the service, and the cost has been calculated at £4 million. We are going to use administrative officers because that is more cost effective, but the impact across the police budget is £4 million, which might ordinarily have been applied to operational police officers.

**Paul Martin:** The purpose of a lot of the work that was done to modernise the licensing regime in the 2005 act was to prevent additional work. For example, there is no annual requirement for a licensee to apply for a license, as perpetual licenses are in place, and the antisocial behaviour reports that are now required might prevent some people from obtaining a license. Surely the investment in modernising the licensing legislation should give some assurance to police officers that, over the long term, their resources might be not required to the same level as they were before?

**Chief Superintendent Murray:** The key phrase that you used is "long term". Some efficiency might only be realised further down the road. The service will be faced with a significant additional burden in February 2008, as applications come in for processing under the new legislation. We estimate, following detailed calculations, that that will cost in the region of £4 million.

**Paul Martin:** Are you satisfied that, when the new licensing legislation is implemented, there will be people who will not receive a licence but who could have received one previously?

**Chief Superintendent Murray:** The document that I mentioned, which you are obviously keen to see, goes into the detail. It compares the amount of process that is involved in dealing with applications under existing legislation with the amount that will be involved in dealing with applications under the new legislation. A significant amount of additional time will be required to process applications under the new legislation.

**Paul Martin:** There was publicity this morning about concerns that front-line police officers could be required to carry out the work. I appreciate that your ACPOS colleagues will provide more detailed information, but is it the case that, operationally, the specific tasks that are involved need not be carried out by front-line police officers?

**Chief Superintendent Murray:** I do not think that the tasks need to be carried out by front-line police officers. The burden falls on divisional commanders throughout Scotland, who will have to find somebody to do the work. The decision about whether the individuals who undertake the tasks are administrative assistants or police officers will be made at local or force level. In my force, we are considering whether to employ civilian licensing inquiry officers to carry out the role. However, I point out again that we estimate that the cost of employing administrative assistants to do that throughout Scotland will be £4 million, which is the cost of 130 police officers.

**Margaret Smith (Edinburgh West) (LD):** I will pick up on the general thrust of your point. The Licensing (Scotland) Act 2005 is a specific piece of legislation, but your written evidence states:

"The impact of new legislation and procedural change is rarely if ever assessed in terms of its impact on operational resourcing".

Can you give examples of that and say whose fault it is? I have sat on justice committees over the years, and I sat on the Local Government and Transport Committee when it considered the Licensing (Scotland) Bill. With every piece of proposed legislation, the relevant committee gets an assessment of the financial impact and takes evidence from witnesses such as you. Why, then, are we still in a situation in which you can make that assertion in your written evidence? Do you have examples to show that the present system is not working?

**Chief Superintendent Murray:** On your question about who is responsible, the answer is probably the police service, because we are not particularly good at saying what the impact will be on operational officers, although the work that has been done on the Licensing (Scotland) Act 2005 is one exception.

As I hope I made clear in the information with which we provided the committee, we are dealing with a fairly complex equation. As efficiency measures free up resources and additional demand comes in, the service's operational core is invariably the pool that is dipped into to find resources to undertake additional activity. If we had a clear understanding of everyone's expectations—those of politicians and the public alike—of what the operational core is and should be, we might be able to identify the impact of additional demand more readily and precisely.



However, in my experience—I am sure that Iain Gordon will agree—the police service, in contrast to other agencies with which I have worked, tends to absorb additional work without saying, “Hold on—we have reached the stage at which this will impact significantly on operational resources.” That has happened because of a can-do culture in the police service—we say, “Give us a problem and we will resolve it.” That has been the case with the additional burden that has fallen on the service in the past five or 10 years.

However, we have now reached the stage of saying that we cannot continue to put such additional burdens on the police service without a clear understanding of the impact, particularly on the operational core—the officers who provide the visible policing service in the community. As we put additional demand on the service, that visible policing presence is invariably reduced. As we continue to endeavour to meet public expectations in such a context, we must be aware that additional burdens will make us unable to do so.

**Chief Superintendent Gordon:** I have no difficulty with some of the legislation that has been brought in recently. Indeed, during my almost 29 years in the service, we have made huge advances in dealing with domestic violence, family protection and the monitoring of sex offenders. However, to set up the appropriate units, we need to draw from core policing; we do not have any other resources. We train people to be specialists, and the resultant hits on shifts are a concern at a local level. Perhaps we did not articulate that properly during consultation, as my colleague has suggested, but that is the case. The impact of resourcing such units will be felt on the front line. As I said earlier, we must balance that with the public’s demands for more visible policing.

**Margaret Smith:** That interesting response gives rise to further questions. In dealing with the budget, it is difficult for us to know how many police officers will be doing particular jobs at particular times. Last week, I asked the Cabinet Secretary for Justice about his extra 1,000 officers going into communities. I asked him how many police officers we had in communities at the moment, and he could not answer me. I asked him for a definition of a community officer and, frankly, I was not happy with the response that I got.

We are asking you about what the impacts will be, but some extra jobs can probably be absorbed into the visible day-to-day work of a community police officer. In relation to licensing, for example, popping in to see licensees would probably form part of a community police officer’s beat anyway. The problem is that additional burdens can get sucked into a police officer’s workload—although they are often not truly “additional”, in the sense that they do not require an extra officer. There also

seems to be a question, at least to my mind, about who is a community police officer and who is a specialist police officer. What is the impact of any change in who deals with matters? As we try to establish what the additional burdens actually are, we do not really know what burdens are being placed on particular police officers at any given time, at least as far as I can see.

**Chief Superintendent Murray:** That is the point that we have been making for some time now. What are your expectations of the police service in the 21<sup>st</sup> century? That is a fundamental question, and we sincerely suggest to the committee that we should try to answer it. Is it community-level policing or local policing that members seek to prioritise, or is it the specialist policing that you have just mentioned? As I have said before, the service is now a mile wide and an inch thick in trying to satisfy all the new demands that have been placed on it over a considerable period.

Since the Parliament was created, additional legislation has added a significant burden. Much of that has been for the good, and much of it has been entirely positive. However, there must be an understanding of what you expect to be delivered out there in terms of visible police presence, the number of officers and the activities that they perform. Our experience is that the public want more visible policing—as we hear with extreme regularity. Politicians like you increasingly promise more visible policing, and divisional commanders like us endeavour to meet those expectations, but it is increasingly difficult for us to do so, given the budget pressures and extra burdens on the service. Therefore, clarity on fundamental policing priorities would be welcome. The issue is extremely complex, because the service is a mile wide.

10:45

**Margaret Smith:** Clarity would help us all. Can the witnesses say how many police officers in their forces are in the community? I am not talking about a snapshot of what happens at any given time. If I were to ask you how many police officers in your complement you would classify as community police officers, would you be able to give me a number?

**Chief Superintendent Murray:** Yes.

**Chief Superintendent Gordon:** Yes.

**Margaret Smith:** What is your definition of community police officers?

**Chief Superintendent Murray:** In that context, I am talking about the officers who are available for front-line, operational, 24/7 response, but the terminology that is being used is confusing the issue. The Scottish Police Federation uses the term 24/7 and we try to do so too, for consistency.

You asked the cabinet secretary for a definition of community policing, which means different things to different people. When I gave evidence to the committee two weeks ago, I said that what the public wants—more police in the community—is not what we call community policing, which is the softer side of policing and includes school visits and liaison with community groups. Our clear understanding is that the public want officers out there who can deal at first hand with antisocial behaviour and crime. We regard such officers as the operational core.

You can ascertain exactly how many officers are out there in different parts of Scotland, because they are on the duty sheets in every police division in Scotland. You can also ascertain the abstractions of officers to take part in inquiry teams, deal with historical cases or take part in preventive policing, such as counter-terrorist activity. We tend to draw from the core in that regard—we make the point in our written submission. In the past three to five years we have increasingly been policing not just the present and the future but the past. It is right and proper that we should exploit opportunities afforded by advances in forensic science and technology to try to resolve serious cases from the past. In the 21<sup>st</sup> century, we police the past, the present and the future.

**The Convener:** It was inevitable that there would be some spill over from the committee's inquiry on the effective use of police resources into our work on the budget, but I want to focus on the figures in the budget.

As you know, the Scottish Government's equation for increasing the number of police officers in the community involves recruitment, retention and redeployment. Aspects of the 30-plus scheme might be reviewed. Do you detect any great enthusiasm among police officers for staying on beyond 30 years? Will you predict the impact of the proposals?

