



June 2020

Independent Advisory Group Report on Interviews with Police Scotland Officers and Staff

Introduction

1. This document provides a summary of findings from research interviews carried out by Her Majesty's Inspectorate of Constabulary in Scotland (HMICS) on behalf of the Independent Advisory Group (IAG) established to review Police Scotland's use of the emergency powers provided by the Coronavirus Act 2020 and the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020.
2. The aim of the research interviews was to glean the perspective of officers and staff involved in using the new powers, including:
 - police officers directly applying the powers whilst working in communities
 - police officers in supervisory positions briefing officers on the use of the powers
 - police officers and staff working in Contact, Command and Control and receiving calls from the public about coronavirus related issues

Methodology

3. The research was limited to one to one interviews and in line with public health guidance, conducted by teleconference. HMICS did not inspect any police briefing materials or other documentation prior to or during the interviews. The methodology and developed question set (Appendix A) were approved by the IAG and were designed to explore the following themes:
 - Training and support around the introduction of the new policing powers
 - Public compliance with the powers
 - Experience of policing the pandemic and using the new powers
 - Lessons for the future as the lockdown changes
4. The HMICS inspection team selected officers and staff for interview from a list provided by Police Scotland, which included front line response, community and supervisory officers. This method provided a degree of randomisation in the selection of officers and staff.
5. In order to gain a countrywide perspective, one local division was selected from each of the North, West and East command areas. Data recorded by Police Scotland were analysed to determine which divisions to select. This was done by examining the total number of interventions, rate of intervention per capita, and proportion of interventions involving enforcement. In respect of call handling, a selection of officers and staff from the police control rooms at Dundee, Govan and Bilston Glen were interviewed. This sample comprised of staff from Service Centres and Resolution Teams, who provide frontline advice, support and assistance to the public.
6. A total of 54 interviews were conducted between Monday the 1st June and Friday 5th June. This included an initial six pilot interviews, which provided the inspection team the opportunity to 'sense check' the questions and interview arrangements.

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Interview Sample

7. The interview sample, whilst limited in number given the timeframes involved, provided a cross section of frontline roles and geographical areas to capture the experience of policing across different communities and comprised of the following:
- Edinburgh (E) Division, two front line response officers, two community officers and two supervisory officers (these were the pilot interviews)
 - Greater Glasgow (G) Division, four front line response officers, four community officers and four supervisory officers
 - Forth Valley (C) Division, four frontline response officers, four community officers and four supervisory officers
 - Highland and Islands (N) Division, four front line response officers, four community officers and four supervisory officers
 - Contact, Command and Control (C3) Division, six Service Advisors and six Resolution Team members

Key Findings

8. The research themes and responses are explored in broader detail however the following high level feedback from officers and staff has been summarised:
- Overall view was that Police Scotland responded well in terms of guidance and instruction to officers given the pace with which the legislation was enacted
 - There was sufficient information in the briefings and guidance to enable officers and staff to deal competently with issues arising from the restrictions
 - Concerns were raised that as restrictions continue to alter, the role of the police will become more challenging, and clear guidance for the police and the public will be required
 - It would be beneficial to have a formalised approach across Police Scotland for sharing learning as to how the powers are applied
 - The “four Es” approach (Engage; Explain; Encourage, and Enforce) has been easy for officers and staff to understand, and is in keeping with the force values, policing tone and style
 - The emphasis of the police has been on engaging, explaining and encouraging compliance, with enforcement being the last resort
 - The vast majority of the public have been compliant with the legislation and supportive of the role undertaken by police officers and staff
 - Communicating with the public using the continuum of the four Es has been effective in maintaining the fundamental principle of policing by consent
 - As restrictions have been eased there are early signs in some areas that public compliance is waning and this has been more challenging for the police
 - The lack of power of entry to property was highlighted as a gap in police powers
 - The redeployment of officers from corporate departments to support the frontline was welcomed

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- The introduction of the Contact Assessment Model and the use of resolution teams has been well received by frontline officers
9. The report will now take each research area in turn and summarise the interview responses.

