



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

JUSTICE SUB-COMMITTEE ON POLICING

Thursday 28 March 2013

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JUSTICE SUB-COMMITTEE ON POLICING
2nd Meeting 2013, Session 4

CONVENER

*Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP)

COMMITTEE MEMBERS

*John Finnie (Highlands and Islands) (Ind)
*Alison McInnes (North East Scotland) (LD)
*Margaret Mitchell (Central Scotland) (Con)
*Graeme Pearson (South Scotland) (Lab)
*Kevin Stewart (Aberdeen Central) (SNP)

*attended

CLERK TO THE COMMITTEE

Joanne Clinton

LOCATION

Committee Room 6

Scottish Parliament

Justice Sub-Committee on Policing

Thursday 28 March 2013

[The Convener opened the meeting at 13:15]

Work Programme

The Convener (Christine Grahame): I welcome everyone to the second meeting in 2013 of the Justice Sub-Committee on Policing, and I ask everyone to switch off completely their mobile phones and other electronic devices, as they interfere with the broadcasting system even when they are switched to silent. There are no apologies.

Alison McInnes (North East Scotland) (LD): Convener, the Scottish Police Authority board is meeting today—the meeting started at 1 o'clock. The agenda for the meeting includes the police budget and delegation of powers. Those are quite important matters, but the agenda was not available until four hours ago. The SPA's standing orders say that agendas should be available four days before meetings.

That is not a good start. I would like the committee to raise the issue with the SPA. There are issues of governance and transparency.

The Convener: Your point is on the record. We can certainly write to the SPA to indicate our concern that that is not a good start—and there have been faltering starts before that, as well.

Alison McInnes: Thank you.

The Convener: The only item on our agenda is consideration of our approach to developing a work programme. We had an initial discussion last week and agreed to hold an evidence session with the Scottish Police Authority and the chief constable. Unfortunately, it was not possible to arrange that session for this week—in fairness, we asked at quite short notice. We therefore have time today—it says in my brief that we have “plenty of time”; I do not know who wrote that—to have a full discussion on the way forward for the sub-committee.

The paper from the clerks provides background information on the Police and Fire Reform (Scotland) Act 2012 and highlights current issues relating to police reform, with which you are probably familiar. We can have six meetings before the summer recess, so it would be useful to consider how we want to approach the meetings. There are a couple of options in the paper. For example, we could hold a series of evidence

sessions with the main police bodies, to establish particular areas of work to undertake. Alternatively, we could prioritise a couple of issues and invite relevant witnesses to give evidence on those issues.

I think that it will be best if I just go round the table asking members to give their views in turn. Of course, you are welcome to give more general views on the sub-committee's way forward and the types of work you think that it should do. Graeme Pearson, let us start with you, because you are sitting next to me.

Graeme Pearson (South Scotland) (Lab): That is kind of you. Given previous considerations, three issues seem to be important at this stage—although there are probably another 100 such issues. The first issue is the relationships between the institutions that make up Scotland's new national police service—the SPA, the police service of Scotland and the Government. The second issue, which is equally pressing, is local policing arrangements and the relationships that are created locally to ensure that there is appropriate accountability and that local voices are heard. I suppose that the third issue is how the service will deliver its national responsibilities in the short term—organised crime, counterterrorism and some of the big stuff.

Alison McInnes: I echo much of what Graeme Pearson said. I want us to consider whether the issues between the SPA and police Scotland have been properly resolved or whether the organisations have just reached a kind of sticking-plaster compromise. We should also scrutinise the new scheme of delegation, which I have not yet had time to read about, and it would be useful to look at the budget decisions that have been taken.

I certainly want us to explore how local accountability is being delivered. There seem to be many different patterns around the country. It would be interesting to ascertain whether the new arrangements can make the difference that they are intended to make, and not just in relation to community policing. My concern is about how national policing decisions are scrutinised and interacted with locally. I know that the SPA has quite clear ideas about how the local policing plan will reflect local policing priorities, but there is a cut-across from the national level, which I would like to have a look at.

Kevin Stewart (Aberdeen Central) (SNP): I share a number of the views that have been expressed. We should all be interested in the local policing scenario, which we need to scrutinise.

