



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

JUSTICE SUB-COMMITTEE ON POLICING

Thursday 28 November 2013

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JUSTICE SUB-COMMITTEE ON POLICING

14th 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

THE FOLLOWING ALSO PARTICIPATED:

George Graham QPM (HM Inspector of Constabulary for Scotland)

CLERK TO THE COMMITTEE

Joanne Clinton

LOCATION

Committee Room 6

Scottish Parliament

Justice Sub-Committee on Policing

Thursday 28 November 2013

[The Convener *opened the meeting at 13:15*]

Decision on Taking Business in Private

The Convener (Christine Grahame): I welcome everyone to the 14th meeting of the Justice Sub-Committee on Policing. I ask everyone to switch off their mobile phones—I have just done so—and other electronic devices completely because they interfere with the broadcasting system even when they are switched to silent.

No apologies have been received.

Item 1 is to ask the sub-committee to agree to take in private item 3, which is consideration of our work programme. Do members agree?

Members *indicated agreement.*

Police Reform

13:16

The Convener: Item 2 is evidence on police reform. I expect that members will wish to cover issues that have been raised in the Audit Scotland report “Police reform: Progress update 2013”, which was published earlier this month. As members are aware, the Public Audit Committee took evidence on that report at its meeting last week. Members might also want to cover Her Majesty’s inspector of constabulary’s thematic inspection work, which will help us with our on-going work on local policing.

I welcome to the meeting George Graham QPM—there are so many Grahams; it is just wonderful—who is Her Majesty’s inspector of constabulary for Scotland. We go straight to questions from members.

Margaret Mitchell (Central Scotland) (Con): Good afternoon. I will ask about performance reporting. Audit Scotland stated in paragraph 114 of its report that

“performance reports to the SPA board are now more selective and have less trend and comparative information”.

I think that the chief constable said that he wants to give weekly reports, but that there is on-going debate with the Government about that. Can you comment further on that?

George Graham QPM (HM Inspector of Constabulary for Scotland): Thank you, convener, for the welcome.

I could say a fair bit about performance management in the Scottish police service. The context, or a little bit of history, might be useful. On the background to reform, the previous Association of Chief Police Officers in Scotland under the eight-force structure invested in and—along with colleagues in the Scottish Government and police authorities—relied on something called the Scottish policing performance framework, which was an agreed way of measuring and monitoring policing performance across a wide range of indicators. The framework contained not only crime data but a range of qualitative and quantitative information.

As we moved into police reform and the single service, the Scottish Police Authority needed to own the whole approach to managing and overseeing policing performance, so if we want to know how the service in Scotland is doing, the place to go is the Scottish Police Authority. Of course, in all the reform processes, agreeing the performance measures and setting in place a performance measurement, monitoring and

improvement regime have taken some time, so we are not quite there yet.

HMICS, in recognising that transitional work, stepped into a gap that was developing around the February-to-April period—or a bit before that—prior to the new Police Scotland service kicking in, so it set up something called “performance on a page”, which HMICS analysts developed around the Scottish policing performance framework. That is now owned by the Scottish Police Authority. We hope that within the next few months we will see coming into being a performance framework and performance-monitoring regime that will have the approval and support of the Scottish Government, its analysts and statisticians, Police Scotland and the Scottish Police Authority so that we have a performance management framework that can report on consistent data. I hope that that makes sense to the committee.

The Audit Scotland report referred to concern about national reporting of statistics before they have been clarified, if that makes sense, or before we have confidence in them. Police Scotland gathers performance statistics across a range of areas, including crime, so it is possible to produce them daily, weekly and monthly. However, circumstances develop as more information comes to hand, so the final analysis and reporting of police performance is usually done quarterly; it is agreed by all parties that we now have consistent measurement. It is important that we do not just publish everything daily; we know that adjustments might have to be made after a few days because of a variety of complexities around police performance.

Margaret Mitchell: Are you confident that good comparative information that would shine a light on performance is not being lost in the transition?

George Graham: Interestingly, HMICS has just completed a thematic study that we do every year on performance management and performance data. We selected four key areas: robberies, sexual offences, assaults and a fourth one that has just left me for a minute, but might come back to me. Over the summer, in July and August, we analysed approximately 1,500 records in those four key areas; we will report on that in early December. I have confidence in the integrity and accuracy of the data that are being compiled, and I am confident that the things about policing performance that the Scottish Police Authority and communities across Scotland will want to see are still being recorded and measured.

It is interesting that we are still producing a substantial amount of data at local authority level. Local authority policing plans were agreed and local scrutiny and engagement arrangements were put in place, and commanders across Scotland are appearing at those local scrutiny and

engagement bodies and are producing statistical and police performance data that are based on their divisional areas. Lots of information is therefore still being shared at local level.

