

**POA SCOTLAND
ANNUAL CONFERENCE**

Peebles Hydro Hotel

Wednesday 30th October 2019

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: First of all, on behalf of the SNC, can I welcome all of the delegates and their guests to the new conference venue. We haven't changed towns but we've changed hotels and I hope with what you've seen so far, you're pleased with the new venue. Certainly from our point of view it delivers all the things that we were asking for from the hotel. There was nothing wrong with the Cardrona but I just think it was time for a change, a change of venue and I hope...certainly it's got off to a good start, in terms of the rooms and the way they've dealt with the facilities up to now, so hopefully that'll be the case for the next few days. Normally at this point what you would get is a chairman's address that takes up 20 minutes of your life you never back. Given the change to the schedule for this conference...I don't know if you're all aware of it or not but the panel debate that we scheduled to take place this afternoon, will now take place this morning. The Justice Secretary needs to be back in Parliament and in his seat at 2:00, so we're going to move the panel debate to half past eleven this morning and it has to be finished by ten to one at the latest. So, the downside to that is that some of you might not quite be prepared for that kicking off when you expected it to. The upside is that you won't have to listen to me doing a chairman's address for the next 20 minutes like you usually have to sit through every other year. What I don't want to do though is rush through it, to the point that we don't take the opportunity to give a very warm welcome to all of our guests who are with us this year. There's quite a few who are with us for the first time. We've got June and Ivor, who've come over from Northern Ireland to be with us. They're here, I'm not sure if they're in the room just now but they've arrived at the hotel and they are with us. We've tried to have Northern Ireland across at this conference several times in the past and Finlay Spratt, for various reasons, has just been unable to make it, so I'm delighted that they've been able to join with us this year. We've also got some of the guys and you'll all have met them already, from the Committee of the Cuff Report. You'll remember from the conference in May that there was a Committee set up to look at the Scottish structure...we've spoken about this already at

the comms meeting and all members of that Committee are here with us. Two of them are Scottish honorary life members, so you'll know Jim and Davy well enough. Allan Davis and Pete Hancox are the other two, who are part of the Committee. And James Connolly who's here, was Independent Chair, so all five of them are with us for the course of this week. And what I'm hoping to do, if we can get through conference business in enough time, is give an opportunity for that Committee to meet with yourselves later on tomorrow afternoon. I think, given the remit and the agenda that the Committee's got, what it is they've been asked to look at, it's really important that they get the opportunity to meet with you, have a conversation and you get the opportunity to express to them what it is about the structure and what we've got in place in Scotland because it's going to be a feature...it's going to be a feature of the report that goes back to Conference and then will be voted on by the POA membership. So I think it's really important that we make sure that Scotland's voice is heard in that conversation, prior to reaching Conference. Can I give a warm welcome to Amanda, who's here from the Scottish Police Federation. I believe your colleague Steve has had to call off, for reasons that I won't go into just now but can I just say we pass on our very best regards to him and our thoughts are with him at this time. I won't bother acknowledging what's happened here, it's not my place to do that but satisfied to say that it's a very compelling reason for Steve having to call off and our thoughts are with him. Again, a very warm welcome to our honorary life members, who are here every year, although this year I think we've got two who aren't able to join us: Bill Stevens and Margaret that aren't with us. Bill's had a minor operation, which I think is a straightforward one but this has clashed with the time of the conference. And John Renton's wife, Shirley, has also gone through an operation, so neither John nor Shirley have been able to join us either. I think John's coming in for the day but he won't be staying, so on behalf of Conference I'm sure we would pass on our very best regards to both of them and hope for speedy recovery. I don't intend to take much more of your time colleagues, except to say I think I need to touch on last year's conference. I think we all knew before we got to Conference last year on the back of the pop vote that came so close to Conference and it was such an overwhelming rejection and the mood of the membership was such that there was no doubt that was going to spill over into the Conference, in terms of the mood, the climate and how

we interacted with each other last year at Conference. And I think, as the Chair of that particular conference, I think it's fair to say I don't think we've ever had a conference in that time...in my time as Chair like we did last year but I entirely understand where it came from. I think 12 months further on, I think we've moved on, I think we've come back together as a trade union. I think we've moved off that agenda, onto other ones. We've got plenty on our agenda for you to tackle, there's lots going on inside our prisons that are genuine concerns to us and some of that I think will be reflected in the panel debate that we're about to go into. But I think as a trade union, I took the view as the Chairman last year, that we needed to take the opportunity to have that vented, say what we needed to say, get it off our chest and move on. I think we've done that. I also think in the course of doing that though, as a trade union we dropped the bar from a standard that we're used to. We conducted ourselves in a way that's not the norm for us as a trade union here in Scotland. We don't normally conduct ourselves in that way and while I absolutely understand it, I don't think we've got the reason or the justification to take it back to there this year. I hope and actually I'm fairly sure, simply from the feedback that I think all of us have had from you throughout the course of the year, nobody's come back here this year looking for a repeat of that and nobody's interested in taking it back to that place, so...I hope that what we get is a conference that takes it back...raises the bar back to the standard that we're used to, here in Scotland. And if we have the kind of interaction and dialogue that we would always have when we come to discuss the motions. It's absolutely right that we may have a difference of opinion on the motions, in terms of decisions we want to take and how we get there. We do that as a trade union; we're all on the same side and we're all fighting for the same thing. We might see a different route to how we get there and that'll come out through those debates. But I think in the 12 months since last year, that has moved on, the agenda's moved on and it's time for us now to deliver the agenda that's sitting in the pack in front of you today. I'm going to cut it short, colleagues, simply for the very reason we need to get the panel in and the table set up and we kick off at half past eleven sharp, simply because of how tight the timescale's going to be but can I just welcome you all again to Conference. I think we've all got a lovely venue and it's in a beautiful setting and actually the facilities in this hotel I think are going to suit us all down to the ground for the next few days. So, I hope you have a lovely time and I'm looking forward to spending the

time in your company for the next two to three days. Thank you very much.

<Applause>

COLIN MCKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER:

- Panel. And I don't really need to introduce them, do I? Does everybody know who the panel are?

Various

No!

