OFFICIAL REPORT
AITHISG OIFIGEIL

Criminal Justice Committee

Wednesday 30 October 2024

Session 6

The Scottish Parliament
Pàrlamaid na h-Alba

Wednesday 30 October 2024

CONTENTS

CRIMINAL JUSTICE COMMITTEE
32nd Meeting 2024, Session 6

CONVENER

*Audrey Nicoll (Aberdeen South and North Kincardine) (SNP)

COMMITTEE MEMBERS

*Katy Clark (West Scotland) (Lab)
*Sharon Dowey (South Scotland) (Con)
*Liam Kerr (North East Scotland) (Con)
*Fulton MacGregor (Coatbridge and Chryston) (SNP)
*Rona Mackay (Strathkelvin and Bearsden) (SNP)
*Ben Macpherson (Edinburgh Northern and Leith) (SNP)
*Pauline McNeill (Glasgow) (Lab)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Lynn Brown (Scottish Police Authority)
Deputy Chief Constable Jane Connors QPM (Police Scotland)
Fiona Douglas (Scottish Police Authority)
Martyn Evans (Scottish Police Authority)
Chief Constable Jo Farrell (Police Scotland)
James Gray (Police Scotland)

CLERK TO THE COMMITTEE

Stephen Imrie

LOCATION

The David Livingstone Room (CR6)

Scottish Parliament

Criminal Justice Committee

Wednesday 30 October 2024

[The Convener opened the meeting at 10:00]

Interests

The Convener (Audrey Nicoll): Good morning and welcome to the 32nd meeting of the Criminal Justice Committee in 2024. We have no apologies today.

Our first agenda item is to welcome Liam Kerr as a new member and to invite him to declare any interests relevant to the work of the Criminal Justice Committee.

Liam Kerr (North East Scotland) (Con): Good morning, convener. I have an interest to declare, which I shall specifically flag up at each session where it is relevant, because it will not always be relevant. I remind the committee that I am a practising solicitor and that I hold practising certificates with the Law Society of England and Wales and with the Law Society of Scotland.

Deputy Convener

10:00

The Convener: Our next item of business is the selection of a new deputy convener. The Parliament has agreed that only members of the Scottish Conservative and Unionist party are eligible for nomination as deputy convener of the committee. I understand that Liam Kerr is that party's nominee for the post and I invite members to agree that we appoint him as our new deputy convener.

Liam Kerr was chosen as deputy convener.

The Convener: Congratulations on your appointment, Liam. We look forward to working with you. Would you like to say anything?

Liam Kerr: Only that it would have been awkward if everyone had not agreed to that. I am delighted to be back and very pleased to see so many familiar faces and so much expertise on the witness panel. It is going to be very enjoyable and I am delighted to be here.

Decision on Taking Business in Private

10:01

The Convener: Our next item of business is for the committee to agree to take agenda items 6 and 7 in private. Are we agreed?

Members *indicated agreement.*

Pre-budget Scrutiny 2025-26

10:01

The Convener: Our next item of business is to continue our pre-budget scrutiny. Our focus today is on policing and we have two panels of witnesses. Our first panel consists of representatives from Police Scotland and I am pleased that we are joined by the chief constable, Jo Farrell; deputy chief constable Jane Connors; and the chief financial officer, James Gray. I welcome them all.

I refer members to papers 1 and 2. I intend to allow around 75 minutes for this panel and I invite the chief constable to make some opening remarks before we move on to questions.

Chief Constable Jo Farrell (Police Scotland): Thank you and good morning. We welcome the opportunity to discuss Police Scotland's budget requirements and long-term direction.

The key elements of our budget request to the Scottish Government, made jointly with the Scottish Police Authority, are set out in the written submission that was provided to the committee last week. In summary, there are three key elements that I want committee members to take full account of.

First, we have made proposals for revenue and reform funding, which are all rooted in enabling the delivery of our three-year plan and moving us towards a multiyear funding and investment approach. Secondly, we need a new approach to capital investment that draws on multiple sources of funding, those being: our grant from the Scottish Government; the reinvestment of capital receipts; and—critically—the use of existing statutory borrowing powers that have not previously been utilised but are absolutely essential to long-term investment planning. Lastly, although equally important, is the need for a facility to hold reserves that will allow us to plan and invest effectively in the long term. Discussions with the Scottish Government regarding all those areas are on-going and, with the Chancellor of the Exchequer delivering her budget today, we look forward to knowing the outcome for Scottish Government funding in the coming weeks.

As I told the committee in September, strengthening and protecting front-line policing is a central priority for my leadership. I have made that clear since I took up my role a little over a year ago. I am pleased to be able to say today that I anticipate that we will reach a total of 16,600 full-time-equivalent officers within the next week. That strengthening of our workforce has been a real achievement for our recruitment and training teams, and I want to recognise that today.

Officer full-time equivalent numbers are an accessible shorthand for policing capacity, and they constantly fluctuate because of recruitment and leavers. The position that I provide today is more up-to-date than the quarterly statistics, which reflect the levels at the end of September.

What is equally important, though, is the number of experienced officers who are performing front-line operational policing for our communities, and how we give those officers the best services and support to do their job. That is why our strategic direction focuses on strengthening policing's front line and reconnecting with communities.

I presented our 2030 vision and three-year plan to the SPA at the most recent public meeting, and was pleased with the strength of support and endorsement that they received. When I took up my role as chief constable, I said that I wanted to simplify the way in which Police Scotland plans and prioritises now and in the future, and we have now done that. I encourage members of the committee who have not had the chance to read the 2030 vision and the three-year business plan to consider the commitments that we have made to improving our organisation and the service that we deliver to Scottish communities. I also said that I would work hard to secure the long-term investment from Government that we need to achieve the vision and the long-term plan.

As I said in my written submission,

"Policing in Scotland represents major and successful sector reform."

Much has been achieved since 2013. The next phase of Scottish policing reform will see us reshape Police Scotland and work to realise our 2030 vision of safer communities, less crime, better-supported victims and a thriving workforce.

Last year, the Scottish Government committed to the next phase of the reform journey with the revenue budget settlement for the current year. We are seeking continued commitment from the Government to that journey with our 2025-26 budget proposals.

My message to Police Scotland colleagues has been clear. I am focused on and working hard to secure the funding that we need, and I expect to see from them a relentless focus on delivery, quality in every part of our business, improvement in our performance and impact, and meaningful commitment to continuous improvement and best value. I want us to operate as one team, with police officers, police staff and volunteers all pulling in the same direction.

I finish my opening remarks by drawing particular attention again to our proposal that Police Scotland and the SPA are supported to adopt a more appropriate future funding arrangement to support our long-term planning and investment. I believe that we need to move to a multiyear funding commitment from Scottish Government. I want us to be able to exercise statutory borrowing powers to support our ambitious investment plans, particularly across our estate, and I want to see the establishment of a facility that enables the carry-forward of financial reserves.

I have worked in this way in other forces, and I think that it is fundamental to effectively managing our service. We will always operate in a dynamic environment, managing new and changing threat, risk and harm, but we need long-term planning and financial stability to better prepare for the future. I also believe that our established track record of excellence in operational and financial planning and management offers assurance that Police Scotland is ready to work in this way.

I am seeking support from across political parties for this approach, as well as for our long-term vision and three-year plan. I hope to be able to secure the support of the committee for our budget proposals for next year.

My colleagues and I are happy to take any questions.

The Convener: Thank you very much, chief constable—that is very helpful. I will open up questions to members. As usual, I will come in with the first question, which is about capital funding.

In your comprehensive submission, you indicate that you require capital funding of £83 million to deliver your basic rolling replacement programme of things such as fleet, systems and equipment. You also set out that, in the longer term—up to 2029—you will require capital investment of around £565 million. You explain how investing in areas such as new technologies, improved working conditions and better equipment leads to more efficiency in the service, particularly from the point of view of delivery to the public. In other words, there is a spend-to-save benefit. Could you provide a bit more detail on what those benefits would be and what the impact would be of not receiving the increased capital investment that you have set out?

Chief Constable Farrell: In relation to the proposals for next year, as you said, our submission provides detail on what is required with regard to the estate and on-going rolling investment in technology, digital capability and the fleet. We know that further digitalisation presents opportunities for the organisation. As well as providing us with the tools to be more effective as a policing service and to ensure that we keep communities safe, reduce crime and support victims, it makes us more efficient. That involves

upgrading and replacing existing technology such as the systems that are used by the people who answer the 999 and 101 calls in our command and control rooms and using advances in technology to be able to work in a more efficient way.

In addition to that, we want to explore issues such as automation. You mentioned spending to save. We want to be able to do routine tasks in a more efficient way so that we can use our human resources to ensure that we are more effective as a policing service.

I will bring in James Gray in a minute to talk about the detail of the financial figures that you referred to. First, however, I will move on to the estate. My key message to the committee today is that our approach to managing our estate in the first 10 or 11 years of Police Scotland has been to have a rolling repair arrangement. That approach had its benefits, but it has had its day, and that day is now over. Moving forward, we need to be in a position in which we can invest in our estate and move away from a process of continual repair. We are now in a situation in which we are repairing the repairs.

When I appeared before the committee last month, we talked about officer welfare and the need to have a thriving workforce. Some of the estate that our people are working in is, quite frankly, appalling and does not in any way portray an image of the organisation as one that can be trusted to deliver for communities or to give our people the right environment to make them feel as though they are being cared for.

However, as I said in my opening remarks, there will need to be a shift in the way that the money is allocated so that we can plan what the estate should look like five or 10 years from now. We have done that work. We have thought about that, and we have looked at the issue from the point of view of both the financial and the operational requirements. We are talking about everything from co-locating local policing in communities to providing buildings for our officers to work from, particularly when it comes to the equipment that is needed by response officers in the year 2024 and beyond. In addition, our custody provision is really important, because we have a responsibility to keep people who are detained safe.

However, as I said, a different approach will be required, and I will ask James Gray to talk about the detail of that.

10:15

The Convener: There is quite a lot to cover, so fairly succinct responses would be helpful, as I know that members are wanting to come in with a range of questions.

James Gray (Police Scotland): It is fair to say that the budget has a very strong spend-to-save element. I will focus on one quick example, that of the estate, given that it represents almost half of the capital ask over the five years.

Our estate is too big and it is inefficient. When I say that it is too big, I do not necessarily mean that we have too many locations, it is more about the size of buildings and their purpose when they were built. One example is Randolphfield in Stirling. Of course, we need to have a police presence in Stirling, but do we need the building that was the former headquarters of Central Scotland Police? It has custody provision that is not used, and C3 and force executive facilities, but what is needed is a local police station. That is just one example of the cost of maintaining something that is not fit for what we need; I could pick many others across the country.

Another point is around inefficiency. Our estate is very old. When you look at our energy performance certificates, most of our buildings are below E, which is very poor, so our utilities costs are really significant. Investing in the estate and moving away from just patching up failing buildings towards getting better quality, right-sized, energy-efficient facilities in communities will, we estimate, over a 10-year period, save £15 million a year of cashable savings. That is why we said in the submission that we could afford to borrow the money, repay it from those savings and still make an overall savings contribution.

The Convener: That is helpful. I move to other members, because I know that there is a lot to cover and our time is limited.

Liam Kerr: Good morning. I will move to the resource budget. Chief constable, the Scottish Government asked you to model two scenarios, one in which you receive a flat cash settlement and one in which there is a 3 per cent cash reduction. In your submission, you said that a flat cash settlement would mean that officer numbers could drop to 15,100 and that a 3 per cent cash reduction would

"see police officer numbers drop below 15,000."

How inevitable is that? If the budget shows, for example, flat cash, is that the number of officers that we will see by March 2026?

