

ANNEX A

AREAS FOR WITNESS STATEMENT

SANDRA DESLANDES-CLARK

Please provide your **full name, date of birth, personal or business address**.

Introduction

1. Please introduce yourself by summarising your professional background and experience.

*Sandra Deslandes-Clark
General Secretary
SEMPER Scotland
Bishopbriggs Police Office
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Bishopbriggs
G64 2AA*

I am a marketing/comms professional who worked as a senior marketing executive in national/international marketing divisions and advertising agencies prior to working in policing.

2. Please introduce the terms you prefer to use in the statement to refer to race and ethnicity (for example, 'black and minority ethnic', 'political blackness'); why do you prefer to use the terms you have chosen?

*We at SEMPER Scotland use the term '**Black**' as in 'Political Blackness' from the anti-racist movements across the world.
It's traditionally used in politics in the UK to refer to people of African, Asian, Arab, and Caribbean descent, and generally, non-whites.*

Most importantly, 'Black' in the phrase 'Black and Minority Ethnic' (BME), is used as a unifying term - an articulation of solidarity and the building of allies in relation to shared and common experiences of racism. Political 'Black' is not about colourism and shades of skin.

*We do not subscribe to, believe in, or practice **colourism**. Hence, we refrain from using any shades of colouring (brown, dark, light, pale, etc) to distinguish members. It's all about race and minority ethnic backgrounds.*

We feel that the classifications of non-whites based on shades of skin would yield an interesting grouping of people based on the exposure of their ancestors to similar levels of solar radiation – that may well be erroneous.

SEMPER & your role at SEMPER

3. Please explain what Supporting Ethnic Minority Police employees for Equality in Race (SEMPER) is and outline its main functions.

*SEMPER Scotland is the primary staff association that exists to support and represent all minority ethnic employees** on issues of equality in race, and to ensure that the Scottish Police Authority (SPA) and The Police Service of Scotland (Police Scotland) uphold the principles and practices of racial equality.*

As a Scottish-wide staff association, we also represent minority ethnic officers and staff from the British Transport Police and Ministry of Defence Police in Scotland.

This 'rainbow' organisation is accepting of all police employees who support our aims and ambitions.

SEMPER Scotland is committed to inspiring a diverse and inclusive workforce that fully represents the changing demographics of Scottish communities to underpin policing and criminal justice that are essential for a safe and secure society in a flourishing nation.

Main Functions include:

- Promote fairness and equality of opportunity within policing and support professional development for minority ethnic individuals.*
- Support the wellbeing and development of minority ethnic police employees through engagement, encouragement, mentoring, coaching and formal representation.*
- Shape and evolve organisational culture by positively challenging and influencing SPA/Police Scotland to learn and develop.*
- Provide a trusted, secure, and confidential avenue for third party reporting and management referral for any officer or staff member.*
- Offer advice, guidance, and representation to all Black and Minority Ethnic (BME) employees on issues relating to race, ethnicity and equality.*
- Identify and act proportionately in response to complaints, grievances, performance matters and management issues.*
- Provide professional advice, support, and representation during arbitrations to achieve fair outcomes.*
- Provide advice to the Scottish Government on police related policy matters, including the provision of information to meet the answering of parliamentary questions, Ministerial correspondence, and provision of other information requests to brief Scottish Ministers.*
- Contribute to the development of informed policy and legislation on policing issues. This includes responses to consultation under the Police and Fire Reform (Scotland) Act 2012, giving evidence to the Scottish Parliament Justice Committees and general advice to Ministers.*
- Coordinate opportunities for members to positively engage with the Service's decision-makers, and other minority ethnic colleagues.*

4. What are the membership criteria for joining SEMPER? Is it open to police officers, special constables, and civilian police staff?

Full Membership is open to all minority ethnic serving police officers, special constables and police staff employed by Police Scotland, Scottish Police Authority, British Transport Police (Scotland) and Ministry of Defence Police (Scotland). Associate membership is open to all police employees - regardless of ethnic background - who support the aims of SEMPER Scotland.

There are no joining or yearly subscription fees.

N.B. *BME officers and staff do not have to be members of SEMPER Scotland to request our assistance on issues of unfair treatment, discrimination, and inappropriate behaviour.*

5. In what ways do members seek support from SEMPER?

*Members seek support in several ways e.g.:
Direct contact via phone and email; through the Scottish Police Federation and other staff networks; and via referrals from line managers and supervisors.*

6. Please provide a summary of your current role with SEMPER and when you began in this role.

I started this role in January 2005, after assisting SEMPER Scotland (as a volunteer) with their 2003 public launch and Business Case for funding from the Scottish Government and the Association of Chief Police Officers in Scotland (ACPOS).

