

**The Sheku Bayoh Public Inquiry
Witness Statement
ACC David Duncan
Taken by [REDACTED] by MS Teams
on Thursday 4 April 2024**

1. A Rule 8 request letter was issued to me by the Inquiry on 3 April 2024. This statement is provided to answer the questions in the request.

Witness details

2. I joined Strathclyde Police in 1995. I was with Strathclyde Police until Police Scotland was formed. At the time of unification, I was a DCI in Strathclyde Police working in organised crime. I effectively continued in that role but as part of a different structure in Police Scotland.
3. I was in that role for about 10 months and then I was promoted to a role as a uniformed Superintendent in Ayrshire Division, U Division. This was in February 2014.
4. My portfolio as Superintendent was operations. I was responsible for operational policing across Ayrshire, including response policing, events and public order deployments. I was also a Tactical Firearms Commander. The role also included elements of public protection. The Divisional Commander allocated the portfolio to me. This includes areas like domestic abuse, child

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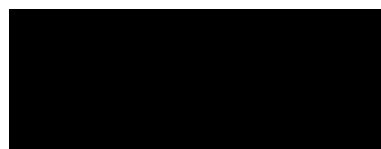
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and adult protection, management of offenders, and related matters. I retained oversight of this portfolio for the whole of Ayrshire.

5. On call responsibility was organised in regions. For the west of Scotland I first covered on call as a generic Superintendent. I then became Firearms Commander for the west of Scotland and was on call for firearms incidents.
6. My role in Ayrshire was in operations. Another person had the role of Support and Service Delivery Superintendent. The divisional structure at that time was that there was a second Superintendent who had more corporate responsibilities such as the equality and diversity portfolio, personnel and discipline. I would cover elements of that if he was on annual leave or abstracted for periods such as training. In the main, responsibilities at superintending rank were divided between corporate functions and operational functions (which I dealt with).
7. I was in Ayrshire until about February 2016 when I transferred to Safer Communities. This was a national post based at the Scottish Crime Campus in the Specialist Crime Division.
8. I was still a Superintendent in this new role. I had various responsibilities relating to crime prevention, community engagement and a range of functions. Areas within the portfolio included the "Prevent" strategy of counterterrorism and community engagement which covered elements of engaging with communities including every community throughout Scotland.
9. We led on LGBT champions at that time. Hate crime was part of my responsibility. Crime prevention as well, such as strategies to divert people away from crime. Youth justice was part of that. The physical side included safer car parks, some elements of licencing, reducing housebreakings, violence prevention; a whole range of things.

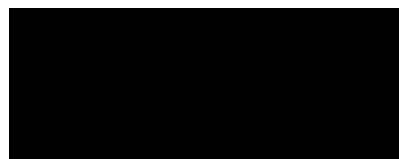
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10. Hate crime was already established when I took on the role and so it was business as usual for me. My role was to manage the response to hate crime. For example we would be monitoring community tensions following a hate crime incident.
11. We went through a period of international and UK terrorist attacks in 2017. We dealt with monitoring community tensions as part of the overall policing response. I would also plan responses to community issues. For example if an incident is perpetrated by someone who is perceived to be from a minority community, we would ensure we were aware if there were indications of any rise in tensions towards members of that community or feelings from communities of feeling 'unsafe'.
12. I transferred to Safer Communities in February 2016 and was there for 18 months before I moved back to organised crime and counterterrorism. That was also a job at Superintendent rank. That was to run our highest threat operations. This included a range of operational responsibilities and was extremely sensitive work.
13. In April 2019 I was promoted to Chief Superintendent from organised crime and counterterrorism. I went back to Safer Communities. I had broader responsibilities than before. I was responsible for transforming what was called Safer Communities into what became Partnership, Prevention and Community Wellbeing (PPCW). On behalf of the Chief Constable I undertook to relocate this portfolio out of Specialist Crime and moved it into Local Policing.
14. After Chief Superintendent in PPCW I moved to be Divisional Commander in K Division, which is Renfrewshire and Inverclyde. I was there for 2 years. That covered every element of delivering local policing. This included matters of equality and diversity, both internal and external. Discipline was still held by

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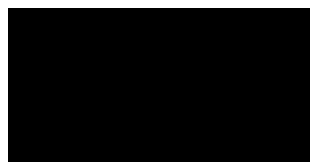
the Superintendent for Support Service Delivery, but I had oversight of it (and all other functions) and set the standards as the Divisional Commander.