Chief Constable Farrell: I will respond to that, but I will ask DCC Connors to come in on the point about what the impact of a reduction in the workforce would be.

In relation to the modelling of the two scenarios, that would be the projected impact of the revenue budget not being able to support the current level of officer numbers. Police Scotland has a long history of strong financial planning and linking that

planning to the workforce. I am confident that that would be the impact, should we not receive sufficient revenue to support our current workforce numbers.

There is a broader point to be made around what we have detailed in the document, in that we have an ability to turn police officer numbers on and off quite quickly, but what we do not have is the ability to do that with our police staff. I have said a couple of times at the committee that I want us to talk more broadly about the 22,000 people who deliver policing for the people of Scotland. The effect of that workforce is very much to keep people safe, reduce crime and support victims. As I said in the submission, that is very much where we need to be talking in the future. If the chief constable—me—is being asked to keep the people of Scotland safe, that is about providing a budget that is realistic both in terms of that and in the context of the broader economic situation in the country. We also need to talk about the effect on a mixed and diverse workforce of 22,000 people.

I also say in the submission that there is some opportunity to change the mix of that workforce, which we have started to explore. It is about two things: it provides—

Liam Kerr: If I may, I would like to come back to the question of the impact—the point is well made—and I will ask a question to DCC Connors in a second.

Chief constable, you made projections based on a flat cash settlement and on a 3 per cent cash reduction. However, there are on-going pay claims. Can you advise where we are on the settlement of those claims? In any event, what impact could any such settlement have on your projections by March 2026?

Chief Constable Farrell: We will respond to that. James Gray will pick that up and then we will talk about the impact of a reduction in numbers.

James Gray: The resource ask is based on an assumption about the settlement in this year's pay award, as you rightly point out, and 4.75 per cent is the figure that has been made public. Anything over and above that would represent an additional pressure over and above what we have in the figures today. Our assumption in the ask for next year is based on what public sector pay policy would look like in relation to us. If your question is whether a pay award settlement this year could create additional pressure on next year's budget, the answer is yes, if the settlement ends up being in excess of 4.75 per cent.

Liam Kerr: I am very grateful for that answer.

I will direct my final question to DCC Connors—but you can of course come in, chief constable, if you wish.

DCC Connors, last year the Scottish Police Federation told the committee that any cuts to numbers would "have consequences" and that public safety could be "compromised." The federation went on to say:

> "The police service cannot cope with any further reduction of officer numbers".

If numbers were to drop in certain situations—as your written submission suggests could happen—what impact would that have on the force's ability to provide the services that it does?

Deputy Chief Constable Jane Connors QPM (Police Scotland): Thank you for the question. I will link it a bit to the point about capital and benefits, as I think it all links in. I absolutely understand the federation's comments. Policing involves managing threat, harm and risk, which we do every single day. We have to make choices about some of the lower-impact volume crime versus some of the higher levels of threat, harm and risk. If there is a reduction in police officer numbers and equivalent police staff, we will have to review how we deliver our services and where those resources are put.

At the moment, through Police Scotland's vision and the business plan, we are developing a strategic workforce planning process, in which we are looking at demand, resource and service delivery. We want to put our resources in the right place, and to do that through a strategic mechanism. If we do not have the funding that we need in order to do that, we will have to start falling back and asking where the officers and staff are going to be put. That is not a strategic way of doing things; it means that we have to make the difficult choices much more quickly, without a longer-term view.

We are always public safety focused. We will always base decisions on threat, harm and risk. We will manage criticality and critical incidents. We manage operational policing. I do not think that public safety would be compromised, as we are a police service. Not having the funding that we need would mean that we have to prioritise and make more difficult choices around the threat, harm and risk.

One of the key things that we have been considering, which links to benefits and capital, is the community policing model. If we can problem solve and carry out prevention by investing in our community policing model, we will be able to get ahead of some of the issues by tackling their root causes with our partners, so that, as a police

service, we are not constantly reacting to the demands that come in. As an organisation, however, we are able to consider strategically how we support our communities and victims and then move forward. That work represents a key element of what we are doing. It would have to be accelerated if there were a reduction in our numbers, and that would be very difficult.

I want to touch on the point about capital investment, and the benefits and impacts, which was what the original question was about. Such investment is about our ability to create capacity in our workforce. We know that the criminal justice system places pressures on officers' mental health, and that there are a number of different factors in that. We want to be able to create capacity, including through automation and modernised contact, where calls come into the call centres but we have digital mechanisms to reduce some of that call demand. We would look at some of our digital planning so that we are able to deal much better with online crime and produce data that enables us to look at intelligence and how our data processes work, so that we can be much more intelligent about managing threat, harm and risk.

Those are the areas that need capital investment, because the majority of those investments are either in technology or other areas. That frees up capacity so that we can put officers where we need to. The benefit of the capital is really important, but the impact of not having the capital, combined with not having the revenue, is that it creates a really difficult situation, because our systems are not going to support the current position, let alone the situation of having reduced numbers.

I hope that that answers your question. Reduced funding would make things very difficult. We are a police service and we manage threat, harm and risk, but we would have to make choices about where our officers go.

Liam Kerr: I am very grateful to you all for those answers.

Pauline McNeill (Glasgow) (Lab): Chief constable, I would like to set the context for my line of questioning. I recognise the constraints of the police budget and you have clearly set out your concerns. I will follow on from Liam Kerr's questions about the modelling that you have been asked to do for a flat cash settlement and for a cash reduction of 3 per cent. Has the Government responded to your plans for a multiyear funding arrangement and, if so, what was the response?

Chief Constable Farrell: As I said in my introduction, we have identified multiyear funding together with borrowing and the ability to have some reserves as the three key elements for financial planning and operational delivery that, I believe, are required for the organisation. The budget is £1.4 billion. It is a national service—a service that will be able to derive and deliver benefits for communities only if we continue to be able to make wise capital decisions and decisions about revenue.

With regard to technology and the estate, if decision making and expenditure are areas of business that we manage on a multiyear basis, we can maintain momentum and manage the project requirements around some of that investment. Those business areas are managed in terms of weeks and months; they take months and years of planning, and this organisation needs that more sophisticated approach to how money is provided.

Pauline McNeill: My question was whether the Government has given you an indication of its response on multiyear funding.

Chief Constable Farrell: No. We have had some early discussions.

Pauline McNeill: On police numbers, based on the modelling that you were asked to do, which you referred to in your submission, police numbers could be as low as 15,000. Would that mean that you would have to make police officers redundant?

Chief Constable Farrell: We cannot make police officers redundant, but we can cease to recruit police officers, which is the direction that we would move in if we were in that position with the revenue budget.

Pauline McNeill: You have said that you like to think of having a workforce of 22,000. Is that by necessity? I wonder what the public think about that and what your view is. Given my role, I know that constituents want to see police officers protecting them from threat, harm and risk. In paragraph 24 of your submission, you say that you are

"working to establish a clear position on the right size"

of the police force. What does that amount to?

Chief Constable Farrell: At the moment, to use the terminology, some middle-office roles in Police Scotland are performed by police officers. I would want those officers to be in front-line policing roles. I have been very clear in the business plan that it is about building and strengthening front-line policing.

10:30

One of the ways that we can do that is to look at the size, shape and structure of the organisation and determine whether some roles would be better and more efficiently delivered by police staff, as set out in our submission. This year, we

have started a small amount of work on that in relation to staff such as firearms licensing officers and some civilian investigators, as well as having a greater proportion of staff in our command and control and our communications rooms. There are police officers who have a wealth of experience who are in some of those roles, and whether they are constables or, importantly, sergeants and inspectors, we want to be able to use their experience in front-line positions.

Pauline McNeill: I understand. I can see the sense in that: you want to ensure that front-line policing is the best that it can be. You do not mean that you would civilianise police jobs.

Chief Constable Farrell: No.

Pauline McNeill: You know the reason that I am asking about that. There was a report in the press that you had appointed civilians to do what looks to a layperson as though it is detective work. That is why I am concerned.

Chief Constable Farrell: So that everyone is clear, we have brought some additional police staff into key roles and we have been able to effectively move police officers into front-line roles. It is additionality, not "instead of".

Pauline McNeill: Thank you for the clarification. My final question is for DCC Jane Connors. I want to set the context for my line of questioning. I understand why you would want to talk about automation, and that you have to look at every possibility as there could be a very difficult budget outcome. However, I confess that automation fills me with dread, to some extent. I would like to know a bit more about what you mean by automation.

Many years ago, when all the call centres were set up, I had concerns that the public might lose out on the service that they used to get. If we put that to one side, would automation mean that when someone calls the central police number, they might not get to speak to a human being? What does automation mean and how will it impact the way in which the public get access to the police when they need them?

Deputy Chief Constable Connors: As you say, we are a police service and it is absolutely essential that people are able to speak to someone at the end of a phone. We have all experienced the loop where you go round in a circle pressing different numbers. However, there are a number of instances when people may phone 101 when they want an update on something or there is not a need for them to speak to one of our advisers, because they need a policing response. I am talking about being able to have a process, perhaps through public digital contact on our website, which allows people to contact the police in different ways, so that everything does not come through the 101 system. It is also about having better automation so that, if you phone 101, you have different choices about where you are directed, but you can always speak to an adviser if that is what is needed. The proposal is not that we cut off our ability to speak to people. That is not how policing and the contract with the public works.

Sharon Dowey (South Scotland) (Con): Following the same line of questioning, Chief Constable Farrell's opening statement referred to fluctuations in staff numbers through recruitment and leavers. Can you tell us the current predictions for police officers and police staff numbers in the coming year? What number are you recruiting towards?

Chief Constable Farrell: If, next week, as I anticipate, we reach 16,600 officers, which is what we were funded for this year, we will hover around that number for rest of the financial year, because we can predict the number of leavers. We make offers to people to join Police Scotland and, on occasion, they do not all turn up on the first day.

I will ask James Gray to give you the detail about our police staff colleagues.

James Gray: The assumption is that police staff numbers will remain broadly constant for the rest of the financial year. There will be a slight increase, which reflects what the chief constable said about bringing people into specific roles to do jobs that are currently being done by police officers, so that the officers can be freed up for the front line. That is already built into our budget for this year.

That aside, there is an assumption that staff numbers will remain constant. It is easier to keep those constant because we have a traditional staffing model and we go out and re-recruit when people resign. The model is slightly different for police officers because of the need to bring them into the police college for training, which we cannot do daily—it happens in waves. There is an intake of probationers next week and there will be another in January, but we typically see around 60 police officers retiring or resigning each month. If one member of staff resigns, we will recruit, but that is a bit more lumpy with police officers because we cannot just start a new course for one police officer; we need big enough numbers. We expect about 120 new probationers to come into the college in January to boost numbers.

As the chief constable said, we expect the number of officers to hover around 16,600 and for the number of police staff to remain constant, with the exception of the small uplift in the number in specialist roles to free up officers to go to the front line.

Sharon Dowey: The committee always hears the figures for full-time-equivalent police officers, so we know how many we have in comparison to previous years. Do you have any figures to share with the committee about the number of civilian staff? I have never seen those.

James Gray: I would be happy to do that. We have figures going right back to the start of Police Scotland. There was a big drop in staff then because of the amalgamation, but there has been a steadying since then and an increase over time. The number will be lower than at the start of Police Scotland and I can show you the trend in the past 12 years.

Sharon Dowey: That would be interesting. You mentioned police officers doing jobs that civilians could do. Civilians used to do those jobs, but we have put police into those roles as things have changed, so it would be interesting to see the fluctuation in civilian staff.

Chief Constable Farrell: There is a really strong pipeline for prospective Police Scotland officers, but that is not the same elsewhere in the United Kingdom. It is important for the committee to hear that directly from me.

