

ANNEX A

Meeting	Reference	Document
Ian Duddy: 28/09/2022	1.1	Emails in July 2022 about meeting being set up and arrangements for official support and briefing
	1.2	Emails in August/September 2022 on issues Mr Duddy wished to raise
	1.3	Email dated 6 September 2023 on UNCRC issues
	1.4	Emails in September on preparing briefing
	1.5	Emails in September on official attendance
	1.6	Briefing for meeting
	1.7	Emails on 30 September 2022 on draft minutes of meeting
	1.8	Email of 1 October 2022 by Care and Justice Bill Team colleagues
	1.9	Emails of 30 September 2022 between Criminal Justice and Family Law on draft minutes
	1.10	Minutes of meeting.
	1.11	Submission to clear minutes
	1.12	Email dated 28 September 2022
	1.13	Emails in August on preparing briefing
Unison: 29/09/2022	2.1	Event Briefing
	2.2	Minutes of meeting
	2.3	Emails surrounding suitable dates and times for meeting and agenda items
Craig Naylor: 29/09/2022	3.1	Event Briefing
	3.2	Minutes of meeting
Jim Savege: 06/09/2022	4.1	Minutes of meeting

From: [Redacted]
Sent: 18 July 2022 09:51
To: [Redacted]
Cc: [Redacted]
Subject: RE: Introductory meeting for Justice Secretary with SHRC Chair - Ian Duddy - 28 September

Thanks [Redacted] – copying in [Redacted] and [Redacted] who can feed into the briefing. We'll look to field someone.

[Redacted]

[Redacted] | Head of Human Rights Strategy and Legislation Unit | Directorate for Equality, Inclusion and Human Rights
[Redacted]

I'm working from home and can be contacted via blackberry



From: [Redacted]
Sent: 18 July 2022 09:35
To: [Redacted]
Cc: [Redacted]
Subject: Introductory meeting for Justice Secretary with SHRC Chair - Ian Duddy - 28 September

[Redacted]

Hi. To see the meeting arranged below.

Would one of you wish to attend too? Anybody else we should invite from the SG?

Mr Brown's office has asked for briefing by 3pm on 23 September. I'll draft something up nearer the time and run it past you.

[Redacted]
Family Law Policy
Scottish Government
[Redacted]

From: [Redacted]
Sent: 11 July 2022 10:57
To: Cabinet Secretary for Justice and Veterans <CabSecJV@gov.scot>
Subject: RE: Introductory meeting with SHRC Chair - Ian Duddy

Good morning [Redacted],

Many thanks for your email.

I can confirm that Mr Duddy is available on 28th September at 10:00 - I can send a diary invite with Teams details if that would be helpful?

Kind regards,
[Redacted]

[Redacted]
Business Support

Scottish Human Rights Commission

T: [Redacted]

www.scottishhumanrights.com

From: [Redacted] **On Behalf Of** Cabinet Secretary for Justice and Veterans
Sent: 08 July 2022 15:20
To: [Redacted]; Cabinet Secretary for Justice and Veterans <CabSecJV@gov.scot>
Subject: RE: Introductory meeting with SHRC Chair - Ian Duddy

Good Afternoon,

Many thanks for your email.

Mr Brown would be content to meet with Ian Duddy.

As you have noted it is summer recess, therefore Mr Brown is unavailable until September.

Mr Brown would next be available at 10:00 on 28 September via MS Teams.

Please can I check if this would suit Ian Duddy's availability?

Kind regards,

[Redacted]

[Redacted] – Assistant Private Secretary to Cabinet Secretary for Justice and Veterans - Keith Brown
Scottish Government | St Andrews's House, Regent Road, Edinburgh, EH1 3DG |
Email: cabsecjv@gov.scot

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From: [Redacted]
Sent: 07 July 2022 13:12

To: Cabinet Secretary for Justice and Veterans <CabSecJV@gov.scot>

Subject: Introductory meeting with SHRC Chair - Ian Duddy

Good afternoon Mr Brown,

I hope this email finds you well.

I am contacting you on behalf of Ian Duddy, who has now taken post as the Chair of the Scottish Human Rights Commission. Mr Duddy would very much like to meet you informally to introduce himself.

We know that summer may be a tricky time to arrange a meeting due to various holidays etc. but we were wondering if you were available for a brief introduction (either in person or online) in the coming months?

I look forward to hearing from you.

Kind regards,
[Redacted]

[Redacted]
Business Support

Scottish Human Rights Commission
Bridgeside House
99 McDonald Road
Edinburgh EH7 4NS

T: [Redacted]

www.scottishhumanrights.com

British Sign Language (BSL) users can contact me direct by using [Contact Scotland BSL](#)



Contact us via an online
Sign Language Interpreter
Contact Scotland BSL

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Edinburgh EH7 4NS

T: [Redacted]

www.scottishhumanrights.com

British Sign Language (BSL) users can contact me direct by using [Contact Scotland BSL](#)



Contact us via an online Sign Language Interpreter Contact Scotland BSL

ITEM 1.2

From: [Redacted]

Sent: 05 September 2022 14:46

To: [Redacted]

Subject: FW: Meeting with Cabinet Secretary for Justice and Veterans on 28 September.

[Redacted]

1. Hi. Mr Duddy has now responded to our note.
2. None of the areas are ours.
3. On the Universal Periodic Review, the comments by the SHRC seem to be at [Universal Periodic Review | Scottish Human Rights Commission](#)
4. On the follow-up to the death in custody review, the leads seem to be [redacted]
5. Access to justice including legal aid is [redacted].
6. Other points we need to cover in the briefing is:
 - [Redacted]. The lead here seems to be [redacted]
 - The Scottish Human Rights Bill [the lead is [redacted]] and the UK Bill of Rights [the lead is [redacted]].
7. We can discuss tomorrow seeking some briefing from colleagues to complete the briefing note you have started.

[Redacted]

Family Law Policy

Scottish Government

[Redacted]

From: Duddy I (Ian) <lan.Duddy@scottishhumanrights.com>

Sent: 31 August 2022 16:31

To: [redacted]

Cc: [redacted]

Subject: RE: Meeting with Cabinet Secretary for Justice and Veterans on 28 September.

Hi [redacted],

Apologies for the delay in replying to you.

As well as a general introduction and an update on the Commission's work, I'm intending to raise a couple of issues with the Cabinet Secretary:

- Some of the recommendations we have made as part of the UK's Universal Periodic Review at the UN, which includes specific recommendations for Scotland on policing and prison conditions;
- Follow-up to the death in custody review;
- Access to justice, including legal aid;

Kind regards,

Ian Duddy
Chair, Scottish Human Rights Commission

Bridgeside House
99 McDonald Rd
Edinburgh
EH7 4NS

Office tel: +44 (0)131 297 5750
[redacted]

From: [redacted]

Sent: 16 August 2022 08:37

To: [redacted] Duddy I (Ian) <Ian.Duddy@scottishhumanrights.com>

Cc: [redacted]

Subject: Meeting with Cabinet Secretary for Justice and Veterans on 28 September.

Dear Ian Duddy and [redacted]

Hi. Mr Duddy is meeting the Cabinet Secretary for Justice and Veterans on 28 September at 10AM.

I am preparing the briefing for the Cabinet Secretary. To help with this, could you please let me know which areas Mr Duddy would like to discuss with Mr Brown?

I am happy to discuss.

[Redacted]
Family Law Policy – Justice Directorate
Scottish Government
[Redacted]

ITEM 1.3

From: [Redacted]
Sent: 06 September 2022 13:42
To: [Redacted]
Subject: CSJV meeting with Scottish Human Rights Commissioner

Hi [Redacted]

In the Criminal Justice Bill meeting earlier, you mentioned that the CSJV was meeting the Scottish Human Rights Commissioner later this month? [Redacted].

Cheers
[Redacted]

ITEM 1.4

From: [Redacted]
Sent: 08 September 2022 07:47
To: [Redacted]
Subject: RE: Meeting with Cabinet Secretary for Justice and Veterans on 28 September.

[Redacted]

Many thanks.

Can you please:

- Let [Redacted] see these lines and check he is content with the very last one, on legal aid. [Redacted].
- Add these lines as a new annex to the briefing. I think after the tables and before the biography of Mr Duddy. [Redacted].

[Redacted]
Family Law Policy
Scottish Government
[Redacted]

From: [Redacted]
Sent: 08 September 2022 07:36
To: [Redacted]
Subject: FW: Meeting with Cabinet Secretary for Justice and Veterans on 28 September.

From: [Redacted] **On Behalf Of** Human Rights Office
Sent: 07 September 2022 16:49
To: [Redacted]
Cc: [Redacted]; Human Rights Office <HumanRightsOffice@gov.scot>
Subject: RE: Meeting with Cabinet Secretary for Justice and Veterans on 28 September.