15. After that I went through the process for Chief Officer rank and was successful. This resulted in a promotion to ACC in Police Scotland effective on 31 January 2023.
16. Policing Together was established as a strategy in September 2022. There were elements of equality and diversity in PPCW. This was more externally focused on diversity and communities. Police Scotland workforce diversity policy was, in the main, handled by the Director of Human Resources however in my experience a Deputy Chief Constable retained oversight of EDI- this was the case for several years.
17. I am now in pre-retirement leave but effectively my last working day was in February 2024.

Police Scotland culture

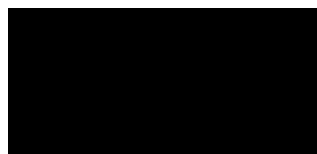
18. I am asked to explain my understanding of the values and attitudes sometimes referred to as “canteen culture” during my time in Police Scotland, in general and in relation to race specifically.
19. Canteen culture, in my understanding, has universally been taken to be a negative connotation about what police officers in the main chat about when they’re together and not deployed.
20. “Canteen” is a bit anachronistic. There are lots of opportunity to socialise. I think it’s important that police officers get an opportunity to get downtime and talk about their work. Nowadays they won’t get a lot of downtime with so much demand on their time.

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21. The term “canteen culture” has been connoted with negative behaviours. My perception of how canteen culture is used is also banter, inappropriate jokes, inappropriate remarks, gallows humour; that is my understanding. The danger of it is that it is usually happening when you have a group of individuals expressing their own values, or lack thereof, and it could become pernicious.
22. I would always strive to have people within the organisation demonstrate the organisational values. Any canteen culture would be an opportunity to have people demonstrate positive values and use the social situation to help each other. The term in popular culture and the media is a negative. But I still see that that socialisation at work as an opportunity for positive change.
23. Canteen culture is something I would think would vary across an organisation dependent on groups of individuals. In terms of my personal experience since the formation of Police Scotland, I’ve never been in the canteen culture. I’ve always been a senior officer in Police Scotland.
24. I am aware that there has been really persuasive evidence of behaviour that exists and these do manifest in social times when people are together. There can be massive generalisations of canteen culture but I don’t think that’s helpful. I think when it’s bad it’s toxic. But there is an opportunity to change people’s attitudes and those people who don’t share the organisation’s values really have no place in policing.
25. One example of the persuasive evidence I am referring to is the survey undertaken by Police Scotland and the Scottish Police Authority on misogyny in 2020. This was as survey of the workforce and came up with examples of misogyny, racism and other negative experiences. I think it was published. This evidence supported development of Policing Together, specifically the misogyny action plan.

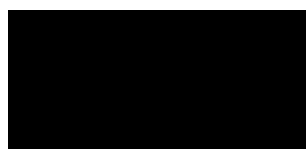
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26. Other examples or persuasive evidence are cases reported in other inquiries or scrutiny reports- e.g. in Lady Angiolini's report of complaints handling process. That teased out elements.
27. Canteen culture is a term, it's not something that Police Scotland has adopted, but we don't defend it. We have organisational values – fairness, integrity, respect – and this is what we want the culture of Police Scotland to be. The culture needs to be supportive of allowing individuals to be themselves and living the standards of professional behaviour. That is what I have been working on to try and deliver, rather than address specific individuals who have reprehensible views: there are established methods to address that behaviour. We try and get rid of individuals who have no place in the police service. The canteen culture, as its popularly understood, will change.
28. I don't think it's endemic across Police Scotland. I think the huge majority of people in Police Scotland are decent and do a difficult job with integrity and humanity. But the fact is that we recruit across the population, you necessarily have societal attitudes and you still have human behaviour.
29. Canteen culture is not what Police Scotland is about. This takes you into institutional discrimination. I would hate to come across that I am saying "everything's fine, it's just a few rotten apples". There are issues. Police Scotland is maturing in this area. There has been a dominant identity within policing over two centuries of the white Scottish male that plays into what the culture and identity of what Police Scotland is and what we need to change to become a more diverse organisation that has better understanding of broader culture.
30. I am asked if I was aware of what equality and diversity policies, strategy or impact assessments were in place in 2015 and how they applied in practice.