Our vision and plan are clear. We are here to talk about finances but we are seen as an organisation that people want to join and be part of, and we offer significant opportunities across the whole of the country.

Sharon Dowey: DCC Connors spoke earlier about demand, resource and service delivery. Pauline McNeill mentioned paragraph 24 of your submission, which says:

> "We are working to establish a clear position on the right size of our police officer, staff and volunteer workforce to address the changing scale and complexity of demand".

Do you have something that shows what you need for demand, resource and service delivery or will that be shown in your budget figures?

Chief Constable Farrell: I will highlight the areas of focus in the business plan and DCC Connors will pick up on the process.

This year, we have started a second wave of reform in Police Scotland that will run into next year and will get us to a position where our shape, size, structure and efficiencies will round out the capacity of the organisation, with maximising the front line as a key priority. We will enhance our community policing footprint, support victims better and modernise the workforce by moving officers to the front line and replacing them with additional police staff.

We want to improve command and control, 999 and 101. We have talked about the estate and the harnessing of science, technology and innovation for efficiency and effectiveness. DCC Connors will describe how we are working to meet those commitments in the business plan.

Deputy Chief Constable Connors: I will try to keep it high level as I am conscious of time. A number of change programmes are on-going, looking at service delivery and the resources that are required. The local police and service delivery review is predominantly of the local policing section of Police Scotland. When Police Scotland was formed, it focused on specialist crime and the national divisions and there was not so much of a focus on the local policing elements.

Within the local policing elements, we are looking at what is needed in response, in community policing, in local investigations and in public protection. Those are the key areas. Investing in the community policing model means that we do problem solving and prevention, and we work with partners and with communities, which should take the demand out so that we only need to respond to the high levels of threat. That is what we are looking at in the service delivery of our local policing: local investigation and how that looks links to the national divisions, and our public protection elements and how they link to the divisions.

Sharon Dowey: Could I just pause you there? I am asking whether those figures will show us what you need if you are to do everything that you want to do, or whether they will just show us what you have a budget for?

Deputy Chief Constable Connors: The plan for the next 18 months is to see what we and the chief constable think about what our workforce mix is and what we need to be able to deliver all those services.

Sharon Dowey: So it might show that you are recruiting to 16,600 but you actually need 17,000, or whatever. It will show the variations.

Deputy Chief Constable Connors: The plan is for a much more strategic view of what the organisation actually needs if it is to be fit for the future, to create capacity and to deliver for the people of Scotland.

Sharon Dowey: I also want to ask about the body-worn video camera programme. It was due to have been rolled out already, but it is now due to begin rolling out in spring next year. Can you guarantee that that will happen, regardless of the budgetary position, and that all the relevant officers who need a device will be provided with one? Is that programme still on course to roll out on time?

Chief Constable Farrell: The rolling out of the body-worn video camera programme across the country is somewhat complex, in terms of the

technology and the ability to capture video and move it around the criminal justice system. During the summer, we went through a complex process of procurement and we are now working at pace to deliver that capability, which will be an absolute game changer for us, but more importantly for our communities, the criminal justice system and our partners. Nobody wants that technology on officers' vests more than I do. When I have more detail, I will provide it to the committee. I anticipate spring delivery, but I will bring more detail in due course.

I need to reinforce the point that this is a complex piece of technical digital capability. As you all know, the camera is the easy bit. We see lots of people in different roles and professions using cameras. It is the connectivity that is the important bit. Without that, we will not be able to realise and exploit the full potential of the system.

Sharon Dowey: Does the budget contain the full cost of training all police officers on the procedures and implementing the infrastructure in all the stations?

Chief Constable Farrell: Yes.

Rona Mackay (Strathkelvin and Bearsden) (SNP): Good morning. I will pick up where my colleague Sharon Dowey left off and ask about body-worn cameras. That issue has been around for the past decade. How confident are you that the connectivity roadblock that you are talking about will be overcome? How far away is that? You anticipate that it will be in spring, but it seems to have been a long time in the mix.

10:45

Chief Constable Farrell: That is about the complexity of the connectivity issue. I will repeat what I have just said: nobody wants this more than I do. We are working as hard as we can to ensure the successful roll-out of this piece of capability, which, as you rightly say, has been in place elsewhere in the United Kingdom for some time. I will come back in writing to the committee on the detail of the complexity as that work progresses.

Rona Mackay: Thank you. I have a few questions about the three-year business plan priorities. I do not want to labour the point but, in your submission, you say that you

"will seek to streamline back-office functions to create efficiencies".

Notwithstanding what you have said about getting police on to the front line, would that affect admin staff? Are we talking about redundancies among the people who work in offices and who do not have police training?

Chief Constable Farrell: Those roles are really important, particularly within our local policing areas. However, as the deputy chief constable has said, they have not been the subject of any review in the past.

In the time that Police Scotland has existed, new technologies have come in. For example, we now have one single crime system, whereas we used to have eight or nine different crime systems. Each time we move to new technology and greater connectivity, we look to automate some of the processes to give our officers and staff access to the best information.

We do not have the facility to make anybody redundant, and that is not something that we would want to do. However, it is right and proper that the committee knows that we are looking to deliver policing as efficiently and effectively as we can. In the future, through advancements in technology and reorganising the way in which our local policing is arranged, it may be that some individuals who are currently in administrative roles will move into different roles.

Rona Mackay: So you are saying that there will be no redundancies, but that there will be a change in emphasis and a move into different roles.

Chief Constable Farrell: I am saying that there will possibly be an organisation and a change. That is why we talk about size, shape and structure.

Rona Mackay: I move on to the part of your submission where you talk about supporting victims. You say that you will do so

"through improved trauma informed policing and a victim-centred approach".

How are you doing that, and how is it going so far?

Deputy Chief Constable Connors: One of the key elements of the vision is ensuring that support of victims is part of it. Trauma-informed training has been rolling out, and it comes in at different levels. Probationers are trained in how to deal initially with victims. We ensure that our control room staff—the people who take the call at the very beginning—have trauma-informed training. Then, depending on the specialism that a person has, such as domestic abuse or sexual offences, they might receive more in-depth trauma-informed training.

The purpose behind that approach is also to ensure that we look not just at the training, but at what a particular victim needs. Every victim is different and they will all need different things, so we have to consider how we tailor our response and our investigation to the particular victim.

All those facets are coming through. Some of it is about training. Some of it is about custom and practice and changing our processes, so that, for

example, we have governance over when a victim is updated. That way, when we say to a victim that we will update them at a certain point, they get a meaningful update—

Rona Mackay: I am sorry to interrupt, but is that actually happening?

Deputy Chief Constable Connors: It is happening—yes.

Rona Mackay: Good. Thank you.

Finally, I want to ask about the part of your submission on science, innovation and technology. It mentions developing the use of data science and so on, and also mentions artificial intelligence. What part would that play in on-going policing?

Deputy Chief Constable Connors: I think that artificial intelligence can be misconstrued—well, not misconstrued, but there are different types. For example, there is automation whereby significant volumes of data are churned through and insights are produced at the end. What we are not doing is using AI to make decisions that should be made by humans.

I will give an example of use of the technology. As part of our corporate functions, we do not currently have self-service systems for finance or our people. As a line manager or an individual officer, I cannot go on to an app to book my shifts or find out what my rest days are. It is important to have automation in some of our systems so that we can reduce the demand on some of our offices because of the way that they do things at present.

Where we have large volumes of data in investigations or other areas, robotics or AI will be able to look at that and give insights on it. However, we are not talking about AI being used in decision-making processes; we are talking about its ability to take out the volume of work that sits behind them. The national health service and other public services use it in a number of different ways. It is about our ability to be more efficient by using robotics or self-service mechanisms.

Rona Mackay: That is helpful. I cannot help thinking about the contrast between what you have said about future proofing and forward planning and the problems that we are having with connectivity for body-worn cameras. Given that other forces in the UK are using body-worn cameras, I still cannot understand the problems and complexities that you are running into.

Deputy Chief Constable Connors: The capital investment is important, because a lot of that relies on the infrastructure. We have a lot of work in train and we will then be able to turn on the systems and use the capability and capacity within our digital systems. However, the capital investment is essential for us to be able to bring our systems up to where they need to be.

Rona Mackay: Okay—thank you.

Fulton MacGregor (Coatbridge and Chryston) (SNP): Good morning. Chief constable, you and your colleagues have spoken before about the general inefficiencies in the criminal justice system as a whole. A particular bugbear for the committee, which we have raised several times in meetings involving the police, is the issue of court appearances for police officers. As we all know, they sometimes take police officers away for considerable periods of time. Since you were last here speaking to the committee, have you had any further discussions with the Crown Office about that? How are things progressing in that area? I imagine that improvements there could lead to significant savings of time and money.

Chief Constable Farrell: You have rightly articulated the position that we have found ourselves in. By way of a headline to reinforce the point, I note that there are some positives and there is some light in that space.

Last year, we spent £3.4 million on overtime for officers to attend court, but they gave evidence only about 10 per cent of the time. Of that £3.4 million, more than £2 million was spent because officers were called to court on annual leave or rest days. That is, quite frankly, a disgrace in relation to use of public money and, equally important, the intrusion into people's private lives. I am sure that we all agree that what might have been acceptable 30 years ago is not acceptable in 2024, given the right to a private life under article 8 of the European convention on human rights and the need to find a balance between what is often very challenging police work and time for officers to rest and recuperate with family and friends.

On a daily basis, 400 to 500 officers are in court waiting, and they do not always give evidence. In fact, most of the time, they do not give evidence. For me, a year into my role, that position is very stark when I look across the organisation and see where the waste is. The situation also has an economic impact because, for each of those cases, there is a victim and witnesses who have to go to court. Their expectations are being built up through the process, but the system is failing them.

Within all that, however, I can say that some significant leadership in driving summary case management has been shown by Sheriff Principal Anwar in Glasgow, with whom we work closely. That involves ensuring that the police provide all the evidence at the beginning of a case, so that there is the best possible prospect of finalising the case on the first or second hearing—often, cases can go to court three, four or five times. That

needs resourcing from our point of view. There is an expectation on my part in relation to how we prepare the evidence, so that it is ready to go on the first occasion, and leadership is being shown by the judiciary, the Crown and the courts in relation to driving the efficiency of the process to increase the rate at which cases are heard.

As an aside, just to give you some reassurance, I can say that we are presenting more cases to the Crown and seeing more cases going through the courts than ever. The reason why I say that is to draw your attention to the increased rate of productivity that Police Scotland is delivering for the benefit of the public.

Across the partnership landscape, we have agreed that summary case management will now roll out across the country. It is complemented by the digital evidence sharing capability—DESC—programme, which is about the way in which digital evidence gets into the criminal justice system. That will bring about significant benefits in terms of the efficiency and the rate at which trials are heard. That is for the benefit of the alleged perpetrator as well as victims and witnesses.

I am grateful for the leadership and partnership working that we have seen. There is more to be done, but some positive steps are being taken, and I am happy to report that to the committee.

Fulton MacGregor: It is definitely good to hear that progress is being made, but I think that we would all agree that it could be faster.

You talked about the £3 million that was paid out in overtime to police officers who were called in when they were on holiday or whatever. Do you have any idea what the cost is for those who are on duty on a day when they are called in and have to spend the whole day in court? Do you record that cost in terms of hours rather than money? Obviously, it has an impact on the service.

Chief Constable Farrell: James Gray might be doing some sums in his head at the moment. Some 400 or 500 officers a day are in court and, if only 10 per cent of them give evidence, that means that 90 per cent of that figure is wasted capacity, as those officers are not performing their core roles. For our response officers, for example, there is only a one in five chance that the court date will align with a rest day, because they are on either early shifts, day shifts or night shifts, and then there are two shifts that are off. There is a move in the right direction in this regard but, because no cognisance is currently being taken of other matters when the trial dates are set, the date often falls on rest days and annual leave days, which has an impact on the front line of policing.

