

Justice Sub-Committee on Policing

Armed police

Response from the Scottish Police Authority in relation to armed police

Thank you for your letter of 10 March following up the Justice Sub Committee evidence session on armed police held on 5 March.

I am happy to respond to the points raised by Mr Pearson at the conclusion of the session, and reproduced in your letter.

I can confirm that the SPA took evidence from Mr Pearson and that the evidence given, and views expressed by Mr Pearson to us, was consistent with your own summing up remarks made at the end of the 5 March session.

Mr Pearson asks whether the Chief Constable will in future have the authority, without the prior endorsement of the SPA, to make the kind of changes in policing that were made previously without endorsement.

Members will note from the evidence given on 5 March by DCC Livingstone that Police Scotland accepts that lessons required to be learned in engagement and consultation on the armed policing issue. He went on to explain that any proposals that Police Scotland develop on the mode of carriage of firearms and deployment will go to the SPA. I believe that is demonstrable evidence that lessons have been learned.

I would also point the Sub Committee to the recently agreed and published SPA/Police Scotland Joint Agreement on Police Policy Engagement. In that document, Police Scotland commits to engage in advance with the SPA on any policy or approach that is likely to raise significant public interest. Further, the Chief Constable and the Chief Executive of the SPA together commit to shared accountability for ensuring this agreement underpins police policy engagement, and that policing policy decisions are proportionate, transparent and consistent with the highest principles of good governance.

I am therefore assured that we have a framework and a working protocol for the development of police policy decisions that sets expectations that appropriate prior engagement with the SPA takes place.

The SPA board will then scrutinise the process of future police policy making against this agreement and the accountabilities set out within it.

Having had an opportunity to review the official report of the 5 March evidence session, I would also like to take this opportunity to emphasise again one particular aspect of my response to questions from Mr Finnie regarding the SPA's inquiry report on the public impact of the firearms standing authority.

As I explained, the findings and recommendations of the SPA inquiry report were developed and refined as a result of the internal drafting process involving four SPA members and supported by a number of SPA officers. The drafting of our inquiry report incorporated iterative changes developed within this internal group, and agreed by the group as the result of the factual and policy engagement with Police Scotland, HMICS, and the Scottish Government.

I acknowledged to you Convener in your summing up of the exchanges, that there were technical changes in the conclusions and recommendations, and changes also to the supporting narrative of the report so that it fully supported the conclusions and recommendations. I would like to place on the record again that the thrust of our conclusions and recommendations remained consistent through the drafting process, but that the articulation of those findings and recommendations incorporated some changes as part of the dynamic drafting process.

I would re-iterate that the final report of the group was unanimously endorsed by the members of the SPA scrutiny inquiry as a balanced and accurate set of conclusions consistent with the evidence we had captured – a body of evidence that is publicly-available for scrutiny.

I believe that SPA has already confirmed that I will be available to attend the follow up session scheduled for 19 March.

Iain Whyte

SPA Member and Chair of the SPA Scrutiny Inquiry Group

16 March 2015