There are some issues that are not quite as sexy in some folk's eyes, such as custody visits. The issue of complaints has been discussed in evidence; I want to see how complaints are being

handled. There is some good practice in certain areas and some not-so-good practice in others. I want to ensure that the good practice is exported right across the new force area.

Beyond that, I do not think that we should just sit here and take evidence—we need to get out and about. I would like to see what is happening in forensic services, and I would not mind a visit to Gartcosh to see what is going on there. In addition, I have always been interested in the policing of trunk roads, on which there are often a lot of complaints in some areas.

However, the key issue—to my mind, the first thing that we should address—is the local scenario.

Margaret Mitchell (Central Scotland) (Con): It would be good to see how the 2012 act beds in and to have a mixture of evidence sessions, after which we could look at some specific issues. In other words, rather than deciding on one approach or the other, we could just see which fits best.

Given that a full business case was not carried out, there are concerns about whether the savings will be delivered. The delivery of savings was a key factor in the decision to have a single police force. Regardless of whether the savings will be realised, I would like us to look at some of the budget implications as we go along. Forensic services, which I suppose have now been put together with counterterrorism and all the rest of it, would be an interesting area to look at to see whether the change is bedding down and having the positive effect that having all those services located in one place should have.

Another issue that we should look at is day-to-day policing at a local level and accountability generally, given that there are no longer police boards. That could easily fit in with consideration of complaints, which Kevin Stewart suggested we look at, now that the new police investigations and review commissioner has investigative powers.

John Finnie (Highlands and Islands) (Ind): I do not dissent from anything that has been said, but paragraph 23 of our paper talks about the role of Her Majesty's inspector of constabulary. The final sentence says:

"HMICS is to publish a plan setting out inquiry priorities and details of how these inquiries will be carried out in a proportionate, accountable and transparent way".

I think that the chronology of how we do things should perhaps be shaped by that. We would be better informed in looking at the complaints system, which is part of the process, if we did that after HMICS has completed that work. The timing of that—

The Convener: I am afraid that there must be a typo there, because paragraph 25 says,

"HMICS published its plan for 2013-14 on 8 March", so the plan has already been published.

John Finnie: Okay.

The Convener: That is not your mistake.

John Finnie: I beg your pardon.

The Convener: That part of the paper was a bit misleading.

John Finnie: I suggest that that might inform our chronology and allow us to get more information.

The most important issue is how things are delivered on the ground, so we should scrutinise the compilation of the police plans, which has to be an evolving process, because communities' needs change. Community councils were mentioned, and the paper refers to council wards being involved in making plans. I would hate to think that there has been a mishmash and that everything has been added together, because there are distinct communities that have particular needs even within council wards. How the local plans feed into the overall process is of interest to me.

I do not think that we can avoid the issue of support staff numbers, challenging though it is. We need to address the concerns rightly aired with us by Unison about police support staff services being dispensed with and the roles being filled by police officers. We have had conflicting information on that and it would be good to know what the position is. Again, that may be a changing situation.

For me, the main issue is local policing and some of the numbers for that. Also, I would like us to look at the procedures whereby—there has been high-profile coverage of this—folk are being engaged on daily rates at considerable sums of money "without open competition".

The Convener: I would have said that that is the SPA's job. It would be our job to see whether the SPA has done it.

Graeme Pearson: That is right.

John Finnie: I think that we need to have a position on that.

The Convener: I agree, but we do not need to do the SPA's job for it. Graeme Pearson agrees with me. That is really what the SPA ought to be doing; whether it does it is another matter. We would keep an eye on both—

John Finnie: But you could argue that the SPA has brought about this situation because that is where these people work. It is the chair who has engaged them.

The Convener: You are right. I do not dispute that.

Graeme Pearson: What John Finnie has said is accurate. How the mechanism should work is that we should ask the SPA to account to us for those decisions.

The Convener: Righty-ho.

Graeme Pearson: The element that none of us has mentioned is the information technology provision across Scotland. Although substantial sums have been spent over the past decade providing IT solutions, there is still no joined-up IT solution for Scotland. I know that teams are working on various solutions, but I am not aware of any proposals to link the IT systems. Until that is done, in reality we do not have a single police force. We have a load of people who, although they may be wearing the same uniform, will not be able to communicate with one another in the way that an effective service might do.