We might have to come back to you on the question of cost.

James Gray: Just to give you an idea, I can say that 500 officers cost the taxpayer approximately £25 million a year. If 90 per cent of that is not effective, that represents £22.5 million of lost productivity.

Deputy Chief Constable Connors: I will just add that, if officers are warned for court, meaning that the response level strengths drop, we have to backfill by cancelling someone else's rest day, so that that person can work on the team while the first person goes to court. There is a constant chain of movement and cancelled rest days.

Fulton MacGregor: That is useful, thank you.

The Convener: I am sorry to interrupt, but is that £22.5 million the current figure per annum?

James Gray: Yes.

11:00

Fulton MacGregor: I have one further question. Another area of inefficiency that the committee has discussed previously concerns how the whole system works together. We have talked about police officers having to deal with mental health situations that most people would traditionally think are matters for health and social care professionals. Since you came into your role, have you had any discussions with the NHS, Social Work Scotland and other bodies on how more efficiencies could be made in that area?

Chief Constable Farrell: I will ask DCC Connors to provide you with details of the progress that we have made in that space. Those conversations and discussions are taking place, but some very practical steps have also been taken.

Deputy Chief Constable Connors: Absolutely. There are pockets of really good practice across Scotland. Key aspects that we have started to embed and implement include the mental health pathway that is in C3—our command and control divisions. That work, which is done in collaboration with NHS 24, is about ensuring that we can get referrals at the first point of contact, before we even have to dispatch officers. Officers turning up to a call in uniform are often not the appropriate first point of contact. Through our work with NHS 24, 3,808 referrals have been made since September 2023, which is about 360 referrals per month. We are starting to see momentum on that, which means that we are now starting to take the demand for officers out of the system. That might sound clinical, but by doing so we are ensuring that the person who calls us gets the right help, at the right time, from the first point of contact.

We also work through the mental health index, which means that every officer can now access the right clinician in their particular area, 24/7.

They are able to look at the mental health index and speak to a clinician who will tell them where that person needs to go or which form of care is required.

Those are two practical aspects where we are starting to see the change that has come from dealing with mental health issues very much on a partnership basis rather than just through the police. That is starting to ensure not only that the individual gets the right care but that police officers are not then sitting or dealing with them all the way through to accident and emergency departments or the other factors that might be involved.

Fulton MacGregor: We see that happening quite often.

The Convener: Ben Macpherson is next, then other members want to come back in with follow-up questions.

Ben Macpherson (Edinburgh Northern and Leith) (SNP): Good morning. I want to go back to capital matters for a moment, and I also have a question on revenue.

With regard to capital, I note the statements in paragraph 12 of Police Scotland's submission about

"securing multi-year funding commitments from Scottish Government, the exercise of statutory borrowing powers and the establishment of a facility to enable the carry forward of financial reserves."

Could you say a bit more about how the dialogue with the Government has gone? The Scottish Government faces challenges, given its constricted ability to borrow and to provide multiyear funding, because of the nature of the fiscal framework. Coupled with that, clarity on most aspects of the Scottish Government's budget is provided only annually, because of the way in which the UK Government budget process works. What would be a welcome update from the chancellor in today's UK Government budget, given the wider considerations on planning the capital investment that is clearly essential for the delivery of policing?

Chief Constable Farrell: The discussions to date have been very similar to the case that we make in our submission to the committee. We articulate why, from a financial point of view in obtaining best value and making good use of public money, our approach makes sense and allows us to make operational plans so that we can support our officers to deliver the best service for Scotland's communities. Those discussions have involved a recognition of the size and scale of our organisation, which I referred to earlier, and the fact that running on an annual basis means that we have to turn the taps on and off, whether in relation to the recruitment of people or areas of capital investment, which is contrary to the goal of being able to make longer-term plans and financial decisions.

As part of the in-year funding agreement for the current year, the Scottish Government gave a commitment that it supported the direction of travel. There was a clear presentation of our three-year business plan and what the second phase of police reform will look like for Police Scotland. It is clear what we are going to deliver for the public, but the way in which the money is arranged is key to that. I want us to make good decisions and good investments to ensure that the kit and the buildings are the best for the public and the people who work for them.

Ben Macpherson: I absolutely understand the principle and the ambition, but I am more interested in the dialogue on the technicalities and the challenges in the legislative environment.

Chief Constable Farrell: Some of that is dependent on decisions and announcements that will be made at Westminster today, and some of it is dependent on whether we can—this relates to the technical aspect of how we are seen as an organisation in Scotland—move to the way in which local authorities are able to work, whereby they can hold reserves and make multiyear decisions.

James Gray: To pick up on the chief constable's points, we are in the early stage of discussions with Scottish Government officials. The accountable officer and I are looking to speak to senior officials about that over the coming weeks. Conversations have taken place in years gone by, but they have been limited by the statutory and fiscal frameworks under which the Scottish Government operates.

Our ask is more about the principles and the fact that we are the only police service in Great Britain that cannot borrow and that does not have reserves. That arrangement was created as a consequence of Police Scotland coming into being. Prior to that, the old legacy forces could borrow and carry forward reserves because they operated under the local government framework, whereas Police Scotland is now under a national framework.

We had a similar conversation a number of years ago about VAT, in that Police Scotland, as a civil national service, could not recover VAT. The same principles apply to borrowing and the use of reserves, which makes it difficult to plan ahead. As the chief constable said, that is particularly the case in relation to buildings or digital programmes that might take two, three or four years to be delivered. That is the principle of the conversation that we are looking to have.

With regard to your final point about multiyear funding, I completely understand the challenges

that are presented to the Scottish Government as a result of the fact that it receives only single-year settlements from Westminster. This is a general point that goes beyond Police Scotland—for meaningful public sector reform to take place, there needs to be an element of certainty on what investment will be made available over a period of time. We are talking about an initial three-year business plan, which will be followed by another three-year period to take us to 2030. Without having an understanding of whether funding will be forthcoming, there is a question about how much time and energy we should put into looking at redesigning our estate or changing the way in which we deliver a particular service if the investment will not be there to implement it. That makes things very difficult, and we end up in the annual cycle that the chief constable described.

Ben Macpherson: The lesson from the i6 project was that things should be done in stages, rather than by taking a big-bang approach, so to speak.

With regard to the estate, is Police Scotland thinking about its communications with communities? Earlier, the chief constable said that we are talking about an enhancement of the estate that will move it into the 21st century, while maintaining local presence and capability. Speaking from my constituents' perspective—I know that it is the same elsewhere—the concern locally is that things are closing rather than changing and being enhanced. Consideration of the communications in that regard might be useful.

My last question is on revenue. DCC Connors, you talked about the importance of community policing and the difference that it can make in taking preventative action and creating flexibility. Can you say a bit more about what would be helpful financially in the period ahead in order to undertake preventative spend to a greater extent? What resources would make a meaningful difference in implementing the Christie principles in all the areas that the Parliament is considering with regard to public sector reform?

Deputy Chief Constable Connors: That would be on a couple of different levels. One is our ability to create capacity, which links back to the capital asks. That gives us the ability to be more efficient with our technical solutions and in where we put our estates and where we deploy people from. A key point is being able to relieve capacity. If we create officer capacity, we can put them into doing the things that they need to be doing.

In relation to being able to move the organisation round, we need to be able to relieve the back-of-house capacity. I call it "back of house"—I know that that really upsets some of our police staff colleagues—but it is not about being back of house per se; it is about putting everything on the front line. It is about being able to put out on the front line the resources that have, through custom and practice, grown in the middle area.

That links back to workforce modernisation and the strategic workforce planning that we need to do. What roles does the organisation have? Which roles need a warranted officer to do them? How can we put warranted officers back on to, and strengthen, the front line? That is where strategic workforce planning comes in.

All that requires us to be able to look forward at technical efficiency and capacity creation; at our work with partners to ensure that we can build capacity in problem solving and prevention; and—as the final piece—at the workforce mix. All that requires not only multiyear funding but investment in revenue and capital, and in reform, because we use reform funding to undertake our transformation programmes, with specialists in those areas.

We need all those three elements, which is why the bid that we have made is clear about what we need and why. All those things will deliver change in the shape of the organisation, including on fraud and cyber and our ability to move forward with some of the crime trends that we know are coming, and through investment in our community model.

Finally, it is important to note that police staff play an essential role in Police Scotland. With regard to the restructuring, which includes looking at the enablers and the corporate functions, we have already talked about being able to develop people, but it is not just about officers—police staff are essential to the organisation, too.

The Convener: I want to come in on the back of one of Ben Macpherson's questions, on borrowing powers. James Gray, you gave a helpful answer and a bit more detail on the on-going discussions with officials and, in your written evidence, you quoted a figure of £200 million that you would be looking to borrow. Has there been any discussion about the practicalities of that? How would it work? Who would you be borrowing from, and who would cover risk if there was a default? What about interest payments? I am thinking more of the practicalities. Have you reached that point yet?

James Gray: Internally, within the service, we have used the prudential framework and code that local government uses. We have looked at the Public Works Loan Board rates and at how we might structure borrowing against the construction of new assets in the estate, for example, and the cost of the repayment of that debt, to see whether it would be affordable against the savings through the efficiencies that we think we would generate by having a more modern estate. That gives us an initial view, and we are confident that that would be affordable.

When it comes to the actual conversations, the intention is that the accountable officer of the Scottish Police Authority and I will speak to the director general of the Scottish exchequer, Alyson Stafford, and to the chief financial officer. The accountable officer and I have written formally to seek a meeting to have technical discussions about that.

11:15

The Convener: Thank you—that is very helpful.

We are up to time, but I know that some members wish to ask supplementary questions. If the chief constable and the other witnesses have a little bit of flexibility, it would be helpful if we could continue for another 10 minutes or so.

Liam Kerr: I was very interested in the part of your submission in which you stated that the

"financial implications of current legislation is significantly higher than we are able to absorb within our BAU activity"—

that is, your business-as-usual activity. Many parliamentarians, especially those on the Finance and Public Administration Committee, have been increasingly concerned about that issue, so I was particularly interested in what you said.

Is the cost of that legislation broadly what was predicted in the financial memoranda to the relevant bills at the time? In any event, given that you have built the costs of meeting those demands into your budget ask, what will happen if the Scottish Government does not cover that?

Chief Constable Farrell: We referred to two significant pieces of legislation in our submission. The Police (Ethics, Conduct and Scrutiny) (Scotland) Bill—or PECS bill—and the Domestic Abuse (Protection) (Scotland) Act 2021 have had some airtime at the committee. We have applied additional rigour in relation to our assessment of the impact in that area of business.

It is right, reasonable and proper that, for some pieces of legislation, you would expect 22,000 people and £1.4 billion to absorb what they require. I will use the example of XL bully dogs. The legislation on that, which is very important for keeping the public safe, had to be implemented at pace. I use that as an example of legislation the cost of which we have absorbed within the resources that we have.

However, at the same time, it is important for us to conduct more detailed exploration of the implications of the implementation of such laws. That is important for the committee regarding decisions in relation to the settlement for next year and in highlighting that, although such pieces of legislation have some significant positives, they do not come for free.

With regard to your question about what the impact will be if we do not have the resources to meet those costs, I take you back to the response from DCC Connors: it is about the management of the threat and the risk, and of where we prioritise our efforts.

Liam Kerr: Let me press you on one point. I appreciate that you might not be in a position to answer this question; I might put it to the SPA later. In its financial memoranda to the legislation in question, did Parliament accurately predict the cost to policing? If not, there is something going wrong at this end.

