



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Justice Sub-Committee on Policing

**Thursday 3 October 2019**

**Session 5**



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**JUSTICE SUB-COMMITTEE ON POLICING**

**8<sup>th</sup> Meeting 2019, Session 5**

**CONVENER**

\*John Finnie (Highlands and Islands) (Green)

**DEPUTY CONVENER**

\*Margaret Mitchell (Central Scotland) (Con)

**COMMITTEE MEMBERS**

\*Jenny Gilruth (Mid Fife and Glenrothes) (SNP)

\*James Kelly (Glasgow) (Lab)

\*Fulton MacGregor (Coatbridge and Chryston) (SNP)

\*Rona Mackay (Strathkelvin and Bearsden) (SNP)

\*Liam McArthur (Orkney Islands) (LD)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Humza Yousaf (Cabinet Secretary for Justice)

**CLERK TO THE COMMITTEE**

Diane Barr

**LOCATION**

The David Livingstone Room (CR6)



## Scottish Parliament

### Justice Sub-Committee on Policing

Thursday 3 October 2019

[The Convener opened the meeting at 13:01]

#### Interests

**The Convener (John Finnie):** Feasgar math, a h-uile duine, agus fàilte. Good afternoon, everyone, and welcome to the Justice Sub-Committee on Policing. This is our eighth meeting in 2019. We have no apologies. I remind members and witnesses that the public part of the meeting must conclude by 1.45 today, owing to the early start of business in the chamber at 2 pm.

Before we begin, I welcome Jenny Gilruth and James Kelly to the committee and invite them to declare any relevant interests.

**Jenny Gilruth (Mid Fife and Glenrothes) (SNP):** I have no relevant interests to declare.

**James Kelly (Glasgow) (Lab):** I declare that my brother, Tony Kelly, is a sheriff in the sheriffdom of Glasgow and Strathkelvin.

**The Convener:** Thank you.

#### Decision on Taking Business in Private

13:02

**The Convener:** Item 1 is a decision on whether to take consideration of our work programme in private. Is that agreed?

**Members indicated agreement.**

## Pre-budget Scrutiny 2020-21

13:02

**The Convener:** Item 2 is the police capital budget. I refer members to paper 1, which is a note by the clerk, and paper 2, which is a private paper. I welcome the Cabinet Secretary for Justice, Humza Yousaf, and his Scottish Government officials: Gillian Russell, director of safer communities; and Avril Davidson, head of finance and assets team, policy division. I invite the cabinet secretary to make some brief opening remarks.

**The Cabinet Secretary for Justice (Humza Yousaf):** Thank you, convener, and apologies for coming in slightly late.

I start by reiterating my support for policing, particularly in the context of current unprecedented events. The police service plays a critical role in keeping our communities safe in these uncertain times.

The Government's support was demonstrated in our 2019-20 budget, which provided an additional £42.3 million for the policing budget, which is an increase of 3.7 per cent on the previous year. We are proud of the fact that we increased the capital budget as well as protecting the revenue budget. Capital and reform funding is supporting the transformation that is set out in the 10-year policing strategy. No doubt we will go into detail on what that transformation has managed to achieve when we get into the question session. For example, I recently had the great pleasure of seeing some of the mobile working that is being taken forward by the division in Dundee.

In addition to the protection of revenue plus the additional capital funding, I am pleased that we have managed to agree a 6.5 per cent pay deal for officers and a pay and reward modernisation programme for police staff.

There has been much focus on the United Kingdom Government's announcement of 20,000 additional police officers, albeit that they are simply replacing the same number lost in England and Wales since 2010. That approach contrasts sharply with the bold service reform that we have undertaken in Scotland, which has enabled us to reform and maintain, rather than simply cutting services. Going forward, I expect officer numbers to remain significantly above the level that we inherited in 2007. Any future slowing of police recruitment should be based on demonstrable increases in operational capacity through service transformation, and that should be rigorously assured by Her Majesty's inspectorate of constabulary in Scotland.

The current spending review is set against the backdrop of social and economic uncertainty that the UK Government's chaotic approach to European Union exit has created. This year, we made £17 million available to cover EU exit-related policing costs and we are in dialogue with the Scottish Police Authority and Police Scotland about additional requirements. We are pursuing the UK Government to ensure that it meets the full costs of EU exit and to seek the return of more than £125 million of VAT that was unfairly paid by Police Scotland to Her Majesty's Revenue and Customs.