The issue around consistency is with national reporting, which must aggregate all that information and create a picture for Scotland. That was previously done through the Scottish policing performance framework. We need to be careful that we get that right, which the Scottish Police Authority is working on at the moment. I am confident that, at some point during the next few months—I hope before the end of March—the Scottish Police Authority will own a performance regime that can be publicly reported on to everyone's satisfaction. I am confident that the SPA is working on that, but I will keep an interest in its being developed.

Margaret Mitchell: On public reporting, and Audit Scotland's highlighting of tensions between Police Scotland, the Scottish Government and the SPA, could you comment on the Scottish Government's concerns about reporting and its position that its people are the only ones who are allowed to produce crime statistics?

George Graham: That is not a full explanation of the issues. Police Scotland is able to approach the SPA or to produce statistical data that are collated daily, weekly and monthly. The data exist, but the challenge is in the fact that once they are out in the public domain and adjustments are made, people start to lose confidence in the accuracy of those data.

Until this year, Scottish Government justice analytical services statisticians were the only people who were qualified and accredited to produce statistically ratified data. They did so quarterly under the Scottish policing performance framework. I share the Scottish Government's concern that, if unsanitised data are produced that have not been agreed by the SPA, Police Scotland, and the Scottish Government, and if those three are not working off the same sheet, we will quickly become confused about who owns the accurate crime data.

The Government raised that as an issue when Police Scotland, quite rightly, wanted to produce for the SPA loads of information that had not been through the Government's justice analytical services. Those three main parties are now discussing how they will report performance data consistently; I am reasonably confident that we will get there during the next few months. However, work is still being done on that.

Margaret Mitchell: It is probably safe to say that that will be monitored over the next few months and into the future to ensure that the

sanitisation to which you referred is balanced and that no one party is taking too much of a lead.

George Graham: Yes, I think that that is a fair point. HMICS's *raison d'être* has not changed much as a result of the Police and Fire Reform (Scotland) Act 2012; a key issue for us remains the effectiveness and efficiency of Police Scotland as well as that of the Scottish Police Authority. We are still, and will remain, interested in production of public performance data that are accurate and have integrity. That is partly why, once a year, we carry out the sampling that I mentioned. With Audit Scotland, we will continue to take a considerable interest in the accuracy of the data.

I would like to think that the Scottish Police Authority owns the requirement, and that it can monitor and audit such that it is confident and comfortable about the accuracy and integrity of data. We will carry out independent sampling every year; I am reasonably confident that we will in the next few months, working with Government colleagues and colleagues in Police Scotland and the SPA, have something tangible that is not—I hope—entirely removed from what we understood the Scottish policing performance framework to deliver.

John Finnie (Highlands and Islands) (Ind): I suspect that the general public will not be hugely interested in the area that my colleague Margaret Mitchell has just highlighted, but they will be interested in the human interaction that gives rise to such statistics.

Performance management as it applies to the general public might be about how the police deal with what might in the past have been seen as reasonably low-level issues and their ability to exercise discretion in that respect. When the matter was raised with Chief Constable House, he quite rightly told us that he has to account for a budget and explain how people are doing things. Do you share the public's increasing concern that pressure is being applied to the important power that every police officer has to exercise discretion in dealing with low-level issues? I do not mean the clearly significant issues that you mentioned and which—as everyone will understand—require that action be taken. Are you concerned about misunderstanding on the matter? Do you interact with the public about police operations?

George Graham: I am pretty sure that most communities are still quite interested in crime data at all levels—

John Finnie: Absolutely. For the avoidance of doubt, I am simply asking about the machinations behind, and the production of, the data.

The Convener: I do not think that you will want the word “machinations” to be attributed to you,

John. Perhaps we should settle on asking how we ensure that the data is full of integrity.

John Finnie: I was not suggesting that there is any lack of integrity, convener. I might need to get out my thesaurus, but I think that Mr Graham knows where I am coming from.

George Graham: Absolutely.

Mr Finnie's question is at its core about target setting and whether, as a result of it, police officers' discretion has been removed.

I will give a little context. Over the reform period—in other words, from autumn last year until now—HMICS has deliberately followed a policy of not overburdening the new service with formal thematic inspections. We thought that that was sensible, given that both the SPA and Police Scotland need time to grow and to develop their structures and approaches. That said, we have been engaged in a couple of areas; for example, in February we completed an inspection of local scrutiny and engagement and we have, with the SPA, Police Scotland and Scottish Government colleagues, carried out a load of background work on police governance.