Hi [Redacted],

[Redacted]. Please let us know if you need any more info.

[Redacted]

Legal Aid

- We will also need to be mindful of the links to other work already underway across the Scottish Government - [Redacted].

Thanks,

[Redacted]

[Redacted]

Human Rights Bill Team

Scottish Government | Directorate for Equality, Inclusion and Human Rights
5 Atlantic Quay | 150 Broomielaw | Glasgow | G2 8LU

From: [Redacted]

Sent: 07 September 2022 09:42

To: [Redacted]; Human Rights Office <HumanRightsOffice@gov.scot>; [Redacted]

Cc: [Redacted]

Subject: FW: Meeting with Cabinet Secretary for Justice and Veterans on 28 September.

[Redacted] – would someone on your side be able to pick up providing general briefing on SHRC please?

Team – [Redacted] did a paper for HMIPS (apologies if duff acronym) recently, which may be helpful to pull over albeit we wouldn't be looking for Mr Brown to get into any detailed discussions, it's more for info.

Also copying in [Redacted] to consider Bill of Rights point as [Redacted] just back from leave and ploughing through emails no doubt.

[Redacted]

[Redacted] | Head of Human Rights Strategy and Legislation Unit | Directorate for Equality, Inclusion and Human Rights

[Redacted]



From: [Redacted]

Sent: 07 September 2022 08:07

To: [Redacted]

Cc: [Redacted]

Subject: Meeting with Cabinet Secretary for Justice and Veterans on 28 September.

Colleagues

We are preparing the briefing for a meeting which the Cabinet Secretary for Justice and Veterans is having with Ian Duddy, the Chair of the Scottish Human Rights Commission. I am seeking contributions to complete the briefing: the draft is attached above. We have asked Mr Duddy what issues he would like to raise with the Cabinet Secretary and his reply is also above.

On specific contributions:

[Redacted]: grateful for briefing for the table at item 2 on the work the Scottish Human Rights Commission does generally. [Redacted].

[Redacted]: grateful for briefing for the table at item 3 on the SHRC recommendations on policing as part of the Universal Periodic Review. The SHRC comments on the UPR are at [Universal Periodic Review | Scottish Human Rights Commission](#)

[Redacted]: grateful for briefing for the table at item 3 on the SHRC recommendations on prison conditions as part of the UPR and for briefing for the table for item 4 on the follow-up to the death in custody review.

[Redacted]: grateful for briefing for the table for item 4 on Access to justice, including legal aid

[Redacted].

[Redacted], including you in this email for your interest generally and to ask if you want to say anything in this briefing about the UK Bill of Rights

Grateful for all responses by **close Wednesday 14 September**.

Thank you

[Redacted]

ITEM 1.5

From: **[Redacted] On Behalf Of** Police Division Hub Mailbox

Sent: 20 September 2022 16:27

To: [Redacted]

Cc: Police Division Hub Mailbox <police_division_hub_mailbox@gov.scot>

Subject: RE: Briefing for meeting between CSJV and Ian Duddy, Chair of SHRC, on 28 September

Good afternoon [Redacted],

We have discussed this with colleagues and they don't feel as though they need to attend.

Kind regards, [Redacted]

[Redacted]

Our Scottish Government consultation is now live: [Police complaints, investigations and misconduct: a consultation on legislation](#). Please see our [Consultation document](#) for more information or find out more by emailing policingconsultation2022@gov.scot

From: [Redacted]

Sent: 15 September 2022 12:32

To: [Redacted]; Police Division Hub Mailbox <police_division_hub_mailbox@gov.scot>;

Cc: [Redacted]

Subject: Briefing for meeting between CSJV and Ian Duddy, Chair of SHRC, on 28 September.

DRAFT Briefing Mr Brown and Mr Duddy meeting 28 September details - Objective ECM (scotland.gov.uk)

[Redacted]
Police Division

1. I am very grateful to you and colleagues for contributing to the briefing for this meeting. The current draft is above. It's due at Private Office by **3pm on 23 September**. There's a few points arising.
2. The first is who wants to attend the meeting. None of the areas are actually mine but I am happy to attend and take a note (and happy to drop out too!).
 - Does [Redacted] or a colleague wish to attend for the update on the work of the SHRC? (An alternative is I could have a chat with [Redacted] or a colleague beforehand and then cover the issue).
 - Do Police Division wish to attend to cover the UPR points on policing?
 - Does [Redacted] wish to attend for the death in custody review?
 - Subject to [Redacted] views, I could probably cover the Access to Justice points and perhaps have a quick chat with [Redacted] beforehand.
3. On the UPR points, the SHRC does make some comments on the number of prisoners held on remand: [22_08_10-upr-full-report-designed.pdf \(scottishhumanrights.com\)](#) (see pages 13 and 14 in particular). Does [Redacted] or a colleague wish to add something short to the briefing on the UPR at item 3 to cover remand prisoners?
4. On access to justice, there are again some points in [22_08_10-upr-full-report-designed.pdf \(scottishhumanrights.com\)](#) (see page 13 in particular). Does [Redacted] wish to add anything to the briefing for item 5? [Redacted].

[Redacted]
Family Law Policy
Scottish Government
[Redacted]

**CABINET SECRETARY FOR JUSTICE AND VETERANS
MEETING WITH Ian Duddy, Chair of SHRC**

What	Introductory meeting with Ian Duddy, the new Chair of the Scottish Human Rights Commission (SHRC)
When	28 September 2022 at 10:00 to 10.45
Where	Microsoft Teams
Who	Ian Duddy, Chair of the SHRC
Why	Mr Duddy wrote to Mr Brown on 7 July asking to meet Mr Brown informally to introduce himself.
Key messages	This is a private meeting
Comms Activity	None
Official support	<i>Name(s) of all officials providing support</i> [Redacted], Family Law Policy Unit [Redacted], Human Rights [Redacted], Prison Policy
Agenda	<ol style="list-style-type: none">1. Introductions2. Update on work of the SHRC3. SHRC recommendations as part of the UK's Universal Periodic Review at the UN, including specific recommendations for Scotland on policing and prison conditions4. Follow-up to the death in custody review5. Access to justice, including legal aid <p>This agenda are the areas Mr Duddy has said he wishes to raise: briefing is attached for items 2 to 5.</p> <p>At Annex A, we are also enclosing briefing on [Redacted] and the UK Bill of Rights.</p> <p>A biography of Mr Duddy is at Annex B.</p>
Main objective	To meet Ian Duddy and establish good relations with him.

ITEM 2	Update on work of the SHRC
Issue/ background	<p><u>SHRC - Background:</u></p> <ul style="list-style-type: none"> • The SHRC was established by the Scottish Commission for Human Rights Act 2006 and began work in 2008. • SHRC is one of the UK’s three independent National Human Rights Institutions (“NHRIs”), and has a general duty to “promote” human rights and “encourage best practice” in relation to human rights. • SHRC’s independence is explicitly protected by the 2006 Act, and is an important requirement of the UN’s <i>Paris Principles</i> which set out how NHRIs should operate. • SHRC is accredited as an "A Status" NHRI within the UN system. This means it can report directly to the UN on human rights issues. SHRC are the only Scottish organisation that can make direct contributions to the UN Human Rights Council. • SHRC can intervene in civil proceedings as an expert third party and can conduct an inquiry in relation to the policies or practices of Scottish public authorities (although this power cannot be used to challenge any court or tribunal judgement or to take any individual case against a public authority). • Unlike the other two National Human Rights Institutions in the UK (the Equality and Human Rights Commission and the Northern Ireland Human Rights Commission), SHRC is explicitly prohibited from taking test cases or supporting claimants who wish to take legal action in UK courts. • SHRC receives funding on a cash basis from the Scottish Parliamentary Corporate Body and occasional small grants from other sources. Its budget for 2020–21 was £1.135 million, including £100,000 approved contingency funding for additional temporary staff members. • The current Chair of SHRC is Ian Duddy. This was a position previously held by Judith Robertson from 2016 to 2022 and by Professor Alan Miller from 2008 to 2016. Currently, SHRC’s only Commissioner is Dr Anna Black. <p>[Redacted]</p>
Key message(s)	<ul style="list-style-type: none"> • Keen to continue to work closely with the SHRC
Suggested question(s)	<ul style="list-style-type: none"> • Are there any ways in which Justice can work more closely/better with the SHRC?
Contact point	<p>[Redacted] [SHRC generally] [Redacted]</p>