**Chief Superintendent Murray:** I have 32 years' service and am as enthusiastic as I was when I joined the service. I know a number of officers who are of similar mind. The point that we made to Scottish Government officials is that we do not think that the 30-plus scheme has been well publicised and marketed in the service in Scotland. I cannot predict how many officers will take the opportunity to extend their service and take advantage of the lump sum and the other elements of the scheme.

I cannot remember the figure for the take-up in England and Wales. However, we will find out the impact of the scheme only by properly marketing it as a package that is available to all officers and encouraging those who want to take advantage of it to do so.

One thing that I would say about the announcement of 150 new officers now, 500 later and the retention of officers is that I do not know any officer who is prepared to work voluntarily beyond his 30 years' service. Obviously, funding will be required to retain people in the service.

**The Convener:** You said that people would not be keen to work voluntarily. Is that because, basically, they would be working for about a third of their salary?

**Chief Superintendent Murray:** No. Because of the way in which the 30-plus scheme works, there is no detriment. Officers work for what they were paid before they retired and were re-engaged with the service. However, the way in which the funding is calculated is fairly complex, and I think that that is what puts a lot of people off. There is some misunderstanding about how the moneys that are payable to individuals are made up.

My point is that we cannot retain people on the 30-plus scheme beyond our current establishment levels without it costing the force in some way, unless they are prepared to work for nothing. We have a large number of special constables who contribute a great deal to the service, but the 30-plus scheme is different. In effect, we are looking for somebody to come back and do what they did when they were a full-time member of the service. It is just that the way in which their salary is made up is slightly different.

**The Convener:** You say that there is no detriment, but there is detriment to some extent, is there not? If an officer retired after 30 years, they would do so on a full pension and they would get a fairly substantial lump sum, which they could invest. In many cases, even at a conservative rate of 6 per cent, that would bring in £5,500 a year with no risk. They would be able to pick up a job, which might not be terribly onerous, that paid, say, £20,000 a year. Even for a constable, it is a pretty tight decision. It is not all that attractive for them to stay on, is it?

**Chief Superintendent Murray:** It is a matter of individual preference. I wish that I could remember the figure from England and Wales. I think that it is in the low hundreds, which is not great compared with the total number of officers in England and Wales. I do not think that we will have a good idea of how effective the 30-plus scheme will be until we market it properly within the service and encourage rather than discourage. A lot of people are put off by the mistake about how attractive it is financially.

You are right—after 30 years' service, a lot of people are keen to leave and do something else. However, I know a number of individuals throughout Scotland who would take advantage of the scheme. I would be surprised if we were able

to recruit 500 officers on the 30-plus scheme, but until the scheme is better marketed in Scotland, we will not get a clearer understanding of how many people want to take it up.

**Chief Superintendent Gordon:** I have processed quite a few applications. As my colleague said, we need to market the scheme better. At the end of the day, it is the individual's choice whether to stay on. The impact of the Edmund-Davies review, which took place in the late 1970s, is not quite hitting the service yet. That could come during the next couple of years, which is, hopefully, when the 30-plus scheme will kick in. However, it is up to individual forces and chief constables to decide whether an individual is suitable for the 30-plus scheme; managers might have issues that would mean that they would consider certain individuals to be unsuitable to stay on in the scheme.

**The Convener:** Thank you. To change the emphasis slightly, I want to ask about the 2 per cent cashable efficiency savings. You are clearly not content that that can be achieved. Do you really think that the police service is down to the bone?

**Chief Superintendent Murray:** Our written submission indicates other areas, such as collaboration, where we can work better and smarter. There are still opportunities for forces to combine better and to do things once as opposed to eight times. That would throw up some efficiency in process and support services. The last time we were here we mentioned the Scottish Police Services Authority, which we support. It has not yet, however, had the opportunity to deliver. We would become concerned if the SPSA did not do more for less. If the SPSA did less for more, the idea of it would be perverse and we would have to question why we had invested in it when the forces were more efficient in the past. However, the SPSA can provide efficiency to the police service in certain areas and, as I have said before, it will not have to do things eight times when producing policy and procedures, or making purchases or whatever; it will have a range of administrative functions. The SPSA believes that the police service can be a bit smarter by doing things once and sharing them across the eight forces.

**The Convener:** Chief Superintendent Gordon mentioned the impact of the Edmund-Davies review. Margaret Smith will pursue that.

**Margaret Smith:** We know that we are about to experience a projected bulge in the number of police officers retiring from the service—about 2,300 during the next four years. Are the forces prepared for that? Although there was earlier recruitment to offset that, should we expect police officer numbers to decline? Obviously such a

number of people retiring in such a short period will have an impact. How will that go? What will the balance be?

**Chief Superintendent Gordon:** It was anticipated this year that the number of retirements would be far greater than it was. I know that some of the forces, including my own force of Strathclyde, has been gearing up and preparing for the projected drain on resources. In many respects, the situation is unpredictable, but the forces have it on their radar and they are aware that such a drain could happen.

Of course, the issue is that we would lose a huge amount of experience. We have to recruit officers, and they have to go through the training process. However we look at it, that number of officers retiring will have an impact on the police service, and it could be difficult for senior managers to determine how they will police areas. We are certainly aware of the situation on the horizon and are not ignoring it.

11:00

**Margaret Smith:** The convener asked you about the 30-plus scheme. Can you tell us how many officers in all the Scottish forces have taken advantage of the 30-plus scheme, or similar schemes to retain officers, in the past year?

**Chief Superintendent Gordon:** I see no difficulty in getting that information to you.

**Chief Superintendent Murray:** It is not a high number.

**Margaret Smith:** Chief Superintendent Murray, you said in passing that you would be surprised if you were able to retain 500 officers on the 30-plus scheme. The Cabinet Secretary for Justice gave a figure of 500 new officers and a figure of 500 officers to be retained and redeployed—although we do not have an answer from him about how many officers will be retained and how many will be redeployed. Let us give him the benefit of the doubt and assume that he wants to retain 250 officers over and above the baseline number who would have been retained anyway. Do you think that that is doable? What do we and the Scottish Government have to do to make that achievable? What would be the timetable for introducing and marketing changes to the 30-plus scheme?

**Chief Superintendent Murray:** You are looking into the unknown. We can look to the experience in England and Wales of the 30-plus scheme. I would certainly not commit to saying that the 30-plus scheme could result in 250 officers staying on over the course of a year—I accept that you used that number as an example. We could try to reach that number by marketing the 30-plus scheme better. If you want to make the scheme more

attractive, you have to consider how the package is constructed. If there was some way to change it by including additional attractions, that could be considered.

Retaining officers is a challenge in the same way that recruiting through the bulge will be a challenge not just for the police service but throughout the public sector. I have sat through committee meetings in which members have considered how to recruit additional social workers for example. Unless you have a detailed knowledge of what the labour market is offering at any given time, you are looking into the unknown.

I am sure that you are keen to hear about our experience, which is that although police officer numbers have been stable, there is an indication that turnover is now higher. More officers are now inclined to leave the service mid-range for a variety of reasons, including personal reasons. Factors that affect that are pay settlement, conditions and workload, which you have discussed today and previously. All that impacts on how attractive a police officer's job is; the less attractive the job, the more difficult it will be to recruit 800 officers over the next two years and the same number again as we go into 2010-11.

**Margaret Smith:** You said that retention schemes would have to include additional attractions. I presume that such attractions would include enhanced salary provision, given that you would be retaining experienced officers. That would come at a cost, which, as far as I can see, the budget does not cover. Do you believe that plans to retain experienced officers are funded in the budget?

If we accept that the 30-plus scheme would have to be changed to make it more attractive, what steps would be necessary to enable your organisation and other staff organisations to agree such changes? What would the likely timetable be?

I keep asking myself about the timetable. If the 30-plus scheme is not working and must be changed, I presume that there would have to be discussions between yourselves, the Government and other staff organisations to put new arrangements in place. Such changes might be made midway through or in the later part of the parliamentary session, rather than immediately—they could not be made tomorrow. That is the timetable issue.

What are your thoughts on the timetable and on whether the budget would be able to provide the additional attractions that you suggest might be needed to retain the sorts of officers necessary?

**Chief Superintendent Murray:** We said in our submission that we understand that 500 new recruits are to be employed and that funding will

be made available for that over the course of the parliamentary session. We make the point that if officers are to be retained to increase the establishment numbers, that will also need to be funded, but we are not clear where that funding will come from.