Our six lead inspectors, who include our local lead inspectors for the territorial areas in the north-east and west, have also been out and about meeting divisional and area commanders, chatting with staff and doing a lot of work with local scrutiny and engagement bodies to get a flavour of the profile of the area in question and how it is developing. We have anecdotal evidence and information that we can tap into, but none of that has been gathered through formal inspections.

I would not say that so far I have been overwhelmed with concern about target setting or pressure being applied to officers. There is a strong grip on policing performance, but I have not seen or heard about any real issues with regard to what you have described as pressure being applied. In Scotland, we cherish and value constables having discretion in how they approach things.

13:30

I will describe where I stand at the moment. I do not have any hard evidence to support this, but you asked for impressions, and my impression is that we will visit the matter next year through our local policing theme. I can perhaps say more about this later, but we are about to consult quite widely on what our action plan for next year should look like in terms of thematic. An idea that we are getting quite strongly from a number of sources is that we should look at the local policing issue, the local-to-national issue and the discretion and

autonomy that local commanders have to tailor policing requirements to their plan.

The 2012 act specifies that local policing will remain at the heart of policing in Scotland and that the local policing plans should take cognisance of issues not only at local authority level but at ward level. For me, that indicates a fairly strong view that commanders, area commanders, officers and police support staff need to be able to exercise discretion. That is what I would expect to find next year, but we have not yet done anything formal on that.

John Finnie: That is reassuring. I am sure that people will be pleased to hear that there is that level of awareness. Do you have the wherewithal to intervene and look at a matter spontaneously if significant concerns arise in a particular area?

George Graham: The simple answer is yes; if significant concerns were raised by anybody, we could do that. That includes Steve House, as chief constable, who could raise an issue with us and ask for an independent overview. We could certainly do such work, irrespective of from where the request came, provided that we had a sense that there was risk. That is exactly what we did with the governance issue, for example; the committee and others raised governance issues and members of the SPA themselves wanted an independent examination or at least a review, so we engaged with the subject.

John Finnie: Thank you. Can I move on—

The Convener: I will just say that similar concerns have been raised with me by really decent police officers on the beat, who have said that their discretion is reducing so that they can comply with targets. Who would a constable or police officer speak to about that? They will not speak out publicly because it would not be good for their career. How on earth do they let you know discreetly what is happening? Maybe it is just one or two officers speaking to John Finnie, me and other members of the committee, but I was being told about this long before it was in the papers. How would an officer blow the whistle, or whatever?

George Graham: I guess that there are a number of responses to that. The first is that police officers are usually pretty good at speaking out; they usually find a way. On this occasion, you are suggesting that it is being done through you as elected representatives. If there are concerns—

The Convener: Yes, but the situation is disparate, because concerns are expressed to different individuals. If there was a central place for concerns, we would get a feel for whether they are just grumbling because things have changed, or whether community relations are really being

damaged because of an overaggressive attitude to hitting targets.

George Graham: You have hit the nail on the head. At what point do we hear the grumblings of officers who are now being challenged and held to account for some of their performance and at what point does that spill over into something damaging and difficult? I would like to see an independent objective approach to the matter. We are not there yet, but I want to see what the SPA is overseeing as a performance management regime and what Police Scotland is trying to achieve—what its targets are.

HMICS's role in that would be to comment on the legitimacy of targets and to say whether they are appropriate and sensible. We could have an independent view on that. I am trying to imagine an exceptionally daft target that I could throw up as an example. If we saw a particular target and we could not see a correlation between the activity and what people were trying to achieve, we would say that.

I can assure you that some cops are speaking to our local inspectors about things. The issue that you have raised is not one that we have heard particularly strongly as yet, but we have certainly heard about other things that we can address. If our inspectors in the territorial areas were picking up anxiety about the subject, my first ports of call would be Steve House, Rose Fitzpatrick and others to ask for explanations, but my understanding just now is that we have not quite settled on what the SPA wants in a performance regime. We are only seven months in, and I—

The Convener: Who would police officers complain to—if not anonymously, at least secure in the knowledge that it would not affect them in some other fashion such as, for instance, its getting back to divisional commanders along the grapevine?

George Graham: Officers could certainly talk to us, although it would depend what they were complaining about. If they felt that they were being bullied, for example, there are other routes for that.

The Convener: I am talking about operational policing.

George Graham: This is one of the wonderful challenges of a disciplined organisation, which I have been privileged to have been part of for 31 years. When I was a young traffic cop—I was only in that post for six months because I was not very good at traffic work—I was given a target to meet, which was one way of making sure that I was productive. There were no real sanctions if the target was not met, but people expected me to find disqualified drivers, stolen cars on the A74 and so on. If I were to mump and moan about that—

occasionally, as a young cop, I did—the response from some of my managers would have been to ask, “How sensible are you being? Just get on with it, George.”

