



OFFICIAL REPORT
AITHISG OIFIGEIL

Criminal Justice Committee

Wednesday 28 June 2023

Session 6



The Scottish Parliament
Pàrlamaid na h-Alba

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - www.parliament.scot or by contacting Public Information on 0131 348 5000

Wednesday 28 June 2023

CONTENTS

	Col.
DECISION ON TAKING BUSINESS IN PRIVATE	1
RESPONSES TO POLICE OFFICER AND STAFF SUICIDES	2
SUBORDINATE LEGISLATION.....	34
Coronavirus (Recovery and Reform) (Scotland) Act 2022 (Early Expiry of Provisions)	
Regulations 2023 (SSI 2023/172)	34

CRIMINAL JUSTICE COMMITTEE

20th Meeting 2023, Session 6

CONVENER

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

DEPUTY CONVENER

*Russell Findlay (West Scotland) (Con)

COMMITTEE MEMBERS

*Katy Clark (West Scotland) (Lab)

*Jamie Greene (West Scotland) (Con)

*Fulton MacGregor (Coatbridge and Chryston) (SNP)

*Rona Mackay (Strathkelvin and Bearsden) (SNP)

*Pauline McNeill (Glasgow) (Lab)

*Collette Stevenson (East Kilbride) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Stewart Carle (Association of Scottish Police Superintendents)

Fiona McQueen (Scottish Police Authority)

Katy Miller (Police Scotland)

Assistant Chief Constable Gary Ritchie (Police Scotland)

Andy Shanks (Crown Office and Procurator Fiscal Service)

David Threadgold (Scottish Police Federation)

CLERK TO THE COMMITTEE

Stephen Imrie

LOCATION

The David Livingstone Room (CR6)

Scottish Parliament

Criminal Justice Committee

Wednesday 28 June 2023

[The Convener opened the meeting at 10:02]

Decision on Taking Business in Private

The Convener (Audrey Nicoll): Good morning, and welcome to the 20th meeting in 2023 of the Criminal Justice Committee. This is the committee's last meeting before the summer recess, so there are some smiles around the room this morning.

We have received no apologies this morning.

The first item of business is to decide whether to take items 4 and 5 in private. Do we agree to do so?

Members indicated agreement.

Responses to Police Officer and Staff Suicides

10:03

The Convener: Our next item of business is consideration of the responses to police officer and staff suicides. This is a very important and sensitive subject, and I am pleased that we have found time before the recess to hold this session.

Before we begin, I want to thank the families and friends of officers who have spoken to some members of the committee about their experiences.

I am very pleased to welcome our witnesses to the committee. Stewart Carle is general secretary of the Association of Scottish Police Superintendents. Andy Shanks is deputy procurator fiscal, specialist casework, and head of the Scottish fatalities investigation unit of the Crown Office and Procurator Fiscal Service. Assistant Chief Constable Gary Ritchie leads Police Scotland's partnerships, prevention and community wellbeing division, and Katy Miller is Police Scotland's director of people and development. Fiona McQueen is chair of the Scottish Police Authority's people committee. David Threadgold is chair of the Scottish Police Federation. I extend a warm welcome to you all.

I refer members to papers 1 and 2, and I thank the witnesses who provided additional written submissions.

The session will run for about 90 minutes. Given the size of the panel, I ask everyone to be succinct in their questions and answers, if possible. I ask that members direct their questions to one or more of the witnesses, at least initially, and then we will see how we go.

I will begin with an open question for all our witnesses. We have been advised that it is anticipated that about four officers per year take their own lives. However, at the moment, there is no formal data collection on those numbers and there have been, I believe, no fatal accident inquiries held into the circumstances to date. That is an issue for some members of the committee.

I have two key questions. First, does that concern you? Secondly, what are the main issues that need to be addressed, or the main processes that need to be improved, in relation to how we prevent or respond to police officer and staff suicide?

Stewart Carle (Association of Scottish Police Superintendents): The system for data gathering that Police Scotland uses, which Director Miller will probably be able to give you more details on, has

evolved over many years. There is not necessarily a perfect way of gathering that data. The system produces management reports, and there is a great deal of focus on using it to manage absences and injuries and accidents at work. It seems to me that this issue is just about another development needing to be put in place or analytical work being done on the data that we already have.

On the remaining key issue, we know that people who take their own lives generally face a range of life pressures. Working life might be part of that, and it might be said to be a tipping point. The superintendents association, which includes senior managers, looks for there to be good and compassionate leadership that understands when people are struggling. That might involve looking at absences as a precursor to something more serious. It might involve looking at somebody who is facing a particular pressure, such as a complaint that is being investigated or some form of life change. We consider things such as separation and divorce, for example, and we might restrict an officer's use of firearms if they are an authorised firearms officer. We already have in place measures to help us to recognise when people are facing life stresses. We probably just need to expand those across a wider range of policing areas.

The Convener: Thanks very much. We will come back to a lot of the points that you have raised.

Andy Shanks (Crown Office and Procurator Fiscal Service): First, every death by suicide is clearly a personal tragedy for that individual and their family.

In the death investigation system that we have in this country, every death by suicide is reported to the procurator fiscal for investigation. I can assure the committee that every death by suicide, including those involving police officers and police staff, is thoroughly investigated as part of that process. The outcome of those investigations are shared with the bereaved relatives, as you might expect.

I know that the committee's focus has been very much on fatal accident inquiries, and that is understandable. It is fair to point out, by way of context, that fatal accident inquiries are just one part of our death investigation system, and a relatively small proportion of the deaths that are investigated every year ultimately result in a fatal accident inquiry being held. For example, last year, more than 14,000 deaths were reported to the Crown Office and Procurator Fiscal Service, and a total of 51 fatal accident inquiries were carried out. The vast majority of deaths that are investigated do not result in fatal accident inquiries, and the vast majority of deaths by

suicide that are investigated do not result in fatal accident inquiries.

That is not to say that those deaths are not investigated—they are, thoroughly and diligently, by Crown Office and Procurator Fiscal Service staff, and the outcomes of those investigations are shared with family members. To, again, provide some reassurance to the committee, I note that the investigation will also extend to examining whether the person's employment or duties played a part in their decision to take their own life.

The Convener: Thanks. I think that it is helpful and important for members to understand some of the other processes that occur in the circumstances of a suicide, in addition to the option of an FAI.

Assistant Chief Constable Gary Ritchie (Police Scotland): Good morning. I reiterate what my colleagues said about recognising the tragic nature of any incident in which someone takes their own life. When that happens, it is keenly felt across the service. The death is immediately reported to the executive, and we are very well sighted as soon as it occurs so that we can intervene, if need be, and commission some action as a result of the incident. That action might include investigation, liaison with the family and consideration of the impact that the death of one of our colleagues has across the service.

You asked whether the figure of four officers per year taking their own life concerns me. Obviously, the figure concerns me, and we are keenly aware of, and are working on, how we collect, record, maintain and share data on that, because I am not sure that we have strong definitions across the system, not just in policing but in Public Health Scotland, about what that constitutes. It is important that, when we speak about deaths by suicide, we are all talking about the same thing and recording from the same data set. That is the first point of concern for me, and the service is aware of it and is looking to address it appropriately.

I have noted down a few points about what needs to be done. It starts with training when people enter the organisation. We are already doing a lot of that, as our officers are aware of the stresses that they are likely to face, the resilience that they will be required to show and the help that is available when things get too much. All of our officers receive trauma training when they enter the service, which helps them to spot the signs of stress and anxiety not only in members of the public but in their colleagues. We are looking at how we can enhance that.

The overall welfare offer of the service is constantly evolving. I will not go into detail on that because I would be stealing Katy Miller's thunder if

I did, but it is about intervention points and what intervention looks like when we identify an officer or colleague who appears to be suffering from anxiety, stress or depression and about recognising what the service can do to alleviate that in the workplace and at home.

Following the event, the tragic circumstances are felt across the organisation, but we need to ensure that the investigation that we undertake is professional and substantial and that it meets the requirement of the report that we will submit to the Crown. We must also ensure that we give support to the family in the first instance.