The 30-plus scheme is currently not attractive, because we have not publicised it and encouraged officers in the service to participate in it. We have highlighted that issue to the Scottish Government. We have highlighted it directly to those involved in the additional policing capacity project and have asked that consideration be given to publicising the 30-plus scheme more within the service. That will not take too long to do. If it is clear that that is the way that we want to go—statements have been made that retention may be based around the 30-plus scheme—it is about no more than working up a suitable marketing package to circulate to officers in Scotland to assess what interest there is in the scheme. We will not know how successful we may be in turning the interest into applications and into officers joining the service on the 30-plus scheme until we try it. I do not think that the timescale is medium to long term. The project would take place in the short, medium and long term as it runs for the whole of the parliamentary session, but we could find out in the short term how attractive the 30-plus scheme is once there is a push to get officers to join up.

**Margaret Smith:** I reiterate that the Cabinet Secretary for Justice said at the committee last week that the 30-plus scheme is clearly not working and that we need a new scheme. He was not talking about remarketing the 30-plus scheme; he was talking about a new scheme. My question is based on his comments. If we have to go through the process of putting in place a new scheme, which would probably require input from all the different staff sides and everybody else involved, what would you need to do to make such a scheme effective? What would the timescale be for us to see the benefits of the new scheme reflected in increased retention, given that the status quo is not enough to deliver what you want, what we want or what the cabinet secretary has said is achievable?

**Chief Superintendent Murray:** If it is a new scheme, then the timescale is longer term. If it is a scheme to attract officers with 30 years' service to stay on beyond that, obviously it will be a 30-plus scheme of sorts, although I am unaware of the elements. If I were asked—as, clearly, I am—to give an indication of what might be in the scheme, I would include pay and how attractive the scheme is in terms of accessing the lump sum, which are pretty much the elements of the 30-plus scheme. As I have said consistently, we need to market what we have got. If we were to do that, officers would have the opportunity to understand better

what is in place and to make a decision that they are not making at the moment.

**The Convener:** Knowing police officers as I do, I would be surprised if they were not perfectly aware of that.

**Chief Superintendent Gordon:** That is the very point that I was about to make. What other scheme could we come up with that would be attractive to officers?

**Margaret Smith:** A more expensive one?

**Chief Superintendent Gordon:** Possibly.

As I said earlier, we cannot ignore the fact that the choice is an individual one. We need to bear in mind the likelihood that the officers who we are asking to stay on are in their early to mid-50s and have 30 years' service. Those officers may not see the attraction in working out on the street again, but that is where we need them.

We may be able to overcome that, but management will need to look at the roles of younger officers and replace them with more senior, experienced officers. The main issue is how to encourage officers in their early to mid-50s to stay on in the service and—potentially—to go out and work again on the streets. Nowadays, far more demands are made on officers than was the case 30 years ago.

**Paul Martin:** Would that put at risk the principle of the enhanced pension? I am thinking of the way in which it was set up. I understand that it is based on a recognition that, after 30 years' service, an officer has done a difficult job and gone through what could almost be called a turbulent period. If, because we want officers to continue to do that difficult job, we start saying, "Let's look at a 30-plus pension scheme," will that put the principle of the scheme at risk?

**Chief Superintendent Gordon:** I think not. The requirement for pension qualification has increased to 35-years' service. I may not have picked up the question correctly, but I repeat what I said earlier about officers needing to be physically fit. At the end of the day, the decision whether to retain an officer on 30-plus is one for management. In that regard, consideration is given to a number of issues, including fitness and absences. We also consider redeployment: can we deploy the officer in the right place, and are they suitable for redeployment?

**Paul Martin:** The point that I was trying to make is that, after 35 years' service, not everyone gets the same pension as a police officer. Is that why the principle was put in place? If so, is it not now being put at risk? If we are saying that officers can work more than 35 years, should those pension arrangements be continued?

**Chief Superintendent Gordon:** I am not entirely sure where you are coming from on the question. I am not sure that the principle is at risk. I do not see—

**Paul Martin:** I am only asking the question whether the principle is at risk. Why do officers get an enhanced pension after 30 years' service? Why do we ask them to leave after 30 years?

**Chief Superintendent Murray:** It is not enhanced. Officers pay for it.

**Paul Martin:** I appreciate that, but why is the scheme in place? It is not available in every workplace throughout Scotland.

**Chief Superintendent Murray:** But not every member of a workforce pays 11 per cent of their salary into their pension scheme. Officers pay for the pension scheme that they have got, albeit that it has now changed. As my colleague said, officers will now be required to work 35 years' service for half their lump sum, which is twice their salary. They will now pay 9.5 per cent of their salary over 35 years' service for their pension. The police pension scheme is not enhanced. At the moment, officers pay 11 per cent for it, and those who joined after April 2007 will pay 9.5 per cent of their salary.

**Paul Martin:** When I said "enhanced", I probably used the wrong term. Historically, the pension scheme took into account the difficult job of the police officer in 30 years of pounding the beat. My point is that those officers may not physically be able to continue in their job. The job of a police officer is not the same as for someone who sits at a desk for 30 years.

**Chief Superintendent Murray:** No, it is not.

**Paul Martin:** I only make the point that the pension that is provided takes into consideration the fact that officers have pounded the beat for 35 years. If we say that officers can do more than 35 years' service—I am not making the case for that—do we not put at risk the argument that they might not be able to do more than 35 years' service?

11:15

**Chief Superintendent Gordon:** Surely the issue is whether they are physically fit to do the job. Regardless of whether officers have done 30 or 35 years' service, if they are physically capable of walking the beat and that is how we want to deploy them, operationally, I see no problem with that. If they are keen and feel able to undertake such duties and are supported by management in doing so, I see no difficulty with that.

**Chief Superintendent Murray:** The average recruitment age in some forces is 27. If we add 35

years on to that, 35 years from now we might have 62-year-olds driving about in police vans on Friday and Saturday nights in Edinburgh and other parts of Scotland.

The convener said that he would be surprised if officers did not know the details of the 30-plus scheme. As an association, we have run two seminars to explain those details to officers and we still get inquiries about the scheme. It is complex and is not well marketed or well packaged. There is a lack of understanding, particularly around some of the scheme's financial implications, which need to be clarified before people will jump in and make an application.

**The Convener:** John Wilson will wind up on the present line of questioning.

**John Wilson:** I want to follow up on the retention of officers who would normally have reached retirement age. We seem to be assuming that those officers would be pounding the beat, but I want to turn the proposition around. If officers who had completed 30 or 35 years' service were retained, would they not be available to do some of the backroom work that is done by younger officers, thereby allowing those younger officers to go out on the beat? Mr Gordon said that the issue was whether the long-serving officers were still physically fit to pound the beat, but surely there is an argument for saying that, as officers who are experienced at doing the paperwork, they could be used to free up the time of younger officers to do the beat work.

**Chief Superintendent Gordon:** The question that I would ask is whether the officers in question were available for operational duties. I am not saying that they would automatically be put out on the front line, but officers who perform desk jobs have to be used to police other events. That comes back to the requirement to police major events. We sometimes bring out officers who might normally deal with licensing applications or desk-based processes to perform operational duties. For me, the key is whether those officers are physically fit for operational duties. It is not automatic that officers who were kept on would be sent out to walk the beat, but a number of them would be.

**The Convener:** Stuart McMillan will ask the final question.

**Stuart McMillan:** You will be aware of the paper that Professor Midwinter produced on behalf of the Scottish Police Federation, in which he mentioned that expenditure on policing in Scotland was the lowest in the UK. You will have had a good look at the paper. What do you consider to be its main points, apart from the one that I have mentioned?

**Chief Superintendent Murray:** I read the paper when it first came out, but I did not read it again for

today's meeting because I knew that you would be taking evidence from the SPF, which commissioned Professor Midwinter's work. I am sorry, but I am not in a position to provide any detailed comment on the paper.

**The Convener:** I take it that Chief Superintendent Gordon is in a similar position.

**Chief Superintendent Gordon:** I am afraid that I am.

**John Wilson:** In his report, Professor Midwinter tried to compare the funding for police services in Scotland with that for services in England and Wales. To what extent—if at all—has the budget been skewed by the inclusion of the Metropolitan Police's budget in the calculation for police funding in England and Wales?

**Chief Superintendent Murray:** Without wishing to avoid the question, I think that the best person to answer that is sitting behind me and I defer to his expert knowledge of that level of strategic funding. We are very much acquainted with what is available to divisional commanders throughout Scotland day by day and have tried to articulate the pressures that we face. However, issues such as the Metropolitan Police, precepts and so on fall within the knowledge of my colleague sitting behind me.