We need to be clear about what people are being asked to do and whether it is legitimate and sensible. If it is, we need to take a view on that and help others to understand that. If it is not, I would have a role to play in exploring with Police Scotland—and the SPA, which is the governing body of Police Scotland—why that is the case.

The Convener: Could police officers phone your office?

George Graham: Yes, they certainly could.

The Convener: I see that Graeme Pearson has a question. It would be useful if it were on the same issue, because I feel that we are not really getting to the nub of it.

Graeme Pearson (South Scotland) (Lab): I am grateful to Mr Graham for explaining some of the background to this issue. From some of his previous appearances, I know that the chief constable will indicate that there is no policy dictating key performance indicators for officers in the street. However, like the convener, I have received letters and phone calls and have been stopped in the street by officers who are concerned about these issues. You will have heard the matters being discussed in the committee previously. Does HMICS pick up on concerns that are raised here and find the means to get behind that managerial voice in order to find out what is happening on the streets?

The Convener: You put it much better than I did. The “managerial voice”—that is what I was going for.

Graeme Pearson: I try my best, convener.

The Convener: You are always doing that.

George Graham: The simple answer is yes we can and yes we would but, so far, no we have not.

Graeme Pearson: Can we get a yes you will?

George Graham: Absolutely, yes.

Graeme Pearson: I have another supplementary question.

The Convener: I think that John Finnie wanted to come in on local policing and targets. He was sort of raising his eyebrows—that usually means that he wants to ask a question.

John Finnie: I think that staff associations have a role to play in this issue, although there is no direct involvement in operational policing—Mr Graham might want to comment on that.

There is a question of balance that applies more to landward areas than to urban areas. In non-urban areas, it is crucial that the community goes along with what is often an extremely small police presence. Placing the wrong person in a rural setting can destroy several years of good work by the previous incumbent, and, similarly, anything that seems to be arbitrarily imposed, particularly if it is done from afar—I know that Mr House was keen to point out that he is not the big man from Glasgow, but that is how he is perceived in a lot of places—can have the same effect.

I appreciate that this is challenging, but anything that you can do to act on concerns that come to you would be appreciated. However, I do not know whether you are the obvious first port of call for some of the concerns that we are talking about, Mr Graham. I think that an internal route might be the best avenue in the first instance.

George Graham: Going back to Graeme Pearson’s question, I want to be clear about something. If my lead inspectors were raising the type of concerns that you have raised with me—such as people feeling that they have been set targets inappropriately—I would want to understand what the targets were and take a view on whether they are appropriate. If we took the view that they are not appropriate, we would certainly take action to have dialogue and conversation, including with the Scottish Police Authority in respect of its role in that regard.

Coming back to John Finnie’s point about staff associations such as the Scottish Police Federation, we have not as yet picked up from divisional commanders a strong discomfort with the performance management processes that are going on. We are just into a new round of setting the performance management regime—as I mentioned earlier—and the SPA and the divisional commanders are agreeing on what their targets are for next year.

It may well be that we are not yet picking up some of the noise that the committee is hearing and some of the issues that are being raised.

The Convener: Before we move on, Alison McInnes wants to come in on the same issue.

Alison McInnes (North East Scotland) (LD): I want to follow up John Finnie’s point about how target setting and comparisons of performance between areas from week to week impacts on communities. In my community in the north-east, stop and search has increased by 47 per cent in the six months that the new organisation has been on the go. Students in Aberdeen are telling me that they are faced with a type of policing that they have never experienced before. It concerns me when urban types of policing come to rural areas in Aberdeen and Aberdeenshire, where residents

have had a very good relationship with the police. The trust between communities and the police can be damaged very quickly, and I want reassurance that the matter is high on your agenda. It is easy to do the damage, but it takes a long time to repair it.

The Convener: I will let Kevin Stewart in on the same issue. I think that the witnesses will find the same flavour coming from members pretty well round the table, particularly among those of us representing rural and small communities in which a changing culture can have a huge impact on good will towards the police.

Kevin Stewart (Aberdeen Central) (SNP): I have been asking a number of questions about stop and search—in fact, I asked one just before lunch today at general question time, and the cabinet secretary responded quite well. Communities are not bothered about certain things as long as they know why those things are being done. If they think that searches are being carried out because there is suspicion or a special operation is taking place, I do not think that they feel quite so troubled. However, there is no explanation behind some of the things that are being done, and there needs to be some communication.