<Laughter>

COLIN MCKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER:

No? In that case pay more attention to your agenda and watch STV News and we'll tell you who they are as we go along! I'm just not gonna waste any time 'cause we've only got about an hour because Humza has other things to get on with 'cause he's got a country to run and everything else. So I'm gonna start off with the questions, and the first one is on the retirement age and it comes from Shotts. Where are you? Already planned! On you go.

JOHN DICKSON – BRANCH CHAIR, SHOTTS: My question is in light of the well-identified challenges that prison officers face on a daily basis, will the panel support frontline prison staff in having the retirement age set at 60 and is it true that the Scottish government has the autonomy to reduce the retirement age but don't have either the desire or the finances?

COLIN MCKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER:

Well, that's a pretty straightforward question to you there, Humza, to begin with.

HUMZA YOUSAF MSP - CABINET SECRETARY FOR JUSTICE:

First of all, thank you for the opportunity to speak to you. I've been at Conference before, last year, when I was first appointed Cabinet Secretary for Justice, and it's a pleasure to be back. These things are always going to be robust, but they're an opportunity for me to hear directly from you and obviously answer your questions, which I'll do with all frankness and candour. So I'll go straight onto the answer to the question, but first and foremost, the changes to the pension age and the fact that prison officers were excluded from those civil service pension reforms were

UK government decisions that were made. We know that. We know that pensions are still reserved to the UK government, and the civil service pensions that were reformed but not including prison officers, so when other public sector workers were reduced in terms of their pension age prison officers were excluded from that, I think that's absolutely the wrong decision to have made. I've been in enough prisons, spoken to enough prison officers to know that demands on the job, particularly now with the variety of challenges from NPS to everything else, the physical demands that that puts on a prison officer, so I think it's the wrong decision. Your second part of your question about the Scottish government having autonomy – the Scottish government, and I'm frankly pretty sick and tired of doing this, the Scottish government can look to mitigate as many of the mistakes and cock-ups that UK government makes, but every time we do that it costs of us hundreds of millions, if not billions and in this case it would be hundreds of millions potentially, to fix a UK government mistake which is money we'd have to take out from the prisons, from justice, from education, from health and so on and so forth. So actually the root cause of this, and I've written to the UK government about this, would be to reduce the pension age to include prison officers within those reforms, and I know there's a legal case going on around some of that, that would be the root cause.

If you're asking me would the Scottish government then step in, if the UK government doesn't do that, well I've said to the POA I'll certainly speak to them about the modelling and the finances that are involved but I'm really sick and tired of having to find millions, tens, hundreds of millions of pounds to try to fix a problem that isn't created by us here in Scotland. We don't have the power here to fix, whereas the UK government could do it and should do it at source.

COLIN MCKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: But you could do something to mitigate it?

HUMZA YOUSAF MSP - CABINET SECRETARY FOR JUSTICE: No I couldn't, because I don't have hundreds of millions of pounds at the back end so far. I just don't have that. I'm being told to find savings, efficiencies, everybody knows the financial challenges they're under, but that also wouldn't be the right place to fix it. The right place to fix it would be where the decision was made and where the decision is controlled.

COLIN MCKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Colin McConnell, how much would it cost?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: I think Humza's absolutely right. Colleagues here know my position on this very well and I've written to the Cabinet Office on three occasions now to different Cabinet Secretaries, setting out my concerns about what I thought was an absolutely ludicrous, indefensible position for the UK government to take. To have prison officers work to 67/68 is frankly I think, in reasonable language, insensitive. In an operational sense it is a calculated risk and that risk is, for me, unacceptable. So my position is well set out. But as the Cabinet Secretary said, this is not something Scotland would have wanted or Scotland would have supported. Do we support the position? No, we don't. But we are where we are and the Cabinet Secretary's absolutely right that this will cost a sum of money which I doubt, in broad terms, the Scottish Exchequer could simply take on.

COLIN MCKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: What would it cost?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: I think we're actually looking at hundreds of millions.

COLIN MCKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: How many hundreds of millions?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: I can't give you a figure, but I'm happy to write to [5:14] about that. But colleagues, sitting in this room, there's no dodging this, that the amount of money it would take, and I would reiterate, the sum is eye watering. Even to start to eat into this in terms of reducing the pension, far less setting it at 60. But if Conference and indeed if the POA SNC wants to talk about how we might move towards that, then certainly [5:48] Service I would be happy to talk about that in terms of the budget, the resources, the [5:54], but I think again when we look south at some of the potential solutions that were worked on down there, quid pro quo, I think we could discuss that, but undoubtedly, and not just for the sake of agreeing, I think the Cabinet Secretary is absolutely right. This is a shameful mistake that was made in Westminster,

probably on the basis of cost, and we should look to Westminster significantly to sort it out.

COLIN MCKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Wendy, if I can come to you as Chief Inspector of Prisons, what's your advice to the Scottish Government but also beyond on this?

WENDY SINCLAIR-GIEBEN: It's not really for me to hand out advice, but nonetheless, as the Inspectorate, I'm very, very clear that the type of prisoner that we're now having to deal with is both more complex, more dangerous, more violent, more unpredictably violent, and the influence of psychoactive substances is frankly scary. For me, I think to ask someone over the age of 60 to continue to interfere or intervene with a violent and refractory prisoner is frankly shameful, I agree. And therefore there does need to be a working party that looks at how we can either influence Westminster or mitigate the effects, whatever Scottish government feels they need to do, but it does need to be set up and it does need to be looked at now.

COLIN MCKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: PHIL Fairlie, what do you make of what the rest of the panel are saying about this?