<p>ITEM 3</p>	<p>SHRC recommendations as part of the UK’s Universal Periodic Review at the UN, including specific recommendations for Scotland on policing and prison conditions</p>
<p>Issue/ background</p>	<p><u>Age of Criminal Responsibility</u> The SHRC welcomed the rise in the age of criminal responsibility from 8 to 12 years old, but highlighted “it is still two years below the minimum international standard of 14.”</p> <p><u>Biometrics Commissioner</u> The SHRC recommendations state that “there is a lack of legislation regulating the design, development and application of digital technologies, necessary to ensure public bodies (including Police Scotland) and businesses meet human rights obligations. The SHRC welcomed “the creation of the Biometrics Commissioner, despite a limited mandate. The Commission obtained agreement for a Human Rights Based Approach on the Scottish Government’s digital strategy.” The report makes a recommendation to introduce legislation regulating the design, development and application of digital technologies, ensuring human rights compliance.</p> <p><u>Dame Elish Angiolini Review of complaints handling, investigations and misconduct in relation to policing in Scotland</u> The SHRC recommendations say that they “welcomed substantial recommended reforms (accepted by government) from an Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing.” It also recommended that the Scottish Government “address recommendations relating to policing without delay”.</p> <p><u>CPT [European Committee for the Prevention of Torture]</u> The SHRC recommendations include to “Take urgent action on: Outstanding CPT recommendations”. Points raised by the SHRC include concerns on a wide range of detention conditions; deaths in prison custody and Dungavel Immigration Removal Centre.</p> <p><u>Detention</u> The SHRC recommendations include a call to “ Take urgent action on: • High numbers of people on remand”.</p>
<p>Key message(s)</p>	<p><u>Future Consideration of the Age of Criminal Responsibility</u></p> <ul style="list-style-type: none"> • The Act places a duty on the Scottish Ministers to review the operation of the Act in general, and with a view to considering a future age of criminal responsibility within 3 years of the commencement of section 1 of the Act (from 17 December 2021). • An Advisory Group comprising a range of different stakeholders has been established to support Ministers with the review. <p><u>Biometrics Commissioner</u></p> <ul style="list-style-type: none"> • The overall aim of the Independent Advisory Group on New Emerging Technologies in Policing is to produce a set of recommendations to ensure that Police Scotland can continue to have not only the power to keep our communities safe but, crucially, ensure that the right safeguards are in place to protect

the rights of the individual when new and emerging technologies are being introduced.

- The Group have met regularly since December 2020. An interim report was delivered to the Cabinet Secretary on 24 June 2022 [Redacted].
- The Scottish Biometrics Commissioner's office is part of the main Advisory Group.
- The Commissioner has prepared a draft Code of Practice which has now been laid in the Scottish Parliament for approval.
- The Code provides information and guidance regarding the responsibilities of Police Scotland, the Scottish Police Authority (SPA) and the Police Investigations and Review Commissioner (PIRC).
- A copy of the draft Code has been published on the Commissioner's website. The Code is expected to come into effect from mid-November 2022 subject to parliamentary approval.

Dame Elish Angiolini Review of complaints handling, investigations and misconduct in relation to policing in Scotland

- Dame Elish's review sought to bring greater fairness, transparency, accountability and proportionality, **protecting the human rights of all involved**. Her 111 recommendations included improvements to systems, procedures and the legislative framework.
- Significant steps have been taken by Police Scotland, the Scottish Police Authority, the Police Investigations and Review Commissioner and COPFS to progress recommendations - a total of 44 non-legislative recommendations completed to date. All partners remain committed to ensuring that policing operations **respect the human rights of all people and officers, who, in turn, should have their rights respected**.
- For example, Police Scotland has confirmed it intends to address the diversity, equality and inclusion recommendations in the review and has established a Strategic Oversight Board to lead the workstreams underway.
- A three-tier governance and reporting framework has been put in place to co-ordinate and provide assurance to Ministers on implementation progress. The Scottish Government [publishes thematic reports](#) setting out key developments. The last thematic progress report was published in June 2022: a further update will be provided in December 2022.
- Programme for Government has confirmed our commitment to introduce a Bill on Police Complaints and Misconduct Handling in parliamentary session 2022-23.

CPT [European Committee for the Prevention of Torture]

- SG has produced three Thematic Progress Reports in respect of the recommendations made in Dame Elish's Review.

	<ul style="list-style-type: none"> • In the third Report, we referred to recommendations made by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment of Punishment (CPT) and where there is some alignment to those made by Dame Elish in both her Preliminary and Final Reports. These broadly relate to the rights and treatment of persons in custody and the work undertaken to progress Dame Elish’s recommendations in the following themes: <ul style="list-style-type: none"> ❖ Theme 1: Rights and Ethics ❖ Theme 4: Transparency and Accessibility ❖ Theme 8: Efficiency and Effectiveness ❖ Theme 9: Audit and Review • The fourth Thematic Progress Report will be published in December 2022 [Redacted]. <p><u>Detention</u></p> <ul style="list-style-type: none"> • In June, we introduced the Bail and Release from Custody (Scotland) Bill to the Parliament. The Bill is part of a wider programme of work to change the way custody is used in Scotland. • The Bill focuses on two parts of the criminal justice system – bail and remand decisions and release from prison custody. The reforms in the Bill are intended to ensure that, as much as possible, the use of custody for remand is a last resort for the court • In particular, the Bill aims to reform the framework for the courts to make decisions about bail and remand with an emphasis on remand reserved for the protection of public safety and, in limited circumstances, the delivery of justice. • Additionally to legislative change we are investing an additional £3.2 million in strengthening alternatives to remand. This funding is already having a positive impact in further developing bail supervision services across Scotland. • In May of this year we commenced electronic monitoring of bail in Scotland. Over 100 people are currently monitored electronically on bail and that number is growing as more local authorities make this available throughout the year .
Suggested question(s)	<ul style="list-style-type: none"> • Are there key points on justice aspects of the Universal Periodic Review which you would wish to flag up?
Contact point	<p>[Redacted], Police Powers [Redacted], Future use of custody. [Redacted], Prison policy</p>

ITEM 4	Follow-up to the death in custody review
Issue/ background	<p>The Independent Review of the Response to Deaths in Prison Custody published on 30 November 2021 made 1 key recommendation, 19 other recommendations and 6 advisory points. Scottish Government has accepted all of these in principal.</p> <ul style="list-style-type: none"> • Gillian Imery (formerly HMICS) was appointed as an external Chair in April 2022 to oversee and drive forward the implementation of these recommendations. • To assist Gillian in this role, she has set up a Deaths in Prison Custody Action Group (DiPCAG) with representatives of the main stakeholders, including NHS, SPS, Police Scotland and COPFS to help support the necessary programme of work to implement the recommendations of the Independent Review. • The DiPCAG has a focus on progression of an action plan of identified actions and priorities to achieve the recommendations and advisory points in practice with members bringing a wealth of experience and skills from the perspective of their own organisation of responding to a death in prison custody and any subsequent investigation. • The Scottish Government leads on implementation of the key recommendation (a new timeous independent investigation into every death in prison custody). The Scottish Government has established a key recommendation working group which meets monthly and have facilitated a workshop during which stakeholders desk-topped the proposed new investigative process, using a case studies. More desktop exercises are planned. • Gillian Imery is very keen to ensure engagement with families at each step of process. With the support of Families Outside, a family reference group has been established comprising of family members with lived experience of a bereavement in prison custody to support the work of the DiPCAG. A representative of bereaved families is also a member of the DiPCAG. • A further working group has been established to focus on the recommendations that are concerned with understanding and seeking to prevent deaths in prison custody. The membership of this group is comprised of national oversight bodies, such as Healthcare Improvement Scotland, Care Inspectorate and HMIPS. The group will be co-chaired by a representative of a family bereaved by a death in prison. • Gillian Imery has committed to providing an update on progress on the implementation of the recommendations in Nov/Dec 2022, which is a year on from the publication of the Independent Review.
Key message(s)	<ul style="list-style-type: none"> • The vision is a more consistent, person centred, trauma informed response to all deaths in prison custody. Early independent scrutiny of circumstances of a death, with a focus on identifying trends and systemic issues and meaningful involvement of bereaved families. • Gillian Imery is striving to ensure that family engagement is considered at each step of the process in a compassionate manner.