I will come back to local policing later—if you will let me in, convener. On targets, I have found, from my many years on a police board and as a local councillor, that communities themselves quite often want to set a target in a certain area. I think that, if the local commander for Aberdeen was here, he would say that one of the reasons why stop and search is being used much more is that there have been a lot of complaints from the public about general behaviour in Aberdeen city centre. I am surmising; I do not know whether he would say that, but I guess that he would.

It may well be that we are seeing some changes in certain places. With regard to communicating with communities about such things, can you help to ensure that local commanders and the force in general get their message across about why they are doing certain things at certain points in time?

George Graham: I will try to address a couple of those points, and the general theme. One reason why HMICS was intent on looking at and developing the notion of local scrutiny engagement—we have been doing so, along with the fire service, and we reported on that work in February—was that the 2012 act recognised some of the concerns that Kevin Stewart and Alison McInnes have both outlined just now. Policing at its heart should be local, and it is entirely acceptable that local responses should be different.

13:45

I guess that that was the intent behind the Police and Fire Reform (Scotland) Act 2012, which said that there will be local plans for local scrutiny and engagement. Having done the initial thematic and given some thought to what good practice looks like in the world of local scrutiny and engagement, my question is whether any of the extant local scrutiny engagement bodies—there are 32 of them—are getting some of the flavour of the feedback that the committee is getting. If they are, what are they doing about it? It is in the spirit of the 2012 act that the voice of local communities should be made audible through local scrutiny and engagement work.

We intend to go back next summer to local scrutiny and engagement and to ask the very questions that the committee is posing—why do we have a different approach here from the one that we had before? Do we have a voice to say that? Is the divisional commander able to adjust the policing style to suit our community?

In some ways, we need to encourage and empower the local scrutiny and engagement bodies to get on the playing field with the idea and to start making some noise, if they want to. Some of the local scrutiny and engagement bodies that we have seen are saying positive things about their ability to influence their divisional commander, although some of the information that the committee has seen might not be saying such positive things. Next year's question and thematic will be whether that is happening, or whether we are taking a one-size-fits-all approach.

Having spoken to the chief constable, Steve House, and having heard him speak at various events, including at the committee, I know that he is as anxious as I am to make sure that local policing is at the heart of what police in Scotland do. The SPA has also expressed that repeatedly. The door is open, but we need to start hearing and teasing out some of the issues, and getting local scrutiny and engagement bodies to be much more engaged and involved in some of them.

I also have some thoughts about where the SPA needs to be on the playing field. It will be no surprise for the SPA to hear me saying that it needs to be much more visible and vocal. It needs to hear the kind of noises and feedback that the committee is hearing. Local members of the SPA are out and about. They have connections to the local scrutiny and engagement bodies, and we want to see some product from that. From what I can gather, and from what the committee is saying, that does not appear to be happening yet.

The Convener: I will let Kevin Stewart back in, because you did not answer his point about communicating the whys.

Kevin Stewart: I think that that is very important. Previously, HMIC would say that there was a lack of communication in certain areas of the inspection regime. If people are given reasons why something is happening at a particular moment in time, or why something different is happening, it can be beneficial.

What I have found, and you have heard this from some others too, is that no reasons have been given for some of the changes that have been made. There might well be a very good reason why something has changed, but it has not been communicated with us or with members of the public. That is key to all that we are discussing. Letting folk know about what is going on in their neck of the woods always helps greatly in achieving trust between people.

Are you going to be looking at communication during your inspection regime, and at how local commanders and others are talking to the folk in their area about what is going on in their area?

George Graham: I was clumsily trying to use the vehicle of local scrutiny and engagement bodies to say that that is where communication can be most effective.

Kevin Stewart: But what if the local engagement and scrutiny bodies do not get it right?

George Graham: I absolutely agree with that, and with your other point. Policing activity in a certain area can often be much more productive if the communities that are involved in it understand what it is all about. I am absolutely onside with your basic point that communication is critical.

I suppose that, in my clumsy way, I am trying to suggest that we need to invest more in the role of the local scrutiny engagement bodies, which are on the ground locally and can challenge and query the divisional commander. I suppose that they can say to the divisional commander, "If you are planning things and changing things, we need to be the first to know so that we can think about our communication strategy with our communities—the communities that you are serving." I absolutely agree with your point. It would be impossible for us to do any of our inspection work without bumping straight into the issue of communicating.

The Convener: If we are keeping to this bit, I would like to get Graeme Pearson back in before I bring in Alison McInnes, because we really usurped Graeme Pearson's questions.

Graeme Pearson: You did, but if there is a keen supplementary question, I am more than willing to give ground.

The Convener: Excellent.