Chief Constable Farrell: Which pieces of legislation, specifically?

Liam Kerr: You have mentioned the domestic abuse protection legislation as incurring a cost, and you have talked about the age of criminal responsibility legislation. Within the relevant financial memoranda, there will have been a prediction of what the cost of that legislation would be for policing.

Chief Constable Farrell: Understood.

Liam Kerr: Did Parliament get that right?

Chief Constable Farrell: Just to ensure that I am accurate here, I note that we have also analysed the opportunity cost. I do not think that that features in the memoranda. Is that right?

James Gray: This is where the apportionment of responsibility would lie around the true costs of legislation. Historically, there has been a weakness in the system around the ability to understand the operational implications of all legislation and to accurately cost it. There has been a lot of focus on that over the past 18 months or so in order to be really on top of it. That is why we are bringing better data through that captures the additional cost, as the chief constable said. That is included in the budget submission. It includes things such as external legal fees, which we cannot avoid, and the time that would be used internally on training and so on.

We would need to take that away and have a look at it in a bit more detail to see what has happened in the past. However, that area has certainly been a focus for improvement over the past 18 months, which is why there is far better data coming through.

Liam Kerr: That is very helpful—thank you.

Sharon Dowey: I have a quick question that goes back to inefficiencies. Earlier on, James Gray mentioned the estate being too big and inefficient. He also mentioned a station that had custody suites that were not being used. I am wondering whether there are things that have been cut in the past due to budget constraints and in an effort to

make efficiencies, but which have proved not to be cost effective and perhaps need to be reversed—except you do not have the budget for that.

I am thinking about custody suites, because I have spoken to officers who have said that they used to be able to go in, process a prisoner and be back out and operational within an hour. However, they might now spend a full shift having to drive around trying to find a custody suite that might end up being in another locality. Is that an efficient use of police time? Would you like to reverse that and open up more custody suites?

James Gray: That is an on-going piece of work at the moment. It is being picked up through the work on the three-year business plan and on what the future model for custody will look like.

I have seen that, too; I have been out on shift and seen the bottlenecks that exist when officers try to book people in at custody suites. That is being looked at from an operational perspective, and the estate requirements will come in off the back of that.

We are absolutely clear that we need to have the right model. We are trying to provide the right provision in the estate to support the future delivery of the service; it is not about cost reduction, which is why investment will be required. As part of that, as I have said, the overall operating model is being reviewed. That is about whether we have the right number of custody suites in the right locations and whether they are staffed to the appropriate level, because inappropriate staffing levels often cause delays.

Sharon Dowey: So, that is currently under review. Obviously, that will have a knock-on effect for GEOAmey, which is also experiencing operational issues.

Rona Mackay: I have a brief question for James Gray, which goes back to an element of Ben Macpherson's questioning. Throughout our constituencies, a lot of older, not-fit-for-purpose police offices have been closed. Do you have figures for the capital take from that so far?

James Gray: I would need to write to the committee about the capital receipts for the buildings that have been closed since the creation of Police Scotland. We are talking about more than 100 buildings, but I will have to write to you on what the capital receipts from that have been.

For the future, it is not simply a case of closing buildings and propping up and patching up what we have; through the estates master plan, which will be discussed at the SPA board meeting in November, we are proposing a new model.

Rona Mackay: I understand that, but closures have still put money into your capital budget.

James Gray: Yes.

Rona Mackay: Okay. If you could give us that information, that would be great.

The Convener: I want to ask the very last question, which is on an issue that has received a wee bit of media coverage recently: live facial recognition technology. Has there been any proposal that work on that be taken forward? Would that require a budget allocation? Has that already been factored into your innovation and technology budgeting? Can you give us an update on that? It would be interesting if you could share that.

Chief Constable Farrell: I know that there is a lot of interest in that specific capability and that there are strong feelings on it in some quarters. It is my role to ensure that I balance human rights and privacy with using technology effectively to keep people safe; it is a question of finding the balance between those.

Earlier in the year, the SPA chair Mr Evans, the Scottish Biometrics Commissioner and I held a conference on biometrics. Obviously, facial recognition is part of that. One of the things that came out of that event was the need for us, collectively, to start a conversation about that technology. It is being used elsewhere in the United Kingdom, and we have followed closely the lessons learned, how the technology is being used and how the AI is deployed. That is the important issue in all this.

We will continue that conversation, and we will work at an appropriate pace towards a decision, through dialogue, on the direction of travel for Police Scotland, recognising the sensitivities in that space.

The Convener: I presume that any budget requirement for that would be factored into your conversations.

Chief Constable Farrell: Yes. That would be for the future; we have not factored anything specifically into the capital budget so far.

The Convener: Thank you very much. That brings this evidence session to a close. I thank all our panel members. We will have a short suspension to allow for a changeover of witnesses.

11:26

Meeting suspended.

11:32

On resuming—

The Convener: Our next witnesses are representatives of the Scottish Police Authority. I welcome Martyn Evans, the chair; Ms Lynn Brown, the chief executive; and Ms Fiona Douglas, the director of forensic services.

I intend to allow around about 60 minutes for the evidence session. Martyn, I will ask you the opening question to set the scene before we move to questions from members.

This morning, the committee has been listening to evidence from Police Scotland, but what does the SPA consider to be the main financial challenges that Police Scotland and your organisation face? What is the position with regard to the SPA's advice to the Scottish Government on the budget resource that is needed for policing, given the scenarios that the Scottish Government has asked Police Scotland to model?

Martyn Evans (Scottish Police Authority): The authority has two key objectives for policing in that context. The first is to ensure a sustainable police service in Scotland and the second is to maintain a balanced annual budget. Those objectives are clearly in tension, as the committee's questions to the chief constable set out.

Our written submission states that, in the next financial year, policing requires a 4.2 per cent increase in its annual revenue budget to address pay awards and inflationary pressures. Looking beyond 2025-26, we set out a need for a significant increase of around £200 million over the next decade in capital spending to address investment shortfalls in our estate and technology.

Over the period that I have been chair, we have seen an increase in revenue to Police Scotland of about £255 million and we have achieved 96 per cent of our call for increased funding.

I emphasise the issue of capital investment, which your committee has been asking about. We are making the case to the Scottish Government that, if that investment cannot be made by grant funding in the traditional way, we would request other sources and flexibilities in financing to address the issues of annuality, which represents a great stop on planning; to unlock our ability to borrow capital—we have a power to borrow capital under section 4 of the Police and Fire Reform (Scotland) Act 2012; and to innovate in how we can use capital receipts; and, as James Gray said, hold reserves.

That is our strategic position, and, in our submission to the Scottish Government on the budget next month, we and Police Scotland are making a combined request in relation to both capital and revenue.

The Convener: Thanks. Earlier, we discussed the benefits of multiyear settlements and, in your submission, you advocate for a multiyear settlement approach. Can you outline to the committee the impact of not having multiyear budgets? You spoke about annual budgets and the challenges that they present. What are the main factors that make multiyear funding more advantageous?

Martyn Evans: I will say something on that, and then I will pass over to our accountable officer.

Annuality has the following impacts. Every year, Police Scotland has to meet its budget on the dot. It cannot overspend, otherwise we are subject to section 22 reports from Audit Scotland. If we underspend, we get a lot of criticism that we have not spent the police budget, but bringing in spending on target annually is really hard. It means that the fluctuation in police officer numbers that the chief constable talked about has to be dealt with annually. You cannot be slightly over or slightly under—you have to hit the target. That means that you must take a conservative approach to officer numbers.

The other point concerns capital receipts. In our profiling for the next four or five years, you can see that, in year three, the capital receipts are quite high—significantly higher than they might otherwise be. Annuality means that you cannot anticipate that, and you have to hand money back if it is not being spent in that year.

Those are the critical aspects of annuality. It drives a more conservative approach to revenue and police officer numbers, and it does not allow us to do proper financial planning to invest in our crumbling estate.

Lynn Brown (Scottish Police Authority): Multiyear budgets would help with the duty of best value, as they would allow us to plan better. For example, with regard to the issue of the pay award, which was raised earlier, if we had multiyear budgets, we could deal in a much more strategic way with trade unions and staff associations around pay, and we could also plan in a sensible way for expenditure. I would also say that, although we need to have reserves, that has to be linked to that three-year planning.

Someone said to me that landing the budget for Police Scotland is like landing an aeroplane on a pin. It is a huge budget, yet you have to get it down to the wire on 31 March.

For me, the benefit of multiyear funding is about planning. It would support best value. It would help with workforce relationships in terms of pay awards, and it would also help to deliver the three-

year business plan that the chief constable has produced for the first time, which she talked about earlier. No business would do strategic planning on a year-by-year basis. I understand the constraints around providing multiyear funding but, if the position could be moved in any way, that would be really helpful.

The Convener: Thank you for that.

In my opening question to the chief constable, we looked at the benefit of multiyear funding and the three-year plan in the context of spend to save, if you like, and the long-term efficiencies that an investment in capital allocation can bring across a range of different aspects of Police Scotland. I take it that you would be supportive of that.

Martyn Evans: I am absolutely supportive of that. If we could get multiyear financial planning in revenue and capital, it would allow workforce planning and delivery planning to be done far more effectively. It would also mean that we would not stop and start on a range of issues where we have to either overcommit capital within a financial year or spend it quickly at the end, because if we did not spend it, we would lose it. Those are the wicked issues of annuality and they are a drain on the public purse. They mean that we are not as effective in delivering good value and best value, as the chief executive said.

The Convener: With that, I open questions up to members. I will bring in Liam Kerr and then Rona Mackay.

Liam Kerr: I am grateful, convener. Good morning.

On a similar note, you heard me ask earlier about the two scenarios that have been modelled: the flat cash settlement that could result in 1,300 fewer officers, and the 3 per cent cash reduction, which the Police Scotland submission suggests could take the number of officers below 15,000. How inevitable is that outcome? For example, if I see flat cash in the budget, will I then see 1,300 fewer officers by March 2026?

Martyn Evans: The context is that 87 per cent of the revenue costs of Police Scotland is people, so a flat cash settlement can only really impact on the number of people. Flat cash has two major impacts: there will be no pay increase and we also have to pay the budget, without a pay increase, to that 87 per cent.

In answer to your question, flat cash inevitably means a reduction in the human resources that are available to Police Scotland. It is not inevitable that that comes only from police officer numbers; it can come from a mix of police officer and staff numbers, but there is a greater degree of flexibility in police officer numbers, surprisingly enough, because they leave in higher numbers. Three quarters of that 87 per cent is paid to police officers, so there is greater flexibility to manage that within a year. Whether that is the right thing to do is a completely different point. The last time that policing faced these kinds of pressures with austerity, it actually got rid of police staff at a very high rate and moved police officers into police staff roles, and we are unwinding that now across the United Kingdom.

I will again turn to Lynn Brown, but I will say that it is inevitable that flat cash will result in fewer police staff and officers. The mix is a matter of judgment for the police, as the chief constable said, but her flexibility is constrained by how we reduce those numbers. I will also give you this: there is no compulsory redundancy, which is a Scottish Government policy, so there has to be voluntary redundancy for police staff and there has to be turnover and attrition for police officers.

Lynn Brown: As Mr Evans said, the majority of the Police Scotland budget goes on staff and there is limited capacity to look elsewhere for efficiencies to meet any budget. That is why it is explained in terms of workforce numbers and the impact of that was touched on by DCC Connors earlier. If you look just at pure arithmetic, the sums reflect, in workforce terms, a reduction if the settlement is flat cash and beyond.

Liam Kerr: Lynn Brown, I will stay with you if you do not mind. What impact will flat cash or a 3 per cent reduction have on the chief constable's three-year plan?

