

## **Justice Sub-Committee on Policing**

### **Armed police officers**

#### **Letter from the Scottish Police Authority to the Convener**

##### **Scrutiny of Police Scotland Standing Firearms Authority**

I last wrote to the Sub-Committee on 18 July on the Scottish Police Authority's (SPA) ongoing consideration of the Standing Firearms Authority issue. As I indicated, SPA has continued to monitor the implications of that national approach and I am writing today to update Sub-Committee members on further activity the SPA is today announcing in this regard, and its relationship with the assurance work of HM Inspectorate of Constabulary in Scotland (HMICS).

HM Inspectorate for Constabulary in Scotland (HMICS) is today publishing the full terms of reference for its planned assurance review to independently assess the current practices for the issue and carriage of firearms by armed response vehicle (ARV) crews under the standing authority. It aims to provide assurance that Police Scotland's approach is compliant with guidance, procedures and recognised best practice. It will also benchmark the Police Scotland approach against a range of other UK police forces.

Following discussions with the Scottish Police Authority (SPA), the inspectorate has agreed to broaden the terms of reference of this assurance review to include consideration of how armed response officers operating under the standing authority are deployed on regular patrols and tasks, and the extent to which wider community impact has been incorporated into Police Scotland's decision-making process.

SPA acknowledges that this is a specialist and technical area of policing. Our discussions with HMICS have identified a common set of operational issues that are worthy of review, and we feel they are ideally placed to provide us with the technical assessment of current policy and practice.

In parallel, the SPA is today announcing that it is establishing a scrutiny inquiry to consider the public impact of Police Scotland's decision around firearms deployment. I have asked four members of the SPA to form an inquiry team, gather relevant evidence and commission appropriate research. This work will be supported by SPA officers, and informed by the assurance review and ongoing engagement with HMICS. The four members are: Iain Whyte (chair) Morag McLaughlin, David Hume, and Ian Ross.

One of the principles of good governance is that the public voice is appropriately heard within decision-making. Questions and views continue to be raised about the issue and we have concluded that an inquiry provides an opportunity for us to assess the level and nature of those concerns.

This SPA inquiry will be informed by the findings of the HMICS assurance review, and will separately take a lead in assessing:

- what the level and nature of public concerns are over the current Police Scotland policy in relation to the standing firearms authority;
- how effectively Police Scotland is engaging with the public and considering the impact on communities in implementing the standing authority;
- how Police Scotland can best address public concerns and provide necessary reassurance to communities, and;
- what, if any, lessons might be learned around how operational decisions with wider strategic or community impact are communicated to national and local oversight bodies and other key interests.

This SPA inquiry will include a number of public evidence sessions to allow members to hear directly from interested parties about their views and concerns. Further details on how the SPA will gather evidence, including the timing and format of public evidence sessions, will be published in the coming weeks.

The HMICS assurance review will be conducted independently from the SPA Scrutiny Inquiry, although its report will be published and provided to the SPA to allow for consideration at its public meeting on 29 October, alongside the SPA's consideration of the outcome of Police Scotland's next quarterly review of the standing firearms authority (due to take place during September). A copy of the HMICS report will also be given to the Cabinet Secretary for Justice, the Chief Constable, and laid before the Scottish Parliament.

The SPA inquiry will then draw together both its own evidence and that of the HMICS assurance review, and report with overall findings and recommendations to the full Authority at its public meeting on 17 December.

Bringing together that public and professional evidence, and drawing findings and recommendations from them in a balanced and measured way, will be the ultimate objective of our inquiry.

I am aware from contact from the clerks of the Sub Committee that members had already wished to take evidence from the SPA before Parliament breaks for the pre-referendum recess. I would be happy to attend a session proposed for Thursday 21 August along with one of my fellow members from the SPA inquiry team. Given that our wider scrutiny work will be informed by the assurance review of HMICS, it may be that the Sub Committee would find it helpful to hear from both HMICS and the SPA in that session.

Vic Emery OBE  
Chair, Scottish Police Authority  
14 August 2014