The role of General Secretary in SEMPER Scotland is a wide-ranging one and involves working across all spheres of policing from recruitment to training to conduct and discipline. It entails working closely with members, divisional teams, corporate units, the Executive Team, other police staff networks and external agencies.

Key responsibilities include:

- Developing and managing operational activities to support organisational strategies.*
- Representing and supporting officers and police staff in cases of discrimination and unfair treatment.*
- Preparing the yearly Action Plan for the Scottish Government and other stakeholders.*
- Recommending policy improvement and procedures to advance the recruitment, retention, and development of minority ethnic employees.*
- Leading on initiatives and bespoke programmes to enhance the equality of opportunities for BME officers and police staff.*
- Advocating for the adoption of proven systems that better protect against impartiality and prejudice.*

- *Appropriately challenging unfair, improper, and unethical practices.*
- *Responding to consultation on policing policies and procedures.*

7. Please outline what led to the establishment of SEMPER and the process of SEMPER's establishment.

On the heels of the McPherson Report on the inquiry into the death of black teenager, Stephen Lawrence, with its criticism of a culture of "institutional racism", police forces throughout the UK had a long, hard look at their attitude towards the minority ethnic population.

In order to get an insight into reported racially discriminatory practices in the internal operations of the Scottish Police Forces, the then Scottish Executive Central Research Unit commissioned the prominent Equal Opportunity Advisor, Daniel Onifade, to conduct a comprehensive inhouse research.

In May 2002, Mr. Onifade presented his report 'The Experience of Black/Minority Ethnic Police Officers, Support Staff, Special Constables and Resigners in Scotland', which found that an overwhelming number of the minority ethnic police employees interviewed felt they had been the victims of varying forms of racism and inequitable practices within policing.

Armed with those findings, coupled with Her Majesty's Chief Inspectorate of Constabulary's 'Pride and Prejudice' report into racism in the Scottish Police Forces, all minority ethnic employees were invited to attend a forum at Dunblane Hydro to discuss the way forward. From this assembly, it was clear that more was needed to be done to directly address a number of issues and, more importantly, support and advise minority ethnic employees.

*Against that background, **Supporting Ethnic Minority Police employees for Equality in Race, SEMPER Scotland**, was formed.*

It was publicly inaugurated on October 14, 2003, by then Justice Minister, Cathy Jamieson, at Tulliallan Castle. At the launch the organisation received wide-ranging support from, among others, the Association of Chief Police Officers in Scotland, the Lord Advocate, the Commission for Racial Equality and the Scottish Executive. The then First Minister, Jack McConnell, welcomed the initiative and pledged his, and the Scottish Government's, "support for the aims of SEMPER Scotland as part of the wider recognition by the Police Service of the need to address the concerns of minority groups".

SEMPER Scotland became fully operational in 2005.

Not dissimilar to most of the police staff associations, SEMPER Scotland is funded by the Police Division of the Justice Department. It is directed by an Executive Committee made up of employees from various ranks and levels within the Service who are committed to promoting wider understanding of the needs of minority ethnic employees and their contribution to the overall success of policing in Scotland.

SEMPER Scotland is a member of the National Black Police Association (UK) and the European Network Against Racism (ENAR).

8. Please provide details as to the size and ethnic composition of SEMPER's membership in 2015 and as of 2024.

Our membership numbers constantly change due to retiral, recruitment and resignations. In 2015 we had 159 members, and we currently have 250 members.

Ethnic Composition

Members are not compelled to disclose their ethnic origins. Consequently, 42 members have chosen not to make their ethnicity known. Nonetheless, from the ones who did, the following ethnic origins were recorded:

*African
Algerian/Scottish
Asian or Asian British
Bangladeshi
Black or Black British
British Arab
Bulgaria
Caribbean
Chinese
English
Hungarian
Indian
Irish
Irish/Chinese
Jewish
Latvian
Maltese
Mixed background
Mixed Pakistani British
Mixed Race
Other Asian/South African
Pakistani
Polish
Romanian
Scottish
Slovak
White
White/Asian
White/Black Caribbean
White Scottish
Vietnamese*

9. Are you able to compare the size and composition of SEMPER's membership with the number of minority ethnic serving police officers, special constables, and police staff within Police Scotland?

Unfortunately, Police Scotland has changed the classification of Race/Ethnic groups, so a real comparison is problematic. However, in 2015 the total number of BME police officers, support staff and special constables was 1% of the total workforce (up until 2018 we were only provided with percentages/ratios – not actual numbers).

The latest published percentages show the number of Black and Minority Ethnic personnel is 1.57% of the total workforce and White Minority Ethnic personnel as 2.83%.