Lynn Brown: The three-year plan has been estimated in terms of what we call a financial envelope, which is based on: the pay award being met; unavoidable inflation, based on the Scottish Government's recommendation of about 2 per cent; where there are contracts; and on the cost of new legislation. The three-year business plan is based on those assumptions. If we do not get our ask, we will have to go back and look at the impact on the plan.

Liam Kerr: I understand. Martyn Evans, I have a final question for you. In your opening remarks to the convener, you mentioned that your aim was sustainable policing. What impact will such reductions in numbers, with flat cash or a 3 per cent budget reduction, whether to staff or officers, have on policing sustainability, and what will the impact be going forward generally?

11:45

Martyn Evans: I am an optimist, so I expect our ask to be met. However, we have to plan scenarios, as you point out, based on flat cash or a reduction of 3 per cent. We set out in our submission the implications of flat cash or less.

There will be a quite significant implication across four broad areas: caring for vulnerable people; protecting children; proactive capability, which you pressed hard on, because that has a lot of effect; and enabling our estate. There would be less in all those areas if we had flat cash or a 3 per cent reduction. The reason for talking about police officer and staff numbers is that the remaining 13 per cent of our budget is likely to have inflationary pressures on it. That includes the fuel going into cars and lighting and heating. None of those costs will stay flat—they will all eat in.

Given the nature of the service—87 per cent of our costs are on the people delivering the service—flat cash can only mean a reduction in those people, which can only mean a negative effect on keeping Scotland safe. It is up to the chief constable and me to agree how we organise that if we face that scenario. We have the outline in our budget ask, and if we are to have that scenario, we have to face that. The indicators of the four areas where we will see hard choices made have been made clear over the years that I have been chair. Without meeting the budget ask, hard choices will have to be made. They are prioritised, as the deputy chief constable said, in terms of threat and harm against the people of Scotland.

Liam Kerr: I am very grateful to you all.

Rona Mackay: Good morning. I would like to go back to the opening questions regarding multiyear funding. I know that you will appreciate the difficulties that the Scottish Government has with that because of our situation. You talked about having to hand back capital money if it is not spent by 31 March. Is that a regular occurrence? Do you have figures for that?

Lynn Brown: We plan very strongly on spending our capital budget. In my time as an accountable officer, we have not had to hand back capital money, but we have what are called capital projects that we can move on very quickly, such as electric vehicles. However, there might be other things that are more important that you cannot do in that timeframe, and are pushed into the following year.

When I talk about handing back budget, I mean that we have to plan to the penny what to spend within that year. Best value would be more achievable if we could plan that better.

Rona Mackay: I understand that. Basically, you are saying that you have not had to hand any back?

Lynn Brown: My understanding is that we have not, but I will confirm that to the committee.

Rona Mackay: When you hand it back, does it go back to the Scottish Government?

Lynn Brown: Yes.

Rona Mackay: My other question is about reserves. Are you looking to increase your reserves? Do you have a figure for that?

Lynn Brown: We do not have any reserves. When Police Scotland moved from what is termed the local government fiscal framework, which I am very familiar with because my whole career was in that, we moved to a central Government fiscal framework, under which you are not permitted to hold reserves, so we do not have reserves. If we had that ability, we would plan based on those reserves. That is what all the local authorities do: they plan based on the reserves, and that plan is approved by councillors. Therefore, the SPA would approve what it thought the level of reserves should be, and there would have to have a business case behind that. However, at present, we do not have any reserves because we cannot have any.

Rona Mackay: The chief constable was talking about making use of the borrowing powers. Would that make a difference to you?

Lynn Brown: Yes. Reserves are very much revenue based—they can smooth things out—but borrowing powers relate to capital budgets. It goes back to the fact that, when we were in a local government fiscal framework, for every £1 million of revenue that you had to find, you could borrow £10 million—Mr Gray touched on that. That is my memory of when I dealt with it. That is going back a while, and I do not know what the figures would be now, but it would be worth working that out.

That is how you plan. Borrowing powers relate to the capital budget and the reserves very much relate to revenue, to help you over the year.

Martyn Evans: The capital allocations of police services in England and Wales are 1.4 times higher than those of Police Scotland. That is a significant difference, but we are not even asking to come up to the level of 1.4 times more to meet the average down south. Our ask will bring us to a capital allocation of about 1.3 or so times more. The situation down south means that those services have the ability to borrow, they have great reserves and are able to make a higher investment in their estate, and it is the estate I am most interested in. The committee has been talking about the estate and its negative impact on officer wellbeing and on the public perception of policing.

The final thing to say about borrowing is that, according to the estimates that James Gray and Lynn Brown have made, within the savings framework that could be achieved, the borrowing from the Public Works Loan Board at those kinds of rates could be repaid within the policing budget. That is not to say that the fiscal rules would allow it

or that it will happen, but if it did happen, it could be contained within the policing budget from savings.

Rona Mackay: That is interesting. Thank you.

Ben Macpherson: I want to build on some of the points that have been raised by my colleague. You spoke about the challenges of annuality and said that you would look to move to a local authority fiscal framework, so to speak. I have a lot of empathy with that. Is the challenge with using section 4(2)(b) of the 2012 act the fact that the Scottish Government has fewer capital borrowing powers than local authorities and that the Scottish Government cannot hold reserves, unlike local authorities? Is that challenge part of the bigger issue that we discussed in Parliament yesterday with regard to the fact that the Scottish Government does not have enough flexibility and capability to engage in capital borrowing?

Lynn Brown: James Gray and I have written to Alyson Stafford and Jackie McAllister to explore that—my view is very much that that is their world, and that my job is to ask about what is possible and what can be done.

When we were planning the 26th United Nations climate change conference of the parties—COP26—there was a certain finance issue and I could not understand very well why we had to do a certain thing. After a discussion with Scottish Government colleagues, they made it clear why that thing was done in a certain way. I cannot remember the actual issue—it was a minor thing, but it was important.

I do not understand the central Government framework in detail, but my job was to say, can we discuss this? Is there any flexibility? There might not be, but we would like to have that discussion.

Martyn Evans: The strategic issue to consider is, what are the UK fiscal rules? They might be discussed today by the Chancellor of the Exchequer. Secondly, what are the devolved rules? What are the constraints in the Scottish Parliament, which cannot create a deficit or borrow more than a certain amount?

From my point of view, those issues are being addressed strategically through the conversations and correspondence that the chief executive is having. However, as the chair, I also have to be clear that the capital ask is based on strong evidence about the state of our estate and the desires and views of professional police officers about how we are going to use it. We have not got there yet, but I believe that we will get there—I have seen all the workings in relation to our November board meeting. However, surprisingly, until then, we will not have had a clear understanding of the range of our estate, what the square footage is, what its use value has been, where our custody suites are being used or underused and so on.

I am now confident that we are almost there, and the board will make its decision in November. We are almost there in terms of the necessary evidence to support such a huge capital investment and show the benefits of what we have asked for—the benefits to public confidence; the benefits to staff welfare; and the benefits in terms of the ability to access custody suites. I think that we are just about there, and that is the basis of this capital ask.

The issue around the fiscal framework is far beyond our pay grade, but it is something for which we would seek support from this committee.

Ben Macpherson: I appreciate that. There is the wider context of the reduction in the Scottish Government's capital budget, and I am sure that we would all hope that the chancellor will address at least some of that today. However, once you have had further dialogue with Scottish Government officials, I—and, I am sure, colleagues—would be interested in getting an update from you on the progress of discussions on section 4(2)(b) of the Police and Fire Reform (Scotland) Act 2012. If there are any prohibiting reasons that make it difficult to utilise and implement that provision, I think that we should know about them.

Martyn Evans: We will certainly do that.

Ben Macpherson: Thank you.

The Convener: I call Sharon Dowey, to be followed by Pauline McNeill.

Sharon Dowey: I have a quick question about body-worn videos. Are you aware of the current situation with the roll-out in that respect, and are you happy that enough is being done to roll it out at pace?

Martyn Evans: I would not say that I would ever be happy with the progress of the roll-out. Let me put it this way: when I became chair, I said that one of my four priorities was technology, on which Police Scotland was way behind the curve. Then we were faced with COP26, for which we did not have body-worn video even for our armed police officers. That was an extraordinary way to go into a combined operation with officers from down south and Northern Ireland, all of whom had access to body-worn video. Therefore, we got it in at pace. We required an outline business case in 2022 and a full business case in 2023, so it has not been going on for years—it has been going on since 2021.

We have not had body-worn video for 10 years, and frankly, I think that that is an extraordinary omission—for two reasons. As the best research evidence has shown, it reduces harm to police

officers by about 20 per cent, which is a welfare issue, and complaints from the public by about 20 per cent, which is a welfare issue, too. Given everything else, I am very keen on it. There might be some optimism bias with regard to what we are being told, but after asking the senior response officer to write directly to me two months ago, outlining his confidence in this area, I am now pretty confident that spring 2025 will see the start of the roll-out.

The frustration has been—within policing, too—that the interdependencies with regard to body-worn video were underestimated. As the chief constable has said, buying the kit is very straightforward; however, you have to procure it, and the Government procurement rules are not that straightforward. You then have to link it with DESC, which is innovative, but most important, you need the infrastructure in Scotland to do all this. You need the pipework going into all the police stations with the right bandwidth, and that, too, is quite a challenge. Police Scotland is having to create the infrastructure for that—I would have thought that it might have been taken on by the Scottish Government as an infrastructure programme, but it has not been—and to get permissions from all the local authorities so that it can dig things up and put in the right infrastructure. I am confident that Police Scotland is doing that as fast as it can, and I am as confident as I can be from the written requirements that it will happen from spring 2025.

It will be a complete game changer in policing—I am really convinced about that. My optimism comes from the fact that I have spoken to everybody engaged in this work, from the chief constable down, and I have seen how committed they are. They saw what happened before. Indeed, just ask the former deputy chief constable, Will Kerr, about the matter; he said at the time that it was an embarrassment. I think that that is the strongest endorsement with regard to what the authority feels—it feels that it has been an embarrassment not to have it. That is what the deputy chief constable said, and we, as an oversight body, are going to drive this as fast as we can.

Finally, though, I should say that I am aware of what might happen if I drive this too fast. Infrastructure and information technology programmes can be delivered badly if they are delivered too fast, and I want this to be delivered well. What is extraordinary about the DESC project, which is about getting video into the system, is the number of early guilty pleas that are going into the court system. That will lead to a reduction in what the chief constable was talking about—the number of police officers who are required to attend court, but who are not actually called. If you get early guilty pleas through body-worn video and DESC, you get the virtuous circle of reducing the waiting time for courts and being able to deal with criminality much more quickly.

Sharon Dowey: We are all keen for it to be rolled out as quickly as possible.

In your written submission, you say that you require at least

"An increased capital investment of £83 million to deliver our basic rolling replacement programme including ... fleet, systems and policing equipment".

Can you provide further details of what it would mean if that increased funding became available?

Martyn Evans: I will turn to the accountable officer for the detail on that.

Sharon Dowey: It is just that I am looking at the rolling replacement programme, and I note that it covers a lot of safety things such as body armour, firearms and supporting Taser capability as well as forensic services replacement. There are a lot of things in it.

12:00

Martyn Evans: There are a lot of things in it, and you will note from the profiling that we have not overbid for the next financial year. It is a programme that you have to gear up for, so the figures for the next financial year are lower at £22 million, and then they rise to £65 million. Can you go through the major areas, Lynn?

Lynn Brown: I do not think that that is in our submission. The detail might be in the Police Scotland submission.

That said, we do support the programme. How the ask is articulated and gets agreed to is very much a joint task between us and Police Scotland, although we are challenging it as we go along. As I understand it, what is in the paper is what we support. That is what things will look like in 2025-26.