Alison McInnes: I have two short points to make. First, Kevin Stewart was at pains to explain away the stop-and-search numbers by saying that there was probably a reason for them. If there was, there would be a concomitant increase in the number of positive searches, but there has not been. Secondly, we need to be clear whether we all share the same definition of local policing. I do not detect that the board and the chief constable actually understand what everyone else means by local policing. I think that there is a way to go on that. Those are my comments.

Graeme Pearson: Thank you.

I will make a comment just to finish consideration of this area, and then I will ask a supplementary to Margaret Mitchell's questions.

Mr Graham, you said that if you hear concerns out there, you will take an interest in them. What irks me slightly about that response is that we all know that the Scottish Police Federation conference raised concerns about inappropriate target setting. We have read reports in the Edinburgh press about concerns about changing cultures in policing in Edinburgh and we are receiving emails from officers informing us about the changes. I would be concerned—although that is an overused word—if HMIC was oblivious to all that is happening out there in the public domain. I will leave that aside as I do not particularly need a response to it.

My supplementary question is on Margaret Mitchell's point about the statistics and the performance framework. When we get the outcome of the performance statistics in a year's time, will we be in a position to look back at the eight forces and do a direct before-and-after comparison and know whether we are comfortable with our new arrangements?

George Graham: I will respond to your first point, because the notion of hearing concerns and understanding how the Police Service is developing is of critical importance to the credibility of HMICS. It would not be accurate of me to say—I certainly do not want to mislead you on this—that we do not hear concerns about a range of different things. The trick, of course, is judging at what point we start to explore them in any great detail or, indeed, move to a formal thematic inspection because we are not particularly happy about a certain issue and want to understand it better. I reassure you that, if concerns at any level become a cacophony and the risk looks greater than any other risk that we face, we will do something about it.

I cannot give you a definitive answer yet about direct before-and-after comparisons. I hope that we will be able to make them. For the policing service that finished under the eight-force

organisational structure on 31 March and was recently reported on—for the last time—through the Scottish policing performance framework, I hope that we will be able to make comparisons with the vast majority of that. There are some things that are fairly qualitative in nature, so it is difficult to make direct comparisons with them. It is difficult to gather data on them, but we still need to have a stab at it. I am keen to ensure that we still do that. I would hope that it will be possible to make those comparisons and I will try to influence it so that it can be so. However, I cannot direct that, because I am not in control of it. I hope that the SPA takes cognisance of the issue that you have raised and follows that line.

Graeme Pearson: I note that you are gathering information out there about the areas that you should be interested in for the year ahead. You were a senior officer in one of the constituent forces and have now been HMIC for some time, so what concerns, if any, have you identified ahead of the gathering of the information that you think might be a priority or focus in the coming year?

George Graham: I mentioned one that is pretty close to all your hearts, which is the sense of local policing. I take the point about interpretations of what is meant by local policing. However, in the Police and Fire Reform (Scotland) Act 2012, local policing was clearly defined around the divisional command structure and the 32 local authorities, and the responsiveness to that. That is an area that we will want to revisit fairly early on to try to get a sense of what a single national structure has done, what is delivered at a national level, how that impacts on local communities, and how local policing, as all of us would define it, is doing. That would be the first major thing. I expect or suspect—whatever the right word is—that others will raise that issue with us, as well, and we will develop our thinking around what it entails as we get views from other people. That could be an enormous bit of work.

There are other areas, of course. Audit Scotland gave a fairly substantial action plan. There were five or six recommendations in the Audit Scotland report, all of which we have a keen interest in. We especially have a keen interest in getting the governance of policing right and starting to see the Scottish Police Authority add value to the debate and discussion. We will therefore be keen to see how the Scottish Police Authority starts to develop its structures and starts to deliver.

The same applies to Police Scotland. It has inherited—if that is the right word—ownership of the information and communication technology. We are interested in how the whole i6 process is developing and, of course, we are intrinsically interested in the big success of police reform so

far, which is that, operationally, the Police Service of Scotland is still delivering effectively, despite considerable financial pressures. The committee knows much better than I do that those pressures will not ease, so we want to keep a keen eye on efficiency and effectiveness.

I was struck by the discussion on local policing when I was here previously, which I did not get into much. I think that that was at the time of the counter closures and all those things going on. We will have a keen interest in the whole discussion about how much money we have, what we can spend it on, what our priorities are, and who gets to say. That will be wrapped up in the local and national policing debate.

Graeme Pearson: You have talked about local policing and the change in policing culture, particularly in the north-east, which my colleagues alluded to.

The Convener: That has happened in my area, as well, although it certainly did not end in Lothian and the Borders.

Graeme Pearson: The north-east in particular was mentioned earlier. George Graham mentioned that he would expect local consultation with the public to have occurred in the process, and he mentioned the counter closures. In a similar vein, would he have expected that local communities would have been consulted on and informed of those options ahead of an announcement of a strategy that included proposals to close more than 60 counters?