The coming year will see the publication of the recommendations of the independent Infrastructure Commission for Scotland, which will inform the next infrastructure investment plan and capital spending review. I welcome the engagement that the SPA has already had with the commission; that will help ensure that we deliver an ambitious and co-ordinated strategic plan.<sup>3</sup>

I look forward to taking members' questions.

**The Convener:** Thank you. We have a considerable number of questions today. It is unlikely that we will get through them, so we will write to you and your officials to seek replies to those that we do not get to.

**Liam McArthur (Orkney Islands) (LD):** On 12 September, James Gray, the chief financial officer at Police Scotland, who is currently in an interim role with the SPA, told the sub-committee:

"We have been clear that it is not sustainable for policing to continue with the current level of capital allocation because, each and every year, the asset base—the buildings, the vehicles and the ICT equipment—deteriorates. That point has been well made to the cabinet secretary and to Government officials".—[*Official Report, Justice Sub-Committee on Policing*, 12 September 2019; c 5.]

In light of that briefing and plea from Police Scotland and the SPA, have you approached the Cabinet Secretary for Finance and the Constitution to make a bid for significantly increased capital funding for the coming year?

**Humza Yousaf:** To answer Liam McArthur's question directly, I say that I do not speak about private conversations with Cabinet colleagues; in particular, I do not speak about budget conversations, which we hold in a private space. However, a number of months ago, I arranged a meeting with the SPA, Police Scotland and the finance secretary to discuss budgets, with a focus on capital budgets. James Gray was at the meeting. The finance secretary and I listened to James Gray make a presentation on behalf of Police Scotland.

We are listening. When I appeared in front of the sub-committee on that issue at the beginning of the year, I was pushed for an increase in capital. I said that I would listen to that and we increased capital spend by 52 per cent. Liam McArthur is aware that I will not be able to give a firm commitment until the spending review and until we see the colour of the money from the UK Government, when it comes forward with more detail on that. The conversation with the finance secretary that Liam McArthur asked about has taken place.

**Liam McArthur:** The cabinet secretary is aware that, despite those meetings and despite the percentage increase in the capital budget that he referred to, there is considerable concern about the historically low levels of capital allocation. At the same sub-committee meeting to which I referred, David Page suggested that

"The current situation is that the settlements that we get are so small that we have to put the money purely into health and safety, so we are effectively putting Band-Aids on the estate and not addressing the shortfalls in the condition of the estate."—[*Official Report, Justice Sub-Committee on Policing*, 12 September 2019; c 6.]

In the absence of a significant increase in the budget allocation for capital this coming year and in subsequent years, what are the cabinet secretary's expectations about the impact on the estate and on the ability of the police to make the transformation to which he refers?

**Humza Yousaf:** I am aware that a lack of capital investment would mean that bills for repair and maintenance would start to increase. In turn, that would be an additional drain on the revenue budgets. We are aware of that. Equally, Police Scotland is aware of the challenging financial circumstances, which are exacerbated by the challenges around Brexit and the additional spending pressures that that puts on us.

Therefore, although it is absolutely for the chief constable to decide how to spend the money, and for the SPA to scrutinise that, I imagine—from my conversations with the chief constable—that he would prioritise any areas of health and safety that impact on the welfare of police officers or staff. It is my expectation that those are the areas to which the money would go first.

The SPA and Police Scotland have a new estates strategy, which Liam McArthur is probably aware of. My understanding is that the SPA and Police Scotland are currently working up implementation plans, which will be focused on work such as co-location with a range of other public services, rather than just new building. That will deliver a range of benefits for the estate, as well as in relation to partnership working.

I do not dismiss what James Gray, Police Scotland or the SPA say in that regard. They have clearly prioritised health and safety. Those are matters for the chief constable.

**Liam McArthur:** With respect, the capital funding issues that Police Scotland has faced predate the Brexit referendum and what has arisen since then. There has been an accumulation of problems with investment in the estate, and Police Scotland is now saying that £400 million-worth of capital funding is needed over the next 10 years. What assurance can you give the committee that, however that money is profiled, something of that order of magnitude is recognised by the Scottish Government as being necessary to deliver the policing strategy to 2026 in accordance with Police Scotland's recommendations?