**Stuart McMillan:** I believe that, in response to John Wilson's question about overtime and officers working weekends and evenings, you said that there seemed to be an assumption at the moment that there are not enough police officers. Will you clarify that point? In your view, are there or are there not enough officers in the Scottish police force?

**Chief Superintendent Murray:** There are not enough. The question seemed to assume that through intelligence-led policing we could confidently apply capacity to demand. However, experience invariably demonstrates that demand outstrips capacity most times of the day, seven days a week, 365 days a year.

**The Convener:** I thank the witnesses for their attendance and remind them of the two matters that remain outstanding: the number of officers who have been retained under the 30-plus scheme—it would be useful if we could have figures for the past three years, if they are available—and the amount of overtime worked by officers over the past three years.

I thank Mr Murray for appearing before the committee a second time. I am also pleased to see Mr Gordon again and to find that, since our last meeting in our previous existences, he has lost none of his sharpness.

11:22

*Meeting suspended.*

11:23

*On resuming—*

**The Convener:** I welcome for the first time Chief Constable David Strang, who is the chair of the criminal justice business area in the Association of Chief Police Officers in Scotland, and—for the second time in three weeks—Doug Cross, who is the chair of ACPOS's financial management business area.

We will proceed straight to questions.

**Bill Butler:** I will begin by asking you the same question that I asked the ASPs. Are you in general pleased or satisfied with the funds that have been made available for policing in the spending review? If not, why not?

**Doug Cross (Association of Chief Police Officers in Scotland):** It is a bit early to give a definitive answer to that question. We have been able to glean from the settlement that £54 million will be made available for some extra police officers and for other initiatives that will be undertaken over this Parliament's lifetime. We are also aware that there will be a requirement to make 2 per cent efficiency savings. Other than that, we have not been able to get the full detail of the core settlement. We understand that the details will come to us later. Until we have that level of detail, we cannot give a definitive answer.

**Bill Butler:** I understand that you do not want to be definitive, but what are your initial thoughts? Are you encouraged by the budget, or are you concerned about, for example, pressures that will result from the required savings, pay, the number of additional officers and pensions?

**Doug Cross:** We certainly welcome the announcement of £54 million greater investment in the police service, which will allow us to employ more police officers. Sufficient moneys being retained in the core budget to tackle the issues that Bill Butler mentioned—such as the increase in pension costs and a pay settlement whose framework involves little local control—will be pleasing.

The efficiency savings will be a challenge for all public bodies—not only the police. There might, however, be an additional challenge for us if those savings have to be made while there is a commitment to preserve police numbers.

**Chief Constable David Strang (Association of Chief Police Officers in Scotland):** We recognise that there are will be many challenges in the next three years, which will be largely—to pick up on Mr Murray's earlier point—to do with the fact that demand for policing will always exceed what we can deliver. Public expectations of the service that we deliver through policing are high.

We also know that there will be unforeseen demands: because they are unforeseen we do not know what they will be, but whether they relate to terrorism, major crime, major disasters or severe weather, our challenge will be to manage them within our budget. We are used to such challenges and to making the best use of our limited resources, which is what drives our decision making. Of course we would welcome more, but we will make the most of what we have.

**Bill Butler:** Finite resources and prioritisation is the name of the game. Your submission refers in paragraphs 3.11 and 3.12 to your concern about the 2 per cent efficiency saving from the total police budget.

**Doug Cross:** The point is that if there is not sufficient money in the settlement to pay for pensions and pay awards—whatever they may be: we can only estimate them—and if the police pay and pension costs are excluded from the amount that is available to make efficiency savings from, first because we are looking to preserve staff numbers and secondly because they are unavoidable costs, a 2 per cent efficiency gain from the balance will in reality equate to nearer 7 per cent. That would be extremely challenging for any organisation. The fact that we will move away from a mixture of cashable and non-cashable savings to cashable savings makes the situation even more acute. Trying to squeeze that much out of current police budgets without impacting on staff numbers—police or support staff—would be extremely difficult, given the high level of staff costs in our budget.

**Bill Butler:** I have one last question. Do you agree with Chief Superintendent Gordon's earlier comment that the main concern is to sustain the number of police on the streets?

11:30

**Chief Constable Strang:** I take a much broader view of what we are trying to do; the focus on numbers is unhelpful. We are committed to delivering a policing service. We may do that using technology. For example, there has been a big investment in the use of safety cameras to reduce road casualties, which has been a hugely successful initiative. It has increased safety on the roads, which is a positive outcome for policing that is totally separate from police numbers.

From my point of view, we are trying to deliver a service that meets the needs of the public, which is not just about policing. It is about a wider issue, which is to create a safer and stronger Scotland locally, through community planning. There are ways of tackling problems—alcohol abuse, antisocial behaviour, youth disorder or whatever—other than simply the police officer in a yellow

jacket. The police officer in a yellow jacket is necessary but can be too late. If we are going to have a long-term impact on such issues, we need to work with education, health services, the voluntary sector and the business community. I do not put as much importance as others do on police numbers.

**Bill Butler:** I understand what you are saying—you are taking an holistic view. I will rephrase the question a little. I can understand the logic of that holistic view, but do you agree that, as part of an holistic overview, one of your main concerns must be to sustain the number of police on the street?

**Chief Constable Strang:** The public want that visible reassurance, but they also want to know that if they call the police, the police will answer and not only attend—if we are needed—but attend quickly, be professional and deal with the incident. The emphasis of the intelligence-led approach is on targeting our resources where they are most needed. That approach is fed by records of incidents, demand calls and so on. Sometimes the solution will be a uniformed police presence; sometimes it will be other things, such as closed-circuit television. It might involve other crime prevention methods, or it might mean working with the community wardens in a local authority. The bulk of our service is delivered by uniformed police officers, but we also have people in drug squads, in the criminal investigation department and so on. We must not get too fixated on the important, but not exclusively important, work of the uniformed police officers.

**Paul Martin:** Good morning, gentlemen. Your colleagues kindly advised us that you would explain the £4 million cost of implementation of the Licensing (Scotland) Act 2005. Will you oblige?

**Doug Cross:** I have noted that my colleague offered me for that one. I cannot provide the information now, but I have the figures and can provide them to the committee. A business case has been put together that identifies where we think additional resources will have to be deployed. To pick up on an earlier point, we see it as being about a combination of support staff and police officers. There would be some police input, but it is not by any means just police officers that need to undertake those functions.

A point was raised earlier that we touched on when we gave evidence couple of weeks ago. There may well—somewhere down the line—be efficiencies in the service as a consequence of the Licensing (Scotland) Act 2005, but what we face now is an estimated cost of about £4 million over 18 months, to process all the applications. That is raised in our evidence and in the evidence from my colleague.

**Paul Martin:** I ask you to look at the matter from the committee's point of view. I cannot remember

hearing evidence from police officers in which they have not told us about additional burdens that are placed on them as a result of legal remedies—legal remedies that were in the first place advocated by police officers. During the passage of the Antisocial Behaviour etc (Scotland) Act 2004 and the Licensing (Scotland) Act 2005, all the evidence that we received made the case for the introduction of a number of legal remedies. You advise us of the challenges, and it is clear that you want those legal remedies to be introduced.

However, you do not advise us of some of the reforms that have been introduced that have released police time. It has been recognised that, because of the Bonomy report, police time spent in the High Court has been reduced significantly. The Reliance contract has released police officers from escort duties and postal citations have also freed up police time. Should we not take those three measures into consideration and compare the hours that they have released with those that have been added by modernisation of the licensing system?

**Doug Cross:** Chief Constable Strang will address the reforms in more detail, but I make it clear that we take account of some of the measures to which you referred. In our best value annual report—the fifth of its kind—we identify more than £9 million in efficiency savings. Those are time-releasing savings that allow police officers to do other things. To undertake licensing duties, we will need to recall some of those officers or to invest in new support staff.

**Chief Constable Strang:** Paul Martin is absolutely right to say that the reforms have resulted in savings and a reduction in demand—that is partly why we argued for them—but it is difficult to predict what the positive outcome of a measure will be and to cost that. For example, we support the changes to licensing—supervision of individual licences and the operating plans that licensees will have to produce—because we think that they will lead to better management of licensed premises, and especially to a reduction in drunkenness and the associated violence. However, it is difficult for us to quantify that outcome, because we cannot predict it precisely. Although we may have placed a cost on officers' and support staff's time, that is not real cash—it relates to the use of police officers and staff.