The Convener: It is a great list—there is nothing wrong with it. Our first meeting after recess is on 18 April. I suggest that, having gone through the various things on the list, we write to the SPA and the police service of Scotland and ask them to comment on the progress that has been made on all the issues that we have raised. We should do that prior to our next meeting. How long would that give us, given that it includes the recess? It means that we will be able to focus on something. We do not want to have a scattergun effect. Having got those responses, do we want just to discuss them? We could ask the SPA and the police service of Scotland in to speak to their responses.

Kevin Stewart: All of us have talked about local policing and some of us have met the deputy chief constable in charge. Local policing is the issue of most concern. Should we address that first? We do not need a huge amount of paperwork to pose the questions that we no doubt have.

The Convener: I am not unhappy about that, although it is still useful to list the areas that we will be addressing. We could ask for a progress report from both of the bodies that I mentioned. DCC Fitzpatrick was very interesting. As local policing seems to be one of the main issues, she could be our first witness. However, we would still have the other paper before us, with the responses, and be able to pick things out of it.

Graeme Pearson: The suggestion about local policing is useful. It is the most sensitive issue at this time. All the high-level strategies are one thing, but we want some indication of what will happen after 1 April when we pick up the phone and ask for the police. That is the most sensitive priority.

I have scribbled down all the headline issues. I am slightly concerned that if we list all those things and ask the SPA and the police service of Scotland to respond to them, another authority will need to be created to answer all the questions.

The Convener: We need to narrow down the issues.

Graeme Pearson: It might be useful to send a letter that sets out all the issues that we have identified today as being of interest to us, saying that we will try to work through them in an organised fashion. We can then indicate the issues on which we would like a response in the first instance. The police service and the SPA will at least have a clue about the kind of things that we are interested in. They might come back to us and say that, because of the way in which Her Majesty's inspector of constabulary is going about his business or other things that are going on, it might be helpful to deal with certain issues at a particular time. We can make up our minds about whether that suits us.

13:30

The Convener: We can do that. That is absolutely fine. We will focus on local policing arrangements, accountability and the local police plans.

John Finnie: I am keen to ensure that the recipients of the letter understand that it is just an initial list, not an exhaustive list.

Graeme Pearson: That is right.

The Convener: I do not think that they would think that for one minute, but you have that on the record anyway. Of course, this is a public meeting, so people can look at the *Official Report*.

Our time is limited, so we must be focused. Our next meeting will be only an hour or so.

I would be interested in having a general discussion on visits. As the Justice Committee members know from our prison visits, there is sometimes nothing to beat them—you just get a feel for things. How do members feel about visits? How would we factor them into what is a crowded day and week for members? I want to leave Mondays and Fridays free for constituency business. We cannot start encroaching on that. However, if we were given dispensation not to attend chamber business, we could do a visit in an afternoon. The clerk is giving me one of those looks, but it might be possible for some of us to go on visits then.

There was a suggestion that we visit somewhere, although I cannot remember what Kevin Stewart said.

Kevin Stewart: We could visit forensic services, the Gartcosh crime campus and custody suites, or whatever.

The Convener: It would be good to get out as part of the process. Do members want the visits to be additional to the regular one-hour meeting that we will have every two weeks, at least initially to see how it flows?

Margaret Mitchell: The visits will have to be additional.

The Convener: Right—that is grand.

Margaret Mitchell: We have been given the remit for a year, in an exceptional set of circumstances. The whips should be advised of that because, if we can be relieved from speaking on some things that are not our core business, that will give us flexibility and make the issue a priority.

The Convener: Shall we set something in train right away? What do members suggest?

John Finnie: The issue of custody facilities at St Leonards police station, which is not far from here, has been cited a number of times by proponents and opponents of the change. There is a suggestion that an arrangement is possible whereby operational officers can provide cover. The alternative view from Unison is that that does not reflect an understanding of the full range of custody facilities. Given all that, I wonder whether we should visit St Leonards and invite the trade union officials to be there.

Margaret Mitchell: On Gartcosh, there might be sensitivities as the facility gets up and running. Perhaps the earlier we visit it, the more access and feel for it we will get. It might be possible to get a clearer insight at this stage. That is the only reason for prioritising Gartcosh.

The Convener: I will be guided by members.

Graeme Pearson: Can we invite a response on whether Gartcosh is fit for a visit?

The Convener: Would you then support such a visit?