Suggested question(s)	Do you have any concerns about implementation of the recommendations of the Independent Review and how they relate to compliance with human rights obligations?
Contact point	[Redacted]

ITEM 5	Access to justice, including legal aid
Issue/ background	<p>There is continuing disruptive action by Bar Associations [Redacted].</p> <ul style="list-style-type: none"> • The Bar Associations continue their boycott of Domestic Abuse (Scotland) Act cases and duty schemes. • Solicitors from Public Defence Solicitors Office (PDSO), Solicitor Contact Line (SCL) and those private firms still taking part in the duty scheme continue to provide advice and PDSO is currently undertaking recruitment of additional solicitors. • We have invested £50m last year and a further £53m this year to help tackle the unavoidable backlogs in the justice system, as well as enhanced investment in support for victims. • The latest figures from the Scottish Courts and Tribunals Service confirm that both solemn and summary sheriff courts are progressing cases above pre-COVID volumes. • We will continue to support the process of justice COVID recovery, and are considering ways in which we can work with willing partners to address any shortfall in the availability of solicitors as a priority.
Key message(s)	The Scottish Government remains committed to finding a permanent resolution, and regular discussions are taking place between Scottish Ministers and the President of the Law Society of Scotland.
Suggested question(s)	1. What are your main concerns around Access to Justice and legal aid and how they relate to human rights?
Contact point	[Redacted]

ANNEX A

[Redacted]

UK Government's Bill of Rights Bill

Top Lines

- The Scottish Government disagrees, as a matter of fundamental principle, with the proposition that the Human Rights Act should be replaced by a new Bill of Rights.
- The Human Rights Act is one of the most important and successful pieces of legislation ever passed by the UK Parliament. It has a 20-year track record of delivering justice, including for some of the most vulnerable people in society, and it plays a critically important role in protecting human rights and fundamental freedoms throughout the whole of the UK.
- The Scottish Government was given no advance sight of the UK Government's Bill of Rights Bill as a whole prior to its introduction, and the UK

Government did not offer any pre-introduction discussion of legislative consent or meaningful engagement with Ministers.

- Although there is current uncertainty about the future of the Bill, we will continue to urge the UK Government to step back from any future attempt to repeal the Human Rights Act, to affirm their commitment to the ECHR, and to focus on making rights real for everyone across the whole of UK society.

ANNEX B

Ian Duddy Biography

- On 20 June, Ian Duddy succeeded Judith Robertson as Chair of the SHRC
- Ian has worked for the last 20 years in government and regulatory affairs, primarily at the FCDO.
- Most recently he led the Human Rights & Rule of Law Department in the FCDO (2021-2022).
- A former UK Ambassador to Uruguay (2016-2020) and Chile (2020-2021).
- Extensive experience of international negotiations and advocacy, representing the UK government at the UN and EU.
- His other roles in government have included strategic communications, security/defence and trade policy.
- Ian was also a senior sponsor for inclusion and equality in the UK civil service.

ITEM 1.7

From: [Redacted]

Sent: 30 September 2022 13:27

To: [Redacted]

Subject: RE: Minutes of meeting between CSJV and Ian Duddy, Chair of the Scottish Human Rights Commission

Many thanks – I've corrected the spelling of Gill Imery's name on page 2.

From: [Redacted]

Sent: 30 September 2022 12:01

To: [Redacted]

Cc: [Redacted]

Subject: RE: Minutes of meeting between CSJV and Ian Duddy, Chair of the Scottish Human Rights Commission

Very comprehensive. Only comment from me would be an inconsistency in the spelling of Gill Imery's name on p2.

In relation to prison visits, we don't currently know which member of SHRC's staff will cover this. [Redacted]

In relation to overall performance, and in particular the discussion around issues such as mental health provision in prisons, as well as segregation, it is contextually interesting to see similar issues being raised by the Committee for the Prevention of Torture following its most recent (2020) inspection visit to Germany – Summary at

[1680a80c62 \(coe.int\)](#). Further links at: [Council of Europe anti-torture Committee publishes report on its 2020 visit to Germany - News 2022 \(coe.int\)](#).

[Redacted]

From: [Redacted]

Sent: 30 September 2022 10:14

To: [Redacted]

Cc [Redacted]

Subject: Minutes of meeting between CSJV and Ian Duddy, Chair of the Scottish Human Rights Commission

Minutes of Meeting by the Cabinet Secretary for Justice and Veterans with Ian Duddy, Chair of the Scottish Human Rights Commission details - Objective ECM (scotland.gov.uk)

[Redacted]

1 I attach the draft minutes of this week's meeting and would be grateful for comments before I put them up to CSJV for approval.

2. CSJV's box closes for recess at 1600 on Wednesday 5th October so grateful for comments on the draft minutes by **close Tuesday**.

- **[Redacted]** will note the brief reference in para 11 to the Children's Care and Justice Bill.
- **[Redacted]** will note paras 12 to 15, on the policing of protests.
- **[Redacted]** will note the brief reference in para 15 to the offence of breach of the peace.

[Redacted]

Family Law Policy

Scottish Government

[Redacted]

ITEM 1.8

From: [Redacted]

Sent: 01 October 2022 10:23

To: [Redacted]

Cc: [Redacted]

Subject: RE: Minutes of meeting between CSJV and Ian Duddy, Chair of the Scottish Human Rights Commission

Hi [Redacted]

Thanks for notifying us.

No comments, nothing he has said there beyond what we have articulated publically.

[Redacted]

[Redacted]
Children's Care and Justice Bill Manager
Youth Justice and Children's Hearings Unit
Scottish Government, Children and Families Directorate
[Redacted]

From: [Redacted]
Sent: 30 September 2022 12:01
To: [Redacted]
Cc: [Redacted]
Subject: RE: Minutes of meeting between CSJV and Ian Duddy, Chair of the Scottish Human Rights Commission

Very comprehensive. Only comment from me would be an inconsistency in the spelling of Gill Imery's name on p2.

In relation to prison visits, we don't currently know which member of SHRC's staff will cover this. [Redacted]

In relation to overall performance, and in particular the discussion around issues such as mental health provision in prisons, as well as segregation, it is contextually interesting to see similar issues being raised by the Committee for the Prevention of Torture following its most recent (2020) inspection visit to Germany – Summary at [1680a80c62 \(coe.int\)](#). Further links at: [Council of Europe anti-torture Committee publishes report on its 2020 visit to Germany - News 2022 \(coe.int\)](#).

[Redacted]

From: [Redacted]
Sent: 30 September 2022 10:14
To: [Redacted]
Cc: [Redacted]
Subject: Minutes of meeting between CSJV and Ian Duddy, Chair of the Scottish Human Rights Commission

Minutes of Meeting by the Cabinet Secretary for Justice and Veterans with Ian Duddy, Chair of the Scottish Human Rights Commission details - Objective ECM (scotland.gov.uk)

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- **[Redacted]** will note the brief reference in para 15 to the offence of breach of the peace.

[Redacted]
Family Law Policy
Scottish Government
[Redacted]

ITEM 1.9

From: [Redacted]
Sent: 30 September 2022 11:48
To: [Redacted]
Cc: [Redacted]
Subject: RE: Minutes of meeting between CSJV and Ian Duddy, Chair of the Scottish Human Rights Commission - breach of the peace

[Redacted].

Separately and for awareness, here is the standard text of a SG letter being used for quite a few pieces of correspondence. Colleagues in Police Division are leading on co-ordinating.

Anti-monarchy protests - Mi-case response template - September 2022 details - Objective ECM (scotland.gov.uk)

Cheers

[Redacted]

From: [Redacted]
Sent: 30 September 2022 11:32
To: [Redacted]
Cc: [Redacted]
Subject: RE: Minutes of meeting between CSJV and Ian Duddy, Chair of the Scottish Human Rights Commission - breach of the peace

[Redacted], but police recorded crime data on their website shows the vast majority are section 38 threatening or abusive behaviour – see page 10 of [Force Quarterly Bulletin -Linked Draft.xls \(scotland.police.uk\)](#) About 10 s38s for every breach of the peace – [Redacted].

[Redacted]

[Redacted] | Criminal Law & Procedure Team Leader

Criminal Justice Division

[Redacted]

May be working from home. Can be contacted by e-mail: [Redacted] or by mobile

[Redacted]

From: [Redacted]
Sent: 30 September 2022 11:26

To: [Redacted]

Cc: [Redacted]

Subject: RE: Minutes of meeting between CSJV and Ian Duddy, Chair of the Scottish Human Rights Commission - breach of the peace

Thanks Yes, I don't think any follow-up is required on threatening or abusive behaviour and breach of the peace. CabSec himself made the point that there was now the statutory offence of threatening or abusive behaviour and the SHRC noted breach of the peace was still used. SHRC said they might do some research on how many prosecutions etc there are and I noted that there would be criminal justice stats. [Redacted].

From: [Redacted]

Sent: 30 September 2022 10:56

To: [Redacted]

Cc: [Redacted]

Subject: FW: Minutes of meeting between CSJV and Ian Duddy, Chair of the Scottish Human Rights Commission - breach of the peace

Thanks [Redacted], interesting to see the discussion on the recent protests and the reaction of Police Scotland.

It doesn't look like there was any action in respect of the discussion on threatening or abusive behaviour and breach of the peace, but happy to help if there was anything further needed.

