

Annex A

From: Yousaf H (Humza)
Sent: 14 February 2021 13:57
To: Cabinet Secretary for Justice <CabSecJustice@gov.scot>
Subject: FW: [CJSM] Letter from IAG [OFFICIAL]

Noted. This is a helpful indication of the concerns around Policing the Border. I suspect it is quite premature, but the recent talk of potential Borders measures has clearly done enough to concern PS and partners.

From: REDACTED
On Behalf Of Cabinet Secretary for Justice
Sent: 12 February 2021 18:25
To: Yousaf H (Humza)
Cc: Cabinet Secretary for Justice
Subject: FW: [CJSM] Letter from IAG [OFFICIAL]

To note at this stage

From: Hicks C (Clare) <Clare.Hicks@gov.scot>
Sent: 12 February 2021 18:23
To: Cabinet Secretary for Justice <CabSecJustice@gov.scot>
Cc: DG Education, Communities & Justice <DGECJ@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; REDACTED
Subject: FW: [CJSM] Letter from IAG [OFFICIAL]

REDACTED

Just to reassure the Cab Sec that we have sight of this letter and will provide a response.

CSJ will be aware of the degree of concern in PS regarding any suggestion of policing the border. However the current different approaches between UKG and SG on this issue mean that we are urgently considering how the flow of data from the PLF which Border Force will transfer to PHS could provide more an appropriate enforcement pathway as information will continue to pass from PHS to PS as happens currently.

We will ensure we keep CSJ updated as this rapidly develops.

Clare

From: Kerr, Will <Will.Kerr@scotland.pnn.police.uk>
Date: Friday, 12 Feb 2021, 5:53 pm
To: Hicks C (Clare) <Clare.Hicks@gov.scot>
Subject: FW: [CJSM] Letter from IAG [OFFICIAL]

OFFICIAL

From: John Scott [mailto:john.scott@johnscottqc.cjsm.net]
Sent: 12 February 2021 16:32
To: CabSecJustice@scotland.gsi.gov.uk.cjsm.net
Cc: Will.Kerr@scotland.pnn.police.uk.cjsm.net;
SPACHairOffice@spa.pnn.police.uk.cjsm.net
Subject: [CJSM] Letter from IAG

Good afternoon,

Please find attached a letter from the Independent Advisory Group looking at Police Scotland's use of emergency powers.

Kindly acknowledge receipt.

Regards

John Scott

*** This email has been transmitted via the **Criminal Justice Secure eMail** service.

*** Anfonwyd y neges ebost hon drwy wasanaeth **ebost Diogel Cyfiawnder**
Troseddol ***

Annex B

From: REDACTED @scotland.pnn.police.uk>
Sent: 11 February 2021 18:23
To: REDACTED @scotland.pnn.police.uk>
Cc: REDACTED
Subject: RE: Border checks [OFFICIAL]

OFFICIAL

REDACTED ,

As discussed

Spokesperson said: "We have maximised our visibility in communities and on roads across Scotland, including the border area to provide reassurance, deter anyone who might be considering breaching coronavirus regulations and, where necessary, enforce the law.

"We will continue to work with the Scottish Government to support the collective effort to combat the spread of coronavirus.

"At this time there are no plans to establish road checks anywhere across Scotland simply to enforce coronavirus regulations."

REDACTED

From: REDACTED

Sent: 11 February 2021 18:03
To: REDACTED
Cc: REDACTED
Subject: RE: Border checks [OFFICIAL]

Hi REDACTED

We have not been asked. I see, where the FM was asked twice, she said things were still under discussion incl w UK Government, while making the point that enforcement of the law is for the Chief Constable.

So continuing to discuss arrangements with UKG and the police.

REDACTED

BBC

Coronavirus update from the First Minister: 11 February 2021 - YouTube

FM: It is much more difficult to do that for people coming into Heathrow, and then coming to Scotland, if the UK government is not imposing the same position. So that does remain under discussion. I took part in a four nations call last night when I raised again the concern that the UK borders as a whole are - forgive the non-technical term here, for my liking, still a bit too leaky – to protect properly against importation of this virus and new variants of it.

