

Criminal Justice Committee
Thursday 16 May 2024
19th Meeting, 2024 (Session 6)

Police (Ethics, Conduct and Scrutiny) (Scotland) Bill

Note by the clerk

Background

1. The Committee is taking evidence on the [Police \(Ethics, Conduct and Scrutiny\) \(Scotland\) Bill](#) at [Stage 1 of the Parliament's legislative process](#).
2. The Bill proposes changes to the law to, in the view of the Scottish Government, ensure there are robust, clear and transparent mechanisms in place for investigating complaints, allegations of misconduct, or other issues of concern in relation to the conduct of police officers in Scotland.
3. The Committee expects to take Stage 1 evidence on the Bill from 17 April until the end of May 2024.

Today's evidence on the Bill

4. At today's meeting, the Committee will take evidence from Rt Hon Lady Elish Angiolini KC.
5. In 2018, the Scottish Government and the Lord Advocate jointly commissioned the Rt Hon Dame Elish Angiolini DBE KC, a former Lord Advocate, now Lady Angiolini, to carry out an independent Review of Complaints Handling, Investigations and Misconduct in Relation to Policing ("the Angiolini review").
6. The Angiolini review's remit was to:
 - consider the current law and practice in relation to complaints handling, investigations and misconduct issues, as set out in relevant primary and secondary legislation
 - assess and report on the effectiveness of the current law and practice
 - make recommendations to the Cabinet Secretary for Justice and the Lord Advocate for improvements to ensure the system is fair, transparent, accountable and proportionate, in order to strengthen public confidence in policing in Scotland.
7. The Angiolini review published a [Preliminary Report](#) in June 2019, which made 30 recommendations. A [Final Report](#) was published in November 2020, which included a further 81 recommendations. The 111 recommendations included proposals for legislative and non-legislative changes.
8. On 5 February 2021, the Scottish Government and the Crown Office and Procurator Fiscal Service (COPFS) published their [joint response](#) to the Angiolini review. The response indicated an intention to "accept the majority of your

recommendations”. With regards to the legislative changes, the response stated an intention “to take forward as many of these in a single Bill with associated secondary legislation”.

9. Between June 2021 and May 2023, [five thematic reports](#) were published by the Scottish Government. These provided updates on the actions taken to implement the non-legislative recommendations from the Angiolini review reports.
10. In the [5th thematic review](#), the Scottish Government stated that “Dame Elish's review made 111 recommendations for improvement and as shown in this report the collective commitment and actions of our policing partners mean 58 recommendations have now been delivered.”

Further reading

11. The Bill and supporting documents [can be found online](#).
12. A SPICe briefing on the Bill [can be found online](#).
13. The responses to the Committee’s call for views on the Bill [can be found online](#).
14. A [SPICe analysis of the call for views](#) was circulated with the committee papers for the meeting on 13 March 2024.
15. A [briefing](#) on the background to the Police (Ethics, Conduct & Scrutiny) (Scotland) Bill and a review of police complaints systems in other jurisdictions was published in 2023.

**Clerks to the Committee
May 2024**