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31. In 2015, I wasn't in a post where I had central influence or oversight, but I do know that we had policies in place and structures. We were subject to the Equality Act 2010 and the public sector equality duty. But I wouldn't be best placed to provide the detail around how this was delivered at that time.
32. I am asked what, if any, provisions were in place for monitoring canteen culture from 2015 to my pre-retirement.
33. A number of mechanisms exist. The main aspect is allowing people to challenge and report aspects of their working experience: this can be done directly, to supervisors, or other overt route or via a confidential process. It's changed a number of times since 2015, but there has always been a confidential reporting mechanism.
34. Recently it's called Your Integrity Matters. It can be a complaint about conduct. Those mechanisms have been in place since 2015. They have matured but they're not perfect. That is something that was actively worked on and was worked on in my time as ACC.
35. I am asked what aspects of it were not perfect. People have to have confidence in the system to report matters. They want to have confidence in things they have acted on. My experience in speaking to staff associations and colleagues, this confidence is not the level I want it to be. We need to improve. There is an expectation of what should happen, and when that expectation is not met, they leave that process with a bad personal experience and lose confidence. A lot of work was done to try and improve that.
36. The other aspect of it is trying to make it more user friendly for people to make those reports. There are different routes to report different matters, and what the Service is trying to do is work out a single door for people to raise a concern. You can go down the grievance route, you can raise something

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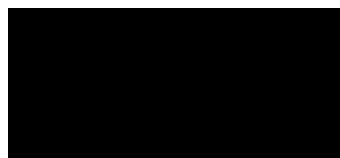


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confidentially, you can try for resolution, or you can raise it informally. There is a complexity to that, which I think if we rationalise that, it might improve people's confidence to report.

37. Leadership is the other part of this. There is a responsibility on everybody. The Chief Constable is encouraging people to report, challenge and take action to nip things before they get out of hand and cause more harm. Leadership is more in the skills side of things but it's fundamental to deal with bad behaviour.
38. I confine myself to Policing Together in my experience of this and what Police Scotland were trying to do. A lot of effort went into this over the years but Policing Together brought it into one place. Policing Together brings all these functions together and take learning from different spaces. That's the real value of it. It gives an overview of the organisation.
39. I am asked if there was a culture in Police Scotland in relation to responding to complaints from other staff, officers or members of the public.
40. My experience of it is there is a zero tolerance culture towards racism, racist behaviour and other forms of discrimination. When completing a hate crime report from a member of the public we are to take the point of view of the member of the public and work from there. Internally, a report would be thoroughly investigated.
41. A difficult element, as I have said, within that is the confidence that people will come forward and a report would be made. There can be a lack of confidence to challenge and report. In terms of responding there has always been zero tolerance. This includes my time in Strathclyde Police.
42. Anecdotally, if someone reported racist behaviour by a member of the public it would be treated as a hate crime and thoroughly investigated. An allegation

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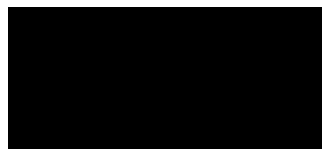


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by and/or against an officer/member of staff within the force would be treated extremely seriously.