**Humza Yousaf:** I appreciate that Mr McArthur and I are doing a dance on that, but I cannot confirm what the spending profile will be for the next financial year. That will have to come after the spending review announcement by the Cabinet Secretary for Finance, Economy and Fair Work once we get confirmation of the detail of the UK Government's budget, whenever that is.

What I can say is that we are listening. We listened previously and acted on that with a 52 per cent increase in the capital budget. We have had details from Police Scotland on the three core strands of the capital spend and asked for further details on some elements. As members probably know, there are the ICT, fleet and estate strands, and we have asked for more details on a number of those.

What we are talking about and what Police Scotland has talked to the committee about is not a small uplift in the capital budget. It is quite a significant one. No one has hundreds of millions of pounds down the back of the sofa, so it will require detailed consideration. Police Scotland—I know that it does this anyway—will have to think carefully about the allocation that it is given and its priorities as an organisation.

**Liam McArthur:** The capital allocation that was increased last year was still less than 50 per cent of what Police Scotland sought. There is no point in Police Scotland coming back year after year to say what it needs to manage its estate and deliver the ICT that will allow it to deliver the policing that is envisaged through the 2026 strategy. If we fall so far short with the capital allocation each time, you should be clear with Police Scotland that there is no point in coming forward with bids for funding of that nature, because they will always be knocked back, no matter how much you are listening.

**Humza Yousaf:** That is a mischaracterisation. I have been a minister for the best part of seven years and, in each of my ministerial posts, organisations have come to me with their priorities. If we had a magic money tree, we would be able to give every organisation all the money that it required, but that is not always possible.

We will listen—as we did last year—to what Police Scotland says, look at what our capital allocation from the UK Government is and come forward with details. From my conversations with the SPA and Police Scotland, I know that they very much appreciated their meeting with the finance secretary. I am open not just to listening to them but to giving Police Scotland the best settlement possible in what are still challenging circumstances.

13:15

**Liam McArthur:** Despite those meetings and that listening exercise, Police Scotland still receives a capital allocation that, as James Gray has informed us, allows it to do little more than address health and safety requirements throughout the estate. That cannot be acceptable.

**Humza Yousaf:** Again, that is not quite my understanding.

**Liam McArthur:** It is James Gray's understanding.

**Humza Yousaf:** There are a number of co-locations in the estate. There is co-location at Peterhead; following the refurbished accommodation at Haddington, a dedicated office for operational policing will be provided that will work collaboratively with East Lothian Council; and, from November, the Scottish Courts and Tribunals Service will occupy refurbished accommodation in Kirkcaldy police station. There are some innovations that are above and beyond the repair work that he described—

**Liam McArthur:** It was not me who described it in that way; it was James Gray.

**Humza Yousaf:** Yes—that is who I mean.

That is more than just Band-Aids being put on the estate, as it has been described. For example, the 52 per cent increase in capital investment helped to fund mobile technology. That was a basic innovation that was absolutely needed, but it was a great innovation that will help productivity. I saw that at first hand when I met officers at their police station in Dundee. It is not the case that the capital allocation is being used only to fix areas of the police estate where there are health and safety concerns; it is being used for innovation, which is great.

We will listen, and we have listened, to what the SPA and Police Scotland have to say. I organised a meeting with the finance secretary, which has taken place, and we will consider carefully the details of their plans.

**Margaret Mitchell (Central Scotland) (Con):** Police Scotland and the SPA have indicated that further savings to eliminate the deficit can now be realised only by a reduction in officer head count, with the plan being to reduce officer numbers by 750 by 2021. When did Police Scotland and the SPA make the commitment to reduce officer numbers? Was the decision solely for the chief constable and the SPA?

**Humza Yousaf:** There is no agreement between the Government, the SPA and Police Scotland to reduce police officer numbers by 750. In her role as convener of the Justice Committee, and having discussed the issue not just with me but with my predecessor, Margaret Mitchell will know that the agreement was that any reduction in police officer numbers would need to demonstrate increased operational capacity and that work would be overseen independently by HMICS. It is not for me to put words into the chief inspector's mouth; she is well capable of speaking for herself. However, from my conversations with Gill Imery, she has made it abundantly clear that the increased operational capacity from such a reduction in officer numbers has not been demonstrated.

There is no agreement to reduce officer numbers by 750. The agreement that was made previously on a reduction of about 400 officers over the next couple of years was predicated on HMICS overseeing the work on increased operational capacity. The agreement was also made before the full effects of Brexit were known, so there have not been reductions—if anything, there has been an increase in officer numbers to help with Brexit contingency planning.