Training and support around the introduction of the new policing powers

10. Overall, the officers and staff interviewed were positive about the force and divisional responses to the introduction of the emergency legislation. It was widely acknowledged that the legislation was enacted with very little time for the force to consider and subsequently prepare. The most prevalent view was that in light of the circumstances the force had done as well as could be expected in what was/is a rapidly moving situation. Briefings and guidance issued allowed frontline officers and staff to deal competently with issues that arose. Many interviewed stated that as restrictions continue to be eased, the role of the police will become more challenging and additional guidance will be required.
11. There has been no “trainer-led” training provided in relation to the new powers: information has been cascaded via briefings and these have often been by email or in PowerPoint form, relying on self-briefing. On some occasions the briefings have been conducted by supervisory officers face-to-face, however that has been in dependent on the physical working arrangements of that area alongside current guidance.
12. Some expressed a view that cascading information too early in PowerPoint format was less helpful and often led to lots of “what if?” questions. A proper training package would have been preferable, including a knowledge check with scenarios to ascertain the level of understanding of officers and staff. Many stated that having ready access to officers and staff with a more in-depth understanding of the legislation and powers would have been helpful. Given the time limitations, it was acknowledged that this may not have been possible.
13. Dependent on their role, some officers and staff had more time available to digest the information, re-reading it on several occasions to ensure they understood. Those officers in response roles did not have the same opportunity, as they were often sent to calls as soon as they had been briefed.
14. From the interviews, HMICS found most officers had a good level of knowledge and understanding of the legislation and of their powers. There were however a small number of officers and staff who appeared less confident and may have benefited from a more cohesive training package, taking account of different learning styles.
15. The force briefings followed the UK police approach, characterised by the four Es: Engage; Explain; Encourage, and Enforce. This continuum of intervention allowed officers to apply their discretion. The use of the four Es approach was seen as positive by the officers interviewed and in line with the manner in which they go about their duties in general. In this respect officers and staff found it easy to remember. Officers interviewed were of the view that the policing tone and style (use of four Es) had remained consistent throughout the period, with a clear focus on preventing the spread of the virus.
16. Many interviewed thought there are too many grey areas in relation to what is law and what is guidance. It was the view of some that it may have been helpful had this been clearly separated in briefings and in public messaging. Officers advised there had been considerable debate in police stations amongst officers in relation to what constituted an offence and what did not.

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17. During the pilot in Edinburgh City Division, the introduction of daily divisional briefings for supervisors with a senior officer was referenced, allowing peer discussion, and this was seen as positive and supportive. Some people in other parts of Scotland mentioned that having such a daily update with examples provided would have helped.
18. The vast majority of officers and staff interviewed felt supported by their line managers to do their jobs and to use the four Es. Almost all stated that the emphasis from senior officers was to be on the first three Es and that enforcement was to be seen as a last resort. Of those officers interviewed, not many had used enforcement and amongst those who had, this had been only on a small number of occasions.
19. Some officers referenced people in their stations having issued Fixed Penalty Notices (FPNs) and when these were checked by senior officers, some FPNs were subsequently rescinded. It is not clear if this was because the ticket had been incorrectly completed or if the first three Es had not been used effectively on these occasions. The issue officers seemed to have with this was not so much that they had been rescinded, but lack of feedback as to the reason. Officers were discussing scenarios with each other, and feedback and learning could have been shared from this to increase understanding and confidence.

Public compliance with the powers

20. The majority of the public have been and continue to be compliant and supportive of the police. Officers stated that without this level of compliance it would have been difficult to police effectively.

Patrons and staff were found within a licensed premises and in breach of the legislation, and 13 enforcement tickets were issued. This incident subsequently attracted significant interest and 950 out of 1000 entries on a social media site praised the police response.