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: I think in terms of the answer to the first question, I think that argument's already been long won. I've yet to meet anybody now who continues to try and argue that the retirement age for prison officers is the right one. I think everybody recognises 60 is where it needs to go back to, in line with other uniformed services. I think the second part of the question is the bit that I'm much more interested in now, which is has the Scottish government got the ability to do something about it? And why haven't they? I think there was a deal that was offered to the POA down South that for the first time, opened the door and shone a light on the fact that there were avenues of opportunities for the employer and government to amend the retirement age for prison officers outside the recommendations from Lord Hutton. I can absolutely understand, from the Scottish government's point of view, the frustration in terms of fixing or mitigating policies that come from Westminster, but somewhere down the line you have to decide what the priorities are and, for me, for the life of me I cannot understand why the retirement age for prison officers is not a priority for the Scottish government. I think there's a complacency, waiting to see what happens with the court case down south, and

again I understand why that would be the case, because Westminster will pick up the tab for that, so I can understand why Scottish government are waiting and hedging their bets on it. But in absence of that, we've got prison officers and the cost is enormous in cash terms. The bit that everybody's ignoring is the human cost, because the reality is we've got the numbers of staff who leave this organisation through either capability or medical retirement has grown enormously just in the last 12 months. That number's going to grow every single year from here on in, simply because of the age profile and the retirement age that our staff have got. So the human cost is people giving 30- or 40-years' service to the Prison Service and leaving through the indignity of capability or medical retirement. They should be allowed to leave after that level of public service in that environment, with their heads held high and a pat on the back and a thank you from the service. Being pushed out under capability or medical retirement is completely unacceptable and Scottish government need to look at where their priorities lie when they come to measure the cost of this.

COLIN MCKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Humza, are you just putting this off?

HUMZA YOUSAF MSP - CABINET SECRETARY FOR JUSTICE: Where the priorities lie are getting that 50% pay increase to prison officers. That's not a small thing. That's the largest pay increase that we managed to negotiate, of course with the POA, SNC, across the public sector, far more than teachers, police officers, police staff, anybody else in the public sector hasn't had a pay deal the likes of what we've managed, SPS and POA have managed to negotiate. So when you talk about priorities, sure, that is where our priorities are, but let's also be realistic. There is not hundreds of millions of pounds sitting somewhere in the back of a sofa to mitigate a problem that was created by Westminster. So we have a legal challenge.

COLIN MCKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: So are you waiting to see what happens down south then, as PHIL says?

HUMZA YOUSAF MSP - CABINET SECRETARY FOR JUSTICE: Yes! We should absolutely see what happens with that legal challenge because I'm in agreement with what all the other three are saying. I don't agree with the fact that prison officers are having to work till

they're 68 in that role, and yes, where we can mitigate it, I'll be open to that conversation, but if there is a route, which there seems to be, in the courts, and I don't prejudge what happens in the court, but if the legal challenge goes in favour in the way that I think everybody in this room wants it to go, then it's going to be ultimately Westminster that has to pick up the tab for what is a decision that they have made, as opposed to the Scottish taxpayer, including those in this room, having to pick up the tab, which means that we wouldn't be able to invest in the most historic pay deal that we've seen for prison officers full stop, [11:05] investing in other public services.

COLIN MCKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: I'll come back to John very briefly but we're going to have to move on because we are going to run out of time.

JOHN DICKSON – BRANCH CHAIR, SHOTTS: Sorry Humza, I totally disagree. We've got letters in our office from Westminster government saying it's a devolved issue and you have the power to change it.

HUMZA YOUSAF MSP - CABINET SECRETARY FOR JUSTICE: That's wrong, totally wrong. I mean utterly wrong. I mean there's just no getting away from it. I'd love to see those letters. I hope you'll send them on to me, because they are absolutely incorrect. When it comes to the civil service pension, that is the responsibility of the Westminster government, no ifs, no buts, no maybes, so forward the letters on.

COLIN MCKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Will you send them on?

JOHN DICKSON – BRANCH CHAIR, SHOTTS: Yes.

COLIN MCKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Perfect. Right, well we'll move on. Question two comes from Polmont.

EDDIE CRUSE – BRANCH SECRETARY, POLMONT: The prison population is continuously increasing and the estate appears to be at bursting point. Apart from the Sheriff sentencing people to custody, there is a significant drop in HDC use and the open estate is underutilised. Why is there is the SPS so risk averse?

COLIN MCKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Colin McConnell?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Well the SPS being risk averse is I think a subjective issue. We're expected to take decisions in respect of those who are in our care on the basis of public protection. You'll be aware, just as acutely as I am, that some events that have happened in the last couple of years have raised the profile of the decisions that we make or that we're involved in, and that the people who are otherwise sent to prison and who leave our care, either on a licence to come back or indeed the HDC, and where something and dramatic has happened, then the focus comes back on us, and of course on the Scottish government. At the end of the day, we are accountable to parliament on behalf of the Scottish people, so to address the issues that you've raised directly re HDC and in this case the unused spaces at the open estate, I'll answer that in reverse. The traffic, if you like, through to the open estate is fed by closed estate, so your colleagues and mine sit down, use their experience, use the guidance that they have through the RMTs, to make appropriate decisions about the type of people and the risk profile who can move into open conditions. That's related to, and you may well come onto it later on, the nature of the people that we're looking after. And the evidence is clear: the nature of the people that we're looking after, they are more risky, generally speaking they're in our care for more serious offences, and they're spending more time in our care as a consequence, so the sort of corollary of that is that the risk profile has changed, so fewer people of lower risk are in our care, and that's why there are so many spaces unused at the open estate. On HDC, it's the same sort of issues that we're challenged with. So at one point in the past we had in excess of 300 people on the HDC. Today we have 38. So something has changed to cause that, and what changed to cause that was a horrendous murder in the public space by someone who had initially been on HDC and when he [14:49] he cut off his tag, essentially. And, understandably, Parliament got really concerned on behalf of the public, so there were revised procedures

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Which were put in place, which your and my colleagues operate and that has over time reduced the number of people in HDC. We know what the consequences of that are. We get more people day-to-day in our prisons, that give us the back pressure –

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: So how do you get round that then? 'Cause we're talking about the Craig McClelland

case, how do you get round that? Because if you've gone from 300 to 38, which is what you told the Committee the other week as well, how do you get round that? 'Cause that's what you have to be looking at surely?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: I would actually challenge that language. Getting round issues of public safety and security –

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: No, I'm not saying how do you get round that, I say how do you get round the problems that are causing that?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: This isn't about getting round things. This is about calmly reflecting on the needs of our service but also the need to get people through process and it gets them into the community in a way that does two things. Firstly, helps to protect the community against things going wrong but secondly, gets people into the community in a way that there are appropriate services available to them, that helps them to reintegrate and not come back into our care. And that first bit, about public safety and them not reoffending, is just as important as the not getting back into our care. So you'll excuse me being a bit sensitive to the language that's probably not meant in that way but there is no getting round the fact that the public space and Parliament are far more sensitive to what's happening in our world, in our prisons and the decisions that we make, than probably they have been for many, many years. And this isn't about getting round something, it's about using our intellect and our experience to behave appropriately and put new measures in place that we would hope in future would have more people going back into the community but more safely.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Semantically that's the same thing. When are you going to come up with that?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Well I don't think it is the same thing.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Well anyway, let's not argue about the semantics but tell me when you're going to come up with it.