As I mentioned, the impact is felt by the officer's immediate colleagues, their supervisors and others in their workplace, wherever they are located. It is keenly felt there, and that has to be recognised as part of our considerations. The impact across the force also has to be considered, because such incidents become widely known about quickly, right across the service, and there is often speculation about the causes, with everybody being concerned.

We need to capture the lessons that we learn from each and every circumstance. Every incident is different and every one is a tragedy, but the issues that can lead to someone taking their own life are, as members know, complex. We need to understand what impact, if any, the workplace, stresses and incidents that police officers deal with regularly have had on an individual and whether that has contributed to them taking their own life.

10:15

Katy Miller (Police Scotland): I echo what my colleagues have said so far. If I may, I will deal first with your second question, on potential improvements.

Police Scotland's ambition is to recognise the unique role of policing. There is no doubt that there is a lot of evidence that demonstrates that the nature of policing increases stresses for individuals. That evidence is undoubtedly there for us to work from.

We need to consider people throughout their career, from the point at which they join as a police constable and start their probationer training; look in particular at points in their career at which the research shows that there are stresses and likely impacts on individuals, such as anxiety, depression, alcohol dependence and post-traumatic stress; and proactively engage colleagues during those times.

We are doing a lot of work in that space, which I am sure we will come on to. It is about giving evidence and assurance that what we are doing is

the right thing for colleagues at the right time, and that it is making the difference that it can make.

On the data, we have made a commitment that we will build that into the system that Stewart Carle referred to. We will build that into the human resources system, and we will do a retrospective manual exercise to look at the data on colleagues who have died in service. Therefore, we will be able to produce that data. However, it is not just about the numbers. Because of the complexity that sits with the issue, it is about our being able to determine what the circumstances were in relation to the particular incident for the individual. Being able to say that what happened was because of personal or work reasons or something else is never a black-and-white matter. The Samaritans talk about the complexity of the matter. We want to be able to drill down on the data to ensure that we are being preventative and person centred.

The committee has a commitment from us that development is in the pipeline. We will also introduce the ability to look at data relating to self-harming. I know that England and Wales have moved forward on that.

The Convener: Thank you very much. That is a helpful update. I am sure that we will come back to that.

Fiona McQueen (Scottish Police Authority): Good morning, convener, and thank you very much for inviting me to be here on behalf of the Scottish Police Authority.

I echo what my colleagues have said. The deep distress that people feel before they take their own life and the deep distress of their families are unimaginable, and the fact that police officers take their own life is clearly of concern to me.

A lot of work is being done. We have heard from Gary Ritchie and Katy Miller about what Police Scotland does to support the welfare and wellbeing of officers and staff. As science and evidence in the area grow, we know that suicides can be prevented in many cases and that, with appropriate intervention, that can happen.

In respect of reporting, the Scottish Police Authority expects Police Scotland to ensure that there is an end-to-end process from probation to exiting the service in which a holistic point of view is taken. We know that police officers and staff are sent into areas that cause stress and distress. We need to pick out things that are preventable—for instance, lengthy waits in complaints about conduct cases or areas in which there is perhaps discrimination. We know that we need to eliminate things that we can eliminate and what needs to be done about the armour, metaphorically speaking, that we want to put around our officers and staff. We know that, when people are in distress, we

need to catch that and support them to get back into full health.

There is deep concern in the Scottish Police Authority about the level of suicides. We know that there are actions that can be taken, and that is what is happening in Police Scotland. Katy Miller is working diligently to ensure that she will be able to bring to the Scottish Police Authority a report on the end-to-end, from-entrance-to-exit process to ensure that everything is done. We will be looking for that as evidence as it is reported to us of improved mental health and wellbeing of officers and staff, and of reduced harm.

The Convener: Last but by no means least, we will hear from David Threadgold.

David Threadgold (Scottish Police Federation): On behalf of the Scottish Police Federation, I thank the committee for the opportunity to give evidence. It goes without saying that our condolences go to any colleague and any member of their family who have been affected in this way.

Clearly, I have spent a great deal of time researching the submissions that have been made, and I would like to highlight a couple of key points. I will talk about the interventions and prevention piece rather than data collection, as that is not primarily a function of the SPF. We must try to address issues before it gets to the point where an officer feels that they need to take that step. Fiona McQueen said that we need to “catch that”. How do we do that?

From the evidence that I have sought from my colleagues across the country prior to today’s meeting, I think that there are a number of key areas where, collectively, we must do better, which are mainly around training. I appreciate everything that has been said so far. The submission from ASPS mentions the lack of training for the superintendent rank. That filters right through the service. The provision of a document that gives suicide prevention guidance is not suicide prevention training. I have asked questions about the awareness in this area of supervisors throughout the ranks across Scotland. They do not have the information that they need about what steps to take or the tools that they require in order to be able to make positive interventions in this area—largely, those do not exist, as far as they are concerned. How they react to situations is only ever based on instinct rather than on training. That is a key area that we need to address.

There is a distinct lack of engagement among colleagues across Scotland as far as wellbeing provision is concerned. That is sometimes due to a perception that people are embarrassed to seek such help and that they do not want to because

they feel that they will be stigmatised by their colleagues and others. We have a lot of work to do in that area to address those challenges and to ensure that the support that exists is appropriate and is utilised by all.

The organisation faces real challenges in relation to our delivery of the employee assistance programme. Overwhelmingly—in fact, almost unanimously—the feedback is that that programme is not fit for purpose. Whether they are performing an operational or a more specialised role, supervisors—who would be the first point of contact—do not understand the concept of it. If they decide to seek assistance from the programme for an individual, they find that the provision is not suitable for them. In such situations, the default is that we refer people to charities for assistance, but we have evidence that charities have become overwhelmed and have asked us to stop referring so many people to them, because that is not their core function.

We must also address demand within the service, given the relentless nature of policing. The wellbeing champions system is grossly underused by colleagues across Scotland. I am even unsure whether it exists in real life at all. I know that work is being done to refresh the programme but, at the moment, as a tool to prevent police officer stress, which might well escalate to suicide, it does not exist.

The committee is probably getting the sense that I think that we have a lot to do in this area on the prevention piece, fully acknowledging the external stresses outwith the police that might lead, ultimately, to an officer taking their own life.

The Convener: Thank you for your initial contributions, which covered a lot. I know that members have a lot of questions on and interest in the issue, so I will open up the session, kicking off with the deputy convener, Russell Findlay.

Russell Findlay (West Scotland) (Con): In May last year, when Assistant Chief Constable John Hawkins was asked how many police officers had died from suicide, he said that he would be

“happy to provide that to the committee.”—[*Official Report, Criminal Justice Committee*, 18 May 2022; c 1.]

That information has not been forthcoming. ACC Ritchie, you said that there were approximately four deaths per year by suicide. Where does that data come from?

Assistant Chief Constable Ritchie: I am sorry, Mr Findlay, but, with respect, I did not say that—I was repeating what the convener said at the start.

Russell Findlay: Right. Do you have a number?

Assistant Chief Constable Ritchie: We have a number, which does not align with that number. Our number is that, over the past three years, there have been five deaths from suicide involving serving police officers.

The Convener: I will come in on that to provide a bit of clarity. In my opening question, I made reference to an indicative number, which I think came from at least one, if not two, of the submissions that we received, which said that it was anticipated that there were around four deaths by suicide per year. However, that was not a firm figure—it was the anticipated number. I put that on the record. ACC Ritchie referred to it in his response. That is where the figure came from.

Russell Findlay: What was that number?

Assistant Chief Constable Ritchie: Over the past three years, according to our figures, it is five.

Russell Findlay: That surprises me, because I know of more cases than that. Is that the result of work by Police Scotland, which Katy Miller referred to earlier?

Assistant Chief Constable Ritchie: It has come through a manual trawl of our databases, on cause of death.