- 43. I am asked why there wouldn't be that confidence if all hate crime reports were thoroughly investigated and treated seriously. It relates to the outcome and expectations of the complainer, the levels of proof, the standards in play and what evidence is in play to support complaints that were made. If two people are present, there's no corroboration and it's one word against another. It's about trying to work through that and get to a level when you can get the best evidence in the civil level of proof applied in misconduct proceedings, in addition to the criminal standard applied in investigations for hate crime etc.
- 44. There are risks from failing to get these processes right: at the end of proceedings there is a danger that all parties are unhappy with the outcome- that can include the person making the complaint, the witnesses and the officer/staff member who has been the subject. Justice is not seen to be served. The process needs to have sufficient rigour to meet the various expectations.
- 45. There is an ongoing review about elements of process which appear to be lacking and have been raised through the public inquiry (and other forums). A lot of work done is being done internally to improve the response and support people through the process. There's also a review of procedures and other elements. There is new training for all officers and staff who have line management responsibility: this includes revisions to the Grievance procedure which were made in response collaborative work with those who have experienced that process to rebuild it. In terms of culture, these changes are a manifestation of the reality that the service is continually working to improve.

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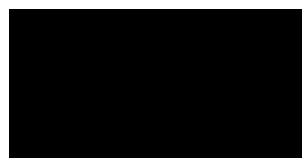
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- 46. I am asked if I was aware of a culture in Police Scotland in relation to the attitude of experienced police officers towards the training that probationers received at the Scottish Police College.
- 47. In terms of practical examples, I couldn't give any. I think I can understand what this question is designed to elicit. The probationary training at the college is a base which prepares them to then undertake a further period of training once they leave college during their probationary period.
- 48. I was a tutor constable at one point and I look back fondly on that. It is a privilege to train young cops in, as people often forget, really dangerous situations at times.
- 49. Probationer training should give a foundation on which they develop their learning on the street. Teaching empathy, responding to victims, how to police a diverse society, are all elements on the probationer course. These elements should be there when they are deployed. Some more experienced police officers, culturally, might say there is no replacement for experience.

Experience of racism in Police Scotland

- 50. I am asked if I was aware of any racist jokes or comments being made by officers in Police Scotland and what was done about this.
- 51. I am aware of different cases. The most high profile case is the WhatsApp message case. I believe it was the subject of judicial proceedings- possibly judicial review. What was done about that was that it was fully investigated. A person involved would be best placed to explain the detail of the enquiry. But I know it was treated with utmost seriousness. I can't remember the current status of the officers but they went through disciplinary proceedings.

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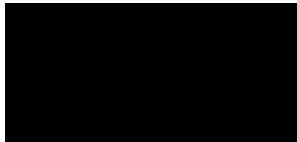


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52. A structure was put together in Policing Together called Talk Truth to Power which are groups convened together from the diversity staff associations. It would be me and the former/current Deputy Chief Constable to speak to these groups with the removal of any rank barriers to give us perceptions of what is wrong with the service and what their experiences have been.
53. There weren't racist jokes raised but there were experiences of an unwitting lack of understanding or institutional or individual discrimination. There was a whole range of aspects raised such as being deployed to an area where there was insufficient support to allow them to settle in, having English not as a first language, and getting insufficient support to allow them to pass exams resulting in their probation being extended. As a result they were thinking of leaving the job. These concerns were addressed higher up the ranks and remedial actions were taken and some elements subject to further investigation. These sessions also helped develop the Policing Together approach as living experience providing examples of what needs to change.
54. I am asked if in my role in discipline at a divisional level I came across any cases of racism, racist jokes or complaints of racism. I can't think of anything I dealt with directly in that role.

Anti-racist

55. I am asked what it means for Police Scotland to be "anti-racist".
56. There is a caveat that I am aware that there is a wealth of academic research about anti-racism which I won't go into as I do not consider myself qualified. I believe that the term anti-racist was coined in the 1950s. In the more modern era it has been reinterpreted and developed.
57. There are levels about what it means practically. Basically you can't just have a training course and say you're an anti-racist organisation. The idea we were

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working on in Policing Together was to consider how best we could make a matrix, a model, of what we want to achieve. What Police Scotland would be as an anti-racist organisation and how long it would take to get there.