So we are still trying to persuade the UK Government to impose the same kind of restrictions that we are doing, and then that takes away that problem because it doesn't matter what airport you're coming into in the UK, you're subject to the same quarantine arrangements.

Short of that we are still discussing how we can best deal with a situation where somebody comes into Heathrow and their ultimate destination is Scotland. And there may be a combination of things we have to do – agreements with the UK government, and also asking the police to do more than they are doing right now, in terms of the checks coming into the country. So that is still under discussion. The last point I'd make here is nobody wants to be doing this. I don't like borders, in terms of restricting travel for people I'm. I'm an internationalist I want people to travel freely. But this is a public health crisis, and the one of the biggest threats we face as we get the virus under control domestically, as we vaccinate against it, are new variants that are more infectious, potentially more serious and potentially, at least for a period, reduce the efficacy of the vaccines. So that's why we need to be really careful about this...

Dan Sanderson

Coronavirus update from the First Minister: 11 February 2021 - YouTube

DS: Thank you, First Minister could ask you about the hotel quarantine rules that come into force on Monday the Scottish Government asked you about the hotel quarantine rules that come into force on Monday the Scottish Government is taking a stricter approach on this as to who will have to quarantine compared to the UK Government is that something that you continue to be in discussion with, with the UK Government and. Are you considering border checks on travellers who enter the UK, through an English airports or court, who are then travelling on to Scotland?

FM: "No, I can't. And I wouldn't expand on it, for two reasons. Firstly, we haven't taken those decisions so I would just be speculating, and secondly, actual enforcement would be a matter for the police so I would probably get the Chief Constable to stand here and talk about that."

REDACTED

From: REDACTED @scotland.pnn.police.uk

Sent: 11 February 2021 17:38

To: REDACTED @scotland.pnn.police.uk

Subject: RE: Border checks [OFFICIAL]

OFFICIAL

Thanks REDACTED, we will share our line when ready.

Have you been approached re this?

Telegraph enquiry -

Can I please get a line on whether Police Scotland would be willing or able to enforce a hard border with England, in light of the divergent quarantine requirements and lack of an agreement to solve the issue between UK and Scottish Govts?

i.e would you check everyone crossing the border to make sure people weren't travelling to Scotland who had been abroad and therefore should quarantine?

Kind regards

REDACTED

From: REDACTED

Sent: 11 February 2021 17:23

To: REDACTED

Subject: RE: Border checks [OFFICIAL]

Hi REDACTED,

Unfortunately due to resourcing demands on our media monitoring unit we've been unable to keep transcribing the Q&A. Just her opening remarks are transcribed.

Coronavirus (COVID-19) update: First Minister's statement Thursday 11 February 2021 - gov.scot (www.gov.scot)

The best we have is video, which includes the Q&A: Coronavirus update from the First Minister: 11 February 2021 - YouTube

Obv works better if we know which journo asked the relevant question, so we can scroll to their bit.

REDACTED

REDACTED

From: REDACTED @scotland.pnn.police.uk

Sent: 11 February 2021 17:09

To: REDACTED

Subject: Border checks [OFFICIAL]

OFFICIAL

Hi REDACTED,

Do you have a Q&A transcript from today please?