Paul Martin mentioned antisocial behaviour. The thrust of the antisocial behaviour legislation and of the strategy that each local authority is required to produce is to prevent police demand further down the road. It was not possible to predict the cost or benefit of the legislation when it was introduced.

Summary justice reform—the adult warnings and fixed-penalty notices that police now issue—is



intended to achieve a positive outcome that is much more efficient, so that officers are not required to complete prosecution reports to the fiscal for matters that could be dealt with instantly through a fine. That is a good example of an efficiency that has cost us in equipment and training but has also produced benefits. Officers can deal with fixed-penalty notices in 20 minutes, rather than in an hour and a half at the police office: that has not saved us any money, but it has freed up their time and enabled them to engage in their core function, which is what we want.

The fact that we have stopped doing one activity does not necessarily save us money, but it means that officers are free to enforce more traffic legislation and so on. It is difficult to put real pounds on the benefits that flow from efficiencies, but there are clear operational benefits.

**Paul Martin:** The paper that Mr Cross will make available to us will provide a detailed analysis of how ACPOS has arrived at the figure of £4 million for licensing duties.

**Doug Cross:** Yes.

**Paul Martin:** You can provide that analysis, but you cannot provide the element that we gain from the Bonomy report. You are unable to give us a more specific analysis of the savings that have resulted from the Bonomy report and the release of police officers from escort duties, but you can provide a more effective cost analysis of how you arrived at the figure of £4 million.

**Doug Cross:** We have included savings from the release of police officers from escort duties in our best-value report.

**Paul Martin:** Have you provided similar figures for savings from the Bonomy reforms?

**Doug Cross:** No.

**Paul Martin:** Do you propose to provide such figures?

**Chief Constable Strang:** We are not in a position to articulate cost savings that have resulted from the Bonomy reforms. Savings from the reforms have been qualitative. If fewer police officers have to give evidence at the High Court as a result of the Bonomy reforms, no money has been saved. Instead of sitting in the High Court for half a day, those police officers are out on the street or doing investigations. There is a productivity gain and better deployment from those reforms, but no financial saving.

**Paul Martin:** Is there not a saving in overtime costs because the officers do not have to attend the High Court?

**Chief Constable Strang:** They might not have to.

**Paul Martin:** So, there is a saving.

**Chief Constable Strang:** Yes, but the overtime that was being spent on that can now be spent on something different. This takes us back to the point that was made earlier about our having a fixed budget and how it is used. I agree entirely that it is wasteful for overtime costs to be incurred through an officer sitting in a court; that is something that we want to avoid. If, however, we can redeploy the overtime cost into dealing with antisocial behaviour or policing late-night licensed premises, there is clearly a benefit.

**Doug Cross:** The reason why we can articulate more of the benefits from the prisoner escort service is that money was made available to outsource that service, which freed police officers. Other initiatives have freed police officers to do other things, but we do not have that information.

**Margaret Smith:** Let us go back to your opening remarks about the need to address community safety through a more holistic approach. None of us would disagree with that, although numbers are important.

The safer communities budget provides funds for tackling antisocial behaviour, for alcohol and drug action teams and so on. It appears, from my reading of the budget, that that budget will be cut in real terms by about 4.9 per cent over the next few years. There is some moving around of drugs money between justice, health, and so on, but putting that to one side, there will still be a real-terms cut in the safer communities budget, which is for the wider issues about which you have been talking. Should the committee be concerned about that?

**Chief Constable Strang:** The challenge is for us to do things differently if the overall budget is cut. Alcohol problems and drug problems are good examples of areas in which we work with others. In Edinburgh, for example, a safer communities unit includes the co-location of local authority staff and police officers, who deal with licensing issues and antisocial behaviour. In West Lothian, we are building a combined civic centre that will house the police, the local authority, the Procurator Fiscal Service and the court together in one place. Budgetary pressures force us in to creative ways of doing things differently in order to maintain the service and to have a positive impact on community safety, notwithstanding the fact that budgets might be cut.

I return to my original comment: the more resource we have, the more we can do. If money is tight, we need to be more creative about how we deliver the same services.

**Nigel Don:** I want to return to Mr Strang's comment about overtime, in which I detect there is a significant point, if I understood correctly. Paul

Martin spoke about a police officer being in court. You observed that if the officer was paid overtime to be there, you could pay him that overtime to be somewhere else. To return to what we talked about earlier, am I right in thinking—have I got the logic right—that your budget is, effectively, constrained and completed by overtime? If so, the total number of man hours must be roughly independent of the number of men—in which, of course, I include women. In other words, although 100 officers could be paid to work normal hours, under your budget the same number of man hours—police officer hours—on the street could be worked by 90 officers doing the extra as overtime. Am I right in thinking that that is how you use your budget?

11:45

**Chief Constable Strang:** Let me explain a bit more about overtime. Overtime money can be spent on an officer who is waiting to give evidence in court or it can be made available for other initiatives that do not necessarily involve that officer.

The advantage of having overtime as part of the budget is that it provides flexibility. It allows us to deploy people for short periods of time where additional resources are needed. Overtime simply comes out of the overall policing budget. Decisions about the proportion of the budget that is spent on overtime are a matter for chief constables or, in devolved budget settings, local commanders. A balance must be struck.

We would not want to move to a position in which all of our funds were used to pay for core police officers and we had no scope for flexibility, which is what overtime brings. The police regulations require us to be able to call officers out.

**Nigel Don:** I want to keep our discussion focused on the margins, so I will use a 5 per cent figure—that is not unrealistic. Am I right in thinking that, if we wanted to have 5 per cent more police out there, we could do it either by giving you 5 per cent more police officers or by giving you 5 per cent more money, which would enable you to pay more overtime to the existing police?

**Chief Constable Strang:** You would need to be careful in relation to the proportions that you are talking about. However, in overall terms, with the resource that we are given, we can buy overtime or we can buy people, so you are right to that extent.

**Nigel Don:** What range of overtime do you regard as acceptable for a police officer? How much flexibility is reasonable?

**Chief Constable Strang:** That is a difficult question, because the answer depends on what

the officer does. Some officers do not do overtime, others do some overtime and officers on a particular squad might have a heavy overtime requirement. Furthermore, the working time regulations limit the number of hours that officers can work. I cannot give you a particular figure.

**Doug Cross:** It is also fair to say that some overtime is officer specific, because it relates to time when an officer is at court either waiting to give evidence or giving evidence. That overtime cannot really be transferred to another part of the organisation.

**John Wilson:** I want to go back to Paul Martin's point about releasing resources by outsourcing some of the work that has traditionally been done by police officers. In that regard, I am particularly interested in the Reliance contract.

This week, Professor Sheila Bird, who has reported on the matter on a couple of occasions, said that the original cost estimate of the Reliance contract might be tens of millions of pounds lower than the cost will be. Do you have any comment on that assertion? What would be the impact on the police service of its providing the service that Reliance currently provides?

**Doug Cross:** I am not aware of the detail of that report.

**The Convener:** That question might be more advantageously pursued with the Scottish Prison Service.

**John Wilson:** I raise the issue because it has been referred to in relation to cost-effective ways of releasing officers.

**The Convener:** I think that you should pursue the issue with the SPS. There has to be an answer to your question.

**John Wilson:** As we are aware, general spending on police forces is met through the local authority settlement. Although the 2007 spending review indicates that the funds that are provided to local authorities for policing are ring fenced, it does not appear to separately identify figures for that ring-fenced funding. Have you been provided with those figures in any form?

**Doug Cross:** No, we have not been provided with them, which is why we cannot provide you with some of the detail that we would like to.

**John Wilson:** I thought that that would be the case, given what was said earlier.

Could you provide us with some basic financial information on the average cost of recruiting a police constable, including the costs of advertising, recruitment, training, salary, pension, national insurance contributions and any other associated costs? Could you also provide us with the same type of information on the annual cost of a police

constable in general, including costs for uniforms, equipment and other things that have to be issued to individual constables?

**Doug Cross:** We can provide that information. It is based on a combination of factors, as you quite rightly identify. There are salary costs for the officer and also the employer's costs, which do not include pensions at the moment, because we have a pay-as-you-go system for pensions. In addition, there are costs for equipment and, depending on the number of officers who are taken in, there could also be a requirement for additional vehicles. Training is primarily undertaken at the Scottish Police College at Tulliallan, so some costs are held there. We tend to assume that a figure of around £30,000 per officer accounts for most of the pay costs and some of the equipment costs, but it does not take into account vehicles, which come from a capital allocation. That figure applies to the first few years of an officer's time, but it does not take into account the training that is provided within the force, which also uses up resources.