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: So, as colleagues in the room will know, we've been working since the summer on trying to bring back and put in place new guidance to fill that criteria. The getting people out but making those decisions safe and making sure that when people go out they don't commit offences and they stay out and don't come back. So the Prison Service is currently, with the Scottish Government and the Risk Management Authority, working through those new procedures and new guidance. We have a tabletop exercise at the college this week where those...that new guidance is being tested out with real live cases, to see what difference it will make but also - and this is really important - to make sure that your colleagues and mine are appropriately sensitised and confident and trained to apply those procedures appropriately. So, this can never be just simply introducing something new for the sake of it, to get numbers up, it's got to be done calmly, safely and appropriately.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Justice Secretary.

HUMZA YOUSAF – CABINET SECRETARY FOR JUSTICE, SCOTTISH PARLIAMENT: So, there's not much to add but I want to just make a couple of really key points. One is, we have to be really frank with public and with Parliament - and I've said this on a number of occasions to the Committee - that with all the best will in the world and all the best checks and balances in the world and all of the processes being tightened up as best as we possibly can, it's still impossible to eliminate the risk of harm to zero. Right? We're dealing with people with complex vulnerabilities, with violent offending potentially in their backgrounds and we're relying on of course, not just the prison officers and the Scottish Prison Service but indeed the judgement of independent Parole Board at times etc. etc. It's not HDC related but related to release, so...in terms of generally when we talk about prisoners and the checks and balances and controls upon their release, in any way, shape or form, we have to be very truthful and to... 'We'll do our best but you cannot eliminate the risk to zero.' Second thing is, the HDC revised guidance is the answer to your question. Now, there's still conversations taking place with staff and those involved in the prisons to ensure that everybody's comfortable with that revision of that guidance but I've been pretty clear that my own view on this is, while learning the lessons of the Craig McClelland case...and there's not a single person in this room that doesn't

have sympathy with that family, I suspect. That as a Parliament and as a Government, reflecting very carefully on this, I think we have to be extremely cognisant and aware of the fact that if we take decisions based on one case, then often we might not be able to work through some of the unintended consequences of that. And for me and HDC...I've said this publicly before in the Committee, that the pendulum has swung too far. So we've gone from 300 to about ... I saw it as low as 36 actually a couple of days ago. So the pendulum for me has swung too far. So we want the pendulum to swing back. It doesn't have to be at 300 and we don't have to pick at arbitrary numbers but clearly it's gone too far and that risk aversion...I think you described it as terror error almost in your evidence to Committee, which I thought was the right phrase to use. So, the revised guidance will play a part but ultimately Government and Parliament both have a role to play –

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: I think they want to know when.

HUMZA YOUSAF – CABINET SECRETARY FOR JUSTICE, SCOTTISH PARLIAMENT: Well, again, Colin...I'd leave that to Colin operationally –

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Well, briefly, Colin McConnell then, when can we expect to see Home Detention Curfew return? In any kind of more meaningful way than just 36.

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: HDC is still with us and as I say 38 people out on HDC today. So the new guidance is being brought through, it's more complicated than the guidance that we currently have in terms of the processes and how decisions are reached. The target is that we will have that in a sense through the operational sieve and testing and agreed, probably by about Christmas.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Go on.

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: And we are looking then, with a fair wind, to have the new procedures up and running in the new year.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Coming back to you just now.

EDDIE CRUSE – POLMONT SECRETARY: There does appear to be some evidence, day-to-day, when we're speaking to staff and staff are coming to us and telling us that there are risk assessment processes in place and they're doing some really, really good work and they're doing the best that they can to conduct these risk assessments on individuals. Now, if you're doing that work and we're doing it with the information that we have and in the best manner we can, diligently, then what we're continually being told is that governors are overruling that, managers are sometimes overruling those decisions making and that does appear on the ground that we are becoming risk-averse and that can only come from one source Colin, all due respect. And we know that there may be revised guidance out there but this is something that is affecting the numbers in our prisons on a day-to-day basis. When you look at the 300 to the 38, 36, it does appear to be on the ground we're risk-averse.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: I'll come to you first Chief Inspector, then to Phil and then I'll give you a final word on this one Colin, before we move on.

WENDY SINCLAIR-GIEBEN – HM Chief Inspector of Prisons: Well, first and foremost, I think HDC is almost exclusively my fault. So I was asked to do an HDC review, made some recommendations out of that. My recommendations weren't as strict, if you like, as the Chief Inspector of Constabulary and I think what happened is fairly typical to what happens, which is, everybody goes into a kind of bit of blind panic and we slightly overreact and the pendulum swings one way. And we're now in the calm, reflective period and we're saying, 'Was HDC effective?' 'Yes it was.' 'Should it be encouraged again?' 'Yes it should.' But when we do it, let's take it calmly, productively and make sure we really look at the impact assessment so that we don't swing the other way. And I'm all for that, so I'll look forward to seeing the revised guidance. What intrigued me, is the fact that HDC is just one thing. Actually our prisons are overcrowded by far more than the kind of 300 HDC people. We've actually got nearer 700 plus. And so even if we reverse the decision of HDC and come back to the previous numbers, we still haven't overcome the overcrowding. Even if we were to fill the Open Estate, we still haven't overcome the

overcrowding issue and you can see, every inspection I see, every prison I visit, the impact of overcrowding.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: We're going to come onto that in a moment so I'm going to stop you there and let Phil answer.

WENDY SINCLAIR-GIEBEN - HM Chief Inspector of Prisons: Sure, sure. But in terms of risk aversion, I think risk aversion is the appropriate reaction when something really awful and tragic happens. I actually think you do need to be risk-averse for a period of time, until you've tested the parameters, so I actually applaud the decision to be risk-averse at the moment.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Phil.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Well, I think I'd agree with what Wendy's just said, I do think we are ultra-cautious sometimes. I can say immediately I understand why because there'll probably be, I imagine, a question that's going to come up that will very directly relate to our membership in terms of how the media and press respond to any of these things. It only takes a single incident for an absolute explosion –

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: I'm just going to point out that they haven't seen the questions, by the way. I didn't even let Phil see them beforehand, so he's just guessing what's coming up. But carry on. With your guesswork.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: If this question doesn't come up, something's gone badly wrong, I have to say.