REDACTED

REDACTED

Executive Lead

Corporate communications

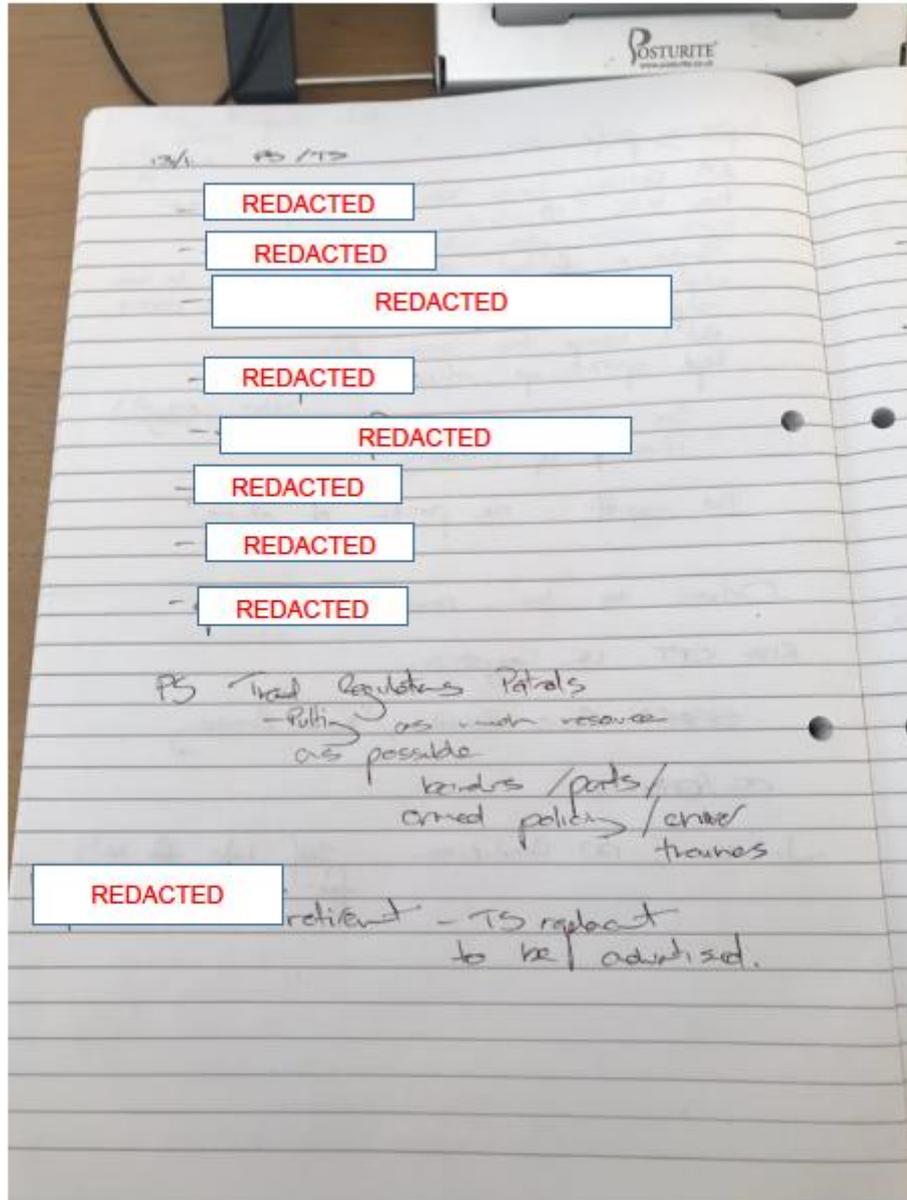
Police Scotland

REDACTED

REDACTED @scotland.pnn.police.uk

Annex C

Annex C



Annex D

CSJ WEEKLY CALL WITH CHIEF CONSTABLE – 23 DECEMBER 2020

Attendees: Humza Yousaf, Cabinet Secretary for Justice
Iain Livingstone, Chief Constable
Fiona Taylor, Deputy Chief Constable
Will Kerr, Deputy Chief Constable

Clare Hicks, Deputy Director Police Division (note)

Covid Policing

REDACTED
REDACTED

In relation to the policing presence at the border between England and Scotland the Chief Constable noted that the benefit of the single service allowed policing to redirect resource and increase the policing presence on the main arterial crossings with a sustainable and robust plan in place.

<REDACTED>

Christmas and New Year period

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Annex E

CSJ WEEKLY CALL WITH CHIEF CONSTABLE AND DCC KERR – 9 FEBRUARY 2021

Attendees:

Humza Yousaf, Cabinet Secretary for Justice (Chair)
Iain Livingstone, Chief Constable
Will Kerr, Deputy Chief Constable

REDACTED (note)

COVID-19

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The implications of importation of COVID-19 across the England-Scotland Border was also discussed. CSJ gave an assurance that Police Scotland would be involved in any discussions on this.