**The Convener:** You said £30,000.

**Doug Cross:** Yes.

**The Convener:** A figure of £35,000 was banded about earlier. Why the discrepancy?

**Doug Cross:** That figure probably took into account some of the other costs that have been mentioned, such as training costs.

**Margaret Smith:** What is the pay differential between a new recruit at age 27—we were told earlier that that is the average age of recruits—and the average police officer who is nearing retirement and is in the last five years of his or her service? What is the difference between recruiting somebody and retaining and continuing to pay somebody?

**Doug Cross:** Please excuse me if I do not give you an accurate figure, but I think that, in rough terms, the differential is in the region of £15,000.

**The Convener:** That is a useful clarification.

**Nigel Don:** The Government has indicated that it proposes to take on at least another 150 extra recruits in the current financial year. Can you talk me through the financial implications of that for existing budgets? Do we know where the resource is coming from?

**Doug Cross:** We assume that additional money will be made available. Of course, it is the middle of November now, and we do not know when those officers will actually come in, but by the time they are recruited it is bound to be towards the back end of the financial year, so I do not think that the costs will be too significant in the current financial year. We assume that any costs will be covered by additional funding.

**Nigel Don:** The revelation that the SPSA might not be exempt from VAT obviously is not helping anybody at the moment. Is that having any knock-on effects on your operational budgets, even in the current financial year?

**Doug Cross:** We do not think that it is having an impact on our operational budgets, but, if the SPSA is unable to recover VAT fully, there might be an impact on the service that we get from it, which obviously will be important if there are budget constraints.

**Chief Constable Strang:** There is also the issue of the wider justice budget and the future police budget, because the SPSA costs come out of the overall police budget. If its budget remains the same but it has to pay VAT, the service might reduce, as Mr Cross said, and if it needs additional funding in its budget, there might be less for police forces, so it would have an impact.

**Nigel Don:** If the SPSA is 17.5 per cent less well off, there certainly ought to be an impact on what you receive—otherwise, you could look to the SPSA for the efficiency savings that you are being asked for.

If we were to take on the 150 recruits now, how soon would they actually be on the streets and available to you as an operational officer?

**Chief Constable Strang:** An officer who joined this week would spend a week or two in their own force and would then go to Tulliallan for 15 weeks, so we are talking about a four-month period. They would then go back to their force, possibly do a driving course for two or three weeks, and then be deployed to the local police station. Therefore, it would be around four or five months until they worked in a police station serving the community. They would work under the tutelage of a tutor constable and would be on probation for two years, but they would do real police work during that time. They would be available, experienced, trained and fully qualified officers.

**Nigel Don:** Roughly how long would it be before they were allowed out on their own? Forgive me for asking such a dreadful question. At what point is a police officer told that they can do the work by themselves?

**Chief Constable Strang:** There is no particular limit on that. If they can do a task in their third week, they are allowed to do it. There is no particular point at which an officer is told that they can work on their own.

**The Convener:** I invite Margaret Smith to begin the committee's questioning on retention and the three-year spending review period.

**Margaret Smith:** The Government has announced that an additional £54 million will be made available over the three-year spending

review period to build police capacity and recruit 500 new police officers by 2011. Can you provide us with a breakdown of how the additional funds will be used to pay for those additional officers? Given, as you said, the sketchiness of how aspects of core police funds will develop, will £54 million be adequate to recruit that number of officers?

**Doug Cross:** As you said, we do not know the details, but we expect that the 500 officers will be recruited and phased into the policing system over a period. That would be a practical approach. I think that £54 million will be sufficient to cover the costs of an additional 500 police officers over the parliamentary session.

**Margaret Smith:** Will you give us a little more detail about the concerns that you express in paragraph 3.6 of your written submission? It mentions other funding models that are being used to enhance the number of police officers throughout the country. You express concern about whether

“elements of the current establishment”

will be sustainable. Do you want to talk about those concerns?

**Doug Cross:** They are not concerns as such. Your question takes us back to points that were made about the concentration on numbers and a point that Mr Strang made. Paragraph 3.6 says that a number of officers are currently employed due to additional money of around £4.5 million that the previous Administration made available after we brought forward a business case during the previous spending review. That money was made available to bring in officers and to accelerate recruitment in advance of the expected outflow of officers as part of the Edmund-Davies bulge. Some forces recognised that there would be problems and they have used their reserves and other resources in their overall budgets to accelerate further recruitment.

You made the point that funding for various initiatives comes to us through local authorities. In paragraph 3.6, we say that if we are concentrating on numbers and we want an additional 500 officers, considering the current figures is perhaps not the best way to proceed, as some officers are funded through mechanisms that may not continue.

12:00

**Margaret Smith:** So you will not know whether such funding will continue until there is a more detailed budget, particularly on local government aspects.

I return to the point about how the additional police officers will be made available. We are told

that 500 will be achieved through improved retention and redeployment, although, as I have said before, we do not know how many the Government expects to come from each direction—that is, from redeployment or retention. What scope is there to increase police capacity by 500 in those ways, given the amount of civilianisation that has already taken place?

**Chief Constable Strang:** Retention will not increase police numbers. If we retain someone, the funds will not be available for recruitment. To me, retention is about experience, quality of service, particular skills and expertise. Retention does not contribute to the overall numbers.

We consider efficiency, redeployment and civilianisation all the time. Earlier this morning, we mentioned the reform of summary justice and the reduction in bureaucracy with the introduction of fixed-penalty notices. Forces are introducing electronic notebooks and personal digital assistants. All those things will free up officers' time. The question is how we reallocate that time to other police functions and whether we count them as additional functions.

We welcome the commitment to an additional 500 officers, because they will enable us to meet more demand. There is a commitment that we will be broadly visible in communities, and we will seek to deliver that with the extra officers.

**Margaret Smith:** Maybe I misunderstood you, but, to paraphrase, you said that retention will not contribute to overall numbers. If you retain an experienced police officer who otherwise would have taken retirement and gone off to do his or her garden, you have held on to somebody whom you would have lost. Presumably, in real terms, that contributes to an increase in your numbers.

**Chief Constable Strang:** If she retired to do her gardening, we would recruit another officer to replace her. If she stayed, we would be unable to recruit, because we would use the money to pay her salary. Retention does not add to the absolute numbers, but it does add in terms of experience and skills.

**Margaret Smith:** As we heard earlier, it also adds a significant amount to the wage bill, because of the differential between the pay of new recruits and the pay of experienced police officers who are retained.

**Doug Cross:** We have such officers' salaries in the budget. I agree that if we used the 30-plus scheme as a way of retaining additional officers, and we therefore provided funding to retain them, that would be more expensive than recruiting new officers. However, as Mr Strang said, the other side of the coin is that we would retain a significant amount of additional experience.

**Margaret Smith:** I will try to ask my next question without being party political. First, we were promised 1,000 additional officers—we could say 1,000 additional new officers or 1,000 new recruits. We understood that. We moved to a situation in which we were told that the extra capacity would be delivered with 500 new recruits and 500 retained and redeployed officers. However, you have told us this morning that we cannot think of retention contributing to an increase in the overall number, for the reason that you have given. I do not understand. Are you saying that the cabinet secretary has made a spurious claim, because retaining 250 officers would contribute no extra officers to communities?

**Doug Cross:** Retaining 250 officers without additional funding would not add to the numbers, because we currently have those officers. However, we do not know the detail about the £54 million and whether money will be available to augment the 30-plus scheme, to make staying on more attractive for officers and to provide funding for those additional officers.

**Margaret Smith:** Okay.

**Paul Martin:** Should we adhere to the principle of the 30-plus scheme? Is it a good thing for the force to ask people who have served for 30 to 35 years to stay on? Is that good for the regeneration of the force? Should we be encouraging young recruits to progress through the force, as has happened for at least 30 years?

**Chief Constable Strang:** I echo what Mr Gordon said: the organisation can decide whether to offer someone re-employment under the 30-plus scheme. We should not misunderstand the scheme. Police officers do not have to retire after 30 years; that is when they reach their pensionable service. If a person joined the force when they were 18 and a half, they can retire when they are 48 and a half. Some police officers retire after 30 years, but others stay on for a further five or six years. It is for individual officers to choose when they want to retire, as long as their performance is satisfactory.