10. Please outline any key projects or initiatives SEMPER has worked on since being inaugurated in 2003 including the Truth to Power initiative.

From inception SEMPER Scotland has led from the front in advocating for positive organisational change. We've successfully campaigned for policies and initiatives to enhance the working environment for Black and Minority Ethnic employees, and everyone in general. Indeed, most of our policy campaigns have positively benefitted the working lives of all employees regardless of their ethnic background.

Some of our notable successes include:

- a) The overhaul and proprietary review of the Standard Entry Test for entry into the Police Service that required Parliamentary Approval.*
- b) Weekday release for Probationary Officers during the 3-month training programme at the Police College, Tulliallan. This removed an artificial barrier for potential recruits with caring responsibilities, religious/cultural issues, and other family concerns that required their presence during the week.*
- c) Anonymous Application Forms at the paper-sift stage for internal positions.*
- d) Equality, Diversity, and Inclusion assessed as a competency in the promotions process.*
- e) Introduction of in-person Diversity Inputs to new probationers as part of the Probationer Training Programme.*
- f) Official involvement of staff associations in all Thematic Inspections of the Police Service.*
- g) Recommendations officially included in Dame Eilish's Independent Review of Complaints Handling, Investigations and Misconduct Issues in Policing.*
- h) Creation of the effective 'Truth To Power' Sessions that involved members of historically marginalised groups speaking their truth/lived experience to officials who have the power to change*

their working environment. Those sessions led to the introduction of Police Scotland's Action Plans for individual EDI categories and helped to inform some of the bold moves implemented by the Executive Team.

- i) Introduction of bespoke supplementary training for officers who are non-native speakers of English.*
- j) Ground-breaking Role Model Secondment Programme for BME officers. This mutually beneficial scheme was designed with the concept of 'normalisation of spaces' in mind. Within Probationary Training, new recruits can now see, interact with, and be taught by officers from diverse backgrounds – an experience they might otherwise not have had prior to its introduction. The success of this programme has led to it being extended to Professional Standards Department.*
- k) Effectively campaigned for leadership duties performed within staff networks to be formally recognised in the Appraisal process.*
- l) Amendments to Police Scotland's policy for medical deferrals within police programmes that made it fairer and more legally appropriate.*
- m) 'Over the Horizon', a bespoke mentoring programme designed by BME employees, for BME employees. This collaboration between SEMPER Scotland and the Association of Scottish Police Superintendents (ASPS), was created to enhance participants' ability to understand, appreciate and interact with people from cultures or belief systems different from their own. Some of the many benefits of the initiative includes breaking down the dominance of informal exclusive networks based on 'who you know'; supporting diversity-based reverse mentoring relationships; and assisting Police Scotland to better develop a culturally competent leadership.*

11. Has SEMPER developed institutional knowledge regarding the experiences of black and minority ethnic officers, special constables and police staff in Police Scotland? If so, how has that knowledge base developed over time?

Yes, we have in terms of analysis of case histories. This demonstrates continued patterns of behaviour in relation to perpetrator behaviour, investigative processes and attitudes, and organisational outcomes.

12. Please set out SEMPER's current funding arrangements including:

a. How SEMPER is funded;

We're funded by a Grant-In-Aid from the Police Division of the Justice Department. Prior to the formation of Police Scotland in 2013, SEMPER Scotland also received a yearly Grant from the Association of

Chief Police Officers, representing funds from each of the eight Police Forces. That was discontinued when the merger took place.

- b. How the amount of funding is set;

It's determined entirely by the Police Division.

- c. How, if at all, increases to this amount are arranged;

Despite yearly petitions, the amount of the Grant-In-Aid from the Police Division has not been increased since 2009.

- d. If this funding is contingent on SEMPER meeting any performance criteria.

The Grant-In-Aid is given in recognition of our remit to promote race equality and to support and empower minority ethnic employees within the Police Service of Scotland. Funding is contingent on SEMPER Scotland achieving the key objectives as set out in the yearly Business Case.

13. In your view, is SEMPER adequately funded to fulfil its functions?

*As an organisation that has brought about **significant**, positive organisational change and budgetary savings, I feel SEMPER Scotland is woefully underfunded. Since 2013, the organisation has been surviving mainly on the goodwill of others. We're now unable to do basic things like provide specialists training with external contributors, reimburse members for travel expenses, afford ICT software and applications, attend community events, host extensive conferences, and offer promotional merchandise at most activities.*

14. What, if any, challenges does SEMPER face?

Our challenges are many, varying, changeable and have largely remained the same over the past few years. In common with most voluntary organisations, we face difficulties relating to human resources, changing priorities and financial restrictions - challenges we have repeatedly conquered in the past, but are now hindering the realisation of our objectives and organisational growth. A few are persistent and particularly dominant, including the following:

Insufficient funds to adequately function as an organisation for real change. We need to be properly resourced to, among other things, (a) manage independently where necessary; (b) compensate operatives fairly for work done; (c) promote the organisation to prospective members and allies; and (b) organise national awareness-raising campaigns.