Cheers

[Redacted]

From: [Redacted]

Sent: 30 September 2022 10:14

To: [Redacted]

Cc: [Redacted]

Subject: Minutes of meeting between CSJV and Ian Duddy, Chair of the Scottish Human Rights Commission

Minutes of Meeting by the Cabinet Secretary for Justice and Veterans with Ian Duddy, Chair of the Scottish Human Rights Commission details - Objective ECM (scotland.gov.uk)

[Redacted]

1 I attach the draft minutes of this week's meeting and would be grateful for comments before I put them up to CSJV for approval.

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- **[Redacted]** will note the brief reference in para 11 to the Children's Care and Justice Bill.
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- **[Redacted]** will note the brief reference in para 15 to the offence of breach of the peace.

ITEM 1.10

MINUTES OF MEETING BETWEEN CABINET SECRETARY FOR JUSTICE AND VETERANS AND IAN DUDDY, CHAIR OF THE SCOTTISH HUMAN RIGHTS COMMISSION

WEDNESDAY, 28 SEPTEMBER 2022

Present: Keith Brown MSP, Cabinet Secretary for Justice; [Redacted], Scottish Government Human Rights Policy Team; [Redacted], Scottish Government Prisons and Parole Unit; [Redacted], Scottish Government Family Law Policy Unit; Ian Duddy, Chair, Scottish Human Rights Commission; [Redacted], Legal Officer, Scottish Human Rights Commission

Introductory Remarks

1. The Cabinet Secretary welcomed Ian Duddy and invited Ian to go through the agenda items he wished to raise.
2. Ian thanked the Cabinet Secretary. [Redacted] now gearing up for the next period of work. Ian said that a particular focus was the forthcoming Universal Periodic Review [UPR]. In its work on the UPR, the SHRC was focussing on devolved matters: detention; poverty; children's rights and mental health.

Prisons

The estate

3. The Cabinet Secretary noted that the Scottish Government was engaged in a programme of upgrading the prison estate, and referred in particular to work on replacements for Inverness and Barlinnie Prisons. Ian said that the SHRC welcomed this work.

Remand

4. Ian raised the issue of the large number of prisoners in Scotland held on remand. The Cabinet Secretary said that the Bail and Release from Custody (Scotland) Bill currently in the Parliament aims to ensure that, as much as possible, the use of custody for remand is a last resort for the court. However, there could be resistance to reducing the use of remand. In addition, the independent courts may in some circumstances wish to use remand to ensure that the accused does appear on trial dates.

Deaths in custody

5. Ian said it would be helpful to have an update on the work on deaths in custody.
6. The Cabinet Secretary noted that:
 - Work was on-going, under the leadership of Gillian Imery, formerly HM Chief Inspector of Constabulary in Scotland.
 - It was important to ensure that there was independent review of deaths in custody.
 - Fatal Accident Inquiries took time, given the need to take account of any criminal justice considerations.
 - There were a number of practical issues to take account of when a prisoner dies in custody such as the trauma impact on prison officers; informing the victims of crime; informing relatives; and the impact on conditions in the prison generally.
6. [Redacted] noted that Gillian Imery was planning to publish an update on her work in November/December.
7. The meeting discussed how Scotland compared internationally in relation to deaths in custody. It was noted that Scotland's figures had been high 2 or 3 years ago but may now have stabilised. Statistics from 2018 showed that "Scotland's prison mortality rate is high at 47.6 per 10,000, well above the average of 30.4 per 10,000"¹.
8. Ian said that the SHRC had taken part in prison inspection visits in the past and would be keen to do so again.
9. The meeting noted that mental health in prisons was a significant issue. It was important for the Scottish Prison Service to have the right staff to tackle mental health issues.
10. The Cabinet Secretary said:
 - he was seeking to ensure that the Scottish Prison Service had good connections with the National Health Service;
 - action to tackle drug misuse could help produce calmer prisons;
 - it was clear that many people in prison have mental health or addiction issues and prison isn't always the right place for them. However, decisions of the courts to sentence a person to imprisonment had to be respected.

Young people in prison

11. Ian noted that the SHRC welcomed the fall in the number of 16 and 17 year olds in prison and the SHRC would like the number to be 0. The Cabinet Secretary agreed and said that the Children's Care and Justice Bill, led by the Minister for Children and Young People, Clare Haughey, would be tackling these issues.

¹ See page 15 of [Death in Custody Literature Review \(prisonsinspectoratescotland.gov.uk\)](https://prisonsinspectoratescotland.gov.uk)

Policing

12. Ian noted the SHRC's concerns on some of the policing around the Queen's funeral. [Redacted]
13. [Redacted]
14. The Cabinet Secretary said:
- He had answered some Parliamentary Questions in this area.
 - The Police were increasingly accountable.
 - The Scottish Police Authority provided another layer of scrutiny.
 - The Police were committed to human rights and it was important to ensure this permeated the whole organisation.
 - There were recent examples of very good practice, such as the policing of protests at COP26. [Ian noted the SHRC also considered this to be an example of good policing practice].
 - There was a very wide ranging review taking place of the Police complaints process.
15. The meeting discussed the offence of breach of the peace. Section 38 of the [Criminal Justice and Licensing \(Scotland\) Act 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2010/10/section/38) had created a statutory offence of threatening or abusive behaviour but had not repealed breach of the peace.

Conclusion

16. The Cabinet Secretary emphasised that his door was open at any time if Ian Duddy wished to raise any issues.

Family Law Policy Unit
Justice Directorate
05 October 2022

ITEM 1.11

From: [Redacted] On Behalf Of Cabinet Secretary for Justice and Veterans
Sent: 31 October 2022 14:12
To: [Redacted]
Cc: Minister for Community Safety <MinisterCS@gov.scot>; DG Education & Justice <dgej@gov.scot>; [Redacted]Communications Justice CommunicationsJustice@gov.scot; [Redacted]; Cabinet Secretary for Justice and Veterans CabSecJV@gov.scot
Subject: RE: Minutes of meeting on 28 September 2022 between the Cabinet Secretary and Ian Duddy, Chair of the Scottish Human Rights Commission

This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team in line with SG records management policy.

[Redacted]

Mr Brown has noted and was content with the minutes of the meeting with the Chair of the Scottish Human Rights Commission.

Many thanks,
[Redacted]

[Redacted]

Private Secretary to Cabinet Secretary for Justice and Veterans – Keith Brown MSP

Scottish Government | Riaghaltas na h-Alba | St Andrew's House | 1W.11 | Regent Road | Edinburgh | EH1 3DG

[Redacted]

Email /Post-d: CabSecJV@gov.scot



All e-mails and attachments sent by a Ministerial Private Office to any other official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Offices do not keep official records of such e-mails or attachments.

From: [Redacted]

Sent: 05 October 2022 09:13

To: Cabinet Secretary for Justice and Veterans <CabSecJV@gov.scot>

Cc: Minister for Community Safety <MinisterCS@gov.scot>; DG Education & Justice <dgej@gov.scot>; [Redacted] Communications Justice <CommunicationsJustice@gov.scot>; [Redacted]

Subject: Minutes of meeting on 28 September 2022 between the Cabinet Secretary and Ian Duddy, Chair of the Scottish Human Rights Commission

Minutes of Meeting by the Cabinet Secretary for Justice and Veterans with Ian Duddy, Chair of the Scottish Human Rights Commission details - Objective ECM (scotland.gov.uk)

PS/Cabinet Secretary

Routine.

I attach, in ERDM and word, minutes of the meeting on 28 September 2022 between the Cabinet Secretary and Ian Duddy, Chair of the Scottish Human Rights Commission, for the Cabinet Secretary's clearance.

[Redacted]
Family Law Policy

Scottish Government
[Redacted]

ITEM 1.12

From: [Redacted]
Sent: 28 September 2022 11:20
To: [Redacted]
Subject: FW: Victims Commissioner and meeting with the Chair of the Scottish Human Rights Commission

[Redacted]
Criminal Law, Practice and Licensing Unit - Criminal Justice Division
Working from home – contactable by email, Teams & mobile: [Redacted]

From: [Redacted]
Sent: 28 September 2022 10:59
To: [Redacted]
Cc: [Redacted]
Subject: [Redacted] and meeting with the Chair of the Scottish Human Rights Commission

[Redacted]

Hi.

[Redacted].

The meeting focussed on the prison estate; the number of prisoners on remand; young people in prison; policing [particularly of protests] and deaths in custody.

[Redacted].

There was one point you might perhaps be interested in, [Redacted]. When discussing deaths in custody, CabSec noted there were a number of practical issues such as ensuring that relevant people were informed, including victims of the prisoner's crimes.