- 58. For me the endeavour is to be actively anti-racist as opposed to passively not being tolerant of racism. It moves from being reactive to be proactive. This includes training and education. At face value it sounds simple but it's complicated. There are global agencies who work on this who want to help formulate something more useful for staff.
- 59. One of my colleagues was involved in the Independent Reference Group was tasked to develop our approach to becoming an anti-racist organisation. When I stopped in Police Scotland that work was underway. It's an active position. The colleague I mentioned, Dr Victor Olisa, has an academic background. He was a police officer in the southeast of England. He's from the black community. He's a PhD and has academic experience in this area. It was for me to support him and colleagues, provide overall governance for the work and, ultimately review the work once it was done with a view to providing recommendations to the DCC and CC on way forward.

Policing Together strategy

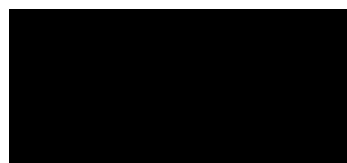
- 60. I am asked to explain Police Scotland's Policing Together strategy, including my role, the background to its conception; its purpose, aims and objectives; and how it operated in practice.
- 61. In essence I was to provide leadership for the overall process, to assist the Chief Constable in delivering in the aspiration of Policing Together.
- 62. A lot of the background to Policing Together is available open source on the roadmap journey. It was launched in September 2022, if I remember correctly.

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It was backed up by an implementation action plan. I arranged the implementation.

63. The background in summary to Policing Together is that it consolidated a number of policing areas that were disparate. For example, the approach to community engagement, HR and Professional Standards elements. Policing Together brought all that together. It brought everything to a one stop shop for front facing policing. It also created an ACC post for how to take that forward, run the governance and operate across the organisation through a matrix management type of approach.
64. The Equality Act 2010 for public authorities has created the public sector equality duty which means, broadly, eliminating discrimination, advancing equality of opportunity and fostering good relations between groups. Key to this approach is mainstreaming. It can't just be one person responsible for advising on equality issues, it needs to be mainstreamed through the organisation. That was very much fundamental to Policing Together and to my approach as ACC.
65. I am asked to explain the purpose of bringing these disparate strategies into one. The purpose is if you have an ambitious strategy across a large and complex organisation, it's better for it to be delivered as a single entity rather than multiple separate strategies. The decision to do this happened before I took up the post. I know that DCC Fiona Taylor was leading on this area. She had to collate the equality and diversity portfolio, and she would be better placed to explain the thought processes behind that. What I said is probably not far away from what I imagine she would say. It is much more coherent having policies together under a single strategy rather than in different places.
66. You wouldn't want to have a postcode lottery for how strategy is implemented depending on what is given to your local area. You would want to have clear

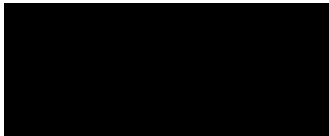
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expectations and standards across the whole Service. That's what Policing Together provides.

- 67. The four main aims of Policing Together are to become an anti-racist organisation, embrace EDI and Human rights to make them central to what we do, create an inclusive culture where our people can feel they belong and be at their best, and we can be more representative of our communities. These aims are available open source.
- 68. Within the implementation plan it has high level objectives. Prior to me coming into the post another ACC had started that process.
- 69. My initial actions were to get that implementation plan into a more cohesive format. I endeavoured to progress that and deal with implementation, processes, and get that going against the background of limited resources.
- 70. Policing Together is a massive endeavour, bringing a lot of things together. DCC Fiona Taylor led on strategy. There is a list of objectives to support each of the four aims, with actions to deliver on these objectives in the implementation plan.
- 71. When I looked at the myriad of action and policy areas, I decided we needed to break it down further for implementation. That's where the four pillars of Policing Together were conceived: leadership, training, prevention and communication. I was going to take each of these forward together to support the implementation plan work. Breaking down to the strategy to these four areas would help bring the areas together and make it more cohesive with activities brigaded under the pillars and complementing each other.
- 72. Policing Together is not intended to be a short-term action plan or initiative. It is about organisational change. The change and approach are iterative. The objectives are long term to support the aims. Policing Together will never be

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finished. The concept is to keep improving and stretch towards continually achieving greater objectives.