**Margaret Mitchell:** My substantive question is whether a decision to reduce officer head count is solely for the SPA and Police Scotland.

**Humza Yousaf:** I go back to the agreement that was reached by the triumvirate of Police Scotland, the SPA and the Scottish Government. In his statement to Parliament in June 2017, my predecessor, Michael Matheson, said:

“a decision to slow police officer recruitment must not be taken until there is evidence that the planned increase in operational policing capacity has been delivered.”—[*Official Report*, 20 June 2017; c 14.]

He said that HMICS would oversee that work, and that remains the position.

**Margaret Mitchell:** With respect, cabinet secretary, you still have not answered my point. Hypothetically, if any decision is made to reduce

head count, is it purely a matter for the SPA and Police Scotland?

**Humza Yousaf:** I do not think that I can be any clearer. The agreement between the triumvirate is that any reduction in the number of officers must demonstrate increased operational capacity, and that will be overseen by HMICS. There is agreement between the triumvirate about what should be done if there is any reduction in police officer numbers, and that should be overseen independently by HMICS.

**Margaret Mitchell:** Right, so the decision is made by the SPA and Police Scotland and overseen by HMICS.

**Humza Yousaf:** Indeed.

**Margaret Mitchell:** In that case—

**The Convener:** I am sorry, but could I interrupt here? Margaret Mitchell makes a valid point. The answer would seem to be a simple yes or no, cabinet secretary. Does the Scottish Government have any role in determining the number of police officers, or is that an operational matter to be decided by the chief constable in conjunction with the SPA?

**Humza Yousaf:** The deployment of officers is for the chief constable. On officer numbers, as my predecessor said, there is an expectation that we should not reduce significantly the number that we inherited in 2007. That is the Government's expectation. The triumvirate agreed that there should be a reduction of 100 officers in 2018-19 and a further 300 in 2019-20 but that would happen only if increased operational capacity could be demonstrated and HMICS would oversee that work. That was the agreement between the three of us.

**The Convener:** That sounds like a yes.

**Margaret Mitchell:** My real concern is that the evaluation of whether operational capacity could stand a reduction or look for an increase has not involved the unions and staff associations in any way. That worrying concern was highlighted in HMICS's recent report, which says:

“Effective engagement with staff associations and unions in the system of governance is very limited with little opportunity for engagement directly with the SPA Board to inform decision making.”

We are now at the point of looking at the budget, and the staff associations have not been consulted at all. Is that a flaw in the pre-budget process and something that should be rectified immediately? Will the cabinet secretary elaborate on what discussions he has had with those bodies?

**Humza Yousaf:** I regularly meet representatives of the Scottish Police Federation,

as well as Unite the Union and Unison. In fact, I have met Unison separately during the past few weeks and I met the SPF a month ago or thereabouts. As you might imagine, there are police staff in Unite and Unison, and police officer numbers is a matter of regular discussion with the unions.

On how often the unions meet Police Scotland or SPA officials and officers, I understand from my conversations with them that they engage regularly. I go back to the fact that any reduction that is agreed must demonstrate increased operational capacity, which is overseen by HMICS. Any proposal for beyond 2019 will be subject to full consultation when the policing strategy is refreshed from 2020 onwards.

If and when that happens, I fully expect staff unions to be involved in the discussions.

**Margaret Mitchell:** I am therefore at a loss to understand why HMICS has made the key point that

“Effective engagement with staff associations and unions in the system of governance is very limited with little opportunity for engagement directly with the SPA Board”.

It backs up evidence that we have heard from the SPF, which says that it is simply not consulted. It is outrageous and beyond belief that the very people who are on the front line of policing and providing the service every day have not had their voices heard. Is that sustainable?

**Humza Yousaf:** Again, those are questions for the SPA. I have told you that I engage regularly with the unions. In the past few weeks, I have met the unions to discuss staffing and officer issues. The unions have regular and direct access to me as the cabinet secretary. I cannot give them any more access than that.

My understanding is that the staff associations have also been invited to Police Scotland's corporate finance and resources board meetings, at which financial discussions take place, which is a recent development that has perhaps come on the back of that recommendation. Of course, the SPA's engagement with staff associations and Police Scotland's discussions with them are matters for those bodies. However, I agree with Margaret Mitchell's general point, in that I would fully expect them to be involved in such discussions.