In rural areas popular with tourists, officers faced an increasing number of people arriving at holiday homes. Despite being in clear breach of public health guidelines, people challenged officers and refused to comply with the direction given. The consequence was the local community, who were adhering to the rules of lockdown, felt the police action was ineffective.

21. Officers interviewed said challenges emerged with some members of the public who were living chaotic lifestyles and seemed intent on non-compliance, regardless of attempts to utilise all strands of the four E approach. On these occasions this appeared to be due to an indifferent attitude to the overall public health objectives, the legislation and consequences for breaching same, therefore enforcement was not seen as an effective deterrent. Support from partner agencies for vulnerable groups such as the homeless and those with substance misuse issues was praised, although it was felt in some areas this support should have been put in place at an earlier stage.

Some local hotels were converted into temporary hostels providing shelter and food to the homeless, however police officers found that despite this support network, many individuals from vulnerable groups continued to wander the streets in groups during lockdown without any social distancing. Despite continued engagement with this group, the new police powers had little influence over this behaviour.

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22. The responses indicate there has been a consistent policing tone and application of the approach across communities, taking account of individual needs or support required.

Responding to a call from the public about people gathering in breach of lockdown rules, police officers found a group of autistic children and their carers on a day trip from the city. Following engagement with the group, the police officers recognised this as a regular and necessary activity for the children's wellbeing. Advice was given about reducing the risks associated with extended travel, and no enforcement action was taken.

23. Some officers highlighted that there were instances of people with mental health issues who were finding it difficult to cope with lockdown, as they were not seeing friends or family and not having the same access to support mechanisms.
24. Officers and staff were aware that the priority of the police has remained to protect the public, prevent the spread of the virus, and save lives.
25. There are early signs in some areas that public compliance is waning and this has been more challenging for officers as restrictions have been eased. It appears that whilst the majority of the public remain compliant, there is a growing number of people who are not and it is difficult for police to deal with large numbers of people. Officers described the easing of the restrictions coinciding with remarkably warm weather as the "perfect storm", which led to a surge in numbers of people congregating in parks and at beauty spots.

Officers experienced an influx of people visiting rural tourist areas from towns and cities in the central belt. Many visitors were setting up tents and drinking alcohol to avoid being instructed by the police to drive home. Due to the significant numbers of people, the policing approach remained advisory whilst ensuring there was no anti-social behaviour.

26. There appears to be an increased level of confusion regarding the guidelines and law amongst police officers, staff and the public as the restrictions have eased. Control room staff highlighted a significant increase in calls from the public reporting matters which were guidelines and non-enforceable. Specific challenges around this were highlighted in relation to the term "essential workers", what work is essential and what is not. Officers found it difficult to challenge this, with different approaches in different parts of the UK not helping and officers stated people would often point to this to excuse their behaviour.
27. Call centre staff have also experienced an increase in calls from the public asking police for advice to carry out some activity, almost seeking permission from the police. Additionally, there has been an increase in neighbour dispute calls as more people stay at home and associated noise complaints. Staff advised in the majority of instances the Resolution Teams were able to resolve the matter by telephone.
28. Officers also spoke about groups of young people gathering following the easing of the restrictions. Some of these gatherings appeared to have been organised on social media and took place in remote areas. A particular challenge was highlighted in dealing with groups of young people (under 16) who refused to contribute to the wider public health objective, as enforcement was not viewed as a deterrent in these instances.

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29. On the vast majority of occasions, the first three Es have proved effective although some officers did say that this can be time consuming with some members of the public who want to debate the legislation. On the small number of occasions where officers have had to use enforcement it was generally due to the person's blatant disregard for the legislation and the public health objectives. Overall the public have been appreciative of the police role in supporting the public health objectives. The clear public messaging in respect of the four Es detailing how officers would be interacting was deemed to be beneficial to officers and staff in maintaining strong relationships across communities.

