

Human rights lawyer to review emergency police powers

John Scott QC has been commissioned by Chief Constable Iain Livingstone QPM to review Police Scotland's use of new emergency powers to respond to the coronavirus outbreak. The respected human rights lawyer will chair a group to provide independent scrutiny of how officers and staff are applying new legislation.

The Chief Constable said: "The vast majority of people are doing the right thing during this health emergency because they know it is the best way to protect the NHS and save lives.

"Community policing has a vital role to play as we all make the changes and sacrifices needed to curtail the spread of coronavirus. With the support and co-operation of our fellow citizens, we will continue to focus on explaining the legal instructions, encouraging compliance, and using enforcement only where necessary.



"Nevertheless, these are extraordinary powers, introduced quickly for a significant moment in our history and it is essential our use of them is thoroughly and independently scrutinised. I am grateful to Mr Scott for agreeing to provide his substantial experience and abilities, which can bring

significant value to our thinking and operational practice.”

John Scott QC said: “These are exceptional and difficult times. In response, the Scottish Government has introduced exceptional measures, including significant new powers for Police Scotland.

“Given the importance in Scotland of policing by consent, the Chief Constable recognises that the use of such exceptional powers should be the subject of full transparency.” I therefore welcome his invitation to chair a group to provide independent scrutiny of the exercise of those powers.

“I will engage closely with a range of key stakeholders to quickly set appropriate Terms of Reference for this work. I will also establish a Reference Group. This Review should contribute to maintaining public confidence in the work of Police Scotland. “

Mr Scott QC was commissioned after consultation with both the Cabinet Secretary for Justice Humza Yousaf and Interim Chair of the Scottish Police Authority (SPA) David Crichton. His group will report directly to the SPA.

Cabinet Secretary for Justice Humza Yousaf said: “This is a very welcome, forward-thinking decision by the Chief Constable to ensure that the use of these important emergency powers by Scotland’s police officers are subject to independent review by a highly-regarded expert in human rights. This will complement the statutory scrutiny that the independent HM

Chief Inspector of
Constabulary for Scotland and the Scottish Police Authority
are bringing to
this issue.

“Police Scotland is playing a critical role in responding to
public concerns and in ensuring social distancing in our
communities in order
to safeguard health, protect the NHS and save lives.

“I am very grateful for the commitment of Scotland’s police
officers and staff, through day and night, and the Chief
Constable’s very clear
approach to engaging, explaining and encouraging people to
observe social
distancing and, where necessary, enforcing the law using the
new powers
Parliament has given them.”

SPA Vice Chair David Crichton said: “Police Scotland’s
officers and staff are playing an essential role in keeping
the public informed
and safe during the COVID-19 emergency, putting themselves on
the frontline in
the battle against this virus in doing so. They are applying
unprecedented
powers at this time and the judgements they make will come
under growing
pressure as the period of restriction continues.

“Policing in Scotland has long maintained the principle
of policing by consent and the Authority has a responsibility
to provide both
support and oversight to protect that principle during this
time. We therefore
welcome the opportunity to do this in the public interest and
in partnership
with Police Scotland, John Scott QC and other stakeholders.”