The 30-plus scheme tries to encourage officers who would otherwise have gone after 30 years' service to stay on. It is sensible to have that option, because we do not know what the recruitment profile will be in the next five or 10 years. If the population of working age is shrinking, as we are told it is, and there is competition for employment, we might want to be even more persuasive in asking people to stay on under the current or an amended 30-plus scheme. Currently, people are applying to the force and good-quality recruits are joining us and training at Tulliallan. I do not have concerns about our ability to recruit quality people this year or next year. However, there is no guarantee that that will be the position

for ever, so it is helpful to have a 30-plus scheme that encourages people to stay on.

**Paul Martin:** Is it a good thing for officers who want to progress through the force to see that senior officers are staying on and perhaps limiting their opportunities for progression? In parts of the health service, new recruits have not been able to progress through the system, because people at the top end are not moving to other employment. Have you assessed the situation? The 30-plus scheme might provide a quick fix to the problem of police numbers, but is it good for hungry young recruits who want to get on in the force? They might not be hungry if they think that the people at the top will stay on for another 10 years.

**Chief Constable Strang:** First, the numbers are small. Lothian and Borders Police has 15 officers on the 30-plus scheme, of whom all but two are in the ranks of constable and sergeant—so it is not about blocking access to more senior posts. Secondly, I would not make a blanket statement that keeping people on is unhelpful because it blocks opportunities; there are plenty opportunities and we should retain officers who are delivering a good service to the public if they are willing to stay on. An officer who was not making a positive contribution would not be offered contract renewal under 30-plus. The scheme does not have the detrimental impact that you speculate it might have.

**Paul Martin:** When an officer—a constable, for example—reaches his 50s or 60s and is not able to carry out front-line duties out on the beat, would you accept him carrying out a more civilian role as part of his duties, or would you rather have an officer working at full capacity?

**Chief Constable Strang:** At the moment we have officers who are serving in specialist roles who do not necessarily need to be able to perform the full function. However, if a job can be done by civilian or support staff and does not need the experience or powers of a police officer, employing civilian or support staff to do it would be a more efficient use of resources.

**Paul Martin:** Do you envisage a situation in which you would support officers working as community police officers at less than full capacity? *[Interruption.]*

**Chief Constable Strang:** People working as community police officers sound like front-line police officers who would need to be fit and able to do the full range of police duties.

**The Convener:** Before I invite John Wilson to ask a question, I remind everyone to ensure that their phones are switched off. There is clearly some interference with the sound.

**John Wilson:** Thank you for letting me back in, convener. I want to follow up the question that

Paul Martin asked. Mr Strang told us the profile of the officers who are retained under the 30-plus scheme in the Lothians. Would it be possible to get the overall profile of such officers in Scotland, from constable right up? Mr Strang seemed to suggest that the scheme was skewed heavily towards constables and sergeants. Is the picture the same throughout Scotland?

**Chief Constable Strang:** I do not know the answer, but we will get those figures for you. Of course, the vast majority of our officers are at constable and sergeant rank.

The issue of blocking and freeing up posts is not restricted to the 30-plus scheme. A superintendent might choose to go after 30 years' service, but might stay on until they have 35 years' service. Some ambitious young inspectors will wish that that officer would go, but there is no mechanism for getting rid of officers. If an officer's performance is satisfactory, it is their choice when they retire.

**Margaret Smith:** I seem to remember that last week we were told that, as well as operating the 30-plus scheme, some forces have an enhanced retention scheme—I think we were told that Strathclyde Police has an enhanced scheme to try to retain officers. Are you aware of any forces in Scotland that operate such schemes? If you cannot tell us today, could you give us that information in writing? Given that we have asked about the profile of the people who are staying on under the 30-plus scheme, I would not want us not to find out about others who are being retained under a force's own scheme that has a different name. I want to ensure that we have all the information about people who are being retained in the service.

**Chief Constable Strang:** I do not have information about the Strathclyde scheme to which you refer. However, the 30-plus scheme is regulated by police regulation, so I do not think that there will be schemes that are substantially different from it.

**Stuart McMillan:** I refer to the 2 per cent efficiency savings. What scope do you see for further efficiency savings within the police?

**Doug Cross:** We will concentrate on cashable savings. The areas in which we see the potential for such savings include procurement. We already have a number of collaborative arrangements between forces outwith the SPSA arrangements. A few years ago, all forces collaborated to purchase the new airwave radios, from which we generated significant cashable savings. Last year, we moved on to the covert radios, under the same system.

We are looking at a number of opportunities in procurement collaboration. We are also working

together closely under the auspices of what we call the business change programme board to develop a national information and communications technology blueprint. With effect from 1 April, responsibility for the delivery of those services will go to the SPSA. However, we think that it is important that we continue to retain the budget for that programme, and in doing so we think that we can deliver some efficiencies.

We will be doing other things, such as continuing to manage overtime and sickness absence where we can. There is a range of other actions that we would seek to take under the heading of efficiencies.

As we say in our submission, we generated about £12 million cashable savings against a target of £6 million last year. To put that into context, 2 per cent would be roughly £22 million based on current funding. That is a significant increase, and we will certainly need to consider other areas to generate such savings.

12:15

**Stuart McMillan:** The ASPS submission highlights a few aspects. The first point is that much depends on the role of the police in the 21<sup>st</sup> century. We probably all accept that. Another aspect is duplication—things might be done eight times, under eight different procedures and policies. Another aspect is interpreting and translation services. I do not know whether you have read the submission.

**Doug Cross:** I have not read it, but I am aware of the issues. Significant advancement has been made in the past couple of years, in all the ACPOS business areas, on opportunities for further collaboration. Chief constables have a duty to deliver on best value, which they take seriously; that is evident in the publication of our report on best value—this year's is the fifth. Best value is also important to chief constables, because they have the same aspirations as most people: to ensure that we get as much funding to operational policing as possible.

All forces are looking at ways to squeeze efficiencies out of their budgets. We do that reasonably successfully locally, and in the past couple of years significant advancement has been made in taking that to a national stage in each of the business areas. For example, in estates management, which comes under the finance management business area, we are considering developing asset management systems that will provide some efficiencies. In fleet, we take advantage of preferential rates in the purchase of vehicles; we are also looking at other consumables and at more fuel-efficient vehicles.

In other aspects of finance, we are considering shared financial ledgers and payroll systems. A

range of activities takes place in pursuit of best value. That extends not just to back-office services, but to operational police areas.

**Chief Constable Strang:** Stuart McMillan has identified something that has changed significantly in the past decade or so. There has been a move from having eight disparate forces to a much greater sense of our being the Scottish police service, with more consistency, collaborative working and similar practices across Scotland. At an operational level, work has been done to examine our capacity and capability for dealing with serious crime, public order and firearms incidents so that there is consistency of service throughout Scotland.

We constantly ask whether more things could be done better together, whether that involves legal services or medical provision for people in custody. Rather than negotiating eight times with the national health service, would it be better if we organised medical provision as a single entity? We are on a journey towards more collaborative work across Scotland, and if there is a support service, we ask the question whether it should be in the SPSP. That is an active debate at the moment.

**John Wilson:** Mr Cross spoke about best value. The ASPSP submission refers to contracts; in particular, it mentions the police clothing contract, about which there is some concern. I remind everyone on the committee, as well as the witnesses, that best value does not always mean the cheapest option. Can we get assurances that, when things are being purchased centrally, we are looking at best value and not simply the cheapest contract?

**Doug Cross:** That is inherent in the arrangements that we seek to put in place. The uniform contract is continually reviewed. My understanding is that all forces are represented on that, and that any concerns that have been raised on the matter have been taken on board. That will be built into the next contract.

You are right, however. Although there is considerable drive and pressure from all quarters to achieve cash efficiencies, that cannot always be done at the expense of quality.

**Stuart McMillan:** Do you think that the 2 per cent efficiency saving will be met?

**Doug Cross:** Our intention is to do everything that we can to achieve the 2 per cent efficiency saving. At the moment, we have probably got cashable savings of over 1 per cent, or something in that region. However, we share that target of 2 per cent, and we recognise that we are no different from anyone else in that regard.

I will explain where we differ. As we say in our submission, if we are freed up from having to

supplement any part of the core budget for pay and pensions, and if we do not put the focus on the overall number of police officers, we can do everything that we can to achieve the 2 per cent saving. If, however, those layers are added to the target, it will become extremely difficult to meet. That is the point we try to make in our submission.