Russell Findlay: In a letter dated 1 June 2022, Martyn Evans of the SPA said that, following a spate of police officer suicides, the SPA

“explored the broader issue”

of

“suicides with Police Scotland”

and, based on what Police Scotland told the SPA,

“there was nothing to suggest that any of the recent cases were caused directly by the pressure of work.”

Does Police Scotland stand by that claim?

Assistant Chief Constable Ritchie: I have looked at the cases recently. We have all acknowledged that the causes of suicide are complex and, often, involve not just one factor. To sit here today and say that absolutely no work pressure is involved in someone’s consideration of taking their own life would be incredibly arrogant of me. What has been said is that, in respect of the investigation, nothing was apparent to indicate that the individual had been suffering from work pressures, had been under investigation or had had any workplace concerns that had been notified to the service beforehand. I do not think that we would ever be in a position to say that on no occasion had workplace stresses contributed.

Russell Findlay: Despite that, that is what Police Scotland told the SPA, apparently.

Assistant Chief Constable Ritchie: I think that what has been presented is that nothing from the

investigation had thrown up any indication that there had been workplace stresses in the majority of cases. I am just a wee bit uncomfortable about speaking about such small numbers, because we are perhaps getting to the point of talking about individual cases.

Russell Findlay: Speaking to—

The Convener: I will come in. It is important that we understand where processes have had room for improvement, to date, but I am quite keen for us to use the session to look at how that is done going forward rather than looking back. It is absolutely appropriate that we look at where the issues are, but I would like us to focus on where improvement and changes can be made.

Russell Findlay: From speaking with the families of police officers who have died from suicide and with officers who have attempted suicide, I know that they are concerned that there is a lack of sincerity from Police Scotland and the Scottish Police Authority about accurately recording those cases and seeking answers about why they have occurred. What would you say in response to them? I put that to Fiona McQueen.

Fiona McQueen: First, I am incredibly sorry that families feel that there is a lack of sincerity from the Scottish Police Authority and Police Scotland when it comes to the desire to learn from death by suicide and the contributing factors in the day-to-day work of all our officers and staff. I am very sorry that that is how they feel.

As would be expected, we have done quite a lot of work. The authority convened an event in April, we know that the Criminal Justice Committee is interested in the subject, and we will report to you later in the year about the work that we have taken forward.

People cannot learn from something unless they are open and honest about what is happening. That is important when there has been death by suicide by officers or staff, and, on behalf of the authority, I would expect to have reports at the people committee on what action has been taken and what lessons have been learned, with recognition that there are complexities in people’s personal lives and work lives and that we all respond in a different way. The deep distress that is felt by both the members of staff and their loved ones is something that we would want to prevent, if possible, and certainly minimise.

10:30

We expect Police Scotland to report in on that end-to-end process, look at improvements and ensure that death by suicide is considered and learned from in a way that is respectful and does not cause additional trauma for families.

We are focusing on the idea that the only way in which we will make a difference is by making a change. We know that we send our workforce out into difficult circumstances. David Threadgold and Stewart Carle have been clear about the need for education and training, and we know that the relevant toolkits exist, so we need to ensure that Police Scotland arms its staff and leadership teams with the ability to use those.

The authority expects Police Scotland to report in on what the outcome measures will be and on making progress towards them, and also on the effect that the changes that it is putting in place are having on improving wellbeing and reducing distress among its staff.

Russell Findlay: When the Scottish Police Federation wrote to the committee in January, it said that the approach of Police Scotland and the Scottish Police Authority is

“defensive, in denial and suggests ‘nothing to see here’.”

That was written by one of your predecessors, Mr Threadgold. In the past five months or so, have you seen a change in the approach of those organisations? Is there confidence that those matters are likely to improve?

David Threadgold: My experience is that the force executive and the authority representatives whom I have met are absolutely willing to get into serious conversations about issues beyond suicide. There is no question in my mind that there is a willingness for the situation to change. However, the reality is that so much of the change that, no doubt, we would all like to see is predicated on the finance to deliver it being available. That is a real issue, whether we are talking about that aspect of policing or any other.

From the point of view of the structure and the organisation, we would expect that the people who are most likely to intervene positively in such situations would be—if you consider the volume of officers in the police force—sergeants, inspectors and so on up the ranks. However, this morning, I have heard from people who said that, since they were promoted back in 2009, they have had zero training in the identification of issues that might give them concerns about their colleagues or staff. That would be my own experience since I was promoted within the organisation. This is a positive forum within which to discuss such issues, and it is all very well, but we are all now looking for positive change.

I stress that, at every meeting that I go into, no matter what aspect of policing it is about, everything is said to be a priority, but our ability to deliver on priorities is largely predicated on the finance that is available. It is not about having the will to do that but about having the money and the time to deliver on them.

The Convener: I will move on to questions from other members and then come back to Mr Findlay if we have time.

Jamie Greene (West Scotland) (Con): Good morning. I appreciate that this will be a difficult subject for people who are watching the meeting.

Earlier, Ms McQueen commented that we cannot learn and move forward unless there is openness, honesty and transparency about what has happened thus far. I struggle with the assumption that is made about serving officers who have, tragically, taken their own lives in the past few years: no link has ever been identified, publicly or openly, between what they did for a living and what happened to them, which I find incredible.

The committee has met, in private, former and serving officers who have been frank and honest with us about the fact that they had either tried to take their own lives or had thought about it quite considerably, as a direct result of circumstances that they found themselves in, in being serving police officers. Their situation was not caused by relationship or money problems, or by historical mental health issues; rather, it was directly related to circumstances in which those individuals had found themselves. We know that to be true, as do the officers’ families. Why is no one willing to admit that that is the case? There is surely a link.

I will not pick a specific witness to respond to that, but if any of you wishes to answer, please do so.

Assistant Chief Constable Ritchie: I appreciate what you are getting at, Mr Greene. Of course, my sympathies always go out to the families who have been left bereaved by the tragic circumstance of a police officer taking their own life. All that I can do is reiterate the fact that those incidents are fully investigated and reported to the Crown. That is not done by workplace colleagues but, at times, by a major investigation team that is made up of highly-trained detectives who engage fully with the family.

We appoint family liaison officers when that is appropriate, so that we can get a full picture, and not just of the circumstances that have led to someone taking their own life. Sometimes very apparent reasons for that are communicated—perhaps in a note or in what has happened during the person’s recent history or whatever. We will also investigate why it happened on that particular day. Why did the officer choose to take their own life on that occasion if there were longstanding problems?

Investigations are significant and substantial. I do not think that that represents a denial by the service. There is simply honest reporting of the results of the investigation. If workplace stresses

and other workplace considerations were involved, we would be open about that. I repeat that I am not saying that workplace stresses are not a factor in a person's mental wellbeing. Having been a police officer for 30 years, I can assure you that I can appreciate that they are. I am talking about when an investigation does not highlight those stresses as a factor when we report to the Crown Office.

Jamie Greene: Perhaps this is a question for Police Scotland and the Crown Office. I do not want to get into specifics, because that would be unfair on individuals and their families. Have any patterns emerged? For example, is there a pattern of people having identified as being in a position of severe trauma, such as having been suspended from an investigation by the force, being signed off from work because of physical or mental ill-health, or having recently experienced a trauma in the workplace? Have patterns emerged that point to specific factors being triggers that could be spotted and addressed?

Assistant Chief Constable Ritchie: The easy answer to that is no, but the situation is a bit more complex than that. We are getting into the realm of my being a bit uncomfortable, because the numbers are so small that it would be hard to discern a pattern in any case, and in starting to talk about things like that we would be on the cusp of being able to identify individuals.

Jamie Greene: We do not want to do that, of course.

The Convener: Mr Shanks might want to come in.

Jamie Greene: I apologise.

Andy Shanks: It might be helpful if I come in on that point. In more general terms, without wishing to identify specifics, all investigations by the Crown into death by suicide are careful and extensive, and the information is shared with the bereaved relatives, as you might expect.