**Margaret Mitchell:** So does it concern you that HMICS has raised that as a key finding?

**Humza Yousaf:** I have the greatest respect for Gill Imery in her role as Her Majesty's chief inspector of constabulary in Scotland and take seriously her recommendations and concerns. If she flags anything to me by letter I also regard that with the utmost seriousness. For example, her

most recent report on the SPA has prompted a number of action points on which the Scottish Government will follow through. Therefore, I have concerns, but I also take seriously whatever the chief inspector has to say.

**Margaret Mitchell:** It is vital that we get an accurate picture and that the budget is predicated on the views of those who are in the best position to address policing requirements. Recommendation 7 of the HMICS report says:

“The Scottish Police Authority should implement effective engagement and feedback mechanisms with staff associations and unions as part of a wider stakeholder engagement and consultation approach.”

Given that we have heard that complaint being expressed for many years, I take it that that will now happen immediately. Although we have had warm words from various cabinet secretaries—if you will forgive me for saying so—it remains a huge and unacceptable problem.

**Humza Yousaf:** Forgive me, Ms Mitchell, but you are starting to push me towards interfering in the operational side of policing. Undoubtedly you would be the first member to drag me over hot coals if I were thought to be doing so in any other way. I have to be careful here, but I will say that I absolutely agree with the concerns that have been raised by staff unions, which you have articulated. I cannot force the SPA or Police Scotland to take a particular course of action in their engagement process, but my understanding is that Police Scotland has invited the staff associations on to various forums, which I hope will address the concern that you have. I am sure that Police Scotland and the SPA will reflect carefully on what you have said. I agree with you: my expectation is that in discussions on workforce planning or demand and productivity the views, concerns and anxieties of staff unions absolutely should be taken into account.

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** Good afternoon, cabinet secretary. My question could be seen as an extension of Margaret Mitchell's line of questioning, in that it is about Police Scotland's statement that there is to be no reduction in the number of officers. I agree with your analysis of the previous question as possibly pushing you towards interfering. Without wishing to come across in the same way, I want to ask about your expectation. Is it that the entire structure will be looked at in that respect, which would include chief officers?

**Humza Yousaf:** I appreciate the tone in which Fulton MacGregor asked that question, and I understand completely why he did so. However, he is pushing me right up against—if not over—the line of operational policing. It really has to be for the chief constable, under the scrutiny of the

Scottish Police Authority, to determine the organisation's needs, including its staffing requirements either at senior level or through the ranks. Although I might have a view on how that should look and who should be included in such a conversation, if I, as justice secretary, were to articulate that it would very much be seen as interfering in what is an operational matter for the chief constable. Therefore, I hope that Fulton MacGregor will forgive me if I am not more open about my view on that.

13:30

**Fulton MacGregor:** Thank you. I appreciate the cabinet secretary's answers. Did the impact of the Police Scotland merger have a role to play in a decision about the number of police officers? I know that there was a reduction when the merger happened.

**Humza Yousaf:** If Police Scotland's decision was not to look at chief officers, as Fulton MacGregor said, that might be one of the reasons. There might be a whole range of other reasons but, again, I am reluctant to speculate. Those will be matters for the chief constable and the committee can write to the chief constable and the SPA to get a bit more detail and understanding of the rationale behind the decision that there will be no reduction in the number of chief officers as Police Scotland has stated.

**The Convener:** However, cabinet secretary, it was your Government that said that one of the benefits of moving to a single force was the rationalisation of chief officer posts. From memory, there were 23 chief officer posts, the overwhelming majority of whom were chauffeur driven, and it took £5 million to run their staff association. That rationalisation was presented as a benefit. We have seen an exponential increase in the number of chief officer posts. If you are not prepared to comment on that, do you understand that, if there is grief to be shared because of numbers, many in the organisation will expect that it is shared across the rank structure rather than being growth in one rank while there is a reduction in the number of those on the front line?

**Humza Yousaf:** I accept the convener's point. Equally, I hope that you can understand my position. If I was to say to the chief constable that I think that there should be four deputy chief constables instead of three, and instead of X assistant chief constables, there should be Y, he would see that as me overstepping the boundaries of my role as justice secretary. You can say the same for chief superintendents and other ranks.

I hear what the member is saying and I do not think that there will be too much disagreement

from others. However, it really is for the chief constable to make those decisions.