The issue of time-off for members to attend Executive, Sub-Committee meetings and other important SEMPER Scotland events has always been difficult, particularly during the last couple of years. This remains a constant

struggle but has been helped by (a) one-to-one visits with Divisional Commanders/Heads of Department to engage with them about our role in the Police Family; and (b) the creation of the Protected Hours Agreement.

The lack of data on the development of BME officers and staff is a particularly concerning area for us. The monitoring and dissemination of data on the training and developmental opportunities of minority groups should be a performance indicator for the Service. In addition, priority ought to be given to the full adoption, analysis and reporting of Exit Interviews to better inform management of the Service of the predominant issues that are persuading BME officers and police staff to leave.

15. What could be done to alleviate these challenges?

Several things including:

- a) An increase in funding to assist in realising our key goals.*
- b) A study of BME officers and staff, including surveys, focus groups and case studies to get a real understanding of the areas of concern and possible solutions/interventions.*
- c) A Police Scotland SharePoint to enable us to better communicate with members.*
- d) Assiduous promotion of SEMPER Scotland to potential and new recruits via distributed official literature to contribute to the awareness and legitimacy of the support being offered.*
- e) A collaborative Retention Strategy for minority ethnic employees.*

Creation of Police Scotland

16. Police Scotland came into being on 1 April 2013. Did SEMPER have any role in the discussions around the time of the transition concerning race and racism in policing? If yes, please provide full details.

No, we were not involved any of the discussions at the time.

17. Do you have a view whether consideration (or adequate consideration) was given to race and racism in policing at the point of creation of a single police service? Please share any reflections you may have on this issue.

I personally feel that the impact on issues relating to equality, diversity and inclusion was never fully considered. Unfortunately, at the point of creation of a single Police Service, the strategic direction was set as being operationally performance-driven with little regard to workplace culture, leadership development and equalities.

Recruitment, retention and promotion

18. In SEMPER's experience, how does race impact recruitment of officers and staff to Police Scotland? Has this changed over time, and if so, how?

Members of the public from BME communities are reluctant to join the Service due to several factors including:

- *Historical perceptions.*
- *Lived experiences of negative interactions with the police.*
- *Local, national, and international media reports on police injustice.*
- *The experiences of family and friends from other countries where police misconduct, corruption and brutality are widespread.*
- *A perception of bullying and harassment of Black and Minority Ethnic communities by the police.*
- *Fear of being ostracised by families and friends.*

This is improving through better community outreach, familiarisation events and changing internal cultures. The introduction of the Positive Action Team increased the number of officers recruits from a BME background joining the Service. Regrettably, there was not a structure in place to support those recruits at the end of the 12-weeks Police College period and some left within a few years of joining. Fortunately, that is currently being addressed by the Learning, Training and Development Department.

19. In SEMPER's experience, how does race impact retention of officers and staff within Police Scotland? Has this changed over time, and if so, how?

Race and racism impacts retention in several ways, chiefly among them are:

- a. *The cumulative effects of overt and covert racism.*
This position is based not only on first-hand information provided by SEMPER Scotland members past and present, but also the findings of national and international studies.
The increased harm of experiencing racial discrimination on one's health, which captures not only the previous experiences of racial discrimination, but also the vigilance and anticipatory stress of a possible future racist encounter, can - and do - result in some BME employees leaving the Police Service.
- b. *Perceived lack of procedural justice.*
The response, reprisals and distress associated with challenging discrimination and unfair treatment, has negatively impacted the career outlook for many BME officers/staff, resulting in them resigning.
The failure to effectively address discrimination when flagged is a common cause.
- c. *Canteen sub-culture.*
The frequency of discriminatory acts being dismissed as 'banter', has broken the spirit, confidence, and expectations of some of our members.
- d. *Broken sense of belonging.*
*Officers and staff who experience unredressed alienation, bullying, and unfair treatment at work because of their race, feel they don't **belong***

and often leave to find jobs where they believe they're heard and valued.

e. Lack of Development.

Inequality of opportunities for lateral and upward development because of conscious or unconscious bias based on racial identity.

Unfortunately, too many line managers are not aware of the intrinsic value of early intervention and conflict resolutions; judging each case on its own merit; and showing empathy - the so-called 'soft issues' that can positively or negatively influence the working environment. Failure to appreciate this can have a major impact on the working lives of BME officer/staff who are already feeling overlooked and excluded because of their ethnicity.