<Laughter>

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: But the hysterical reaction you get from opposition politicians in the media to any of those things, are directly felt by the organisation, by the Government and by our own members. And there is a case that, very recently, touches on that very, very close to home for at least one of our branches. But I think we are risk-averse; I understand why we are but I think if we just continue to talk about HDC and the Open Estate as being the problem, we're missing the point. Overcrowding - and I think you're saying we're going to

touch on that, Colin, in another question - overcrowding is the issue here and it's not HDC or the Open Estate that's the solution to that. It's stop sending the wrong numbers and the wrong type of people inside our prisons and asking us to manage that and asking us to manage that with not enough staff and resource to deal with it. But the HDC and Open Estate can help take some of the pressure off existing numbers in some of the establishments but that is a short-term fix until courts continue to keep sending and overfilling our prisons. The bigger issue's the overcrowding.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Briefly Colin.

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Yeah, again, I agree with all of that, particularly Wendy's observation that when things are apparently the subject of much criticism, whether it's in the press or in Parliament...and I had a tough time, as people know who are nerdy enough to read Hansard, I had a tough time at the Justice Committee in the immediate aftermath of that incident. So, there is an importance for the organisation a bit to hunker down, if you like, bunker down, be really, really careful what we do. And particularly to respond to Eddie and colleagues at Polmont, whilst you rightly say at the end of the day the CEO is responsible for the service and everything that happens - certainly all the bad things I'm responsible for - part of that being responsible is to try and protect the people that you represent and the last thing I want is for your colleagues, who are my colleagues too, to be up on the front pages of the press being accused of taking decisions that put the public at risk. Now, no matter what we think in terms of our judgement, others will judge us and promote that to the public space and I think we want to evidence as we move forward that we've really considered what we're doing carefully, that those who are put in the position, the very public and exposed position, of taking those decisions, of being appropriately trained, appropriately supported and supervised accordingly as those decisions work through, through the system.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: OK. I'm going to stick with overcrowding. Question three comes from Edinburgh. Where are you? In the middle.

JOHN GRIEVE – SECRETARY, EDINBURGH: Good morning panel. Question three is: The impact of overcrowding on staff who often have to work in intolerable conditions, including increased levels of violence, is well recognised in the high sick absence rates we are currently experiencing. What measures would the panel take to support these staff?

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Chief Inspector.

WENDY SINCLAIR-GIEBEN - HM Chief Inspector of Prisons: Oh blimey. I think in terms of supporting the staff, the most important thing we can do is actually, in terms of the Inspectorate, because it's not my job to support you, that's Colin's but my job is to raise the profile of what I would call the nine evils of overcrowding. So, overcrowding has a huge impact on prisoners as well as staff, it's visible and my job is to make sure that Hamza's aware of that, to make sure the public are aware of that and to ask the Scottish Prison Service and Scottish Government, what are they going to do about it in the short-term, medium-term and longer-term. And that's my job and that's actually what I do do and those of you who know me and have spoken to me, you know that that's what I do.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Just to the Justice Secretary then. You are aware of this aren't you?

HUMZA YOUSAF – CABINET SECRETARY FOR JUSTICE, SCOTTISH PARLIAMENT: Yes, only ever so slightly.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: <Laughs>

HUMZA YOUSAF – CABINET SECRETARY FOR JUSTICE, SCOTTISH PARLIAMENT: I mean, no it is, I mean genuinely - that's a flippant remark - but genuinely, the overcrowding in our prisons is my number one risk in my risk register. Is the number one priority that I have as Justice Secretary, without a shadow of a doubt and again, I've said that very openly. For a few reasons. One for the very important reason that you mention, the impact that it's having on staff and on those in our care as well, there's no doubt is there? There's an effect on them too and that means there's an effect wider on society because although those individuals may not be getting as much time as we'd like to have them in terms of the rehabilitation and so on and so forth, so the

chances of them potentially reoffending might be higher. So there's a whole impact on the prison officers.

HUMZA YOUSAF – CABINET SECRETARY FOR JUSTICE, SCOTTISH PARLIAMENT: To those in our care, plus...plus wider society. But also because...and I'm quite proud to be part of a Government that has a very progressive agenda but frankly, the prison numbers being as high as they are, the highest in Western Europe per head, is a stain on our country and our collective consciousness. So, in terms of answering your question directly, what can we do to support staff? Well, there's a few things. One is giving staff, prison officers in particular, the recognition that they deserve for what is an exceptionally difficult job. And I just want to say something about Colin. Colin and I meet on a regular basis; conversations can be quite robust between us but we meet on a regular basis and there's not been one single meeting where Colin hasn't raised with me the exceptional quality of the staff but particularly prison officers, right across the prison estate. So one is the recognition and maybe I need to maybe reflect a little bit more a bit publicly what more can we do about that. I don't miss an opportunity, in fact Justice Committee, last time I was there, I mentioned the good work prison officers do but maybe there's something more we could do around that. And I don't control the media. Colin does actually, so speak to him about it. You know, I don't control the media around this but there's maybe things we can do with the media, highlighting some of the good work that is done. Last Christmas there was a good piece on STV actually about Polmont Prison and the good work around the peer mentoring schemes in Polmont Prison. So there's things that maybe we can do around that. The other thing about recognition, supporting staff, is recognising the roles, the pay rise. You're not surprised I'm going to keep talking about it but that 15 per cent pay rise is a recognition of the hard work that you do, that historic pay deal. The other thing we can do to support you, is reduce the prison population and if we reduce the prison population it reduces some of the pressures that you're under. There's no short-term fix to that. HDC will be a part of that. The presumption against short sentences will be a part of that. Investing more in community sentences will be a part of that. But the programme for Government that the First Minister announced in September, talked about setting up a body that will potentially look at the long-term vision for prisons, with an aim of producing that prison population. Because in countries that have done that

before, Finland, the Netherlands, Norway, they've reduced the prison population, it's taken them years and years to do that so we have to take that a long look. And I suppose the last thing I'd say, conscious of time, the other way we can support staff is reduce the harm because it will take time for the prison population to reduce so what do we do in the interim to reduce the harm that is faced by prison officers? So, for example, Colin and I are in discussion about the harm that's caused by New Psychoactive Substances, by NPS, coming into our prisons. Difficult to detect but the harm that that can cause when somebody has four times the strength that they normally have and then prison officers having to deal with an incident related to that, is huge. So, things like investing in, be it the rapid scan machines, be it in other pieces of tech and technology, I'll be open-minded - and the spending review's coming up - to see what more we can do to invest within our prisons to help reduce some of the harm prison that officers face.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Does anybody else want to come in on this before I go round the rest of the panel? I mean, we keep hearing of Barlinnie's what, 50 per cent over capacity? Do you want to come in just now? Don't ask your next question 'cause I'm coming to you with the next question but if you want to come in on this one.