Experience of policing the pandemic and using the new powers

30. There was a generally positive view of the experience of policing the pandemic and the introduction of the new powers in terms of there being a consistent style, tone and approach. Some of the measures highlighted include:

- Consistent messaging in the form of briefings and guidance
- Supervisors on patrol observing officers exercising the use of the four Es
- Supervisory checks on all tickets issued
- Divisional quality assurance check, with evidence of some tickets having been rescinded
- Use of guidance posters prominent throughout police buildings has reinforced messaging
- Within C3 information has been displayed on screens enabling instant accessibility
- A frequently asked questions document which is available on the force intranet
- The covid-19 force intranet site can be easily located and navigated by all staff
- Most officers found the aide memoir to be an accessible resource whilst on patrol

31. In urban areas most officers stated they used the first three Es frequently throughout the course of their day. This would typically involve speaking to people to ascertain why they are out and what they are doing. In the main, officers found using the four Es approach straightforward and in line with the manner in which they would typically go about their business.

Some people found the public health guidance and the law difficult to understand. An officer dealt with one young person suffering from mental health issues who was breaching the regulations, but the officer was able to help the person return home rather than issue a Fixed Penalty Notice.

An officer commented on being constantly aware of the risk of inadvertently spreading the virus when engaging with members of the public. This influenced decision making when moving through the four Es, knowing that moving to enforcement was likely to breach social distancing, therefore the emphasis was on continuing to encourage people to comply without resorting to enforcement.

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32. Officers serving in rural locations expressed a different experience at times. Whilst their local communities have in the main been compliant, the issues have been with those travelling to the area from elsewhere to visit a second home, visit scenic locations, or to go hill walking. During the last weekend in May, the good weather had a significant impact, and officers said they were unable to deal with the volume of people.
33. One potential gap in police powers that was highlighted is the lack of power of entry to property. Some officers explained that in circumstances where there is a social gathering in a house in breach of lockdown, there is no power of entry. This requires police being able to use the first of the three Es to talk to the occupants and encourage them to disperse. If there is no engagement from the outset by the occupants, the police have no power of entry.
34. The Force Reserve Team has been deployed in some areas to provide additional support, although it was reported accessing and securing assistance of this team can be difficult in some locations.
35. One of the interview questions related to the use of force when officers were exercising the new powers. From the responses, it appears force has seldom been used given enforcement is very much seen as a last resort. Some officers referenced having an awareness of offenders having spit hoods applied whilst being arrested for other matters, due to them coughing aggressively towards police.
36. The enforcement element, specifically the Fixed Penalty Notice, was seen by some officers as ineffective given some individuals indicated that they would refuse to pay any fine and would not adhere to any lockdown rules. This led to some frustration by officers when trying to enforce the public health message.
37. In the Contact, Command and Control (C3) environment, all calls are risk assessed in relation to covid-19 by call takers, who ask a series of questions to ascertain whether it is safe for officers to attend. Some officers stated this practice appears to have lapsed in recent weeks. This has been highlighted to local supervisors by the officers who raised this.
38. In the early stages following lockdown, staff in C3 experienced some difficulty in referring callers to partner organisations and support services as many organisations have had to reduced public accessible services or change their operating model.
39. Community officers told us their work with partners was affected by the absence of face-to-face meetings and school liaison. Some adapted to using telephone calls and social media, but this seemed to vary depending on the officer and the local context.

A community officer working in an area of multiple deprivation described engaging on a daily basis with around 50 individuals with complex needs, including substance misuse and addictions, which did not change due to the pandemic. The officer made a conscious decision not to issue Fixed Penalty Notices to this group of vulnerable individuals, knowing the value of maintaining a strong relationship in the long term, and being realistic about the impact issuing FPNs would have on the group's behaviour.

Lessons for the future as the lockdown changes

40. As progressive changes to the public health guidance are made, many officers were concerned about the complexity this may bring in relation to the understanding and compliance with the legislation and impact this could have on policing. Throughout the interviews, the importance of maintaining clear guidance for the public and for the police in the coming period came across strongly.