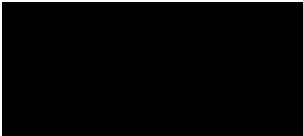
- 73. For example, with the implementation plan, normally a plan will have aims, objectives and actions. The action will be time bound. We can tick that off once they're done. In Policing Together, the aspiration that we were working to was a logic model. We would go towards achieving the actions and the next logical step would keep people moving by developing the next logical step towards meeting the objectives under the strategic aims. It would never be job done. Within it there would be measurable actions and objectives that would continually be renewed.

- 74. I am asked to explain who Policing Together would be implemented towards.

- 75. It was intended, and is, for the entire organisation. Once implemented it would have everybody involved. This is chief officers through to operational cops; serving officers and members of police staff- divisions and departments. Within this there are governance models, key leadership roles, champions and methodology that would assist in delivery. I would drive all of this from internal objectives to improve the workforce and our experience and also improve our service for communities externally.

- 76. The Communication strategy is tailored to different audiences. It was nuanced also to cater for differing assessed levels of confidence. For example, staff associations would report issues and have less confidence than others. There's also a listening aspect to that, a feedback loop. We would have an approach that we would implement and progress. Some of this is very long term. We would listen, take action and then listen to them again. This would influence activities and priorities for the strategy.

- 77. I am asked about a communication strategy specific to the black community. A lot of work was driven by members of black communities across Scotland.

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We were exploring how to re-establish links to the black community. Along with other public sector organisations, Police Scotland lost a bit of understanding and communication with the black community over the years. This was progressed in the east of Scotland, in Ayrshire and in Glasgow, particularly, and this would be driven by local Divisional Commanders and their local policing ACCs. We are rebuilding with the community, not to the community. Practically, this would be by focus groups, events, looking at models and scoping out how to rebuild those connections.

78. The focus groups were convened by local police by groups, approaching members of the black community through local links identified. Ade and Kadi Johnson helped with this in their area. Members would be those that identified as members of the black community but could be from other areas. For example, some members were from sub-Saharan Africa, others were from a Caribbean background and others were indigenous to Scotland. "Focus group" is possibly not the correct term, it was a gathering of people who could tell us about their experience and how to take it forward. That led into how we could better integrate and use statutory structures in a better way.

Leadership – Policing Together to date

79. I am asked to what extent, if at all, did Policing Together achieve its purpose, aims and objectives in the time I was involved in it.

80. This can be measured by the four pillars I stated above. Firstly leadership – the service at great cost and effort delivered the first complete package of leadership training for everyone who holds a leadership or supervisory role. That was in its last phase when I left the Service. Policing Together was being integrated into that. This included, for example, supervision or leadership training in the police that would include training on challenging behaviour and procedures, understanding of valuing diversity and how to value diversity in a team. There isn't an outcome as yet but this is an input.

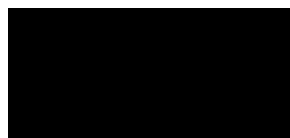
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81. The next stage is to include this leadership pillar into our performance development conversations. There would be feedback on how people used that leadership training.
82. It was also built into promotion prospects. There would be Policing Together questions in their interviews for promotion. Officers who wanted promotion would be asked about how leadership matters in relation to the diversity space. The negative for these officers is that if they don't know about these matters then they will struggle to answer these questions for promotion. That matters for culture.
83. In the divisional space I worked with our people and development team to build seminars for divisional superintendents and departmental heads to basically look at minimum standards for Policing Together. This would be, at a divisional level, how does the divisional equality and diversity meeting, which is monthly, how did they use the tools they have, the reports, and how was it utilised. We're trying to create that cultural change in that space. This is part of what are called 'people plans' for divisions. The aim was to build policing together into existing processes where possible including action plans and other vehicles we could use.