Other issues discussed

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CSJ flagged the receipt of a letter from John Scott on behalf of some members of the IAG, which Police Scotland has been copied into.

He reassured the Chief Constable that Police Scotland's views continue to be fed into Scottish Government consideration of these issues. He noted the Government's determination to avoid a third lockdown and the importation challenges around a porous border.

The Chief noted the challenges around the Scotland-England and Scotland-Northern Ireland borders. He acknowledged that border communities move around a great deal but PS will put in greater resources and visibility.

He noted that the focus and strength of the Scottish Government is to dissuade people from travelling where possible.

CSJ said he would make sure that Police Scotland is involved in supporting Scottish Government conversations with UKG.

Annex G

From: Hicks C (Clare) <Clare.Hicks@gov.scot>

Sent: 20 December 2020 11:10

To: Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Cabinet Secretary for Justice <CabSecJustice@gov.scot>; Rogers D (David) (Constitution and Cabinet Director) <David.Rogers@gov.scot>; Cabinet Secretary for Transport, Infrastructure and Connectivity <CabSecTIC@gov.scot>; Campbell J (Jeanette) (Special Adviser) <Jeanette.Campbell@gov.scot>; **REDACTED**; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>

Cc: Wightman S (Scott) <Scott.Wightman@gov.scot>; Chief Executive Transport Scotland <ceo@transport.gov.scot>; Irvine A (Alison) <Alison.Irvine@transport.gov.scot>; McFarlane J (John) <John.McFarlane@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Thomson KAL (Ken) (Director-General) <Ken.Thomson@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; **REDACTED**>; Hynd JS (James) <James.Hynd@gov.scot>; Cooper P (Penelope) <Penelope.Cooper@gov.scot>; Munro D (Dominic) <Dominic.Munro@gov.scot>; DG Economy <DGEconomy@gov.scot>; Pryce JM (Jonathan) <Jonathan.Pryce@gov.scot>; **REDACTED**>

Subject: RE: Cabinet today - transport and travel

Just a quick further update following a call with DCC Kerr who will join DFM's call at noon.

Police Scotland will put a release out before 12 noon which will note a doubling of the policing presence on main arterial border routes and key border crossings. The approach will not include roadblocks but the policing message will be stronger and a more visible police presence is intended to act as a deterrent at this crucial time to support the preventative approach taken by the Scottish Government.

The Chief Constable will likely undertake proactive media tomorrow to ensure a strong policing voice.

I will share the release as soon as I have it.

Thanks

Clare

Clare Hicks
Deputy Director,
Police Division, Safer Communities
Scottish Government

I am currently working from home and you can contact me on: **REDACTED**

From: Hicks C (Clare) <Clare.Hicks@gov.scot>

Sent: 20 December 2020 10:22

To: Cabinet Secretary for Justice <CabSecJustice@gov.scot>; Rogers D (David)

(Constitution and Cabinet Director) <David.Rogers@gov.scot>; Cabinet Secretary for Transport, Infrastructure and Connectivity <CabSecTIC@gov.scot>
Cc: Wightman S (Scott) <Scott.Wightman@gov.scot>; Chief Executive Transport Scotland <ceo@transport.gov.scot>; Irvine A (Alison) <Alison.Irvine@transport.gov.scot>; McFarlane J (John) <John.McFarlane@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Thomson KAL (Ken) (Director-General) <Ken.Thomson@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; **REDACTED**; Hynd JS (James) <James.Hynd@gov.scot>; Cooper P (Penelope) <Penelope.Cooper@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Munro D (Dominic) <Dominic.Munro@gov.scot>; DG Economy <DGEconomy@gov.scot>; Pryce JM (Jonathan) <Jonathan.Pryce@gov.scot>; **REDACTED**
Subject: RE: Cabinet today - transport and travel

Susan

In advance of DFM's call with council leaders at 12 noon, and given the media coverage this morning re Police Scotland's statement yesterday – around continuing approach to enforcement, I've followed up with ACC Ritchie. He is developing a policing plan for the CC to consider and it is likely that the CC will do some media around lunchtime which will set out increased visibility in particular on arterial border routes and be sustainable over the festive period. Police Scotland will share their lines with us.