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41. It was highlighted that it is important to understand and respond to local implications of lockdown easing, particularly in prominent tourist locations. Consideration should be given to bespoke briefing and additional resource to meet specific needs. Officers who have recently gained experience in using the powers may be a valuable resource to consider using in an advisory role.
42. Further lockdown fatigue and a continuing easing of restrictions may lead to an increase in disorder, particularly when licensed premises re-open.
43. Officer safety concerns were expressed as restrictions continue to ease, some officers are worried about putting themselves and their colleagues in situations where they may be vulnerable. These concerns related to becoming exposed to covid-19.
44. The redeployment of officers from some departments to support the frontline has been positive. Many stated they had never had so many officers on duty and in some areas this has resulted in more proactive policing, and increased levels of public engagement with more officers on foot patrols.
45. During this period there has been more effective triaging of calls prior to allocating resources, which has created capacity in response teams. The forcewide roll out of the Contact Assessment Model and in particular the impact of the Resolution Teams has been positively received by front line officers. Some officers and staff questioned whether the organisation would have the ability to cope with the level of demand without the Resolution Teams.
46. Further observations from officers and staff interviewed in relation to policing during the pandemic and future lessons have included:
 - Regular updates for all officers and staff across the force is critically important, a small number of officers spoke of hearing of changes on the news
 - Teleconferences and video conferencing has cut down time and travel for internal meetings
 - Use of scenario based training examples would help officers understand how to deal with some of the more challenging areas around enforcement
 - It would be helpful to share learning and understand the reasons why some Fixed Penalty Notices have been rescinded
 - Proactive public messaging leaflets for cars left unattended at beauty spots may help reduce such incidences and prevent repeat visits
 - Some officers highlighted more effective partnership working with local authorities and other resilience partners would have been beneficial
 - On offering comment on the wider impact on the Criminal Justice system, the use of virtual courts has been seen as a positive development

Conclusion

47. This report outlines an initial summary of the responses of the 54 officers and staff interviewed and enabled HMICS to capture the varied experience and views of those officers and staff. Further analysis of these responses may be required as part of any broader research or indeed assist in the design of any wider surveying of staff or the public.
48. By far the strongest theme to emerge is the importance of a clear, consistent and well communicated policing approach for both the public and police to understand, and thereby support the public health objectives.

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Appendix A

THEME	KEY QUESTIONS
<p>1. Training and support around the introduction of the new policing powers</p> <p><u>Areas for discussion:</u></p> <p><i>Extent and quality of training and guidance over use of the new powers</i></p> <p><i>Degree of support with using the new powers</i></p>	<p>1.1 What is your role within Police Scotland?</p> <p>1.2 What is your view on the level of training and/or guidance you received on interpreting and applying the new powers?</p> <p>i. How well did this prepare you for doing your job (particularly in exercising/supervising the exercise of the 4 Es)?</p> <p>ii. Did you feel there is sufficient clarity in distinguishing between the law and the guidelines?</p> <p>iii. Do you have any thoughts on improvements to the training or additional training needed?</p> <p>1.3 How well supported have you felt in doing your job (particularly in exercising/supervising the exercise of the 4 Es)? (Probe: support from whom and in relation to what?)</p>
<p>2. Public compliance with the powers</p> <p><u>Areas for discussion:</u></p> <p><i>Level of public compliance with the law and guidance and how this changed over time</i></p> <p><i>Reasons for non-compliance amongst different sectors of the population</i></p>	<p>2.1 How would you describe the public’s compliance with the new policing powers (the 4 Es)?</p> <p>i. How would you describe the degree of public support/compliance you have received when doing your job?</p> <p>ii. What factors have prevented some people complying with the new laws? (Probe: vulnerable, susceptible or disadvantaged groups, those with disabilities or hidden disabilities, those living in poverty, children and young people, etc.)</p> <p>iii. Do you think the level and nature of compliance has changed over time? If so, what (if any) difficulties has this posed for you?</p>
<p>3. Experience of policing the pandemic and using the new powers</p> <p><u>Areas for discussion:</u></p>	<p>SUPERVISORY OFFICERS 3.1 – 3.4</p> <p>3.1 What impact has the lockdown had on your day to day work?</p> <p>3.2 How easy or difficult has it been to supervise the exercise of the new powers (the 4 Es) ?</p> <p>i. How frequently have officers used the new powers</p>