The involvement of SEMPER Scotland in the neglected Exit Interview process would go a long way in garnering honest, useful information necessary to adequately address some of the prevailing issues that adversely affect the retention of officers and staff from a BME background.

The role SEMPER Scotland plays in persuading dissatisfied employees to stay in policing, should never be discounted, or underestimated. It should in fact, be acknowledged, celebrated, and relied on.

Change is afoot. More training, education and dialogue is already taking place. However, to retain and increase the current BME officer/staff levels, Police Scotland needs to introduce more bold, robust measures to protect employees affected by the abovementioned issues.

20. In SEMPER's experience, how does race impact promotion and career progression of officers and staff within Police Scotland? Has this changed over time, and if so, how?

- a) It is universally accepted that no one is pre-loaded with inclusive behaviours. People are in fact, biologically hardwired to align with individuals who look, act, and operate like them and reject those whom they consider different. Affinity bias is real. It can, and does, sometimes impact on the promotion and career progression of BME officers and support staff in Police Scotland.*
- b) Some members feel that there is a glass ceiling for support staff from a BME background. They believe that they can never progress to positions beyond a certain grade, regardless of their qualifications, experience, or suitability for the roles.*
- c) BME employees regularly speak about never being considered or intentionally being passed over for courses, secondments, and programmes that would enhance career development and progression. They put that down to the culture of favouritism and bias.*

- d) *The system of officially being supported by your line manager in order to apply for promotion, is seen as a major hinderance to career progression by many BME employees.*

Changes in the promotions process and the introduction of diversity initiatives, are not enough to solve the fundamental issues. Individuals need to reflect, recognise, and address their own biases. By explicitly acknowledging that we all have biases - especially unconscious ones, and creating a safe space to call them out, there's an opportunity to hold ourselves and each other accountable. The organisation should, therefore, consider affording employees dedicated opportunities to do that by way of focussed learning and education.

Unconscious Bias training should be given to all employees, specifically to supervisors, senior leaders, and members of selection panels to reduce the impact of bias in the promotions process,

21. To SEMPER's knowledge, what data is monitored by Police Scotland in relation to recruitment, career progression and retention of black and minority ethnic officers and staff?

To our knowledge, there is published data showing the number of officer and staff recruited, and their ranks/grades.

Professional standards

22. In SEMPER's experience, are there any common themes or trends in the experiences of black and minority ethnic officers and staff interacting with the professional standards department within Police Scotland? Has this changed over time, and if so, how?

Some of the common themes/trends reported include:

- a) Unreasonable length of time to investigate cases.*
- b) Lack of communication from PSD during investigations.*
- c) Insufficient rationale regarding case outcome/transparency issues.*
- d) Lack of empathy and understanding.*
- e) Proof of burden in cases of racial discrimination is far greater than that for other conduct issues.*
- f) Overwhelming feeling that they were not believed.*
- g) Lack of impartiality.*

Some of these themes are changing, and more recent cases we've been involved in, have demonstrated that. Investigations are being concluded more swiftly; there is more communication with officers/staff; and the outcome of cases are being given in person with more detailed explanations.

23. Are there any notable differences in the experiences of officers and staff from different ethnic minority groups?

Not to my knowledge.

24. Do black and minority ethnic officers and staff receive equal treatment from the professional standards department compared to a white colleague in an equivalent position?

There is a perception among some BME officers/staff that they did not receive equal treatment from Professional Standards Department. They felt that they were not believed, and their concerns were not given the gravitas they deserved.

25. Do black and minority ethnic officers and staff face being 'over disciplined' when the subject of a complaint compared to a white colleague in an equivalent position? Has this changed over time, and if so, how?

There is a widespread belief that like BME officers and staff in England and Wales, BME employees in Scotland are over-disciplined. However, as the race/ethnicity of the subjects of complaints is not recorded by PSD, we cannot validate or refute that claim.

However, we do know that because of their visible ethnic difference, BME response officers do tend to be the subjects of more malicious complaints from members of the public.

BME officers/staff also believe that their ethnic difference does attract more scrutiny from supervisors and colleagues. That could be due to stereotyping, unfamiliarity, or ignorance. It's been likened to the proverbial 'O' living in an 'X' world, where 'O' is always under the spotlight and everything he/she does is over-analysed. This can often lead to them being reprimanded more frequently than their white colleagues.

With more training and an increase in the recruitment of BME officers/staff, this perception has been changing.

26. In SEMPER's experience, are allegations of racism from officers and staff within Police Scotland appropriately investigated and sanctioned by the professional standards department? Has this changed over time, and if so, how?