[Redacted]
Family Law Policy
Scottish Government

[Redacted]

ITEM 1.13

From: [Redacted]

Sent: 09 August 2022 13:21

To: [Redacted]

Cc: [Redacted]

Subject: FW: Introductory meeting with SHRC Chair - Ian Duddy

[Redacted]

Hi. I have been asked to co-ordinate the briefing for the meeting which the Cabinet Secretary for Justice and Veterans will have with Ian Duddy, the Chair of the Scottish Human Rights Commission, on 28 September.

I need to get the briefing to the Cabinet Secretary's office by 3pm on 23 September

The Cabinet Secretary's preferences for briefing is at: **Keith Brown - Cabinet Secretary for Justice and Veterans** (see item 3). This is a "level 2" meeting and so we should use the "meeting template".

I have been sent the briefing (above) for a meeting which Mr Duddy had recently with Equalities Ministers. This includes a short biography of Mr Duddy, which we can use for our briefing.

I have also been sent a read-out (also above) of that meeting.

Can you please:

- Prepare a brief email for me to send to Mr Duddy ian.duddy@scottishhumanrights.com and his business support [Redacted] (see below), asking which issues Mr Duddy would like to discuss with Mr Brown on 28 September.
- Start the briefing. At this stage, I think all we can complete is the first page and we can add in Mr Duddy's biography. I'll need to seek input from other colleagues in Justice once we know what Mr Duddy would like to raise.

The read-out of Mr Duddy's meeting of 28 September does suggest he may raise conditions in prison. As it happens, I am meeting a colleague from the prisons team this afternoon and I will mention this to her.

Happy to discuss.

[Redacted]

Family Law Policy

Scottish Government

[Redacted]

ITEM 2.1

**CABINET SECRETARY FOR JUSTICE AND VETERANS
MEETING WITH UNISON 09:00 – 09:45 ON 29 SEPTEMBER 2022**

What	Meeting with Unison
When	29 September 2022 09:00-09:45
Where	Microsoft Teams
Who	[Redacted] UNISON Police Staff Scotland [Redacted] UNISON Scotland It may be worth noting that this is [Redacted] first meeting with Cabinet Secretary for Justice and Veterans.
Why	Stakeholder engagement. To maintain good working relationships and to allow the opportunity to discuss matters directly.
Key messages	I value the regular opportunity to meet directly with Trade Unions representing police staff, who play such an important role in keeping our communities safe.
Comms Activity	No
Official support	[Redacted]
Agenda	1. Pay 2. Flat cash funding
Main objective	To maintain good working relationships and to allow the opportunity to discuss matters directly.

Briefing Contents:

Agenda Items (proposed by UNISON)

1. Pay - its impact on recruitment and retention of Police staff
2. Flat cash funding for the next three years - the impact for Police staff

Additional items that may arise

3. Strategic Workforce Planning

ITEM 1	Pay - its impact on recruitment and retention of Police staff
Issue/ background	<p>[Redacted]. Police Negotiating Board reached an agreement on Police officer pay for this year which gives 5% pay increase to all officers.</p> <p>Negotiations on Police Staff pay are ongoing through a separate process to police officer pay. The Scottish Government is not involved in negotiations on Police Staff pay. These take place through the Joint National Consultative Committee (JNCC), with Scottish Police Authority and Police Scotland negotiating with Trade Unions, Unison and Unite</p> <p>[Redacted].</p>
Key message(s)	<ul style="list-style-type: none"> • I understand that you (Unison) are balloting your members with regard to the recent pay offer, and I await the outcome with interest. I hope that an agreement on Staff pay is reached soon. • I value the crucial role of police staff in delivering a service and protecting communities across Scotland.
Suggested question(s)	[Redacted]
Contact point	[Redacted]

ITEM 2	Flat cash funding for the next three years - the impact for Police staff
Issue/ background	<p><u>Resource Spending Review</u> The Resource Spending Review (RSR) sets the broad parameters for Scottish Budgets to 2026-27. The RSR allocation maintains police funding over the Spending Review period.</p> <p>[Redacted].</p> <p><u>2023-24 Scottish Budget</u> The SPA budget for 2023-24 will be set as part of the annual budget process, which is underway. The 2023-24 Scottish Budget will be a particularly challenging budget requiring difficult decisions. Our resource spending review was the starting point for development of the new Scottish Budget. This work is also closely linked with the Emergency Budget Review.</p> <p>The date for the Scottish Budget is agreed in conjunction with the Finance and Public Administration Committee and agreement is anticipated shortly. Once the date is agreed, the Scottish Fiscal Commission will be formally notified of the budget date.</p>

It is important to better understand the UK Government's autumn budget plans before we finalise the Scottish Budget arrangements.

Scottish Budget Emergency Budget Review

The Scottish Government is undertaking an emergency budget review to assess any and all opportunities to:

- redirect additional resources to those most in need;
- reduce the burdens on business; and
- stimulate the Scottish economy.

We have already made difficult choices to support pay offers in 2022-23 and mitigate the cost crisis and balance budgets, and more will be required. The Deputy First Minister has outlined to Parliament a range of savings that have already been made to enable us to make increased pay offers to public sector workers.

The combination of the ongoing cost of living crisis, high inflation and the forecast recession has increased the demand for government support whilst also eroding the purchasing power of available funding, meaning the Scottish budget is worth around £1.7 billion less than when it was published in December 2021.

The Emergency Budget Review will form part of an ongoing budget process which will shape our plans for the 2023-24 Scottish Budget later this year.

Police Budget 2022-23

The budget for policing has increased by 3.4% in 2022-23, an additional £40.5 million, bringing the total budget to over £1.3 billion. This continues to deliver a sustainable budget position for the SPA.

We are providing additional funding to the Scottish Police Authority on top of an annual budget support the 2022-23 police pay deals.

Police Capital Budget

Despite cuts to the Scottish Government's capital budget, the police capital budget has more than doubled since 2017-18.

The SPA capital budget for 2022-23 is £45.5m.

This supports continued investment in police estate, fleet, specialist equipment and ICT.

The SPA approved the Police Scotland Capital Strategy in September 2021 – it outlines the police capital requirements over the next five years.

Key message(s)	<ul style="list-style-type: none">• The Resource Spending Review (RSR) sets the broad parameters for Scottish Budgets to 2026-27. The RSR allocation maintains police funding over the Spending Review period.• The SPA budget for 2023-24 is not yet set and will be set as part of the annual budget process.• We will continue to use the resources available to us to support the vital work of Police Scotland in delivering effective and responsive policing across Scotland.
Suggested question(s)	
Contact point	

<p>ITEM 3 Not on Agenda but may arise</p>	<p>Strategic Workforce Planning</p>
<p>Issue/ background</p>	<p>Police Scotland’s first Strategic Workforce Plan (SWP) was published on 19 January 2021. It covers the period 2021-2024. [Redacted].</p> <p>On 2 August 2022 Her Majesty’s Inspectorate of Constabulary in Scotland’s (HMICS) published its Assurance Review of Police Scotland’s Strategic Workforce Plan including the 10 recommendations below</p> <ol style="list-style-type: none"> 1. The Scottish Government, SPA and Police Scotland should collectively cease to use 17,234 officers as a target and focus instead on developing a workforce based on the skillset and mix required to meet the current and future challenges for policing in Scotland. 2. Police Scotland should redesign its workforce planning approach requiring a set of design principles and parameters to facilitate meaningful involvement of senior staff to deliver a consistent design and planning approach. 3. Police Scotland should establish a clear model and plan for producing a Target Operating Model and set out a route map for its delivery through business planning and change activity. 4. The SPA and Police Scotland should review governance arrangements and processes, and clearly define how workforce planning decisions will be made and who will oversee their implementation. 5. Police Scotland should strengthen the links (at all levels in the force) of tasking and co-ordination to workforce planning, fully adopting the demand response model to demonstrate how changes in threat, risk and demand translate directly into tactical and resource decisions. 6. Police Scotland should develop a unified and expanded data science capability within the Demand and Productivity Unit. 7. The SPA and Police Scotland should progress the development of future scenarios and use them to support the production of a longer-term vision as part of the new Joint Strategy due in 2023. 8. Police Scotland should focus on two main areas of activity: <ul style="list-style-type: none"> - Develop a strategic assessment of the workforce and a refreshed delivery plan to address the gaps and issues we have identified for consideration by the SPA (by April 2023)