Part of the investigation is about identifying whether it is required that a fatal accident inquiry be held. I know that the Lord Advocate wrote to the committee earlier in the year setting out the legislative means by which a fatal accident inquiry would normally be held, and it would not normally be under the mandatory provisions of section 2 of the Fatal Accidents and Sudden Deaths etc (Scotland) Act 2016. It would typically fall to be considered as a discretionary fatal accident inquiry under section 4 of the 2016 act. In essence, that section says that, when there has been a "sudden, suspicious or unexplained" death, a fatal accident inquiry can be held when the "Lord Advocate ... considers" it to be "in the public interest".

As an investigator, I know that consideration of the public interest is the key factor. As I said earlier, if there are any indications of workplace factors being an issue, that will form part of the consideration. If the evidence suggests that there have been wider systemic failures, that would be a relevant consideration and it might well favour a fatal accident inquiry being held. Similarly, if it is felt that an inquiry is necessary to identify steps that would prevent future deaths of a similar nature, that would be a relevant consideration.

It is also worth pointing out that, although every death and every death by suicide is investigated separately and individually, we look at other deaths of a similar nature when we consider whether the public interest would favour a fatal accident inquiry. If, collectively, they would give rise to significant public concern, it may well be in the public interest to hold a fatal accident inquiry, and there is a mechanism in the Inquiries into Fatal Accidents and Sudden Deaths etc (Scotland) Act 2016 that allows a single inquiry to be held in relation to multiple deaths.

There is one point that I have not mentioned, which is that the views of the nearest relatives are very significant. They are not ultimately determinative, because the decision is made independently, but if the relatives have a view, that is absolutely taken into account.

I completely agree with something that others have said, which is that a range of factors may contribute to someone's decision to take their own life. Some of those are complex, some are sensitive and some are highly personal to that individual, so it is not surprising that, in some instances, bereaved relatives do not favour having a fatal accident inquiry, because they may not want those personal issues to be examined in a public forum. That should be respected.

Jamie Greene: Absolutely. That is entirely their prerogative.

I have some specific recommendations that may make things easier in the future. There are two things that I believe do not happen at the moment when someone is identified as suffering from mental ill-health and is signed off sick. The first is that that information is not shared with the SPF. I presume that that is for data protection reasons, but I wonder whether it is an issue. I may ask David Threadgold to chip in. Sharing that information might lead to that individual seeking some counsel outside the employee assistance programme, about which we have heard a lot of criticism. I also wonder whether there is any merit in introducing, or reintroducing, having full-time welfare officers within the force.

David Threadgold: You are right to say that the SPF is not routinely notified. We operate a

database that is separate from the Police Scotland one. We are not routinely told about members of staff who are off long-term sick, and we do not know the nature of their absence. Our knowledge about individuals within Police Scotland who have some sort of issue, whether that is ill health or misconduct, comes from our dealings with them on the particular case.

We could probably enhance what is provided by Police Scotland for individuals who find themselves in any set of circumstances, but I would be very careful about committing to that being the primary consideration for an officer. Police Scotland is the employer and has the ultimate responsibility for that member of staff, and we support that.

Jamie Greene: Are you saying that, when someone has been signed off or relieved of their duties, for whatever reason, they would be signposted to a number of places where they might seek help, and that your organisation would be one of those, but there are others?

David Threadgold: Yes.

Jamie Greene: That is helpful.

Katy Miller: Jamie Greene's second point was about wellbeing champions.

Jamie Greene: It was about welfare officers.

Katy Miller: We currently have approximately 130 of them in place and the strategic leadership board has approved an increase to around 236, which is based on proportional representation across various divisions. Recruitment into those roles is under way. As you would expect, there is a lot of wraparound training for those roles. We have agreed to ring fence protected time for all those individuals to undertake their role and to undertake training.

One key message from our colleagues is about peer-to-peer support, breaking down stigma and having conversations before something becomes a key issue. A lot of the evidence shows that it is often family, friends or close colleagues who recognise a change in behaviour or a breakdown in relationships, so peer-to-peer support is really important. Fiona McQueen and the SPA's people committee will rightly challenge us on the evidence about those roles and the difference that they make. We will be asked how they are supporting colleagues, how visible that channel for getting support is and what the training has achieved.

Jamie Greene: That is helpful.

The Convener: I will bring in Rona Mackay, then Pauline McNeill.

10:45

Rona Mackay (Strathkelvin and Bearsden) (SNP): David Threadgold said a moment ago that the SPF operates a different data system from Police Scotland. Has that always been the case, and why is that?

David Threadgold: I could not tell you when that came into being. Certainly, in my time as a full-time office bearer, which is in excess of four years, we have always maintained a separate database of police officers. We operate separate email; the ending of our email address is different, which is simply so that Police Scotland cannot access our data. There is no more to it than that.

Rona Mackay: What sort of data do you keep? Is it just personal stuff?

David Threadgold: We keep officer details, such as their home address and circumstances. It is a case management system, if you like, where, when a person is the subject of a misconduct investigation, for example, we retain any information that is relevant to that. It can be extended to ill health, retiral or any other aspect of our business from that type of high-end inquiry right through to a general enquiry that somebody might make about pay and conditions.

Rona Mackay: David Threadgold mentioned the problem of stigma and not talking and opening up. Do Katy Miller and Gary Ritchie concur with that? What practical steps are you taking to change the culture around that?

Katy Miller: That is an incredibly complex issue, particularly in relation to stigma. I am relatively new to Police Scotland, but there is a very strong sense of culture in the organisation, and it is a culture of pride and professionalism. There is research that shows that some of the risk factors that are involved in high stress and trauma can also be found in relation to people holding themselves to high standards.

We have done a lot on stigma—as have a lot of organisations—and lived experience. An officer recently talked in a published article about their mental health issues and how they reached out for help. The more that we can break down such conversations in the way that one would talk to somebody about a physical illness or condition, the better. We must be able to have conversations around psychological, mental and emotional issues, and officers must be able to feel that that will not have any detriment to their career, or to how colleagues view them and so on.

We do a lot, but we need to do more. In some of the correspondence, the feedback that we have had is that it takes colleagues coming forward rather than us, as an organisation, stepping into

that space and supporting them. I recognise that, and I also recognise that we need to do more.

One thing that we have done is look at what we call resilience assessments, which are open to particular roles. We have started highlighting the roles in which we know there is a higher degree of risk. Evidence shows us which roles those are—for example, roles in which there are significant events or prolonged periods when officers are subjected to particular material.

Staff in such roles have requested 1,101 assessments. Those very individual assessments take the officers through a psychological debrief on their wellbeing and where they are. Of those 1,101 assessments, 555 have been returned. We obviously want to understand what happened to the assessments that were not returned and why, because that is really important for us. After an officer returns an assessment, they go straight into a one-to-one meeting with an experienced counsellor, and that counsellor will, in effect, provide a red-amber-green status on what that assessment shows them. On the back of that RAG status, an intensive one-to-one programme is set up for the individual, including, for example, counselling.

We know that we can do more in that space. We know from the 555 officers who came forward that the assessment feels person-centred and preventative. That is the type of thing that we need to do much more of. On David Threadgold's point, we also need to heighten colleagues' awareness of that.

Rona Mackay: The federation was critical of the support that is being offered. Do you see the quality of that support changing? I wonder how robust the assessments are in early intervention, because it is clear that someone who is suffering from stress and anxiety is different from somebody who is at the point of suicide. Are you absolutely confident that the assessments are robust and that what you are doing to help people is robust enough?

Katy Miller: There are different levels of assessment. I do not want to put words in David Threadgold's mouth, but perhaps he was referring to occupational health referrals. We do several thousand of those over a period, and they will range in complexity. There is definitely feedback around the occupational health referral.

From experience with Police Scotland and other organisations, I would say that the extent to which a good response is received from the occupational health provider depends on the quality of what goes into the referral and the questions that we ask. That comes back, in part, to the issue of stigma. How does a line manager have a really good conversation with a colleague about what is

going on, and get a holistic understanding of that so that, when a referral is made to occupational health, the provider is in the best possible position to respond?

There is more that we need to do with the occupational health supplier: we are currently reprocurring a supplier. In the procurement process, we specifically ask that, when organisations tender, they respond to the uniqueness of Police Scotland and the specific demands that are placed on officers.