UNKNOWN SPEAKER : Sure. Well, it's a fact that we're the best part of 50 per cent overcrowded and we'll be 20 to 30 per cent overcrowded for the beginning of the year and it just keeps rising. But the impact on staff and the impact on indeed prisoners, you can feel the tension. Staff are reporting more and more about tensions so something's got to be done about reducing the numbers.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Anybody else? Anybody want to come in? It's your conference, they're just the panel. Right, well, in that case I'll come to you Colin. The tension's rising. You were asked at the Committee just the other week if it was a powder keg situation and you said it wasn't.

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: No and I stand by that here in front of...in front of the jury, in a sense but there's a good reason why I gave that answer and it's because of the colleagues that people here represent. We just heard

from Barlinnie our...if you like, it's the accordion of the Service, it sort of expands out and in as we need it to. Again, I think it's a bit of a shocker that your Barlinnie does run at near 50 per cent overcrowding but when you look back in history there are very few occasions...if we just take Barlinnie as an example, there are very few occasions when Barlinnie has actually operated at or near its capacity. It's something of a, I think, an enviable or unenviable reputation of being able to cope and manage in very, very difficult, stressful circumstances. My observation and as I say, I'm in year eight now of being CEO here, my observation is this is an extraordinarily stable, capable and resilient service. Why? It's because of the people that we are here representing at Conference and you could say, 'Oh Colin would say that wouldn't he?' Well actually, yes, I would say that wouldn't I? Because I consistently and persistently say that, whether it's here, to the press, in my messages to the Service or for that matter –

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: But on that basis, you must be worried about the increasing stress that they're under and the increasing levels of violence that they're facing?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: It's a day-on-day concern but listen, again, let's just take a pause and put that in perspective. Why is it...I would push the question back, why is it in a service that is actually more overcrowded than England and Wales is...and that's quite a stunning statistic. It's more overcrowded than England and Wales is. Why is it that our prisons are comparatively very stable? Why is it that our prisons are comparatively less violent? Why is it our prisons comparatively actually perform better in terms of regime, output and delivery? It's not...I'd like you to think it's because of some of the very clever people that are running the service but actually it's more about the confidence and the experience and the skills of the people that are on the ground. So, in terms of violence there has been an absolutely eye-watering increase in the levels of low-level violence, prisoner on prisoner. That's gone up about 40 per cent. We should be and are really concerned about that. Similarly, low levels of violence against our staff have increased. But I just want to pause on that because there's a really important insight for us here to be aware of and make sure we understand. A significant proportion of that low-level violence is a result of the bravery of the people that are represented here. And when you look

at actually the paperwork, the statistics, that lies behind that it's not so much attacks on our staff, it's because our staff are stepping in to protect others at the frontline. They're breaking up fights, they're going in to resolve disturbances. They are essentially stepping in where angels fear to tread and that's where a lot of the injuries to our staff –

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: But what about John's question, which is what would the panel do to support the staff in these circumstances? Now, they all know this so what are you going to do to support them? What else can you do to support them?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Yeah and again I think that's really about resilience of the Service. We're working with the Scottish Government, as colleagues here will know, looking for, essentially, the silver bullet and the silver bullet is to take the pressure out of the system. We have to find the way to get the overcrowding resolved. There is countless initiatives being pursued by Justice Policy colleagues on behalf of the Government. Really radical initiatives to work towards getting the prison population down. We could do lots of fixes, lots of sticking plasters could be put on but the fact is we will not get a relief of the pressure that prison officers are under day-to-day until we reduce the 8300 to 8000, to 7700 and so on and so forth. We have to keep in mind –

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: What level does it have to get to to relieve that pressure?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: You've just anticipated my answer there.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Well go on then. That's my job.

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: <Laughs> We're a service that is geared up for 7669. If you like, that's the magic number. 7669 is what we are fully resourced to manage. We are way, way beyond that and have been for some time. So the target is to get the population down towards that sort of level so the pressures come off staff and the pressures come off the people that we're looking after. Which is just what the Chief

Inspector said, so that we can actually get back to delivering –

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: So on that basis you're running a prison under capacity almost? You need a new prison don't you?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Well, that's been –

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Or you need to get rid of some of the prisoners.

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Well, that's been put in the public space. We are about a medium to large sized prison either short or over the top. My personal view is the last thing Scotland should be aiming for is to build more prison spaces. Build them and they'll come. I think the challenge to Parliament and to public attitude is to find different ways to cope with people who are offending, particularly at the lower end, where social nuisance value is concerned, to find a different way to deal with that. And actually use the skills and resources of the Scottish Prison Service more appropriately to deal with the serious, long-term offend, where people need one-to-one support to turn their lives around, to go back into community and not reoffend.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Phil, I'm not going to come to you on this one 'cause I'll come to you first on the next one, which is from Barlinnie. Question number four from Barlinnie?

UNKNOWN SPEAKER. BARLINNIE : The recent Audit Scotland report shows that the ex-gratia budget has grown from 2.1 million pound to 4.2 million pound in the course of only three years. Potentially this could be seen to be contributing to staff burnout and increased levels of staff absence, sick absence. How does the panel think the current staffing shortages throughout the prison estate should be resolved?