**James Kelly:** What is your view on Police Scotland officers being used to backfill civilian posts?

**Humza Yousaf:** The workforce mix is an operational matter for the chief constable. We must recognise that there will always be times when flexibility is needed, and there might be good reasons for police officers who are not able to take on front-line duties for a variety of reasons, such as injury or pregnancy or a whole range of other issues, to backfill those posts.

More generally, I understand that Police Scotland is developing a detailed programme of work to better understand the demand for policing services across the country. Once it has that intelligence, it will be fed into workforce planning and associated budgetary considerations and discussions with partners.

However, the more officers we have on the front line, as it is often called, or doing warranted duties, the better it will be for everybody involved.

The latest figures that I have in front of me show that, rather than reducing police staff numbers, Police Scotland has increased them during the past year, which is undoubtedly a welcome development.

**James Kelly:** Leaving aside short-term considerations and what you have just said about staff numbers, the recent trend has shown a reduction of 1,700 civilian posts. Given the overall direction of travel, do you accept that it is not good value for money for people who are employed to serve Police Scotland on the front line to be filling civilian roles?

**Humza Yousaf:** I do not disagree with the general principle of what James Kelly said. Some officers will be needed to backfill roles, but I appreciate that that will be the minority position. It is for the chief constable to determine the workforce balance. The programme of work that Police Scotland is doing to gain intelligence on its demands, in order to help workforce planning, will be very positive.

An example of how the workforce has changed to enable more police officers to focus on what we call warranted roles lies in custody. Previously, many custody suites had a high ratio of officers. However, since 2018, Police Scotland has implemented a new staffing model for custody suites whereby police staff are employed and trained specifically as police custody and security officers, and 150 new PCSOs have been recruited and trained and are now deployed across the eight criminal justice hubs in the country. There are good examples of areas, such as custody suites,

in which police officers are no longer doing those types of duties and are back out on the front line, and examples of how we can train staff. That work is being done, but I appreciate what James Kelly said about it going further. I hope that the detailed work that Police Scotland is doing will help progress to be made on that issue.

**James Kelly:** Earlier, you said that you had some data on the numbers of those employed. How many Police Scotland officers are being used in civilian roles?

**Humza Yousaf:** I do not have the details in front of me, but I am more than happy to write to the sub-committee, via the convener, if it wishes to have the number.

**James Kelly:** That would be useful.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** At Tuesday's Justice Committee meeting, we heard from Deputy Chief Constable Will Kerr. Police Scotland will face "potentially unprecedented" demands because of Brexit. A major climate conference will take place in Glasgow in November next year, and there will be many other major events. Has the cabinet secretary discussed with counterparts the possibility of Scottish officers being deployed elsewhere because of Brexit? Is it likely? How could the shortfall in officers in Scotland be mitigated?

**Humza Yousaf:** Rona Mackay will understand that deployment of mutual aid is a matter for the chief constable alone. It would be entirely inappropriate for any politician—let alone the justice secretary—to direct mutual aid. Such decisions are made through the National Police Chiefs Council and its processes across the UK.

Police Scotland is in a very good position to provide mutual aid, because we have increased its officer numbers in the past decade. Since 2007, we have brought in more than 1,000 additional officers—I think that the figure is 1,025, although it might be more than that, now. We are in a positive position in relation to our capacity for resilience. We are in a demonstrably different position to forces across England and Wales, where there has been a cut of 20,000 officers.

Therefore, it would hardly be a surprise were forces across the UK to look to Scotland to help with resilience. That might particularly be the case with forces in the south-east, near Dover, and others near other important transport links. Extra resources might also be needed in Northern Ireland, for example, where there could be heightened tensions. The chief constable will need to make decisions on such matters. I have received an absolute assurance—the chief constable and I are completely united on this—that

Police Scotland's first and foremost duty is to keep the people of Scotland safe.

A lot of detailed no-deal Brexit planning is going ahead on the reasonable worst-case scenario and on concurrent risks, of which there could be a range. For example, through the winter period there might be difficult travel conditions, flu and so on. First and foremost, the people of Scotland must be kept safe. If there is additional capacity, the chief constable will make a determination on mutual aid.

**Rona Mackay:** If the demand was exponentially more than had been expected, would you expect—it is probably not right to ask whether you would be confident of it—the UK Government to give you additional funding to recruit more officers or for operational matters?