Rona Mackay: I think that what you are saying might go back to David Threadgold's point about the fact that the training has to be there, otherwise the approach will not be effective.

Katy Miller: We have various training offers. They include online and digital offers. We have just made a significant investment in the "Your leadership matters" programme, which will involve all our leaders going through significant development between now and October next year. There is recognition that there was, when Police Scotland was formed, a bit of a lull in leadership development. We have stepped back into that space; more than £1 million has been invested in it.

That work extends from the executive right the way down. We have done 250 of our most senior managers and we are on to the next 400, after which we will move on to 5,000 line managers. A big part of that leadership development is around psychological safety and the question how leaders can have good conversations with their teams and their colleagues in order to understand what is going on for them in terms of psychological, physical or financial wellbeing. There is a big investment in that space, but we need to embed it and make sure that it is felt by people.

The Convener: David, would you like to add to that?

David Threadgold: Not that this is a two-way discussion between Katy and me, but I am aware of the work that she mentioned in relation to assessments. I had not considered this until I started talking to people, but when it comes to stigma specifically, there is a real risk that, in identifying specialised roles in any area, we further stigmatise those who are not on the list, if you like. That comes down to finance, time and effort. The impact on the operational men and women across Scotland who do not necessarily deal with what might be perceived as specialist crimes, but who go into chaotic situations every day of their working lives, should not be underestimated when we consider the issue in the round.

To follow up on some of the points that Katy made, I note that one of the main challenges—a lot of the feedback that I have had relates to this—

is the lack of engagement with line managers. How can people have the type of conversation that we all know should be taking place with their line manager if they do not see them from month to month, which can be the case for operational officers across Scotland? We face a challenge there.

On line managers, if we have 250 temporary or acting sergeants who will have received zero training in how to deal with that aspect of work, how can the principle that we are discussing be delivered in real life? From having heard about the experiences of those who have spoken to us, my view is that that does not happen.

I could go on and on about online training and the benefits or otherwise of that. Again, it comes down to investment. Katy Miller is smiling at me, because she and I have had many conversations about the “Your leadership matters” programme and the potential value of that. Of course, we would never not advocate for training, but there needs to be a real benefit—something tangible—at the end of it, and I am not convinced that an online platform is the most effective way to deliver that in most circumstances in operational policing.

The Convener: I bring in Stewart Carle to add to that.

Stewart Carle: I took part in “Your leadership matters” training just before I retired from the service as a chief superintendent—I am due to go on the next tranche as a member of police staff. It was online training, which was suboptimal compared to what we were used to, but it was the space that we had. I hope that the programme will develop into further conversations between leaders in order to identify psychological factors, like the ones that we are hearing about.

It is not just about training. Police Scotland stepped away from a meaningful appraisal system, in which every member of staff would sit with a senior member of staff. As a chief inspector in North Lanarkshire, I saw all my staff. The conversation was not just about personal development, but was about health and safety, wellbeing and attendance issues. There is no doubt that those conversations have not been taking place to the same extent. We now have a new appraisal system—MyCareer—and I hope that that will mean that those conversations will start to happen again.

There was not just “a lull”: there have probably been seven or eight years of moving into a transactional space to deliver policing within a budget, rather than being transitional. We have been forced into it. A criticism that has been levelled against the service is that people of my rank have been too transactional. That is because they have had to get the job gone.

If we look at response policing areas, there are far fewer supervisors—we now have inspectors who cover much greater areas. We have had to do that out of necessity. We have not had a reduction in inspectors, but we have had to put them into other areas of business, such as public protection units; contact, command and control; and so on. We need to reskill our supervisors, middle managers and junior managers in the art of having meaningful conversations with officers and staff. However, people need to be present in order to do that. Coming out of Covid, we have moved to having meetings on Teams and other online systems, rather than having them in person. If you see someone only on video, you can miss the side-bar chats and picking up on whether they are struggling.

I know how difficult it can be. I was head of road policing and I covered all of Scotland, so it was difficult for me to get round all of my 22 bases. However, I could see where people were struggling from their workload, which was an indicator. We use traffic-light systems; for example, if we see that someone is dealing with three or four fatal road crashes in a year, it is clear that they need to be supported, so we need to step in and have the conversation. In general, most folk shrug their shoulders and say, “No, it’s fine boss, I’m getting on with it,” but we need to sit down and ask them. It is good to hear that the service is investing in psychological assessments for people who are regularly exposed to trauma.

The Convener: Thank you for that.

Pauline McNeill (Glasgow) (Lab): Good morning. I want to come in where Stewart Carle left off. What I am hearing this morning is that the reorganisation was 10 years ago, we have had serious budgetary challenges—I acknowledge that—and personnel changes and a lot has changed. However, in your last contribution, Stewart, you acknowledged that there are quite serious deficiencies in systematic approaches and interventions across quite senior grades. I am concerned by that. Does that not suggest that there needs to be a sense of urgency to fix the issue? I am quite alarmed by what I have heard so far. I am looking for a quick response to that question.

Stewart Carle: In policing, everything is urgent and everything is a priority. We have had to occupy that space while making the savings that have had to be put in place—all at a time when policing in the UK has undergone a great many changes. We have acknowledged that and we are trying to put back in place modern leadership training. We are trying to expose our managers to more collaborative and partnership working with local authorities and other partner agencies to try to upskill—

Pauline McNeill: And you are doing all that with a sense of urgency. Does anyone else want to answer that?

Assistant Chief Constable Ritchie: I reiterate what Stewart Carle said: of course there is a sense of urgency. We can look at our wellbeing and welfare offer now, compared to where we were 10 years ago, and see, for example, that we did not have wellbeing impact assessments or wellbeing champions across the service 10 years ago. It has been professionalised to a greater extent in recognition of the risks and stresses that officers face daily.

The matter is urgent. We know where we want to invest. With the work that Katy Miller is leading on, the service is going in absolutely the right direction. We want to invest in that, but we have to cut our numbers by 3.7 per cent just to keep our lights on.

11:00

Pauline McNeill: Yes, I am very aware of that.

Assistant Chief Constable Ritchie: As Stewart Carle said, that is not the only thing of an urgent nature that we have to deal with. It is about capacity, understanding where the priorities lie and taking the resources that we have been given to invest in wellbeing and make improvements. We are trying our best to do that and there is a commitment from the entire executive to ensure that that happens in a way that is beneficial to the people who work for us.

Pauline McNeill: The committee acknowledges the severe pressures but, as David Threadgold said, the issue is the relentless nature of the job, which is unlike most jobs. Police officers are on the front line and were especially so during the pandemic, resources are stretched and police are the call of last resort. I am very alive to that.

We have heard evidence from officers in specialist and undercover units. One officer said that he was well past period—I think that it is five years but do not quote me on that—and did not realise that he was not coping. Perhaps Fiona McQueen could answer. I am just being general about the matter and making the same point. We urgently need to take a systematic approach. That officer had never had an automated intervention and did not realise until he had served seven years under cover that he needed some mental health support.

Fiona McQueen: I absolutely agree with you on the whole-system approach. In a way, the one-off, big traumatic incident is obvious but the relentless nature of constantly having anxiety, perhaps, or constantly being exposed to lower-level incidents—when I say that, I do not mean to say

that such exposure is any less distressing—can have an impact on wellbeing. The authority is absolutely committed to holding Police Scotland to account and scrutinising the interventions that it takes.

We cannot provide a safe and effective policing service if we do not look after the workforce. We have some people who are driven to suicide, some who are contemplating it and others who have distress, whether or not they know. I think that it was Mr Greene who asked about the members of staff who report with mental ill health. The stigma sometimes is such that they report as having not mental ill health but something else.

When we scrutinise Police Scotland, we will look for mental health to be seen as a priority. We want to see a whole-system approach that starts at the beginning and considers how to reduce the stigma. However, there are other aspects, such as debriefing and how we manage the workforce. Stewart Carle talked about the importance of interaction, continuing professional development and the annual performance appraisal that most organisations take for granted. We expect to see and scrutinise that, and we will report to the authority about how to do that.