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Phil, you can just address both the last question and this one.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Well, actually I think the two of them are linked. The

numbers, the growth in the numbers for the ex-gratia are the evidence of the money that's been spent by the SPS in bringing staff in over and above their contracted hours to deliver the service that Colin just described. And the stable Service that we've got is...or is attributed to our members who are coming in and doing their bit over and above the call of duty, every single day. Keeping the place ticking over. But the numbers in terms of growth for the ex-gratia are matched by the numbers of growth of the people that are off on long-term absence from the organisation. So if that was just a very short-term fix, then fine; it would be a way of getting over a hump. It's not. It's the direction of travel we're going to go in and unless we stop and arrest that growth, the long-term impact on the staff group is one that we need to get rid of. A very long time ever to recover from, if we do at all. The increase in the ex-gratia rate is a whole story in behind that that just hasn't been told. It's getting us by but it is absolutely not the solution. The solution is either...and I have to say the POA position is not, as a first preference, to build another prison. We are not proud of the fact that we have the biggest number of people in prisons in the whole of Western Europe. That's not something that we would ever celebrate as a trade union. What we need to do is get the numbers down and I don't just mean by taking down the numbers to the right level, I mean taking out the right people from our prison system. Getting it down to 7,500 is fine but if we haven't taken out those with real significant, complex mental health issues that are causing incredible difficulty in day-to-day management inside the prison...the growth in the violence and the growth in the sick absence for our staff isn't just to do with numbers. It is an incredibly challenging, volatile environment that is heavily impacted by the use of psychoactive substances but we're dealing with enormous numbers of the prisoner population who have got complex mental health issues that we are simply not trained and equipped to deal with appropriately. Now, either we bring that expertise into the organisation to help us manage that or we take the prisoner group that shouldn't be inside prisons in the first place, out and allow us to do what we need to do with the rest of the population.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: OK. Colin McConnell, do you need to bring more expertise into the system then? Do you need more prison officers to deal with the increased capacity that you're having to deal with?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Well, yes and no but let me explain that. Yes we do and that's why taking Barlinnie's point, that's why ex-gratia has exploded in the way that it has but there's a rationale behind that. If I could just sort of build on a point Phil made, just to clarify it. The explosion in ex-gratia is not solely as a consequence of sickness absence, although it's a significant chunk of it. There's a direct relationship between the amount of ex-gratia we're paying and the two factors that are driving it. One is sickness absence and secondly the fact that we are looking after about 700 people more than we are actually set up to look after in the first place. So those are the two key elements. But the challenge to us is this and it's as much a challenge to us as it is to Humza and the Government and Parliament, is do we reconcile ourselves to imagine a future for our Service that consistently and continually looks after 8300, maybe more, people in an already compressed, busy, overpopulated space? And if we then recruit on that basis then it seems to me, we are ossifying that position forever.

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: I actually don't think that's a bright future for the Service and I am hoping that that is a temporary position, hence we don't commit to full, long-term recruitment at this stage.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: But if you had more staff wouldn't that ease some of the pressure on them? Ease some of the burden and stop them having to take sick leave? Stop you having to basically pay 4.2 million in overtime?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: OK. And of course that's a simple question that requires a reasonably complex answer.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: If you could keep it reasonably tight though?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Of course. So the issue for us is that it takes, as we know, anywhere between 9 and 12 months to recruit a prison officer. Then we have the challenge, appropriately, to train that prison officer. So we're actually looking at least to about two years before we've got someone properly trained and

qualified to deploy on the ground. But these are rough figures and you could compress or stretch that depending on which point you wanted to make. But the fact remains that we've found ourselves, not of our making, in this situation and there are no quick fixes. In fact, quick fixes, I think, could undo the stability and the resilience that we rely on. So, if we could just finish. So, the ex-gratia stuff I think is a real concern for us. I agree 100 per cent with the point that our colleagues at Barlinnie are making but the fact that we have so many staff working so many additional hours, brings the real danger that for some of them burnout will occur. And we've gotta be really, really cautious and careful with that. But we should hold onto the prospect that this is not going to be a long-term situation. I rely absolutely on the Government and Justice colleagues bringing forward and implementing solutions that in themselves will reduce the prison population substantially in the months and years ahead.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: So if you come back to this conference in two years' time where you could have recruited more and trained more prison officers and the prison numbers are still the same, you're going to regret that then, aren't you?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: I'll get a few pelters I'm sure but I can assure you that will not...and I'll put my word on it that will not be the case. That is not the future that either the Government or ourselves imagine and it is not the future that we are setting about creating.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: But if nothing's changing then it is the future, isn't it?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: It is changing.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Is it?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Yeah.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: So how soon will we see that?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: I'm sure the Cabinet Secretary will want to –

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Well, let's just see. Cabinet Secretary, how soon will we see that change?

HUMZA YOUSAF – CABINET SECRETARY FOR JUSTICE, SCOTTISH PARLIAMENT: Well, I think the point about HDC...so take presumption against short sentences for a second, we expect to see by the turn of the year some reductions in the prison population. Now, it won't be hugely significant. The forecast of presumption against short sentences, it'll probably take about 200 to maybe 300 out of the system but 200 probably a more realistic number by the turn of the year, presumption against short sentences. It'll take a bit of time for the churn to get through. Add in the HDC revised guidance and that will take time and Colin's kind of laid out a timetable roughly for that, so we're talking about going into tail-end of winter. 2020, potentially spring, that we'll see, I would hope, a manageable...well, it's managing at the moment but a reduction of prison population and that would take it below I would hope the 8,000-mark, which is important. That'd be the hope. Now, what's not in my control and this is something that will be spoken about and is perhaps a bit of the elephant in the room, Now, while my colleagues on my left are all right to talk about keeping people out of prison that shouldn't be in prison, they're right. The people with mental health issues. Perhaps...we certainly actually need to do more on the preventative etc. etc. I'm not dismissing any of that. But the one thing that's not being talked about is the profile of those that are coming in front of our courts and the type of offending and the nature of offending that's coming through to our courts. Predominantly I'm talking about sexual offending. So we know that there's been a growth for the last eight years in sexual offences coming to our courts. Partly a good thing because it shows that there's a confidence to report. Some of that is historic...in fact a fair whack of that is historic. Unfortunately some of that is young person on young person, often through digital devices but also contact cases. And some of that is, as I say, because people are more confident. Now, generally speaking, a fair proportion of those sexual offences are going to have attached to them a custodial sentence and therefore the one element that nobody in this room controls and neither should they ever control, is the judiciary. And bringing them on board is

going to be a key part of trying to find a solution to some of this.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: But you reckon that you can get the prison population down to below 8000 by spring?