**The Convener:** I want to return to a point that we might have missed. You were asked about the three parts of the equation for the increase in police numbers. You dealt with two parts perfectly satisfactorily but, on the other question, how much scope is there for redeployment?

**Chief Constable Strang:** We seek all the time to provide what the community wants, which is a responsive police service that tackles problems at source and does not just deal with their consequences. There is still scope for moving officers from office duties to front-line policing. However, as the number of people who are involved in specialisms and additional responsibilities such as the management of sex offenders increases, that becomes more of a challenge.

We can be more creative in using existing officers, by matching their shift patterns to demands and needs. It might be a matter not just of having more officers for front-line duties, but of using a proportion of officers who might be working in office posts. Rather than having people doing 100 per cent the one thing, perhaps we could introduce more flexibility and thereby create more capacity for community front-line policing.

**Doug Cross:** Another opportunity for redeployment lies in Mr Strang's comments on investment in new technology. He mentioned the work on PDAs that is going on at Lothian and Borders Police, which involves the use of technology and mobile data. Other measures can be used to free up police officers' time, including the carrying out of some tasks elsewhere and further civilianisation. We will seek to use a combination of those approaches to contribute towards meeting the target.

**The Convener:** We are 30 years on from the Edmund-Davies review. Obviously, that will impact fairly severely on the number who are leaving. Is there not a danger that, in the short term, more officers will leave than can be recruited?

**Chief Constable Strang:** No. I mentioned our current recruitment pool, which is healthy. We have enough high-quality applicants coming forward to join the service. Over the next two or three years, recruitment will enable us to meet predicted retirements. The question is more one of resource than of real people.

**Paul Martin:** In connection with resourcing, are you concerned about the possible increase in

pension costs—it will probably be significant—given that it will have to be met from your central budget?

**Doug Cross:** Yes. There are two aspects to the Edmund-Davies bulge. First, the way in which the police pension is funded means that we have to make provision for all officers who are eligible to retire at the point of retiral. We need to address that financial issue. Secondly, there is the question of how many officers will retire. As we heard, even without any enhanced or new 30-plus scheme, a number of police officers choose to continue beyond 30 years' service. Various reasons are involved in their decision to stay on or leave—the options change as time goes on. We do not expect that all those officers will leave when they can leave, but the requirement to provide for pension costs is a significant financial hit on our budgets.

**Paul Martin:** Have you considered assessing that on a percentage basis? If so, do you know the percentage of officers who might take retirement? Could you hit crisis point in terms of funding those requirements?

**Doug Cross:** In terms of the computation, we have to provide for 100 per cent, whether all of them go or not. Those are the accounting rules.

**Paul Martin:** If 100 per cent of them were to say, "I want my pension", would that lead to financial crisis?

**Doug Cross:** No. In our budgets, the first thing that we have to do is to provide for those costs. Pension costs are unavoidable: they are the product of the way in which the provision is funded at present. We raised the issue because it is a high-profile one for us. We need to ensure that the funding is available. We also made the case for moving away from the current situation—which serves only to provide volatility in police budgets—to one in which pensions are taken and funded centrally.

**Paul Martin:** Is there an issue with the notice period within which officers have to give their decision to retire? I understand that the period is four weeks.

**Doug Cross:** Yes, it is four weeks. We, too, would like more notice. The current period makes manpower planning a bit difficult, given that an officer can retire four weeks after giving notice. Of course, we also have set recruitment dates for officers who are entering the service. We propose an extension of the period between the officer leaving and the replacement entering the service.

**Paul Martin:** In view of the recommendation, what length of notice should be given? I understand that it applies to all officers at all levels.

**Doug Cross:** Yes.

**Paul Martin:** The four-week notice period applies to all officers—even senior officers.

**Doug Cross:** Senior officers may have a different contract.

**Chief Constable Strang:** For chief officers, the period is three months, but for others it is four weeks.

**Paul Martin:** Do you have a recommendation on what would be an acceptable period?

**Doug Cross:** We would like the period to be extended much further. In terms of the recommendation, we need to ensure that officers are neither advantaged nor disadvantaged as a result. In most organisations, for staff at the level at which police officers operate, two months is the minimum.

**Paul Martin:** We asked the previous panel a question on the report that Professor Midwinter undertook on behalf of the Scottish Police Federation. Do you have any views on that?

**Doug Cross:** That is another area in which my colleague said that I would provide the detail. I cannot answer the question on the Met; I do not know the impact that that would have on the overall funding for England and Wales.

The report identified the different levels of expenditure on policing between Scotland and England and Wales. Part of the issue is the funding mechanisms. At the moment, we have ring-fenced funding for policing; 51 per cent of the police grant is paid directly to the police boards, while the remainder comes through the local authorities. England and Wales have a different system, whereby forces and boards can precept the local authorities, so they have much more freedom in what they charge in relation to the police. That is one of the factors that results in the differences in expenditure. I am not aware of all the intricacies of the situation, but that is one significant factor.

12:30

**Nigel Don:** We have talked quite a lot about possibilities for redeployment; you have been party to some of those discussions. Do you have any analysis of your officers' activities? I do not suggest for one moment that managing officers do not know what their staff are doing. However, in a previous existence, when I used to try to run a development department in a factory, for one week we wrote down what we did by the quarter hour—looking back in that way was quite instructive. Do we have any analysis?

**Chief Constable Strang:** Yes. We have run activity-based costings to inform the grant-aided expenditure distribution formula. However, as



Nigel Don will know from his experience, doing such work is labour intensive, so we tend to sample part of the workforce for a short period of time, to give us a flavour of what officers are doing. That information, which is then broken down into broad categories such as crime investigation, road policing and administration, is therefore available.

**Doug Cross:** It has been agreed that, from next year, all forces will undertake activity analysis exercises more regularly to inform the performance framework that we have been developing with some of our partners. Because such exercises are labour intensive, most forces are moving towards an electronically based system that goes back to the desktop. More of that type of information will therefore be available. It will still be a snapshot of the situation, but it will be taken more regularly.

**The Convener:** As we have identified, much of our discussion on additional activities is a swings-and-roundabouts argument. For example, as my colleagues who are sitting to my right have pointed out, quite correctly, there has been a reduction in police activity as a result of the Bonomy reforms to the High Court, although, in fairness, not a lot of police officers spend a lot of time in the High Court. In addition, a significant saving can be quantified in respect of the escort duties that now no longer apply.

Paragraphs 4.2 and 4.3 of the ACPOS submission point out the additional duties that have devolved upon police officers as a result of legislation that the Parliament has passed—largely by total agreement, as I recollect. I know that there is no such thing as an average or typical police division, but would it be possible to quantify how much time in a police division, say in Edinburgh or Glasgow, is devoted to, and how many officers are allocated to, the management of sex offenders, the protection of children and vulnerable witnesses and so on, as outlined in the two paragraphs that I mentioned?

**Chief Constable Strang:** Yes. It would be possible to obtain that sort of information about officers who are involved in managing those activities full time. It is difficult to cost and see the benefit of some of the other burdens, or additional responsibilities, such as the involvement of the local chief superintendent in community planning under the Local Government in Scotland Act 2003, which we fully support. However, I can provide the committee with information about the specific activities that are mentioned in paragraph 4.2.

**The Convener:** That would be useful, because we need to reconcile the argument between the reduction in police activities and additional responsibilities rather than burdens.

**Margaret Smith:** On a point of clarification, it is not as if officers were not doing any work on protecting children from sex offenders prior to the legislation. Presumably it is quite difficult to quantify the difference between what was done before and the additional burden that falls on those same officers as a result of legislative changes.

**Chief Constable Strang:** You are right; it is difficult. If we are not counting something now, we cannot come back and count it later when things have changed because it has not been recorded. The other difficulty is that changes that are happening in the criminal justice system, such as changes to sentencing policy, might all have an impact on things such as antisocial behaviour or sex offender behaviour. Not only is it difficult to capture the current costs, but it is difficult to capture the effect of those changes.

**The Convener:** We would be grateful if you could give us a paper on that. I appreciate that we have asked you for quite a lot of further information and figures. I will not narrate our requests at length; you can check the *Official Report*. If you require any clarification, please do not hesitate to contact the clerks. Thank you very much for attending. It has been a fairly lengthy session, but the committee has found it very valuable.

**Chief Constable Strang:** Thank you for your interest.

12:36

*Meeting continued in private until 12:55.*



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 27 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