Hope that's helpful.

Clare

Clare Hicks
Deputy Director,
Police Division, Safer Communities
Scottish Government

I am currently working from home and you can contact me on: **REDACTED**

From: Cabinet Secretary for Justice <CabSecJustice@gov.scot>
Sent: 19 December 2020 16:58
To: Rogers D (David) (Constitution and Cabinet Director) <David.Rogers@gov.scot>; Cabinet Secretary for Transport, Infrastructure and Connectivity <CabSecTIC@gov.scot>; Cabinet Secretary for Justice <CabSecJustice@gov.scot>
Cc: Wightman S (Scott) <Scott.Wightman@gov.scot>; Chief Executive Transport Scotland <ceo@transport.gov.scot>; Irvine A (Alison) <Alison.Irvine@transport.gov.scot>; Hicks C (Clare) <Clare.Hicks@gov.scot>; McFarlane J (John) <John.McFarlane@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Thomson KAL (Ken) (Director-General) <Ken.Thomson@gov.scot>; Griffin J (Joe) <Joe.Griffin@gov.scot>; **REDACTED** Hynd JS (James) <James.Hynd@gov.scot>; Cooper P (Penelope) <Penelope.Cooper@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>;

Munro D (Dominic) <Dominic.Munro@gov.scot>; DG Economy <DGEconomy@gov.scot>; Pryce JM (Jonathan) <Jonathan.Pryce@gov.scot>
Subject: RE: Cabinet today - transport and travel

Dear All

The Cabinet Secretary has spoken with the Chief Constable to update him on what Cabinet has decided.

He has agreed to increase the resources at the main Border arterial routes - he is going to check his Officer numbers with a view to being able to say he is going to double Officer number but he can't confirm that today.

He mentioned there may be a financial implication (Officer overtime etc) I have told him I would happily speak to Finance about Covid consequentials this financial year to see where we could lend support.

Mr Yousaf suggests the CC join the FM at one of her daily briefings early next week to reinforce messaging.

Regards
REDACTED

REDACTED

Private Secretary to Cabinet Secretary for Justice, Humza Yousaf MSP
REDACTED(sent by blackberry)

From: Griffin J (Joe) <Joe.Griffin@gov.scot>
Sent: 19 December 2020 13:55
To: Cabinet Secretary for Justice <CabSecJustice@gov.scot>; Cabinet Secretary for Transport, Infrastructure and Connectivity <CabSecTIC@gov.scot>
Cc: Rogers D (David) (Constitution and Cabinet Director) <David.Rogers@gov.scot>; Wightman S (Scott) <Scott.Wightman@gov.scot>; Chief Executive Transport Scotland <ceo@transport.gov.scot>; Irvine A (Alison) <Alison.Irvine@transport.gov.scot>; Hicks C (Clare) <Clare.Hicks@gov.scot>; McFarlane J (John) <John.McFarlane@gov.scot>; Johnston P (Paul) <Paul.Johnston@gov.scot>; Thomson KAL (Ken) (Director-General) <Ken.Thomson@gov.scot>
Subject: Cabinet today - transport
Importance: High

Justice and Transport Private Offices,

I've spoken with Mr Yousaf about Cabinet today, making the point about increasing visibility and impact of police measures on travel. Mr Yousaf will speak with the Chief Constable after Cabinet. He was keen to get a specific steer from Cabinet colleagues on what the priorities would be first: this was something the Chief had asked for in their last 121 on Thursday. Clare is also in touch at ACC level and similarly will follow up on these discussions on the practical options.

Mr Yousaf told me that he is content with this approach and doesn't require any other briefing just now.

Thanks,
Joe

Joe Griffin
Director, Safer Communities
SG Joint Race Equality Champion

Scottish Government

REDACTED