

1 May 2015

Christine Grahame MSP  
Convenor  
Justice Committee  
Justice Clerks  
Room T2.60  
The Scottish Parliament  
Edinburgh  
EH99 1SP



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*Dear Ms Grahame,*

**Justice Sub-Committee on Policing: follow up on Armed Policing**

I refer to your letter dated 23 March 2015 and your request for a written response to a number of remaining questions from members on armed policing.

I have attached at **Annex A** some numerical data on activity carried out by armed response vehicle (ARV) officers. I hope that this will assist in addressing the questions posed as well as providing some further information to assist sub-committee members. I should stress that the information contained within **Annex A** is management information recorded in Operational Support Division, within which ARV officers are located. The figures are based on returns from the officers themselves and are not subject to any formal audit process, such as would apply to crime recording data. Nevertheless, I thought it would be helpful to share this management information with the sub-committee. As is noted in **Annex A**, the interactions by ARV officers are recorded as a combination of both fixed penalty notices and standard prosecution reports and are not broken down further.

I will now address each of the specific questions posed.

1. *How many (a) statutory and (b) non-statutory stop and searches were carried out by armed officers (i) between 1 April 2013 and 31 March 2014, (ii) between 1 April 2014 and 30 September 2014, and (iii) from 1 October 2014 to date?*

**Annex A** provides the overall figures in regards to stop and searches carried out by ARV Officers. However, it has not been possible to provide a specific answer to the question raised due to the recording processes outlined above. In addition, Police Scotland do not currently record information on the Stop and Search Database identifying if the search was carried out by an armed officer. Although the database does not specify if the officer was armed or otherwise, it does allow Police Scotland to identify for every search recorded if it was a consensual search (non statutory search) or legislative search (statutory search). The information relative to all searches recorded between 1 April 2013 and 22 March 2015 has been published on the Police Scotland web site and is available to review using the following link: <http://www.scotland.police.uk/about-us/police-scotland/stop-and-search-data-publication>

2. *How many fixed penalty notices were issued by armed officers (a) between 1 April 2013 and 31 March 2014, (b) between 1 April 2014 and 30 September 2014, and (c) from 1 October 2014 to date, broken down by offence type?*

Again, **Annex A** is attached containing the management information regarding the activities of ARV officers. The numbers of fixed penalty notices in regard to anti social behaviour are specifically recorded while the other activity categories contain a mixture of both fixed penalty notices and standard prosecution reports.

3. *Much was made during the session of the higher levels of training and on-going assessments in respect of firearms officers. Does Police Scotland accept that such sensitivities reflect a reality that the presence on our streets of firearms in anyone's possession is a risk factor?*

I would submit that the enhanced training our officers receive not only ensures that they are equipped with the correct capabilities and aptitude for the role. The high and demanding training requirements ensure understanding and implementation of the tight legal framework within which they operate.

Our training standards across all elements of armed policing, including the Command function, ensure those officers mitigate the risk to the public, police and the perpetrators themselves.

I do not accept that armed officers pose an increased risk to the public; in fact their role is specifically to protect the public.

4. *In the context of the debate on the covert carrying of firearms, will the forthcoming firearms report reflect, assess and inform on the effective use of 'speed boxes' (or lockfast safes) within the cabin area of the police vehicle?*

As you will be aware Police Scotland has been in dialogue with the Scottish Police Authority and it has been agreed that together we will undertake a communications and consultation exercise. The carriage of weapons is an integral part of the work going forward.

In the interim I can confirm that access to the locked and secure boxes is controlled with strict criteria laid down in the national guidance provided within Authorised Professional Practice (APP) on police use of firearms. The position of the speed boxes is intended purely to enhance response times when additional weaponry is required to assist the public and maintain the safety of officers when these strict criteria are met.

5. *Given the concerns raised by Committee members regarding the repeated changes/clarifications of the facts of this issue; is Police Scotland confident that we now have an accurate timeline of when decisions were taken, by whom and on what authority?*

We have consistently provided the same timelines and chronology of decision making. I can confirm that there has been no change to what has been submitted. We have consistently stated our position to HMIC and SPA during the evidence gathering period of their respective reviews and neither of these bodies suggested there was any factual inaccuracy on the part of Police Scotland. Similarly, the evidence I gave along with ACC Higgins to the sub-committee did not reflect any change in what had been consistently stated as the Police Scotland position on



armed policing. I fully accept that we could have improved our engagement and communication of the decision making process.

In relation to the Firearms Standing Authority and reporting of the decision process, Police Scotland is confident that the information provided accurately reflects the process carried out and timeline of events.

I trust this is helpful and will of course be happy to discuss further, if required.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Iain Livingstone', written in a cursive style.

Iain Livingstone  
Deputy Chief Constable  
Crime and Operational Support

## Armed Policing

Interactions <sup>1</sup>	1 Apr 13 – 31 Mar 14	1 Apr 14 – 30 Sep 14	1 Oct 14 – 1 Mar 15
Dangerous Driving	44	24	4
Speeding	1,733	732	20
Seat Belt	1,837	660	135
Mobile Phone	3,066	1,340	328
Drink/Drug Driving	141	67	19
ASB FPN	2,306	1,323	294
All other offences <sup>2</sup>	7,170	3,118	883
<b>Total</b>	<b>16,297</b>	<b>7,264</b>	<b>1,683</b>

Stop Searches <sup>3</sup>			
Total Armed Policing	13,745	3,648	477

<b>Total</b>	<b>30,042</b>	<b>10,912</b>	<b>2,160</b>
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<sup>1</sup> These interactions are only recorded as a combination of both Fixed Penalty Notices and Standard Prosecution Reports and are unable to be broken down further.

Data provided by OSD Service Delivery & Co-Ordination unit. All figures are based on officer declarations and have not undergone any formal auditing.

<sup>2</sup> All other Offences include, but not limited to, Disqualified Drivers, Driving Licence Offences, Insurance Offences, Other Road Traffic Offences, Careless Driving. These interactions are only recorded as a combination of both Fixed Penalty Notices and Standard Prosecution Reports and are unable to be broken down further.

<sup>3</sup> The NSSU and ICT are unable to provide a breakdown of the statutory and non-statutory stop searches.