**Humza Yousaf:** Yes. We have been very clear across a range of Government portfolios that it should not fall on Scotland, the Scottish Government and the Scottish taxpayer to pay to mitigate all the no-deal Brexit impacts. Money should come from the UK Government.

The Scottish Government has stepped in to assist where we can. In this financial year, we have stumped up £17 million for EU exit-related policing costs. That funding has been ring fenced to support the effects of a no-deal EU exit. To answer Rona Mackay's question directly, I say that if there are further costs—I am almost certain that there will be—we expect the UK Government to meet those costs.

Rona Mackay referred to the 26th conference of the parties, or COP26—the climate change conference that will take place in Glasgow next year. The Scottish Government expects the UK Government to pick up all the costs that will be associated with COP26. The conservative estimate of the security costs for the conference is £100 million—a not insignificant amount. From the Scottish Government's correspondence with the UK Government, my understanding is that the UK Government has agreed to cover what it determines as "core" costs. As you can imagine, we are trying to nail down exactly what "core" means. We expect the UK Government to cover EU-exit-related policing costs, as well as the security and policing costs that are associated with COP26.

**Rona Mackay:** Perhaps repayment of VAT on the police budget would help with those extra costs.

**Humza Yousaf:** If only.

**Liam McArthur:** I appreciate that the issue is subject to negotiations, but are you saying that, if agreement on the costs could not be reached, the

Scottish Government would oppose the hosting of COP26 in Glasgow?

**Humza Yousaf:** That is an incredible twisting of what I said.

**Liam McArthur:** I am just trying to understand what you are saying. The UK Government has offered to cover “core” costs, and you have put a price tag of £100 million on security costs. Your official is shaking her head, so she might want to leap in. Are you saying that the Scottish Government will press ahead only if the UK Government covers all the costs?

**Humza Yousaf:** Liam McArthur cannot see behind him, but almost everybody is shaking their heads at his line of questioning.

**Liam McArthur:** Why do you not just answer the question, rather than arguing with me about it?

**Humza Yousaf:** I am astounded by the question, because clearly I did not say that we oppose Glasgow’s hosting of COP26. We are delighted that it is coming to Glasgow, because it will be a great boon for the city. We fully expect the First Minister to attend, despite interventions by the Prime Minister. We expect the Scottish Government to be involved so that we can demonstrate our world-leading climate change ambitions and targets.

What Liam McArthur said is not what is being suggested. What is being suggested is exactly what I said to Rona Mackay: we expect all the security and policing costs to be picked up by the UK Government. In fairness to the UK Government, it has said that it will cover the “core” costs. Liam McArthur will forgive me for trying—having been a minister for a number of years—not to let the UK Government be too ambiguous in its responses. We simply want to nail down what the word “core” entails.

**Liam McArthur:** Bizarre.

**Humza Yousaf:** I am not sure whether that was a question, but there is nothing “bizarre” about it. We are delighted that COP26 is coming here. We just hope that the UK Government will cover what will be a substantial policing bill. I do not think that Liam McArthur is suggesting that Police Scotland should pay the £100 million bill.

**Liam McArthur:** Not at all.

**Humza Yousaf:** So, you agree that the UK Government should pick up every penny of the security costs.

**Liam McArthur:** What I am saying is that there is a discussion—

**The Convener:** It has long been the case that such events—party-political conferences or others—have been the subject of discussion and

debate, but this is not the forum for such discussions.

The cabinet secretary received the Justice Committee’s reports on post-legislative scrutiny of the Police and Fire Reform (Scotland) Act 2012, which clearly found that the financial memorandum had not been robust. That being the case, is it still appropriate to expect Police Scotland to make efficiency savings on the basis of that document?

**Humza Yousaf:** As you know, Police Scotland has a deficit that we have agreed the Government will cover by absorbing it into our central pressures. The SPA has a deficit reduction plan, but based on Brexit-related issues in particular, it is unlikely that it will meet that plan, because it has not been able to reduce staffing numbers to the agreed level. Brexit undoubtedly plays a part in that. If Police Scotland and the SPA feel that they are unable to make those savings, and want to revise their deficit reduction and other financial plans, they have every right to come to the Government to have that conversation. My door is open to them.

**The Convener:** At the outset of the meeting I said that we might not get through all the questions. That is the case, so we will convey them to you in a letter and, I hope, get your response to them.

I thank you and your officials for attending.

13:45

*Meeting continued in private until 13:50.*

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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