Prevention – Policing Together to date

84. Prevention is another pillar. This is structured around a year long campaign by Professional Standards about values and standards of professional behaviour. There are two main elements, the first is education and encouragement. This consists of practical examples of good practice and how to develop this in teams. The second element is more hard edged and includes illustrating what the sanctions can be for failing to live our values and standards. There would be no place for you in the organisation if you don't live up to the standards.

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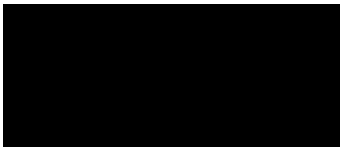


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85. This aspect would include salutary lessons about what happens if you don't live up to the organisation's standards. It also encourages strong leadership behaviours and challenging bad behaviour. This creates confidence in the Service and what the Service will do if you report something. That is also intended to be a deterrent for those who act inappropriately. It encourages people to speak up about bad behaviour. We've seen a real rise on the level of reporting in that space and have had to increase the number of staff that we have there. We've seen an increase in complaints. We expect that to turn around and the numbers to decrease over time as these standards bed in.
86. Grievance procedure was also reviewed. We took feedback about the drawbacks to the process, including it taking too long, lack of confidence in outcomes and it only being used as a punitive measure. This involved a lot of work by people in development in the human resources function. It should be a means of dispute resolution, advocacy and other functions but still having knowledge of what's happening in the external or legal space, eg tribunals. That has been part of the training of all staff, officers and managers. A holistic approach beyond sanctions was taken. This has come from what people told us about the shortcomings. We've opened ourselves up to critique in this process and taken that on board. This led to revamping it.

Communication – Policing Together to date

87. Communication is another pillar. From the launch of Policing Together in 2022, a communication strategy was launched as part of it. Part of my role was to revisit this periodically with the Head of Communication. We were to tailor our messages to what we were hoping to achieve.
88. The Casey Review was published around the same time regarding the Met. We were aware of this and were keeping a global perspective.

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89. The next big change we took was the institutional racism statement by the Chief Constable. The communications strategy was part of the approach to that. Outcomes within that response included an internal staff survey following the statement to gauge how people within the organisation felt about the statement. That gives us more feedback to tailor the action plan and how we plan to take that forward.

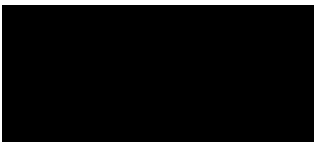
Training – Policing Together to date

90. The fourth pillar is training. For the first time since the late 1990s, I think, we undertook force-wide equality and diversity training. It was a significant undertaking and we necessarily had to deliver this using remote methodologies. Moodle is the online platform that we used. 95% of the service completed the training. This was really successful as an outcome. It was evaluated positively in terms of the training delivery.

91. Moodle is perceived to be something that we use too often to deliver training, but what policing has taught me is that there's always something new to learn, so Moodle is a necessarily something that we have to rely on. Moodle is really good at reaching large volumes of people and allowing people to access it. You can leave it to operational supervisors to determine when their officers will have the time to do it. You can log in and do it yourself at the appropriate time.

92. The drawbacks to Moodle are the emotional or intellectual understanding when you may have to be persuaded by something. EDI training is delivered better when it has a human connection. At the time, we understood that we had to do something quickly across the police for EDI training because we hadn't provided this training recently enough. On that proviso I think it was really well done. It was a 95% turnout which is practically everybody.

93. We delivered EDI training through Police Scotland but also using external partners to help us get to the contemporary issues. This training covered a full

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range of diversity issues, including cultural understanding, the policing role within that and internal and external diversity considerations. Policing Together was a key function of that.

- 94. The ambition is that we will deliver Continuing Professional Development training including an element of face to face training on diversity. We are delivering a bespoke pilot training in the west of Scotland, in Glasgow and other divisions around Glasgow, using the support of a local ACC and Chief Superintendent. They delivered group training, which was impactful. I have undergone the training myself and spoken at it too. It's a model that we think we can use to deliver some sort of group face-to-face training in the future. When I left the service the aim remained to deliver this in a more holistic way in future.