I absolutely believe that the executive is fully committed, in partnership with our staff organisations, to treating wellbeing with the utmost priority and ensuring that we get on the front foot because, as we speak, we have officers and staff who are in distress. Therefore, we need to ensure that appropriate interventions are being put in place to stop that.

Pauline McNeill: That is helpful. I will put this question to David Threadgold and ACC Gary Ritchie. It is on the same theme. We have heard before about the relentless nature of policing and that, because of your budgetary pressures, officers get their leave cancelled at the last minute—I cannot imagine what the reaction to that would be in most professions—to provide a front-line service to keep people safe.

I will perhaps put this to David Threadgold. On the day-and-daily stuff, when someone has perhaps not reached the level of feeling that they have a mental health problem, should there be earlier interventions to address officers perhaps not coping with the pressures on shift patterns?

David Threadgold: In one word, yes. I have highlighted in my notes something that is in the SPA submission. It says:

“We can also seek, through working practices, to minimise the extent and duration of exposure for our people.”

Collectively, we are trying to turn the tide of relentless demand, along with budgetary constraints and reducing numbers, to meaningfully

provide an appropriate level of support for our staff. Days off being cancelled—that is relentless. However, these things largely go on past. They affect so many people across the organisation that to try to quantify the impact on an individual would be really difficult. It is absolutely impossible if you never see your line manager, and we have nothing in place to proactively say, “How are you doing?”. The conversations that Stewart Carle spoke about happen at annual appraisal but they need to happen all the time, which they just do not.

As a consequence, we are missing so many triggers—they might not ultimately end in suicide but, as you can see from our sickness records, in people being off work through mental health absences. All those things that have an impact are potentially stepping stones to individuals taking their own life. We have a role in getting to the bottom of the situation and, to use an analogy, preventing people getting into the river rather than pulling them out from the bottom. That is real, and it is a challenge.

Katy Miller spoke about wellbeing champions, but I am sceptical about anything that the service commits to giving a period of time for per month or per year. In that case, I think that it is four hours per month per wellbeing champion. I would love to be corrected about this, but my experience suggests that that will be almost impossible to deliver operationally. As a consequence, the people who are standing to be wellbeing champions will not be operational; they cannot possibly service the demand within their workload, because of every other aspect of policing. I was told that this morning on the way down here.

We are all trying to do the right thing—there is no question about that. However, the issue is the delivery of it, and I fundamentally believe that that has to come through training and investment in training.

The value of training is limited if we do it online, which is clear from the independent report that went to the SPA board four or five weeks ago. The value of online training, particularly for officers who are not desk based, is negligible. This aspect of our work cannot be just a box-ticking exercise without any meaningful impact on those who we are asking to do the job for us.

Assistant Chief Constable Ritchie: I have a wider point on the relentless nature of policing. Katy Miller and I are currently leading on work that has been established as a result of resourcing pressures, particularly following the budget settlement, which led to us reducing our numbers of police officers and police staff. The work is focused on reshaping the organisation, and, as the chief constable has said, it recognises that hard choices need to be made so that we are able to not only manage the core service but look after

our people and ensure that the relentless nature of policing, which David Threadgold has rightly identified, is recognised, addressed and alleviated where possible. That is due to day-to-day stresses, calls and incident demand.

On what David Threadgold has talked about, we would love to deliver face-to-face training for everything. We need to be able to prioritise that. If we cannot manage to do that because of the other demands on us, the answer is, unfortunately, that we have to deliver a silver or bronze standard instead of a gold standard. I absolutely take the point that, for something as urgent as welfare and ensuring that our officers are as fit and well as they could be, the offer could be improved. We are looking at that through the your leadership matters programme.

Katy Clark (West Scotland) (Lab): My question has been partly answered by Stewart Carle, but I want to ask a little bit more about the factors that seem to have existed in real cases. I understand that there is a relatively small number of cases, so you therefore do not want to make general conclusions. However, the committee has met in private a number of police officers who have explained the factors that have led them to have mental health issues, either as serving police officers or former police officers. I do not want to presume or to speculate about what the factors are. It may well be that the committee already has an understanding of them, but I think that it would be helpful for us to hear from you on the subject. Stewart Carle mentioned fatal road crashes, which is indeed something that our witnesses spoke to us about.

Andy Shanks, I am not suggesting that you can reach general conclusions from specific cases, but, given the real cases that you have looked at, can you outline some of the factors that seem to have been evident? When we spoke to serving police officers, a concern was raised about the counselling services that are available to police officers. Can you outline whether there have been interventions in terms of those particular police officers and whether there are any lessons to be learned in relation to real cases?

Andy Shanks: I do not think that it would be appropriate for me to go into individual cases that are being investigated. The number of cases is relatively small, and I think that that would cause issues, even if I was trying to be more general.

Regarding the deaths that have been investigated, as I said, the conclusions of those investigations have been shared with the bereaved relatives and there has been careful consideration of whether a fatal accident inquiry should be held.

Katy Clark: Was it often the case that the individual had been exposed to very traumatic circumstances? Was that a factor in cases?

Andy Shanks: It is really difficult for me to go into that.

What I can say is that there has certainly been a range of contributory factors in every death by suicide that we have investigated. There is no question about that. To try to attribute different levels to the various factors involved is very difficult. There is no doubt that some of the factors that are relevant are sensitive and personal to the individual, as well as any other, wider issues. It is therefore really difficult for me to answer that question.

Katy Clark: But it is obviously very important that we do understand that so that we can take action to try to prevent these kinds of situations. The courts look at these kinds of issues in personal injury cases. Was there a safe system of work? We need to be able to provide safe systems of work for serving police officers.

I do not know whether Gary Ritchie wants to comment on that. I would like to get just a little more detail. I do not want in any way to breach confidentiality or speak about specific cases, but we do need to understand. I could put words in your mouth as to what I think the issues might be, but I think that it would be better if you could maybe outline what you think some of the factors are.

Assistant Chief Constable Ritchie: What are some of the factors? You will not find a serving police officer who has spent any time operationally who does not have a story of a traumatic event that they have been to. In fact, officers will have several. This is not in any way to lessen the impact on individuals, but that is in the nature of policing. My police officer colleagues who are sitting round the table today will know that we all carry our own memories that we wish we did not have, which have had an impact on us.

As Katy Miller said, and as David Threadgold mentioned as well, we identify those areas of work where we can see and predict certain types of trauma. We have talked about the vicarious trauma that comes from the viewing of images of sex offences against children, and Stewart Carle mentioned those who deal with road deaths investigations. That is predictable. What is not predictable is an officer going out today and being the first to see the mother of a child or the first on the scene of a horrendously violent incident. Those things happen in policing on a daily basis and they affect people.

I was affected myself. I used the EAP a number of years ago and the counselling sessions that I had were of huge help to me at that time. I have a

friend in the service who used the programme at about the same time and had the same counsellor, and they thought that it was not completely useless, but of no help to them at all. That highlights the complex nature of trauma. It affects people in different ways, and we recognise that.

As I have said before, most of the cases that we have investigated have not shown apparent workforce stresses in leading to the individual taking their own life. However, that is not to say that their psychological wellbeing has not been affected by the fact that they are police officers every single day of their working lives. Police officers are at times exposed to things that are unimaginable to the normal working person.

11:15

The Convener: Do you want to bring in Stewart Carle on that?

Katy Clark: Does Stewart want to come in?

Stewart Carle: To add to that, the examination of the circumstances is considerable. Again, without going into stuff that is currently live, I know, for example, that our professional standards department has changed some of its processes around handling officer restrictions and officer suspensions. When something happens, it is very much in the space of asking, "Have we placed additional stress on that officer or member of staff? What else can we do to support them?" That is where the federation and ASPS can come in with our panel of friends and supportive actions.