	<p>- As part of that delivery plan, develop a revised methodology to deliver the next iteration of the SWP in April 2024.</p> <p>9. Police Scotland should develop a roadmap for delivery of strategic SWP objectives and a programme for workforce change.</p> <p>10. The SPA and Police Scotland should put in place measures to monitor progress against the areas for development outlined in this assurance review, ensuring regular reporting at the SPA People Committee to allow assessment of progress.</p> <p>The Review highlights that ‘local workforce plans identified significant opportunities for roles to be filled by staff, rather than officers, thus freeing up officers for operational duties’. It highlights that ‘Divisions were frustrated they were not in position to take these decisions and were seeking a strong direction (or a set of parameters for decision-making) from the Force Executive’.</p>
Key message(s)	<ul style="list-style-type: none"> • I welcome the recent HMICS report on workforce planning. In particular the recommendation that there is a focus on developing a workforce based on the skillset and mix required to meet current and future challenges for policing in Scotland. • In time strategic workforce planning should help to identify an appropriate workforce mix to meet demand • Scottish Government will discuss the 10 review recommendations with SPA and Police Scotland, which identify areas for development and further steps
Suggested question(s)	Do you have any thoughts to offer on the process of workforce planning, or the HMICS report?
Contact point	[Redacted]

ITEM 2.2

Minutes of Cabinet Secretary meeting with Unison 29 September 2022
22 September 2022 09:00 – 09:45

Attendees:

Cabinet Secretary for Justice and Veterans
[Redacted], UNISON Police Staff Scotland
[Redacted], UNISON Scotland
[Redacted], SG Police Division
[Redacted], SG Police Division
[Redacted], SG Police Division

Agenda	1. Pay 2. Flat cash funding	Action
	Cabinet Secretary opened the meeting and welcomed [Redacted].	
	[Redacted].	
	The Cabinet Secretary highlighted the current financial landscape and the challenges this poses. It was highlighted that the job market is currently squeezed.	
	[Redacted]	[Redacted]
	All parties agreed that it had been an extremely worthwhile and beneficial meeting. The Cabinet Secretary ended by thanking UNISON and stated that he welcomed these regular meetings.	

ITEM 2.3

From: [Redacted]
Sent: 27 September 2022 10:10
To: [Redacted]
Subject: Unison Meeting briefing and agenda

Good morning

Please find attached briefing and agenda for the meeting with Unison on 29 September.

Kind regards

[Redacted]
Police Division | Workforce, Equality and Forensics
Scottish Government
Email [Redacted]

From: [Redacted]
Sent: 21 September 2022 12:33

To [Redacted]

Cc: [Redacted]

Subject: RE: Regular Meeting Unison with the Cabinet Secretary for Justice & Veterans

Much appreciated [Redacted]

Kind regards

[Redacted]

Police Division | Powers and Workforce
Scottish Government

From: [Redacted]

Sent: 21 September 2022 12:32

To: [Redacted]

Cc: [Redacted]

Subject: Re: Regular Meeting Unison with the Cabinet Secretary for Justice & Veterans

Good afternoon,

We would like to discuss

1) Pay - its impact on recruitment and retention of Police staff

2) Flat cash settlement for the next three years - the impact for Police staff.

Kind regards

[Redacted]

Sent: 21 September 2022 11:35

To [Redacted]

Cc: [Redacted]

Subject: RE: Regular Meeting Unison with the Cabinet Secretary for Justice & Veterans

Good morning

I was wondering if you had the chance to discuss and propose agenda items for the upcoming meeting, as we are currently compiling briefing for the Cabinet Secretary.

Kind regards

[Redacted]

Police Division | Powers and Workforce

Scottish Government

From [Redacted]

Sent: 14 September 2022 15:44

To [Redacted]

Subject: RE: Regular Meeting Unison with the Cabinet Secretary for Justice & Veterans Understood and appreciated [Redacted]

Kind regards

[Redacted]

Police Division | Powers and Workforce

Scottish Government

From: [Redacted]

Sent: 14 September 2022 15:42

To [Redacted]

Subject: Re: Regular Meeting Unison with the Cabinet Secretary for Justice & Veterans

Good afternoon,

We are trying to arrange a meeting to discuss and propose an agenda. Some of the branch activists are occupied with Operation Unicorn.

Kind regards,

[Redacted]

On Wed, Sep 14, 2022 at 2:58 PM [Redacted]
wrote:

Good afternoon

I was wondering if you had the chance to consider agenda items for the meeting with the Cabinet Secretary yet.

We have tight deadlines to complete briefing for Mr Brown prior to the meeting.

Your assistance is very much appreciated.

Kind regards

[Redacted]

Police Division | Powers and Workforce

Scottish Government

[Redacted]

Sent: 13 September 2022 16:29

[Redacted]

Subject: RE: Regular Meeting Unison with the Cabinet Secretary for Justice & Veterans

Good afternoon

Now that the meeting with the Cabinet Secretary on 29 September has been confirmed, can you please forward details of any issues which you would like to be included in the agenda.

Kind regards

[Redacted]

Police Division | Powers and Workforce

Scottish Government

[Redacted]

From: [Redacted]

Sent: [Redacted]

Subject: Re: Regular Meeting Unison with the Cabinet Secretary for Justice & Veterans

I am available at 9am on that date,

Kind regards,

[Redacted]

On Mon, Sep 12, 2022 at 1:12 PM <[Redacted]

wrote:

Good morning

Further to previous, 9 am on 29 September is available.

[Redacted]

can you confirm if this amended date and time are suitable for you.

Kind regards

[Redacted]

Police Division | Powers and Workforce

Scottish Government

[Redacted]

From: [Redacted]

Sent: 05 September 2022 09:01

[Redacted]

Subject: RE: Regular Meeting Unison with the Cabinet Secretary for Justice & Veterans

Morning

I can do 9am but not 10am?

Regards,

[Redacted]

From: [Redacted]

Sent: 01 September 2022 14:13

To [Redacted]

Subject: RE: Regular Meeting Unison with the Cabinet Secretary for Justice & Veterans

Good afternoon

As [Redacted] can't make the meeting on the 28th, can you confirm if 10:00 on 29 September would be suitable.

Kind regards

[Redacted]

Police Division | Powers and Workforce

Scottish Government

[Redacted]

From: [Redacted]

Sent: 01 September 2022 12:20

To [redacted]

Subject: Re: Regular Meeting Unison with the Cabinet Secretary for Justice & Veterans

Good Afternoon,

Unfortunately i cannot make the meeting at the time.

Kind regards,

[Redacted]

On Mon, Aug 1, 2022 at 1:49 PM <[Redacted]> wrote:

Good afternoon [Redacted]

Further to my previous email below, can you please confirm to meet with Mr Brown via MS Teams at 16:00 on 28 September.

Kind regards

[Redacted]

Police Division | Powers and Workforce

Scottish Government

Email: [Redacted]

From [Redacted]

Sent: 19 July 2022 12:53

To [Redacted]

Subject: Regular Meeting Unison with the Cabinet Secretary for Justice & Veterans

Good afternoon [Redacted]

I hope this email finds you both well.

Unfortunately the Cabinet Secretary for Justice and Veterans is no longer available for the meeting at 09:00 on 28 September. However he would be available at 16:00 on 28 September. Mr Brown's Private office have asked us to confirm if you would be available at this time via MS Teams.

Please let us know if this would be suitable.

Kind regards

[Redacted]

Police Division | Powers and Workforce

Scottish Government

Email [Redacted]

From: [Redacted]

Sent: 29 August 2022 14:09

To [Redacted]

Subject: RE: Regular Meeting Unison with the Cabinet Secretary for Justice & Veterans

Much appreciated [Redacted]

Kind regards

[Redacted]

Police Division | Powers and Workforce
Scottish Government

Email: [Redacted]

From: [Redacted]

Sent: 29 August 2022 13:55

To [Redacted]

Subject: Re: Regular Meeting Unison with the Cabinet Secretary for Justice & Veterans

Good afternoon,

The 28th of September does not suit me though I will allow [Redacted] and [Redacted] section to respond for themself.

Kind regards,

[Redacted]

On Mon, Aug 1, 2022 at 1:49 PM [Redacted] wrote:

Good afternoon [Redacted]

Further to my previous email below, can you please confirm to meet with Mr Brown via MS Teams at 16:00 on 28 September.

Kind regards

[Redacted]

Police Division | Powers and Workforce

Scottish Government

Email: [Redacted]

From: [Redacted]

Sent: 19 July 2022 12:53

To: [Redacted]

Subject: Regular Meeting Unison with the Cabinet Secretary for Justice & Veterans

Good afternoon [Redacted]

I hope this email finds you both well.

Unfortunately the Cabinet Secretary for Justice and Veterans is no longer available for the meeting at 09:00 on 28 September. However he would be available at 16:00 on 28 September. Mr Brown's Private office have asked us to confirm if you would be available at this time via MS Teams.

Please let us know if this would be suitable.