Allegations of racism or discrimination have always been difficult to prove unless they involve name calling using known racial slurs. And, as the issue of racism in the workplace gets examined, racial discrimination becomes more covert. Regrettably, investigators are not trained to pick up on that, which can lead to unfair outcomes.

To address this, SEMPER Scotland recommended that patterns of behaviour and regularity of disputed conduct should be given greater consideration during investigations. This is important as the practice of discrimination and unfair treatment becomes more subtle, making it particularly difficult to attribute behaviours to prejudice.

The Professional Standards Department could perhaps benefit enormously from having a few members in their department with the necessary skill set and knowledge required to effectively identify and probe cases where race could be a motivation.

27. To SEMPER's knowledge, do those within the professional standards department receive any training in relation to their investigatory role that encompasses training in unconscious bias?

I'm not aware of any current Unconscious Bias Training for the investigating teams. However, we're currently in discussions with Professional Standards Department around SEMPER Scotland delivering relevant inputs in their training sessions.

In addition to Unconscious Bias Training, we would strongly urge Police Scotland to provide investigators and assessors within the Professional Standards Department with specific racial-sensitivity training covering areas like racial microaggressions and everyday interactions that send demeaning messages and have a racial element to them; basic racial literacy; and Issues of intentionality.

28. In SEMPER's experience, are complaints of racially discriminatory treatment and racist conduct appropriately escalated and prioritised by those within Police Scotland in supervisory roles? Has this changed over time, and if so, how?

To the best of my knowledge, that is currently being done. In the past, supervisors were inclined to gloss over complaints of racial discrimination for a myriad of reasons. Fortunately, that is less likely to happen as officers and staff are now able to bring their complaints to SEMPER Scotland to initiate/escalate action on their behalf.

29. To SEMPER's knowledge, do those within Police Scotland in supervisory roles receive any training in relation to supervision or line management that encompasses training on race, such as training on unconscious bias?

I'm not aware of specific training for supervisory personnel that includes unconscious bias. I'm informed though, that plans to provide that are underway.

Culture and experience

30. Are there any aspects of the practice or culture of Police Scotland that have a directly or indirectly discriminatory impact on black and minority ethnic officers and staff? If so, please describe them. Have they changed over time, and if so, how?

Practices and police culture that directly/indirectly impact officers and staff from a BME background include:

- a) Banter.
The canteen culture of name-calling; telling of racist/sexist/homophobic jokes; frequent use of racial tropes; and mockery, being viewed as 'banter', because the intent was not to harm.*
- b) Challenging inappropriate behaviour.
The fear of isolation, reprisals, and career stagnation is so deep-seated, that very few people will challenge their peers or line managers when they've been victims/witnesses of racism.*

Robust measures need to be put in place to address the disparity between Police Scotland's values and on-the-ground practices/behaviours to ensure that all members of the workforce feel like they belong.

Training

31. Has SEMPER provided training to Police Scotland? If so, please provide details including the frequency, content and duration.

No, we do not normally provide training to Police Scotland. We have in the past participated in designing the storyline for the Senior Leaders Hydra Exercise on Critical Incidents.

However, over the past few years, we've been working closely with the Learning, Training and Development (LTD) Department to enhance their provision.

One outstanding example is the successful collaboration with LTD to develop and bring to fruition a series of 2-day Statement and Report Writing workshops to support multi-lingual officers whose native language is not English. The popular, interactive workshops now forms part of the Service's training portfolio.

We are also heavily involved in the new training course for Tutor Constables.

Police Scotland data

32. To SEMPER's knowledge, what data does Police Scotland collect and/or monitor in relation to race and racism?

Staff profile; promotions; resignations/retirals; hate crime incidents; Stop & Search; and community tension.

33. What, if any, are the limitations to this data?

*Limited disaggregation of the information;
Disparity in access to information; and
Data held in silos on separate systems (SCOPE, VPD, UNIFI, PSD etc,)*

34. Are you satisfied with the data collection and monitoring undertaken by Police Scotland?

We're aware of the limitations of the current ICT systems, but feel that more collection, monitoring, and dissemination of data around race and ethnicity is an absolute necessity to better inform management decisions and strategic direction.

Regrettably, data relating to ethnicity is not readily available to our staff association, despite the legitimacy of our need for the data: a desire to work together to positively improve the recruitment, retention, and development of BME officers and support staff.

35. What have SEMPER's discussions been with Police Scotland about data gathering and monitoring?

It is our belief that in order to address the apparent lack of equal opportunity and disproportionate development of minority ethnic employees, all functions within SPA/Police Scotland should record ethnicity. This will enable the Service to monitor, assess and take steps to resolve instances of inequity when they occur.