Graeme Pearson: Yes—it would be worth seeing.

The Convener: What about the specialist crime division?

Graeme Pearson: A visit to a custody suite would be useful and it would give us a feel for how people at the front line see the single police force developing at this early stage.

The Convener: Can we have a couple of ideas? I do not know what the business is for the week after recess, but perhaps we could do a visit then.

Graeme Pearson: A third thing that I suggest is a visit to forensic science services. There are concerns about the new arrangements for those services, so it would be useful to get a first-hand view.

The Convener: Let me get this clear. We know the way forward on the other part—we will have the *Official Report* and we are going to highlight certain issues on which we want to focus, such as local policing and accountability. At our next meeting, we will probably have DCC Rose Fitzpatrick along. She and DCC Iain Livingstone recently gave an extremely interesting presentation, particularly on the specialist crime division. We will also try to visit Gartcosh or forensics during that week. Where are forensics located?

Graeme Pearson: They are spread throughout the country.

The Convener: So we will find a place and visit it that week, if we can fix that.

Margaret Mitchell: That would be good.

The Convener: We will do that even if not all members can make it. It will be a fact-finding visit, so we will try to get as many members as possible freed up that day to go on the visit. That is a good idea.

Graeme Pearson: Without being insensitive, I wonder whether the communication to the force about local accountability—

The Convener: You are never insensitive, Graeme. You are so subtle all the time.

Graeme Pearson: Could we indicate that we would like some information about what is on the ground practically in relation to community responses and so forth? We heard from DCC Fitzpatrick about the philosophy and vision, so we understand what the force is trying to do, but could we find out what is happening around the country and what the plan is for practical delivery so that we can get to some of the realities of the situation?

The Convener: I think that DCC Fitzpatrick will work that out if she comes before us.

We are in an odd position with the short scrutiny sessions, so it will be useful to let local government members and the Convention of Scottish Local Authorities know what we are doing. We cannot have them along to respond, but they should listen in and perhaps feed back to us. We should let COSLA and other interested parties know when we call people to give evidence. The Justice Committee can always return if any big issue arises.

Alison McInnes: I was going to suggest that we contact COSLA to invite it to submit anything in advance. That might be helpful.

The Convener: I would like to hear what is said and then hear the response. There is no harm in telling COSLA what we are doing and it might feed us some questions. We will do both. I think that that will be fair.

John Finnie: I know that this point applies to the administration for any meeting, but the maximum advance notification of papers would be very helpful given the relatively short timeframe we are working on at the moment.

The Convener: We follow the usual timetable so the papers are normally out on a Monday. We get them on a Monday and we do not sit until the Thursday. I know that that does not sound like a lot of time, but it is what we usually have. *[Interruption.]* I am getting my ear bent by the clerk—I love this system—so I can tell you that, if the papers are ready on a Friday, we will make a special effort for you. You might be a slow reader—we do not know.

John Finnie: Yes, very slow. That is widely acknowledged.

The Convener: To make it clear, the visits would be on an afternoon during chamber time. Depending on what we need, they would be an hour or a couple of hours. We do not always have to be in the chamber for every debate but, obviously, we will let the business managers know of our plans; we have a business manager sitting here. We can let the business managers know that if they do not factor in a debate on justice, local government or equal opportunities for that afternoon, that would be quite handy.

Kevin Stewart: If the visits become difficult—we do not know whether we will be allowed to miss chamber business and have the visits at the same time—it may be an idea to split into wee groups to visit places across the country.

The Convener: Yes.

Kevin Stewart: I have no problem doing that. We have a fair geographical spread around the table, but there is no reason why two or three of us could not get together and visit something in a place quite near us. Even if that is on a constituency day, if the visit is near one of our constituencies, that is not quite so bad.

The Convener: It is also helpful to go somewhere collectively and come back with the same information and experience and reflect collectively on the visit. We all pick up stuff from our constituencies as we go along, so there is nothing to stop people doing that.

I am content with the meeting; we have not done too badly. Not every meeting will be as short; I was aiming for 1.45 pm and it is 1.39 pm, which is not too bad. I will conclude the meeting unless there is anything else.

Graeme Pearson: That is time you owe us for future meetings.

The Convener: I do indeed. Thank you very much, Graeme. You always have the last word.

Meeting closed at 13:39.

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