Sharon Dowey: I have a quick question about forensic services—and this time, it is your submission that I am reading from. It says:

"the prevalence of drug driving in Scotland is a significant concern for policing and has far exceeded predictions when the legislation was introduced."

I imagine that that means that costs have been much more than was thought, which ties in with Liam Kerr's question to the previous panel whether, in legislation, we are budgeting properly for the actual costs when things go live. Can you tell us a bit more about demand in that respect?

Your submission also mentions

"the impact on the demand for drug driving toxicology services."

Are you finding it easy to recruit to those positions, or is there a skills gap?

Fiona Douglas (Scottish Police Authority): Thank you very much for the question. Forensic services and Police Scotland have been on a significant journey since the drug-driving legislation was introduced in 2019, with the prevalence of driving on the roads of Scotland under the influence of drugs far higher than was anticipated.

Without robust testing at the required level across the whole of the country, we do not know the prevalence of drug driving at this point in time. We are working very closely with Police Scotland colleagues on what we expect the demand for toxicology analysis to grow to, and I can tell you that the amount of testing required will be at least eight times more than we are currently able to progress in the laboratory. A lot of work needs to be done to ensure that we grow capacity to be able to undertake such complex analysis.

It is quite a challenge to recruit into this area. Toxicologists are in short supply across the whole of the United Kingdom, so we very much have to train staff, which takes some time. It is important that we grow capacity and that we have sufficient technology and automated systems to allow us to work with Police Scotland on this really complex problem.

Sharon Dowey: Can the training be done in-house, or do people need to go on college and university courses?

Fiona Douglas: We train in-house, primarily, but people need the educational basis to be successful in that training. We recruit from universities and people who have gone through the appropriate academic courses and have obtained qualifications. That is the basis upon which we then train toxicologists within a forensic context.

Sharon Dowey: I am assuming that, when the legislation came in, there was a budgetary cost. You have said that eight times more testing will be required, but was there ever any increase in the budget when it was realised that the problem was much more prevalent than we had thought?

Fiona Douglas: The Scottish Government has invested an additional £2.2 million in toxicology testing since the legislation was introduced and the original investment was made to create laboratory capacity at that time. We have more than doubled our internal capability, and we are supplementing some of that analysis by sending some samples to an outsourced external provider in England. The eightfold increase arises from rolling out roadside testing to Police Scotland officers across the country, and we need the laboratory analysis capacity to be able to provide evidential samples for court purposes.

Martyn Evans: I just want to clarify that our submission does not contain a budget ask to meet the eight times more testing that will be required. I have asked Fiona Douglas to build a case to present to the Scottish Government about what that would mean and how much that would cost, and that will be in the budgetary profile for next year. An eightfold increase is an extraordinary number.

It is important to emphasise, in case it gets missed, that we have an artificial cap on what comes into forensic services, which is roadside testing. It is only through roads policing that you get into testing driving under the influence of drugs. If that cap was lifted, the demand would be greater than we could supply, but it is Fiona Douglas's job to make the case and clarify what the cost is, explain to my committee on the issue why we are going to do it in-house rather than contracting someone and what the differences are and discuss with our Scottish Government colleagues whether that is a priority for them.

Fiona was talking to me yesterday about the average cost of a drug-related death on the roads. Can you repeat that number, Fiona? You are more familiar with it than I am.

Fiona Douglas: Transport Scotland has indicated that the cost to the public purse of a fatality on the roads in Scotland is in excess of £2.6 million.

The Convener: I have a couple of quick supplementary questions. Has the £2.2 million, which you have set out as being additional funding that the Scottish Government has provided, proved to be adequate for the immediate pressure that toxicology services have been under?

Fiona Douglas: It has allowed us to have capacity internally to meet the demand for roadside police testing. Roadside police officers undertake the testing, and the funding allows us to be able to service that demand.

The Convener: Out of interest, you also spoke about outsourcing services elsewhere. In an ideal world, would you prefer not to have to do that if you had the capacity in-house, so to speak?

Fiona Douglas: Yes. We will look at and cost out in detail the options for a long-term sustainable model for drug driving toxicology analysis, but the preference would be to build in-house capacity. Many factors are outside our control in terms of the availability of capacity in the broader forensic science marketplace in England and Wales.

The Convener: I have a final question. We spoke a bit earlier with Police Scotland about innovation, technology and digitising a lot of police service delivery. I imagine that that is also quite relevant in the world of forensics. There are

advances all the time. Are those costs factored into the SPA's budget considerations?

Fiona Douglas: We use automated technology and processes, particularly around DNA profiling, which is a good example. As we develop the business case for investment in further toxicology analysis to support drug-driving testing, there is the need for us to look at automated systems that improve the available capacity in the laboratory.

We have to consistently innovate and use new technology to stay ahead of criminals in the country, so we have to ensure that we are using and supplying Police Scotland with the forensic science tools and techniques that it needs. The costs of replacing our capital provision are included in the budget asks in the overall request that has been submitted.

Martyn Evans: Capital equipment for the tech that allows us to analyse, which is often desktop based, costs between £800,000 and £1 million, as they are really complicated machines. The authority is interested in the next stage, which is the use of AI, under the control of a scientist, to help with some of the mundane written reporting that is required. That will also be coming through. The benefit of machine learning is that you can pre-populate standard reports from the analysis without having to use pen and paper.

The future of forensic sciences is very much about machine learning. They already are incredibly well placed in terms of technology. Brian Plastow, the Scottish Biometrics Commissioner, has said that the DNA testing here is world-leading. We want the service to be far more efficient and effective in terms of turnaround and engagement, and to use our scientists. We have 500 scientists and staff working in the SPA separately from the police and providing a sterile corridor from crime scene to court. They are unique in the United Kingdom. For the most part, England and Wales have privatised systems.

In answer to your earlier question, a public forensic service is extremely valuable, not least because of the extraordinary efforts on cold cases that it makes on occasion. You would not be able to pay for that in a private lab, even with an open-ended cheque, but it can be done through the commitment of a public service. There have been fantastic examples of those dedicated scientists and forensic services making cold-case findings that have brought people to justice after 30 or 40 years.

The Convener: Thank you—that is really interesting. Pauline McNeill has the next question.

Pauline McNeill: I agree with Will Kerr, who has said that it is an embarrassment to Scotland that we do not have the full roll-out of body-worn cameras. As Martyn Evans outlined to the committee, there is a lot more to consider than simply the equipment, as it is also about the infrastructure that goes with it. I honestly thought that you were going to say to Sharon Dowey that the roll-out would be complete by May 2025, but you said that it is only going to begin in 2025. Can you give the committee an indication of what that means? What are the numbers? Will hundreds of officers have body-worn cameras? Can we follow a timeline so that we can see what the planned roll-out looks like? Will it be 200 or 300?

Martyn Evans: I have written to ask this question internally to the senior responsible officer and I have discussed it with the chief constable, and the commitment that I have is that the roll-out to 10,500 front-line officers will take 12 months. The timescale is that, from the time we start, it will take 12 months to get to those critical areas. We have not had the technology for a decade, which is to the great embarrassment of policing in Scotland, but we are going to have it within the next 18 months or so. That is the prize that I want.

I am aware, as is the committee, that big infrastructure projects can fail on implementation if they are driven in the wrong way. I want the technology to work first time in each of the divisions that it is rolled out to. I want it to work as the video is transferred through an electronic mechanism to the courts to provide police officers with greater protection and the public with greater certainty of the outcomes of justice. Those things are worth waiting weeks and months for, in my view. I am frustrated by the issue, but my evidence is that, within 12 months—by spring 2026—10,500 cops will have it.

Pauline McNeill: That is a point well made. After all this time, there is no point in not rolling it out properly. We want to make sure that we minimise any issues that arise. Thank you for that.

I have one other question. In answer to another member, you said that Wales has a higher per capita—

Martyn Evans: It is England and Wales.

Pauline McNeill: Is that for police budgets?

Martyn Evans: The average capital spend on a police service in England and Wales is 1.4 times higher, so for every £1 that we have, they have £1.40. That is quite an extraordinary difference. The figure comes from the evidence of the policing productivity review that was undertaken in England and Wales. It just shows that we are behind the curve on this, and I tried to make the case for bringing us up just to slightly less than the average in England and Wales. That would take a fantastic investment—£200 million over 10 years—and my job as chair is to find the pathway to that investment. Part of it is to ask for things that are beyond my ability to organise—the fiscal

framework—but part of it is also to identify the costs, show what we can do properly, show the benefits to police officers and the public, and have an incredible investment campaign, particularly for our estate. We have only just arrived at that position now.

Pauline McNeill: Would the channels to change that be through the Scottish Government to the UK Government?

Martyn Evans: There are two things there. We do not know what the chancellor is going to say about changing the fiscal framework in terms of borrowing, but I am optimistic about that. She might say something and there might be consequentials from that, but I do not know; that is beyond my knowledge. We are doing it in small steps.

12:15

As the chair of the authority, the thing for me is whether the capital ask is a credible ask. I think that it is. Can we pay for it ourselves if we are allowed to borrow? Yes, apparently we can. Do we have the power to borrow? We definitely have the power to borrow, subject to ministerial approval. However, there is the cap on borrowing, which is the existential problem that Mr Macpherson talked about. That cannot be resolved within the Scottish authorising environment. All that we can do is bring to you our ambition for change, particularly on estates, and say to you that we are confident that we can pay back the capital and the interest through the Public Works Loans Board, which would allow us to borrow more cheaply, as local government can do.

There is going to be a big issue with the strategic approach to policing. Without that investment, you will continue to tell us how officers are having to work in intolerable conditions—we know that—and we will carry on saying that we cannot do very much about it. We have what we rather strangely call regret spend, which is putting a lot of money in to maintaining a poor building, which is inefficient. It takes a lot of money to stand still and probably go back a little. Capital investment is critical. For this budget, the capital investment programme is probably the biggest systematic change that we are seeking.

Pauline McNeill: That is noted. The committee is well aware of the relationship between poorly maintained buildings, poor environments and mental health, and a whole lot of other issues in relation to not having the modernisation that Sharon Dowey raised. Closing police offices makes savings in one sense, but communities and police officers are concerned about being out of operation while they have to travel much further back and forth. Your point is well made and it is noted.

Martyn Evans: It also has an impact on public confidence. What the visible service looks like is how people think things are dealt with. From one year to the next, 87 per cent of people have no crime committed against them, so their impression of policing comes from what policing looks like. As I said about the body-worn video situation, the buildings that officers on the street are based in are an embarrassment to a public service. We can do something about that by making careful, considered and affordable investment in it. If fiscal caps could be lifted, I would be delighted.

The Convener: Rona Mackay has a follow-up question.

Rona Mackay: I have a brief point that goes back to the earlier conversation about body-worn cameras. I might have misheard this, so I apologise if I did. You talked about COP26 and how it was an embarrassment that our officers were not going to have the cameras for that. Did you say that you got them in at pace?

Martyn Evans: Yes.

Rona Mackay: Right. I am trying to square that in my head. You could do that for COP26, but officers in the rest of the force still do not have them. Are they different scenarios?

Martyn Evans: We did it at pace for 400 officers in Glasgow, which is broadly where they were, but the infrastructure in Glasgow is far different from that in Scotland as a whole, given its huge geographic nature.

Rona Mackay: Yes. I thought that that would probably be the case, but it is still very interesting that it could be done, albeit on a much smaller scale.

Martyn Evans: The other thing is that we did not have to link to the digital system to transfer the data directly to the fiscal service and the defence lawyers. That is another piece of the machinery that is still being developed. We are trying to do that with different aspects of the relationships—the dependencies, as they are called—all being in flux. It can be done and it was done, and I am delighted that it was done, but we cannot just repeat the process, because of the huge numbers and the geographic spread.