36. What are the metrics that you consider relevant to data monitoring of race and policing?

Useful metrics we would recommend be disaggregated by race/ethnicity, include:

- a) Subjects/victims of complaints and conduct and discipline procedures.*
- b) Subjects/victims of grievances.*
- c) Training received.*
- d) Hate crime/incidents against BME officers/staff (contextual data vs graphs, raw data showing locus/frequency/outcomes).*
- e) Employees off work due to stress and mental health issues.*
- f) Officers supported to apply for promotion.*
- g) Grievances involving discrimination.*

Institutional racism

37. In May 2023 the then-Chief Constable Sir Iain Livingstone made a statement in which he said recognising institutional racism exists within Police Scotland was a key step. What is your understanding as to what led to these comments from the then-Chief Constable?

Firstly, I would like to put on record that we at SEMPER Scotland applaud Sir Iain Livingstone for publicly recognising the existence of Institutional Racism in Police Scotland. It was a bold, courageous statement to make, and we admire him for doing it.

Being present at the Scottish Police Board meeting when he made that historic speech was terribly emotional for me. Openly acknowledging failures in the system that wittingly or unwittingly resulted in some individuals from Black and Minority Ethnic communities being unfairly treated, not only validated their lived experiences, but more importantly, it paved the way for reconciliation and healing.

Sir Iain acted with integrity and morality, and demonstrated to all that the time is always right to do what is right.

We would also like to commend Chief Constable Jo Farrell for her wholehearted, and continuing, support for Sir Iain's statement.

It is our understanding that there were several reasons why he decided to make that statement including the following:

- a) Having stated in 2022 that Police Scotland was to become an Anti-racist Organisation, he reflected on the definition and where the organisation was in the past and is today and concluded that in order to become truly anti-racist, he had to acknowledge institutional racism.*
- b) A result of the 'Truth to Power' sessions with BME officers and staff.*
- c) The findings of various reports/review notably, the review by Lady Angiolini and Her Majesty's Inspectorate of Constabulary, Scotland.*

38. Was SEMPER involved in any discussions with or consulted by any person from Police Scotland concerning this issue?

We've had numerous discussions on institutional racism with Police Scotland.

39. What is your understanding of any work done within Police Scotland to canvass the views of officers and staff on these issues?

I'm not aware of the canvassing of the views of officers and staff on institutional racism.

40. Did SEMPER assist with any survey or consultation with your membership?

We did not specifically survey our membership on 'institutional racism'. However, we often consult on discriminatory practices, procedures, and behaviours.

41. What to your understanding are the next steps Police Scotland intends to undertake in light of this statement?

We're encouraged by the steps they've committed to undertake. Namely:

- a) Mandatory Equality and Diversity Training.*
- b) Unconscious Bias Training.*
- c) Frequent engagement with BME colleagues to further understand their concerns and provide appropriate support.*
- d) Strengthening the complaints and disciplinary procedures to ensure fairness throughout.*
- e) Improving organisational culture and sub-culture to better reflect the values of the Service.*
- f) Introduction of an independent advisor to advise the Service on fairness in cases of discrimination.*

42. What is SEMPER's role, if any, in relation to any next steps?

We are now working closely with Learning, Training and Development Department in areas like Probationary Training, specialist support for officers who are non-native English speakers, De-escalation and Communications Training, and various anti-racism activities.

SEMPER Scotland regularly meets with Professional Standards Department to review cases, procedures, prevailing patterns of behaviours, organisational outcomes, and crucially, to discuss ways to strengthen investigations of cases involving racism and discrimination to achieve fairer outcomes.

It is our expectation that SEMPER Scotland would be considered central to the successful achievement of the Service's vision of being an Anti-racist organisation, and an employer of choice for individuals from Black and Minority Ethnic Communities.

Police Scotland's Equality, Diversity and Inclusion Strategy 2022/26: Policing Together

43. Please can you set out your understanding of Police Scotland's Policing Together strategy?

It is my understanding that the strategy lays out the actions necessary for Police Scotland to build an Anti-racist, Anti-discriminatory Service that is inclusive and treats all the peoples of Scotland with dignity, fairness, and respect.

44. In the foreword, then-Chief Constable Iain Livingstone states:

Our Policing Together strategy outlines the action we are taking to champion equality and inclusion so that we tackle sexism and misogyny and we become an actively anti-racist organisation.

In your view, is the Policing Together strategy a suitable approach to achieve this stated ambition?

Yes, I do think it can be, if given the necessary resources, importance, and functions.

45. Can you set out what else would be required, if anything, in addition to this strategy to make Police Scotland an actively anti-racist organisation?