We moved away from the welfare officers that Mr Greene spoke about in Strathclyde back in 2002. I worked on that project. We moved towards a nurse-led approach, and towards having addiction counsellors rather than welfare officers, because that was seen to be the right support. Wellbeing champions have now come in, and although there will be some cynicism around how much time and effort they can commit, it is a far more widely spread support network, which can grow organically and become a better system.

We are restricted on what we can talk about, but in relation to the officers who have committed suicide that I am aware of, it was completely unheralded or was a consequence of devastating personal news rather than work pressures.

Katy Clark: Does the federation want to come in?

David Threadgold: I agree with everything that has been said. The challenges that we face are unimaginable to most members of the public. I know that we are tight for time, but I could go over the ground about the internal processes that we have in place to identify those people and have meaningful conversations with them, regardless of

their rank, and what the organisation can and does put in place to help those people.

Gary Ritchie said that—if I was in his seat I am not sure that I could say anything different—the standard of service that we can provide is silver or bronze. Do people around the room think that that is good enough for the service? I do not think that it is, but collectively we have to get together and do something about it, and, ultimately, there will be an element of funding in that. Nobody, regardless of which political party you represent, can get away from that fact.

To discuss these matters is absolutely relevant, but we have to be realistic about what we can deliver. If we can deliver only a bronze service because of what we have, that has to be accepted. That is not good enough, and we will no doubt work collectively to try and make it better than that, but we are hamstrung in a huge number of areas in delivering what we are talking about here.

I have spoken about wellbeing champions and some of the other mechanisms that we have. I have close friends and family who serve in the police who describe the trauma risk management—TRiM—process that has been mentioned as something that you can deflect with a simple “I am okay.” That is not acceptable. We have to look at reviewing that process, so that we pick up on officers who are going to road accidents or domestic incidents in people’s houses, or going to anything, and put measures in place that can meaningfully identify how they are getting on and whether they are coping with it.

The point that has been prodded at is whether you can say that somebody has committed suicide because of their role in the police. We cannot say that, because we do not have the data to say that in the first place. There is much work to be done, but there is no lack of willingness to get it done, and I think that that would be the collective position around the table.

Fulton MacGregor (Coatbridge and Chryston) (SNP): Good morning to the panel. It has been a very tough session, and I thank you all for being able to speak about the topic.

A lot of the focus has been on the extreme end of the issue, and that is obviously why you are here today. I want to go back a wee bit and ask—this is probably for you, ACC Ritchie or Katy Miller—whether there are any plans in place to have a more wellbeing-focused approach across the whole service for every serving officer and serving member of staff, including you.

I ask that because, in the past few years, as organisations have become more aware of mental wellbeing and emotional health, I have been making more and more visits to organisations and

businesses in my constituency that say that they now give a specific hour a day for wellbeing. Their employees have to go for a run or do some other exercise or meditation specifically for their mental wellbeing. Is there anything like that in there so that problems are addressed at an earlier stage and so that everybody can look after their own mental wellbeing? I am not sure who is best placed to answer that question. It is a wee bit different from the other questions.

Katy Miller: Our wellbeing framework is holistic, so it covers physical, financial and emotional and mental wellbeing, and it is prevention and person centred. That is our aspiration. I have talked about some of that today but we also do other things. What I have talked about is not the entirety of what sits in that framework.

I have worked in organisations that have had protected time, so I suspect that that will come down to rostering and whether there is the capacity, particularly in front-line policing, to protect that wellbeing hour, or whatever it might be.

However, on future commitments, the big take-away piece for me is evidence-led assurance. That is where the SPA, Fiona McQueen and the SPA people committee will regularly ask me what my role looks like and how I can demonstrate that everything that I am doing—and there is a lot in there—is right and is making a difference. My challenge is to come up with an evidence-led framework that can demonstrate that. David Threadgold and others have touched on the point that the difficulty with that is not unique to policing. It is about how we know that what we are doing is making a difference to front-line staff. Are they even aware of it? If they are, do they know how to access it? Do they have the technology to access things through the intranet or whatever it might be?

We also need to look at some of the nuances. For example, academic research shows that, if your style of coping with trauma is avoidance, you are four times more likely to be at a heightened risk of post-traumatic stress disorder at some point in time. How do we have a conversation with someone who has been in a traumatic incident to ask them how they are so that they recognise that their avoidance strategy will have a detrimental effect on them at some point in time?

Some of what we do is organisation-wide, but it is also centred on the individual person and how line managers invest time to have those conversations so that they can see the differences in relationships or notice somebody’s behaviour and see when there is a difference in how they turn up to work. Line managers need to have the confidence and capability to have those conversations.

We are coming back to the issue of stigma in that people are not as comfortable talking about mental health in the same way as we talk about physical health. If somebody has a cancer diagnosis, it is easier to have a conversation with them than it would be if they had post-traumatic stress disorder.

This is all really complex. We have a list of 11 commitments, which we will share with the people committee, that covers things that I think the organisation needs to do to fill the gaps that I can see that it needs to step into.

I am not sure that I have answered your question.

Fulton MacGregor: You have. You referred to this yourself, but it is also worth saying that, although you are the ones here today, the issue is not just in policing. Before I became an MSP, I worked in social work and a lot of the things that we have been talking about today reminded me that, back then, we were always thinking of ways in which people could be better supported and how it was almost a rite of passage for every children and families social worker to have a period off work with stress. I do not know whether I should be saying this on the public record, but I do not know a children and families social worker who has not had that. There are definitely similar areas across the public services.

That takes me to my second point. ACC Ritchie, I think that it was you who said that you do not know a single officer who has not had at least one and probably several such events. Given that that is a known part of the job, how much focus is given to it at the training stage, when your officers are at Tulliallan and places like it? Are they specifically told that it will be a part of their job—a difficult part—and are they provided with scientific and evidence-based research on how they might want to cope with it? That might be where the techniques that I mentioned could be brought in.

Assistant Chief Constable Ritchie: That probably starts before training, during the recruitment process. Recruitment is as much as anything a communication process with an individual about whether they realise what they are likely to face and whether they think they have the personal resilience that is required to deal with it. Acceptance of that is part of it. We recruit from society and we need to reflect society, so it is not as much about testing that as it is about ensuring that people acknowledge at a very early stage of their career that they will face traumatic incidents, because that is the nature of policing.

It has been a wee while since I did probationary training, but that was certainly part of it when I did. It was quite a difficult part of training; we were immersed in some of the more difficult sides of

policing so that our expectations were shaped by that. As I said, I am not sure what that looks like in training now. I know that it will be part of it, but I imagine that it will be a bit more sophisticated than it was when I went through probationary training. Officers do not have to be out on the street for long before they come across something that is very challenging.

My experiences are different from those of the officers working now. I think that demands are higher, and we talked about the relentless demands that they face every day. It is harder than it was when I was a young cop. The degree of scrutiny that policing is now under brings its own stresses and pressures, so there is that foundation before officers need to deal with something that is particularly traumatic, which brings more stress than it did when I was young. However, we recognise that and there is not a senior police officer in the executive who does not have their own story and who does not sympathise with the officers who are out on the street, which is why—and I am pleased to say this—the federation gives an accurate representation of how committed we are to addressing that issue.

Fulton MacGregor: We could probably spend a lot more time on that subject, but I am conscious of the time.

The Convener: I think that David Threadgold wants to come in.

David Threadgold: Police officers are quite a unique species because we deal with situations that are not normal, so suggestions that come from the executive, from me or from members have to be credible for the organisation. On the specific point about setting aside particular amounts of time in a day for wellbeing, the reality is that the chance of that happening for operational officers, in particular, is zero. Interestingly, those who are in office-based roles away from the front line might be able to do that, but if they had that option, it would create a conflict in the service because some could do it and some could not. We need to be careful with suggestions of that type, although I will say that it was an entirely valid suggestion.

I was looking through my notes because I have some information there on training, but I cannot find it. However, again, it comes down to the time that we have at Tulliallan for initial training and to what input needs to be given to officers who come into the organisation as they go through the definitions of crime and the roles and responsibilities of officers. The information that I have, although I cannot lay my hands on it, is that almost no time is spent specifically preparing them for the functions of a police officer. We could really improve in that area and give them the tools as operational constables to identify issues for

themselves and know where to go with the challenges that police officers face.