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Impact of lockdown and legislative change on day-to-day policing activities and roles (frontline, supervisory and C3)
Experience of exercising the powers on the frontline (frequency, circumstances, and consistency)
Specific challenges for policing practice, management and call handling

in the course of their day to day activities?

ii. Do you feel there is consistency amongst officers in terms of how they have used the powers?

iii. Have you been aware of any particular issues with officers using the powers more in relation to certain people or groups (e.g. susceptible groups)?

iv. Have there been occasions when officers did not use the first 3 Es effectively? What did you do about this?

v. Have there been occasions when officers did not use the last E effectively? What did you do about this?

3.3 What are the main challenges or difficulties you have encountered in exercising the powers?

3.4 To what extent, and in what circumstances, have you needed to use “force” (e.g. spit hoods, restraint, tasers, CS spray, etc.)

FRONTLINE OFFICERS 3.5 – 3.8

3.5 What impact has the lockdown had on your day to day work?

3.6 Overall, how easy or difficult have you found it to exercise the new powers (the 4 Es)?

i. How frequently have you used the new powers in the course of your day to day activities? (Probe the different types of enforcement)

ii. Could you describe the typical circumstances you have used the powers? (Probe for where and who)

iii. Have you taken a different approach to using the powers with some people/groups compared to others? (Probe to explore; if yes, why was this the case?)

iv. Have there been occasions when you did not use the first 3 Es effectively? Why do you think this was the case?

v. Have there been occasions when you did not use

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	<p>the last E effectively? Why do you think this was the case?</p>
	<p>3.7 What are the main challenges or difficulties you have encountered in exercising the powers?</p>
	<p>3.8 To what extent, and in what circumstances, have you needed to use “force” (e.g. spit hoods, restraint, tasers, CS spray, etc.) while exercising the powers?</p>
	<p>C3 OFFICERS AND STAFF 3.10 – 3.18</p>
	<p>3.9 What is your role within C3?</p>
	<p>3.10 In general, how has the lockdown affected C3 colleagues?</p>
	<p>3.11 What impact has the lockdown had on your day to day work?</p>
	<p>3.12 How have calls for service changed in the context of the pandemic and the lockdown?</p>
	<p>3.13 What have the main challenges been around responding to calls for service?</p>
	<p>3.14 has the policy of ‘limitations on attendance’ impacted on officers and staff?</p>
	<p>3.15 How have members of the public responded to the lockdown?</p>
	<p>3.16 there been sufficient capacity to deal with changing nature of demand and, if/when not, what were the reasons?</p>
	<p>3.17 What do you anticipate will happen to calls for service as the lockdown starts to ease?</p>
<p>4. Future lessons</p> <p><u>Areas for discussion:</u></p> <p><i>Concerns and expectations for policing as the lockdown starts to change</i></p> <p><i>Key lessons learned during this period</i></p>	<p>4.1 What (if any) concerns do you have about policing as the lockdown starts to ease and the law/guidelines change?</p>
	<p>4.2 What, if any, improvements or innovations have been achieved in policing over this period?</p>
	<p>4.3 What would you say is the main thing you have</p>

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	learned from using the new powers that needs to be recognised by the IAG?
5. Conclusion <i>This section serves to wrap up the discussion and ascertain key learning points</i>	5.1 To sum up, reflecting on what we have talked about today what would be your main recommendations for improvement?
	5.2 Why is this important?
	5.3 Is there anything else we haven't talked about that you think is important here? And what might be especially important for us to feed back to the Independent Advisory Group