- 95. Various training models can be looked at, including refresher training like OST. The training commitment for police is significant. It's also not like the military where the officers will have downtime in a non-operational sense. Operational policing is totally relentless. A policing response is required constantly. So training needs to be built into the requirements of operational policing.

- 96. EDI training across the police needs to reach every tier of the organisation. OST doesn't reach every aspect of the service so including EDI training as part of OST will not reach all staff and officers, albeit it may be something that could be used in the overall suite of EDI training. All of this was under review before my pre-retirement.

Data analysis in Policing Together

- 97. There is data and evidence that is specific to the Policing Together programme. It is a continual endeavour to process the data we have access to and consider the insights we draw from that data.

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98. There was a group I was running called Performance and Impact. The intention is that we will develop a performance module for policing together that can be used to illustrate progress using data and insights and allow SPA and others to hold the service to account through independent scrutiny. Development of this is another workstream managed through the Performance and Impact group. The strategy launched in 2022, it took time to develop some of these data sets in a manner that is meaningful. That will improve as Police Scotland goes on.

Institutional racism

99. I am asked to explain my understanding of institutional racism and what makes an organisation institutionally racist.


100. The definition that the service was working to was based around the Macpherson report in the late 1990s. That is the definition I've heard discussed. The IRG discuss it. It's the "go to" point.

101. The definition was expanded to institutional discrimination. We listened to stakeholder groups and realised the problem is broader than racism.

102. Also intersectionality is a concern, which is where various characteristics can be variously affected by discrimination and individuals can be affected by discrimination through more than one characteristic.

103. Institutional racism is the institution's problem, it's not about an individual's views. If you're racist in Police Scotland you shouldn't be in Police Scotland. If you commit a racist hate crime you should be prosecuted.

104. Institutional racism is where an organisation has been developed through time to the point that is not fully representative across society. The dominant characteristic, e.g. white Scottish male, defines the culture, priorities and

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processes, not necessarily wanting to exclude other characteristics. There is evidence of this from inspections, the Inquiry by Lady Angiolini and HMICS.

105. An example of practical evidence is the OST programme which includes a first aid module. Until recently (it has been changed) the training featured a scenario which was about a white patient when looking at the skin pallor for signs of illness etc. Benignly, there is a preconception that you would be dealing with a white patient. If you asked about, e.g. a black patient who is unconscious, Police Scotland didn't used to teach any alternatives to using skin pallor as an indicator so there was a clear risk to patients from this being taught in this way. If you extrapolate the implications then you realise that the officers are being trained into not thinking about black people in the same way.

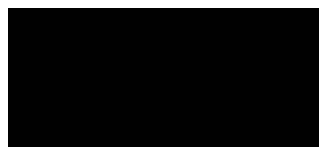
106. Another example is that the number of upheld complaints from black and minority officers were proportionately lower than complaints from white officers, for whatever reason. You have to look if we are getting it right from officers on an institutional level and as a point of equity. That is part of the development of measures we've taken.

107. Also, unless the organisation has a diversity of thought, culture and experience, I think of that as potentially institutional racism.

108. I am asked to what extent I consider that the culture of the organisation is an aspect of institutional racism. There are various elements to culture and different academic models. Culture can be built up over time. It depends on the dominant characterisation of the organisation and the practical steps it takes to recognise this as a problem and change. So yes I think culture would have an influence on whether an organisation is institutionally racist.

109. I am asked to what extent Policing Together related to Police Scotland being institutionally racist.

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110. Policing Together predates the statement on institutional racism. Any conjecture that Policing Together is a response to making that statement is inaccurate. The Chief Constable looked at his experience, the views and evidence collected through the roadmap of development and work under Policing Together to come to the conclusion that Police Scotland is institutionally racist.

111. Policing Together has a key role in developing the response to that statement. The strategy already encompasses that. Being an anti-racist organisation is a key aim of Policing Together. This encompasses counteracting institutional racism.

112. I believe the facts stated in this witness statement are true. I understand that this statement may form part of the evidence before the Inquiry and be published on the Inquiry's website.

16.04.2024

Date.....Signature of witness.....