George Graham: I do not think that I mentioned the changing culture; I think that members mentioned that.

Graeme Pearson: It was the response to the changing culture, then.

George Graham: My understanding is that the counter closures have been consulted on and that the consultation has just closed. Am I wrong about that? I think that that issue was well debated the last time we met.

The Convener: The chief constable did not really extend the consultation, but he allowed late submissions. Let me put on the record that the Justice Sub-Committee on Policing extended a call for views on local policing to 10 January. That includes the issue in question, so we are making our own little call for evidence as well.

George Graham: Without getting drawn into that particular issue—

Graeme Pearson: I am talking just about the process.

George Graham: Yes. I would expect that, with any significant changes or any such issues, local communities could and should be consulted on all

things that might affect them. That is where the local scrutiny and engagement bodies have a role to play. I am not completely sighted on how that consultation process went, but I would certainly expect that that would be part and parcel of it.

Graeme Pearson: Okay. I will leave that to one side, as there is still a way to go.

I want to go back to issues that caused members real concerns some months ago, one of which was the absence of a business case in relation to the way forward and the reform agenda. HMIC would have heard the discussions and reservations that members raised. Was any action initiated by the HMIC office to look at what was happening? Eighteen months ago, members of the Justice Committee asked for the business case to be produced and given to us, but that was never achieved. Was there any activity in the HMIC office to follow through on those calls to find out why we could not get access to a business case, or, indeed, to find out what else was going on behind the scenes?

14:00

George Graham: The simple answer to that question is that I do not know. I started in HMIC in March, by which time the reforms were a month away. As someone who works with the Scottish Police Authority, I share that concern about the lack of a business case. The need for an operational or delivery business case, or a corporate or financial strategy—whatever you want to call it—was well aired at the Public Audit Committee. There is an urgent need to have the various strategies, including those on workforce planning, estates, finance and ICT, integrated and supporting one another to deliver within the available finances.

Since I started in March, I have been absolutely exercised about that, while seeking to support the Scottish Police Authority, Police Scotland and Government colleagues in the delivery of a business plan—I see that as critical—that includes all those matters. However, I have no understanding or background knowledge of HMICS's role or influence up to March.

Graeme Pearson: It was not my impression—other members of the committee may see it differently—that the authority was overly exercised about the absence of a business plan, unlike members of this committee. In fact, at one stage, we were given an assurance that one was coming down the track, but the signals must have gone against it because the plan never arrived. If you had been in post as HMI at that time, would you have expected the inspectorate to take an interest in the absence of the plan and done something about that?

The Convener: That is a tricky—as in unfair—question to answer.

George Graham: Let me have a stab at it.

Graeme Pearson: Yes, please.

George Graham: What we have achieved in a very short time with police reform is remarkable—where we have got to is quite incredible. Had I been HMI at the time, I guess that I would have used whatever influence I had—I cannot direct anything; I can only inspect things and suggest what I expect to see—to get people to put as much energy as they could into designing the blueprint for policing and creating the various strategies that would support an overall corporate plan that could then be seen against the available finances.

The simple answer is that I recognise the same concerns that the committee raised. However, from dealing with the SPA from March and April when I started, my impression is that it has been exercised by the situation, which is intensely complex and difficult. It is not my job to defend the SPA, but members of the SPA and senior people in Police Scotland have been exercised by the need to understand what Audit Scotland has called a lack of baseline information. They have been trying to tease out information from a complex situation involving 10 organisations, putting that into a meaningful format so that they can make solid decisions about what the future should look like. That is not an easy task. I think that the SPA has been exercised about that and that it is trying.

Graeme Pearson: Having asked you those questions, I have no doubt in my mind that your predecessor was equally exercised. It gives an indication that, whatever influence he tried to have, he was unsuccessful. On your defence of the SPA, the authority became increasingly exercised as a result of its performance at both this committee and the Justice Committee and the searching questions that were put to it. My concern is that, given the SPA's responsibilities—you have spoken about governance, and you know how interested I am in governance and accountability—I would have thought that its first purpose in life would have been to deliver that business plan so that everybody understood the direction of travel and how to get there. I remain disappointed that we still do not have a business plan.

The Convener: I warn members that we have only another nine minutes or so left. We must deal with the next item in private, and we must stop at 2.25 pm because the chamber sits at 2.30 pm—in fact, I will be in the chamber then. I ask members to put swift questions rather than give evidence, although I am guilty of that, too.