The Convener: I want to come in on something that we spoke about with the earlier witnesses, which is inefficiencies across the criminal justice system that impact on police staffing and budgets. We spoke about that in the context of court time. In addition to the work that Police Scotland is doing with other parts of the sector, I am interested in hearing from you a wee bit more detail on how you are supporting the effort to pull out the inefficiencies in respect of court time or, indeed, other challenges.

Martyn Evans: I can tell you about the biggest efficiency that I was driving three years ago, with the support of this committee, which related to dealing with mental health. It was not that police officers were not supposed to deal with mental health; indeed, I feel proud of their response to calls for service. The real problem was that there was no handover. An officer got to an incident, they assessed the situation and then they had to stay with the person, partly because they were concerned that, if they left, there might be a penalty, and partly because there was nobody to hand over to.

Just a couple of months ago, I visited Lanarkshire to look at the community triage system, in which there is an extraordinary measure of co-operation between the NHS and the police service. It is person-centred, and it is not about saving police officer time; instead, it is about providing the best service to somebody in mental distress. That has prevented visits to A and E—about 2,000, in fact—by giving people a mental health assessment within an hour. As a result, people feel far better serviced. I would say that one efficiency is to find ways of providing better services to people instead of looking just at police officer efficiency. That is not the lens that the authority would look through.

In the bigger case of court systems, we are members of the criminal justice board, which comprises all the people who deal with the whole criminal justice system. I will pass over to Lynn Brown in a minute, but I should say that, in the review of legal aid that I undertook for the Scottish Government in 2017, I found when I looked at criminal legal aid in court that three groups were not being taken very much notice of in the order of court business: defence solicitors, police officers and witnesses. They all spent a lot of time hanging around—they were being called to court but not having their hearing. I do not know what has happened since then, but that was my broad impression all those years ago.

As the chief constable said, it is a partnership issue. Lots of things are being tried—there is, for example, the work on the case management system. I would also go back to body-worn video and DESC, and the idea that people plead guilty earlier. That will be of great benefit to police officers, as they do not have to turn up to court when there is a guilty plea.

The stars are starting to align on efficiencies, but I will hand over to the chief executive, who will have more detail on this.

Lynn Brown: The criminal justice board, which is made up of all partners in the justice system, is chaired by two directors, one on the police side and one on the justice side, and it has a programme for delivering on efficiencies. In fact, some of the aspects that we have touched on today are part of that programme.

It is a crucial forum, but I do not know whether what it does is particularly well known, and I think that the committee could help to surface what the plans are. My view is that there seems to be a number of workstreams, but no overall view driving it forward. However, the programme is there and progress is being made on it, and some of what you have heard today is part of that. The committee might want to hear more about that.

The Convener: That was very helpful—thank you for that. Ben Macpherson, do you have a supplementary question?

Ben Macpherson: Staying in the same area, I wonder whether the criminal justice board has discussed the possibility of utilising video technology when taking expert witness statements or statements from police officers either live or in recorded form. I know that, in the previous parliamentary session, the committee, in its previous incarnation, discussed the matter with witnesses. Just as body-worn video cameras can capture evidence that can be utilised efficiently, surely—and particularly after the pandemic—more can be done across the system to reduce the amount of time that different stakeholders are wasting by, in effect, hanging around.

Lynn Brown: I cannot confirm things at that level of detail, but I know that there is a digital aspect to everything that the board is doing. Part of what it is looking at is the post-Covid situation. During Covid, things changed virtually overnight. Things that we thought would take years to do happened very quickly out of necessity, so there is a mindset to do different things. We could come back to you with information on our view of what is in the programme, but the committee will probably need whoever chairs the criminal justice board to brief you on that.

Ben Macpherson: I presume that that includes the Crown Office.

Lynn Brown: Yes, it includes everyone at the Crown Office and all the justice partners. It includes the Crown Agent, the chief executive of the Scottish Courts and Tribunals Service, the deputy chief constables from Police Scotland, the Scottish Police Authority, the Scottish Legal Aid Board and community safety. Anyone who is involved in the criminal justice side of things at chief executive level is on the board.

Ben Macpherson: I do not underestimate the logistical challenge of timetabling, scheduling and organising trials and ensuring that it is a thorough and appropriate process, but it seems that a lot of time could be saved if we utilised technology more.

Lynn Brown: One of the benefits of the way in which things are set up in Scotland is that all those partners can get in a room together and discuss how they can be innovative. That is what we are trying to do.

Martyn Evans: That is our advantage—we are small. It is also our disadvantage that we tend to find the difficulties rather than the matters that we can coalesce around. If I may make a bigger point, since 2010, there have been four strategic defence reviews in the United Kingdom, but there has never been a strategic policing review. We miss that strategic oversight. There are five other police services that deliver policing services in Scotland to Police Scotland or to the people of Scotland.

To achieve best value and to look at the whole system, from the policing perspective, a strategic insight would be absolutely fantastic, because the pathway into the court system, how people are diverted from the court system and how things can be done so that people do not churn up our prisons are all within the remit of a strategic policing review. My frustration, as the chair of the Scottish Police Authority, is that I do not have the ability to encourage the bigger picture, and that picture should be wider than Police Scotland—the British Transport Police, the civil nuclear police and the military police all operate in Scotland.

Two weeks ago, we visited the National Crime Agency to look at its extraordinary capability and capacity to impact on fraud and drugs in Scotland. A huge amount of fraud is taking place that is being perpetrated outside Europe, let alone the United Kingdom. Therefore, on some of the big-picture issues that we start with in the criminal justice system, it might be possible to take a more strategic view about the role of policing, keeping people safe in modern policing and the role of multiple agencies. I say that because, over my time in policing and elsewhere, I have regularly seen that there are policy silos. We all talk about it, but keeping people safe involves a whole range of agencies, including those in the criminal justice system.

The Convener: I will bring the session to a close with a final area of questioning, which again comes back to the capital budget. During an evidence session with you all last year, reference was made to planned slippage in managing the capital programme. In essence, that involved allocating more money than was available but assuming that there would be slippage at some point. Is that practice still relied on, what are your views on it and is it a sustainable approach?

Martyn Evans: Let me give you the big picture. Slippage is a result of annuality. You overcommit your capital in that year, knowing that some of it will not be spent, in order that you are able to spend 100 per cent of your capital. In the past, we have committed 100 per cent of our capital and then found that we could not spend 10 to 15 per cent of it, for example. The slippage or overcommitment is a result of a risk approach by the Scottish Police Authority resources committee, which has encouraged policing to do that so that we actually spend all the capital. The profiling of that spend tends to end up being towards the end of the year rather than spread over the year, which is another significant risk, because you cannot spend capital quickly. That is another annuality issue.

12:30

Profiling is important. Through our resources committee, we have encouraged more risk taking—that is, proportionate and reasonable risk taking—in order to spend the capital effectively. If you do not do that in public services, when it comes to the end of the year, you are looking round to see what you can spend a large amount of money on within a month or two. That does not get you best value at all, and we are trying to avoid that. Our accountable officer, who leads on it for us, is very strong on that area.

Lynn Brown: The accounts for 2023-24 will show that capital was spent as allocated, and that is because slippage bias is built in. As you will appreciate, some of that spend is on design work and not on actual build, and it is often the case that that cannot be done in one year. The approach has been successful.

In the current 2024-25 budget year, we were running into difficulties because of the approvals that were put in place by the Scottish Government. We had to go back to get accountable officer template approval. I wrote to the Scottish Government pointing out the difficulties that that was giving Police Scotland in operational terms. It responded very well to that and gave us a blanket approval to go forward.

Slippage is still built in, and it is closely monitored. As Mr Evans said, the resources committee is very much attuned to that and monitors it. Our concern this year was that things were going too slow, and we have been able to turn that around, which we hope will be achieved by the year end.

The Convener: You are saying that slippage has a place in overall budgeting practice.

Lynn Brown: Yes.

Martyn Evans: It has more of a place when there is annuality. If we could take spend over more than one financial year and we had reserves, we would be able to make decisions in the face of what we actually needed to spend it on. With annuality, if we are coming towards the end of the

year and we have not spent the money, we are either going to put it back—as I have said, that goes back into the public purse—or we have to spend it. However, it is inefficient to spend it very quickly on things that are not a priority for policing.

The Convener: Okay—thank you.

My apologies—I omitted to bring in our new deputy convener for a final question.

Liam Kerr: I would like to hear Martyn Evans's thoughts on a matter that I put to the chief constable earlier. You will have seen that, in its written submission, Police Scotland said:

> "The financial implications of current legislation is significantly higher than we are able to absorb within our BAU activity."

Do you know whether those financial implications were adequately predicted in the financial memoranda at the time, or did the Parliament pass legislation without fully appreciating, or perhaps understanding, the financial implications of the legislation on Police Scotland?

Martyn Evans: I think that the evidence is that, on occasion, it absolutely did. Drug driving is a classic example. The prevalence of drug driving was estimated at a certain level, but, when it came to implementation, it was found to be far greater. Consequently, we had to put systems in place to reduce the demands on our forensic services.

I am sure that things are not well evidenced in other areas. It is difficult to evidence the future impact of a piece of legislation, because you do not know what will happen in those areas as a result of that legislation. Generally, we are concerned about the estimates within financial memoranda. Again, I will bring in our accountable officer to comment on this. I have had conversations with the Crown Office and the chief constable about finding ways of better predicting—and better aligning with—what will happen.

The other point is that—again, the accountable officer is very good on this—not every cost is an extra cost to policing. We try to identify the additional costs and the business-as-usual costs within the ask. Those are quite distinct costs. It is the additional costs that we are interested in for some of this legislation.

The short answer is that it is imperfect. Sometimes, the cost predictions have been wildly inaccurate. We are trying to work with our partners in order to have our input to a financial memorandum earlier on, so that we are part of the discussions about what might be in it, rather than our simply receiving it.

Lynn Brown has been involved in some of that work.

Lynn Brown: It was mentioned in the session with the chief constable that, particularly over the past 18 months, there has been a much more robust approach to quantifying the cost of legislation. In part, that was a result of issues that arose through the drug-driving legislation. There was also an issue with the costs associated with the Police (Ethics, Conduct and Scrutiny) (Scotland) Bill. I am aware that there were some difficult Finance and Public Administration Committee meetings on that.

We—the Scottish Police Authority and Police Scotland—decided to take a much more robust look at spend. I am very clear that we should be looking at additional spend. You will hear a lot about opportunity cost, which is the opportunity of perhaps taking some other action, but that is not additional cost. My view is that lessons have been learned, and what comes forward should be much more robust and cover what costs are additional to the public purse.

The Convener: Time is up. Before I suspend the meeting, I thank Martyn Evans for his contribution to the committee's work. I know that retirement calls—not imminently, but perhaps at the turn of the year, and this might well be your final appearance before us. We are very grateful for the contributions that you have made during this parliamentary session. On behalf of committee members, I wish you well in your retirement, whatever you end up doing, which I am sure will not just be sitting around. Thank you very much for your service.

Martyn Evans: Thank you very much.

12:36

Meeting suspended.

12:37

On resuming—

European Union Legislation

The Convener: Our next item of business is consideration of a letter that we have received from the convener of the Constitution, Europe, External Affairs and Culture Committee. I refer members to paper 3.

As no member has any comment to make on the content of the paper or the attached letter from the convener, do members agree that we should write to the Scottish Government to ask about its intentions in the light of the new European Union directive on anti-trafficking measures?

Members *indicated agreement.*

The Convener: That completes our business in public today.

12:38

Meeting continued in private until 13:02.

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