Kind regards

[Redacted]

Police Division | Powers and Workforce

Scottish Government

Email: [Redacted]

ITEM 3.1

BRIEFING NOTE FOR CABINET SECRETARY FOR JUSTICE & VETERANS

Meeting with HMCICS, Craig Naylor, Thursday 29 September 2022

Title	Meeting with HMCICS
Who	HMCICS, Craig Naylor
What	The meeting is a regular bi-monthly catch-up discussion with HMCICS.
Key points	The regular meetings with HMCICS provide opportunities for CSJV and Mr Naylor to discuss policing issues.
Where	TBC
When	Thursday 29 September, 10:00-10:45hrs
Supporting Official	[Redacted], Police Division
Attached documents	Annex A – Agenda Annex B – Meeting Brief

Copy to: [Redacted]
Craig Naylor, HMCICS
[Redacted]

Annex A

Agenda

Mr Naylor intends to raise and update Mr Brown on a number of issues, mainly around HMICS work programme including:

- SWP and budget impacts
- CAM inspection
- Domestic Abuse Inspection

- Joint inspections with Care Inspectorate, Health Care Improvement Scotland- business case for Phase 2 of Adult Support and Protection Inspections

Annex B

	[Redacted]
Background :	<ul style="list-style-type: none"> • RSR allocation provided a flat cash resource budget for the SPA over the RSR period, 2022-23 to 2026-27 – at £1.25 billion. The SPA capital budget is also a flat cash allocation at £45.5m over the same period. • [Redacted] • Workforce costs make up over 87% of the SPA budget, with only 13% available for non-pay costs. Inflationary increases are resulting in significant pressures on the police non-pay budget. • [Redacted]
Points to raise:	<ul style="list-style-type: none"> • The DFM made a statement to Parliament on 7 September outlining the stark reality of the volatile and challenging financial challenges we are facing. • SG undertaking an Emergency Budget Review – ahead of moving into the 2023-24 budget process. • [Redacted]

	HMICS assurance review of Contact Assessment Model
Background :	<ul style="list-style-type: none"> • Report was published on 30 August and should be seen as a positive piece of work for a system that had an expedited introduction in 2020 as a response to the Covid Pandemic • 8 recommendations were made, all aimed at internal processes within Police Scotland and the SPA. A number of issues were identified including: <ul style="list-style-type: none"> ○ A lack of consistency in the management of Local Policing Appointments (LPAs) across Scotland ○ Resolution Teams are not currently able or equipped to undertake the range of duties that would have a significant impact in reducing demand for local policing ○ The ability of the force to divert incidents to more appropriate organisations has been hindered throughout the pandemic. • However, report also recognised that the introduction of CAM is a significant step forward for Police Scotland in improving the service delivered to the public and that the expedited rollout was instrumental in enabling the force to maintain an appropriate level of service throughout the pandemic. • Report received limited external interest but was used to frame some media questions which focused on lack of resources for Police Scotland
Points to raise:	<ul style="list-style-type: none"> • Does HMICS envisage any follow-up work on CAM • Does HMICS have any particular views on Police Scotland's ability to divert incidents to more appropriate organisations, particularly with regard to people in mental health distress?

	HMICS Thematic Inspection – Domestic Abuse
Background:	<p>HM Inspectorate of Constabulary in Scotland (HMICS) has committed to a statutory inspection of Domestic Abuse as part of its Scrutiny Plan for 2021-22. A staged approach is being taken and the aim of this first Phase (Phase I) is to assess the state, efficiency and effectiveness of Police Scotland’s response to domestic abuse, with a focus on the victim’s experience from report, during investigation an up to conclusion of police investigations, and will include cases where serious sexual offences have also been reported for investigation.</p> <p>As part of this work a survey was conducted, inviting those who have reported domestic abuse of any kind to Police Scotland, to share their experiences of the reporting and investigative processes. The survey closed on 10 June.</p>
Points to raise:	<ul style="list-style-type: none"> • Helpful to learn more about the current thematic inspection and the planned stages going forward. • With the new offence of domestic abuse introduced in April 2019, it is timely for this survey to help understand how the new offence is being used by Police Scotland. • There was extensive Police Scotland training for the introduction of the new offence – helpful to understand better if this training has helped with the introduction of the offence. • Aware there was research published in August 2022 relating to the experience of use of the new offence which did suggest concerns on the part of some victims on how domestic abuse was being dealt with. [Redacted]. • In addition, the commencement of the survey also has relevance given the then announcements by the UK Government around their ‘Tackling Domestic Abuse Plan’. • [Redacted] • Can you outline a little more how you would look to manage the publication of the conclusions given the phased approach being adopted?

	HIS/HMICS joint inspection of custody suites
Background:	<ul style="list-style-type: none"> • Scottish Government has agreed to fund Healthcare Improvement Scotland (HIS) £186,803 for 2022/23 to put in place a Programme Team that will commence the process of joint inspections of custody suites with HMICS. • Through the inspection programme HIS wish to achieve the following: <ul style="list-style-type: none"> ○ Ensure that the quality of healthcare delivery within custody centres is appropriately assessed to provide assurance to the Public, Scottish Government and NHS Boards.

	<ul style="list-style-type: none"> ○ That Healthcare staff have better awareness of best practice around healthcare delivery within police custody centres through HIS/HMICS' guidance, indicators, inspection feedback and published reports. ○ Best practice is reliably spread and its implementation supported via published inspection reports, annual reports, shared learning or discussion at network meetings such as the Scottish Health in Custody Network. ○ Improved clinical governance oversight of police custody centres via the inspection process and input from clinical partners. ● The HIS commission agreed by SG highlighted that by September 2022, they were expected to finalise the draft framework for inspections for testing. SG officials are due to meet HIS colleagues to discuss shortly.
Points to raise:	<ul style="list-style-type: none"> ● Is HMICS satisfied that work to implement an inspections framework is on track? ● Are any issues with rollout of inspections envisaged further down the line?

ITEM 3.2

CABINET SECRETARY FOR JUSTICE AND VETERANS MEETING WITH CRAIG NAYLOR, HMICS ON 29 SEPTEMBER 2022

Attendees: Keith Brown, Cabinet Secretary for Justice and Veterans (CSJV)
Craig Naylor, His Majesty's Inspector of Constabulary for Scotland(CN)

[Redacted], Minister's office
[Redacted], Police Division

Workforce, Recruitment and Pensions

CSJV and CN discussed a number of issues around the current workforce numbers within Police Scotland. [Redacted]

Current Review Work

CN updated on early findings from Domestic Abuse review where there was some very good news coming up around the support for victims of abuse, particularly significant cases [Redacted] September 2022

ITEM 4.1

Note for the Record

Meeting Between Cabinet Secretary for Justice and Veterans and Chair of Scottish Resilience Partnership (SRP) Jim Savege 17:15 – 17:45 Tuesday 06 September 2022 by MS Teams

Present: Keith Brown, Cabinet Secretary for Justice and Veterans (CSJV)
Jim Savege, Chief Executive Aberdeenshire Council and SRP Chair (JS)
[Redacted], Resilience Division [Redacted] - official support Resilience Division

Agenda

WELCOME AND INTRODUCTIONS

CSJV and JS introduced themselves to each other. CSJV is looking forward to hearing about Resilience matters.

JS gave an overview of the SRP, its membership and function.

JS advised CSJV of the 2 strategic risks – natural and environmental issues and that we are well prepared and rehearsed to provide assurance to deal with any issues. How we prepare, plan and dip into cyber / interoperability into different risks that affect our communities. Concurrent risks keep us busy – e.g. EU Exit/ Covid and winter.

JS provided an assurance that SRP members provide leadership and oversight through their respective agencies and resilience partnerships and that there a good degree of confidence in existing plans and arrangements to manage the consequences of concurrent events over the coming winter.

[Redacted]. Emergency Responders will get on with day to day tasks as they need to - helpful to have an open line to CSJV if a government line needed/ SGoRR / SRP stood up. CSJV has an open invitation to attend the SRP Meetings.

CSJV thanked JS for the overview spoke of previous resilience experience from the extreme cold of 2010. [Redacted]. CSJV is an advocate for there being a proper understanding of the risks we face, the consequences that may result and that responders have worked through these to inform their response arrangements.

[Redacted]. JS advised there has been good progress since 2010 with a good foundation of response plans and arrangements, underpinned by improved risk information and process to identify capability and capacity to respond. There has also been a maturation of the response structures and relationships between agencies as a consequence of dealing with real time incidents over the intervening years. Local and National Plans feel more joined up after the events of the last few years with EU exit planning and Covid response. CSJV stated that he was quite reassured that plans are in place.

CSJV spoke of the need for collective action and more people stepping up to help when Scotland was faced with a crisis. JS offered that across responder organisations people recognise they need to step up, work together with every capability they have when an incident happens and making the best use of resources available. And that resources can be deployed to help but we need to understand how that affects other services and the ability to respond to the consequences of concurrent risks.