Kevin Stewart: I want to go back to Mr Graham's use of the term "unsanitised data". Caveats can be put on data at various points. It is extremely useful for communities—particularly community councils and other community fora—to see the stats for their own area at monthly meetings, but often there are quite a lot of caveats on those stats. Above that level, the former police boards—I hope that this will be the same for the local scrutiny bodies—had quarterly reports, which we could use to analyse what was happening over a number of quarters. We could look at previous years and see trends in certain months and all the rest of it. Again, a huge number of caveats were put on those reports. I will give an example. A piece of data may say that there were 10 serious assaults in a period, but 11 serious assaults were solved, so the clear-up rate was 110 per cent. Such things used to baffle folk when they saw them for the first time. Perhaps the caveat was that one of the cases was historical—indeed, if there were more historical cases, the clear-up rate would increase.

Can we ensure that communities continue to get the service that they got previously, and that the local scrutiny bodies get all the quarterly results that the former police boards got? How can the inspectorate ensure that there is not much deviation from what went on before? The information was extremely useful for elected members and police boards, and it would be useful for scrutiny panels. It was also useful for communities, and such information might help them to influence the formulation of local policing plans at ward or division level.

The Convener: That was not a short question, but never mind. Time, as usual, presses on.

George Graham: I will try to give a short answer, if I can. I am not a statistician or steeped in statistics and I think that the use of the word "unsanitised" is probably not right, but never mind—that is the best that I could come up with.

Kevin Stewart asked whether I could ensure certain things. I do not want to give the committee a false impression of how much direct control HMICS has. We have none, really. We can influence, cajole and encourage, and certainly our role in relation to performance management will be to comment on the appropriateness or otherwise of the statistical measures that are being used. We also will make detailed commentary, following inspection, on the accuracy and integrity of the data that are being presented.

I will endeavour to do as much as I possibly can to make sure that the Scottish Police Authority takes proper cognisance of methods and of the information that local scrutiny and engagement bodies want. We will take cognisance of what the committees, the Parliament and indeed the

Government want to see from performance management regimes, and I will ask all the right questions to try to influence the SPA and Police Scotland to measure the right things and report on them accurately.

Kevin Stewart: During your inspections, will you talk to bodies such as community councils and other community groups? That has happened in recent times, particularly with the last lot of joint inspections by Audit Scotland and the inspectorate.

George Graham: Yes, absolutely. An ambition for the new approach to inspection is to be a little bit more public friendly, if that is the right phrase, and get closer to the people who receive the service. A lot of that will involve getting out to community councils and local areas and speaking to people, including at some point people who have engaged with police services, whether as victims of crime or as individuals who have been reported for offences. Our ambition is to do some of that next year.

Kevin Stewart: That is very welcome.

The Convener: I am going to roll the next two questions together. I am a bit anxious because we have to discuss our work programme as well.

John Finnie: I have a legitimate complaint about the previous system. Like Kevin Stewart, I was a member of a police board. Police board members did not have the appropriate level of security clearance to ensure proper scrutiny of functions that went on in their area. Clearly, there can be very sensitive matters, some of which involve the security services and covert surveillance, but such matters can have significant human rights implications. Can you give any reassurance, post 1 April, in that regard? Will you cover that area?

Alison McInnes: My question is still about governance. We know that the SPA has had two interim chief executives and three directors of finance. Will that uncertainty have any lasting impact? The SPA is going to appoint permanent chief officers. Will you advise the SPA board in any way on those appointments?

The Convener: Those are two succinct questions. Would it not be good to end on two succinct questions? John Finnie's question was on security clearance.

George Graham: That is easy enough to answer. I do not know, but I will find out for you. It is something that we can assist with, but I do not have the information here.

John Finnie: Thank you.

George Graham: The second question was on governance. We have not been invited to be

involved in the process. We certainly would assist if we were invited to, but we have no locus and as we have not been asked to assist, we will not be involved, as things stand just now.

On the interim appointments, I am not close enough to know the position. My intuition—if you are interested in that—is that it is always difficult for interim people if they do not have a commitment to an organisation beyond a short time. Audit Scotland recognised that in its report on the reform of public sector mergers—I cannot remember its exact title. Audit Scotland recognised that the sooner permanent appointments can be made, the better. That is my intuitive view, but I do not have information to suggest that the interim appointments have caused any disruption. I certainly heard Vic Emery, who is chair of the board, suggest that the interim appointments have not caused any disruption—or any more disruption.

Alison McInnes: You said that you have not been asked to be involved. Are you surprised by that?

George Graham: No. [*Laughter.*]

The Convener: I like you. You give single-word answers. If only my members would ask short questions—although they did towards the end. Thank you for your evidence.

We will now move into private session. As we are very short of time, I ask the public to move from their seats with alacrity.

14:11

Meeting continued in private until 14:18.

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