The Convener: We are conscious of the time, so I am going to bring in Russell Findlay in a moment to wind up the session, but I would like to come back to the discussion that we had about the push-and-pull factors that end in a suicide by a police officer or a member of staff. Based on our discussions today, it seems to be difficult to pin down what those factors have been.

Fiona McQueen, how difficult is it for the SPA to scrutinise the way in which Police Scotland responds to such incidents, given that the factors that lead to such a tragic event happening are unclear, making it more difficult to put preventative measures in place. How do we scrutinise the response that Police Scotland puts in place?

11:30

Fiona McQueen: We are assured of the commitment of the organisation and its leadership to put the best support in place. We have not yet received adequate assurance that the wellbeing activities that are currently in place are having the impact that we would expect.

I want to reassure the committee that the Scottish Police Authority will be scrutinising the actions that Police Scotland is taking. Just because we are not seeing a pattern and there is no one thing that it is obvious has driven someone to take their own life and leave their loved ones in distress, that does not mean to say that we do not know what actions need to be taken. It is not a sledgehammer to crack a nut.

When there are big traumatic incidents or a smaller build-up of incidents, we know that there are things that Police Scotland can put in place to have an impact. That is what we will be measuring from probationers—or, as Gary Ritchie says, pre-probationers—to those who are exiting the service, so that we can see the whole system approach. Research has been done, which means that the evidence and our knowledge are improving on what can cause on-going distress and, more importantly, what action we need to take as a positive intervention to fix someone and help them get better and to prevent suicide. Listening to lived experience is also incredibly important. We want to weave that in, almost like a tapestry of protection around officers.

There are some things that Police Scotland might find difficult. We have heard today about the pressure on time. However, as an authority, we will expect to see evidence that such measures have been put in place in a systematic way that covers everyone, so that no one is missed or falls through the net. We have talked about the wider societal piece. Katy Miller and I have been having

conversations about her plans to have a round table and bring in wider partners so that we can look at reducing stigma and improving outcomes. We will scrutinise that and hold Police Scotland to account.

The Convener: Thanks very much. That is very helpful.

Russell Findlay: I am sure that the families of officers who have lost their lives to suicide will be relieved and glad to hear that Police Scotland is finally beginning at least to record the numbers.

My question is for Andy Shanks and is on the issue of fatal accident inquiries. The Lord Advocate's letter to the committee talks about processes and decision making—you have talked a bit about that, too. There is a requirement for the Crown Office to subject every death in custody to an FAI, but how does that square with the deaths of officers not being subject to fatal accident inquiries, even when the families believe that the officer's workplace issues contributed to their death? How do you explain that to the families?

Andy Shanks: It is not necessarily for the Crown Office and Procurator Fiscal Service to explain the legislative provisions that are currently in place. We apply the law as it stands and, as you say, it is mandatory to have a fatal accident inquiry on any death in custody. On that point, as one of the submissions indicated, sometimes, the length of time that investigations can take to reach a fatal accident inquiry can have an impact on those involved in the process, including the bereaved relatives. We are very aware of that and there is an improvement programme under way to try to improve the service that we provide to bereaved relatives and others, as well as to increase the efficiency of the death investigation process.

Russell Findlay: There have been 120-plus deaths in custody in the past five years, each of which will have required an FAI, which takes up a huge amount of resource, which is under greater pressure than ever before. Has resource been a factor in any of the decisions not to conduct a fatal accident inquiry?

Andy Shanks: No. Resourcing is not an issue that would be taken into account when assessing whether there is a public interest in holding a discretionary fatal accident inquiry. I am reassured that deaths by suicide, including those involving police officers and police staff, are investigated carefully and thoroughly, with an open mind and taking into account the views of bereaved relatives. There is nothing in the current statutory provisions that would inhibit or prevent a fatal accident inquiry being held if it were in the public interest to do so.

Russell Findlay: That is helpful. Thank you.

The Convener: We need to bring our session to a close at this point. Thank you very much indeed. It has been very helpful and informative.

Before I suspend the meeting for a short period, I put on record our thanks to Graham Ross from the Scottish Parliament information centre, who has been our lead researcher on policing matters for many years—he is hiding behind Pauline McNeill just now. Members may not know that Graham is retiring in the summer, after 24 years of service to the Parliament. Graham, on behalf of us all, I wish you a long and happy retirement—we wish you well in whatever your next adventure may be. *[Applause.]*

11:36

Meeting suspended.

11:49

On resuming—

Subordinate Legislation

Coronavirus (Recovery and Reform) (Scotland) Act 2022 (Early Expiry of Provisions) Regulations 2023 (SSI 2023/172)

The Convener: Our next agenda item is consideration of a negative statutory instrument. I refer members to paper 3. Are members content not to make any recommendations to the Parliament on the instrument?

Members *indicated agreement.*

The Convener: Before we move into private session, I will take the opportunity to thank our colleague Collette Stevenson for all her hard work on the committee. Collette will be moving on after summer recess to focus on her new role as convener of the Social Justice and Social Security Committee. We will miss you and wish you well. I look forward to welcoming John Swinney as Collette's replacement in September.

Collette Stevenson (East Kilbride) (SNP): Thank you very much. It has been an absolute pleasure working with you all and I will miss you.

Pauline McNeill: Likewise, Collette.

Jamie Greene: I wish Collette Stevenson the very best. I am very disappointed that I will not be sitting next to John Swinney on committee for the next two and a half years. Members might be aware that I will no longer be sitting on the Criminal Justice Committee after this committee session closes. By the way, I forewarn you that, if an alarm goes off in the building, it is entirely unrelated to what I am about to say. *[Laughter.]*

I thank the convener, deputy convener, colleagues, the clerking team, SPICe and everyone who has supported the Criminal Justice Committee over the past two and a bit years for their patience and, on occasion, forbearance, as well as for their support to me personally as I have worked on the committee.

I have worked on a number of committees since I got elected and on a number of bills, and I have to say that this is one of the best functioning, most cohesive, constructive and positive environments to work in. The committees in this Parliament do a tremendous job. It not said often enough how important committee work is in our unicameral existence, and I have always tried to approach that with a constructive and positive outlook, which I hope has been welcomed by members.

I also thank my colleague Russell Findlay, who will do a great job in his work on the Criminal Justice Committee as you approach a very challenging legislative environment over the next two years. I know from the committee's work programme that you will face tremendous challenges, given the major reforms that are to be made to Scotland's justice system. I wish the committee all the very best in its work.

With that, I make a plea that the committee, notwithstanding its potential changes in membership, continues in the same vein—that it approaches its work in a positive manner, with the good accord and rapport that we have enjoyed over the past two years. I hope that that continues for members, and I will continue to play my part in the Parliament as best I can in that vein, which I think is sorely lacking in politics these days. I wish the members of the committee the very best over the next two and a half years.

The Convener: Thank you very much. Pauline wants to come in.

Pauline McNeill: I am genuinely shocked that we are losing two members of the committee. I just want to endorse what Jamie said about how we have worked really closely together. I really valued the work that you both did. You will definitely be missed, because the legislation will be hard. I know that we will get two incredibly good new members, but there is no doubt that we will miss the continuity, because we have had some hard things to do. I wish colleagues the best for whatever committee you end up on.

The Convener: Thank you, Pauline, and thank you, Jamie, for your words. Collette, I endorse what my colleagues have said. Thank you for your contribution. You have always been a really active member on the committee and we will miss you. We wish you both well in your new roles in the broader Parliament and on your new committees. Thank you for your contributions.

That concludes our business in public this morning.

11:54

Meeting continued in private until 12:46.

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

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

All documents are available on
the Scottish Parliament website at:

www.parliament.scot

Information on non-endorsed print suppliers
is available here:

www.parliament.scot/documents

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000

Textphone: 0800 092 7100

Email: sp.info@parliament.scot



The Scottish Parliament
Pàrlamaid na h-Alba