A yearly Culture Audit will help to ground the various initiatives in facts regarding policies, people, feelings about belonging, promotions, practices, justice etc.

An integrated internal Anti-racist campaign covering the legal and moral requirement; what it looks like in all spheres of policing; the individual, organisational and societal benefits; the impact on service delivery and the lives of all our publics; and inspiring, real-life examples of anti-racism in action.

SEMPER's role in relation to other bodies

46. What is SEMPER's working relationship with Police Scotland?

SEMPER Scotland and the Management of Police Scotland have always enjoyed a positive working relationship. We meet regularly with members of the Executive Team, Divisional Commanders, and Heads of Department. Not dissimilar to life in other large organisations, there have been times when we disagree strongly on issues, outcomes, and procedures. Yet, there is that quiet understanding of the role we play and the value we bring to policing.

47. What is SEMPER's working relationship with the Scottish Police Federation?

We have a strong working relationship with the Executive Team of the Scottish Police Federation. The General Secretaries from both organisations liaise regularly to discuss conduct cases and mutual assistance, and to exchange ideas.

Dissonance can occur with individual Federation Reps and our members at the local level, particularly in instances involving racial discrimination and incivility.

48. What is SEMPER's working relationship with His Majesty's Inspectorate of Constabulary in Scotland (HMICS)?

Since our inception, we have benefitted from the excellent working relationship forged with HMICS. They routinely consult/engage with us prior to, and during, thematic inspections – and generally to offer support and encouragement.

Contribution to reviews and reports

49. What was your / SEMPER's role in the Report produced by Lady Angiolini titled 'Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing'?

We were very involved in Lady Angiolini's Review. We participated in Focus Groups, individual interviews, and follow-up discussions.

50. Are you aware of whether the recommendations arising from this Report have been implemented? Do you have any views on the effectiveness of the implementation?

*I am aware of the implementation of some of the recommendations including those from **Theme 5: Equality, Diversity and Inclusion**.*

Despite known limitations of the ICT systems, we are anxious about the time it is taking to collect and publish diversity data to facilitate better analysis and understanding of issues relating to discrimination (R5, R19 and R60).

The recommendation that all Police Scotland officers and staff should receive training on unconscious bias, equality legislation and diversity with refresher courses (R66) is not completed to the best of my knowledge. However, I am aware that it is progress.

I am not aware of the completion of the recommendation that stated, "Appropriate support for anyone who is subject to internal or external discrimination" (R17). As a police staff association involved with internal discrimination, we have not been actively involved in discussions around what represents appropriate support.

In my view, the implementation of the recommendation has been effective in most part.

51. The Inquiry understands that SEMPER submitted a proposal to Police Scotland titled 'A Fairer, More Inclusive Police Service'. What was the context of this? Please append a copy of this and any associated documents to your statement.

*The document, '**A Fairer, More Inclusive Police Service**', was written following the death of George Floyd and the resounding calls for evaluation and scrutiny of police policies and practices in respect of race equality, impartiality of treatment and comparable protection of all communities in the United Kingdom.*

It included a list of proposals to assist Police Scotland in better responding to the challenge and was reviewed and actioned by the then Deputy Chief Constable, Fiona Taylor.

A copy of the paper, along with additional proposals for further consideration, is attached to this statement.

52. Have you had a role in any other such reviews, reports, or inquiries? If yes, please detail your involvement.

SEMPER Scotland has participated in numerous internal reviews and external reports over the years including studies by the EHRC, HMICS, Scottish Institute for Policing Research and ENAR.

We participated by providing statistics, case studies, and our lived experiences of policing outlining the pleasures, the challenges, and our vision for the future.

Miscellaneous

53. Is there anything further you would like to include in your witness statement as to the role and work of SEMPER, or as to race and Police Scotland?

a) A crucial review of the command-and-control approach to leadership beyond operational settings. That style of leadership not only stifles creativity and flexibility, but it also restricts the challenging and reporting of inappropriate behaviour and incivility – and is often times responsible for the organisation finding it difficult to recruit and retain talented individuals.

b) The introduction of more reflective learning practices, and training around moral and ethical decision-making.

54. Annex B contains the Inquiry's terms of reference. With reference to these, is there anything else you would like to include in your witness statement?

No.

55. Are you aware of any guidance relevant to Police Scotland recommending that racist conduct should usually amount to gross misconduct justifying dismissal?

No, I'm not aware of that recommendation.

Please note that some of the examples made in this statement are not exhaustive and should, therefore, not be taken as absolute.

****Employees** – an inclusive term used to refer to all Servants of the Crown and support staff.

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.

June 10, 2024 | 3:58 PM BST

