

Assistant Solicitor to the Inquiry

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[REDACTED]



Calum Dundas
Police Scotland

By email only:

[REDACTED]

9 May 2024

Dear Mr Dundas

RULE 8 REQUEST

I am writing on behalf of the Chair to the Sheku Bayoh Public Inquiry (“the Inquiry”).

Under Section 21(2)(a) of the Inquiries Act 2005 the Chair may, by notice, require a person to provide evidence in the form of a written statement. Rule 8 of The Inquiries (Scotland) Rules 2007, provides that the Inquiry may send a written request to any person for a written statement of evidence. I hereby request you provide a written statement to the Inquiry by **5pm on 23 May 2024**.

It is a criminal offence to fail to comply with this request without reasonable excuse. I refer you to Section 35(1) of the Inquiries Act 2005.

The Annex to this letter sets out the areas to be covered in your written statement.

Please provide your written statement by email to [REDACTED]

Section 22(1)(a) of the Inquiries Act 2005 states that a person may not be required, under section 21, to give, produce or provide any evidence or document if you could not be required to do so if the proceedings of the Inquiry were civil proceedings in a court. If you are of the view that Section 22 applies to your evidence please advise the Inquiry of this and the reasons why you believe Section 22 applies.

Your statement may be disclosed to the Core Participants in the Inquiry and may be published on the Inquiry’s website. Any personal information not relevant to your evidence will be redacted prior to disclosure.

The Inquiry may issue a further Rule 8 request or Section 21 notice to you at a later date.

The written statement will form part of the evidence of the Inquiry. For that reason it is important that it is in your own words. In addition, you may be asked to attend a hearing to give oral evidence to the Inquiry. The Inquiry will contact you in future to confirm.

I remind you of the Chair's [Restriction Order](#). This Rule 8 request letter and your response thereto is Restricted Material as defined in the Order.

If you have any questions regarding this letter or the content of your written statement please contact the legal team by email at [REDACTED]

Yours sincerely

[REDACTED]
Assistant Solicitor to the Inquiry

ANNEX

HEARING ON RACE

AREAS FOR WITNESS STATEMENT

CALUM DUNDAS

Please provide your **full name** and **date of birth**.

Please provide as much detail as you can in relation to each of the following questions.

Please mark on your statement the number of the paragraph of questions you are answering.

Roles and responsibilities

1. Please summarise your roles and responsibilities in Police Scotland throughout your career.
2. What is the remit, functions and membership of the Data Governance Group in Police Scotland? What is your role in it?

Data on race in 2015

3. How did Police Scotland collect, monitor and analyse data on race in 2015? Please refer to, among other things, use of force, use of sprays, stop and search, recruitment and retention data in your answer.
4. What policies and strategies related to the collection, monitoring and analysis of race data in 2015?
5. What, if any, trends are you aware of in relation to race data from 2015? What was done in light of these trends?
6. How, if at all, does data on race from 2015 feed into the training of police officers?

Current position on data collection, monitoring and analysis

7. What is Police Scotland's current policy and strategy in relation to the collection, monitoring and analysis of race data?
8. Please read the UN High Commissioner for Human Rights' report: "Human Rights-Based Approach to Data" (SBPI-00563). In your view, to what extent is Police Scotland's current data collection, monitoring and analysis consistent with the principles identified? These principles are: participation, data disaggregation, self-identification, transparency, privacy and accountability.
9. Please read the European Commission's "Guidance note on the collection and use of equality data based on racial or ethnic origin" (SBPI-00564). In your view, to what extent is Police Scotland's current data collection, monitoring and analysis consistent with the principles identified? These principles are:-
 - (i) Map existing data sources that provide information on racial or ethnic origin.
 - (ii) Carry out a needs assessment of (potential) users of data disaggregated by racial or ethnic origin.
 - (iii) Align definitions, classifications and categorisations related to racial or ethnic origin and mainstream data on racial or ethnic origin into EU and national surveys.
 - (iv) Collect and use equality data in full compliance with EU General Data Protection Regulation and national data protection rules.
 - (v) Collect information on self-identification based on 'racial or ethnic origin'.
10. Please state the following in the final paragraph of your statement:-

"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."

11. Please sign and date your statement.