HUMZA YOUSAF – CABINET SECRETARY FOR JUSTICE, SCOTTISH PARLIAMENT: That's my hope.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: And do you hope that the man sitting next to you can deliver that?

HUMZA YOUSAF – CABINET SECRETARY FOR JUSTICE, SCOTTISH PARLIAMENT: Oh, I've got full confidence in Colin.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Can you deliver that?

HUMZA YOUSAF – CABINET SECRETARY FOR JUSTICE, SCOTTISH PARLIAMENT: It's not just for Colin to deliver, of course, it is all of us.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: No but he's gotta...Colin...put things in place to make it deliver. Can you do that?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Sorry, can you maybe remind me what the question is?

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: He's going to reduce the prison population below 8000 by spring. Can you deliver that?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Oh yeah, I think that's entirely possible.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Yeah? Do you think that's plausible and is that a good step forward? Is that quick enough progress for you? No, I'm asking the Chief Inspector.

WENDY SINCLAIR-GIEBEN – HM CHIEF INSPECTOR OF PRISONS: It's not quick enough progress for me unfortunately but I think we're in a cleft stick, that we are absolutely stuck with a very high population, with a very high level of sickness absence and with a prison population that is extremely complex, vulnerable and

demanding. And I would love to see that fixed by yesterday but I don't think that's humanly possible –

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: No, we missed that deadline.

WENDY SINCLAIR-GIEBEN – HM CHIEF INSPECTOR OF PRISONS: They're working hard on it.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Phil Fairlie, briefly.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Well, just briefly, I take Wendy's point that if we get it by spring I'll be delighted. And I've been in the Service for 30 years and in all that 30 years we shut a whole number of prisons back in the '90s because the prison population was going to drop dramatically but it didn't, it's gone in the opposite direction. So if we get that kind of progress by spring I'll be delighted.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: OK. Move onto the next question, which comes from Edinburgh. Was going to be question number eight, it's now question number five. Where are you? Over there.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Question for the panel is, the matter of any death is a tragedy, particularly when this is in the circumstances of a prison. In respect of recent high-profile incidents, does the panel agree that prison officers have been unjustly demonised by the media? Also, given statements as those such made by the Cabinet Secretary: 'It can't happen in the future and it won't under my watch' and "'There is those who not only crossed the line but as the Sheriff says, 'There is dishonesty.'" Are those staff being properly supported by those on the panel?

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Cabinet Secretary.

HUMZA YOUSAF – CABINET SECRETARY FOR JUSTICE, SCOTTISH PARLIAMENT: Now, let me be very, very frank about this. Nobody in this room, as far as I'm aware but feel free to challenge me, has been on the front page of the Sunday Mail for a number of weeks, getting pelters from people saying that actually he's gone too far in defending the Prison Service. And on the other side of it of course, I'm hearing the Conference saying, 'You're not going far enough.' So I suspect I'm

probably somewhere in the middle and that's actually my job. My job is not to, when you have a Sheriff determination...and you can make an argument about the Sheriff, the process, whatever you want. But whether we like it or not we have a Sheriff determination that is frankly the most robust, 109 pages, 129 pages, that I ended up reading back-to-front, that I've ever seen in terms of an FAI determination. Now, when that comes to me as the Cabinet Secretary for Justice, yes I will defend of course the prison officers and the work that they do, the challenge and the pressure that they're under where it's appropriate and that is why some people took exception to the letter that I sent to the Justice Committee when I highlighted some of those pressures. But equally, please do not expect me to just simply turn a blind eye to where there may be things that have to be changed. And be they failings in the system, be they processes that need change, be they transparency that needs to be shone on those processes or, yes, calling out behaviour that I find unacceptable. So when I watched the CCTV footage, the 90 minutes of the CCTV footage and saw a prison officer put his feet on a man on the ground that was being restrained by a number of others, I don't find that acceptable. And if you think I'm going to be here and say, 'No, no, actually I've gotta go out and defend that kind of behaviour,' no that's not my job as the Cabinet Secretary for Justice. My job is...and Colin's job, is to lead a values-based organisation and where those values are not being lived up to, are not being adhered to, make no mistake about it and I'll certainly make no apology about it, I will not only call those out but I will, frankly, make sure that the systems that we have in place, the governance that we have in place, the processes that we have in place, are as transparent as possible to make sure those can't happen again. So there is a balance, of course there is a balance and I've taken pelters, trust me, probably more pelters than most people in this room have taken, very publicly, because I've defended the difficult job prison officers do. But please do not...do not take that to mean that I will be simply turning a blind eye or complacent to the challenges. We must learn from tragedies that happen and it would be wrong of us as a Government but certainly wrong for the SPS as a Service to not learn any lessons from tragedies that happen. When a tragedy like somebody dying in our care, like Allan Marshall did.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Phil Fairlie, do your members feel supported?

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: No, they don't and I think Allan –

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Just on this basis or elsewhere as well?

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Well, I think on this particular issue, I think, the Allan Marshall case is just one of a series of cases where every single time we have something that happens like this inside a prison there's a feeding frenzy that takes place in and around the media. Opposition politicians are immediately jumping in and that and helping to fan the flames for all of that. I absolutely understand where from the Justice Secretary's point of view and from Colin McConnell's point of view, we've got a Fatal Accident Inquiry on this occasion and it's not always been the case...but on this occasion there's a Fatal Accident Inquiry that has found us wanting in terms of what took place in that episode inside Edinburgh Prison. From a trade union perspective...and I appreciate why from their role it's difficult to anything other than just accept the findings of that and then respond to it, as a trade union we don't accept actually an awful lot of what's in that report and we don't accept it's a fair reflection of what took place either in that incident or very often what happens in lots of incidents inside prisons. An absence of context, people who understand the environment and they claim they know what's going on. They're watching something that's completely alien to them and then not understanding what it is that they're looking at. I know our own lawyers who represented our staff throughout that particular case raised concerns from day one and right through that process about the way the Sheriff was handling that Fatal Accident Inquiry. The SPS solicitor removed herself from the case altogether because of the way in which it was being conducted, so I am not going to sit here and just blindly accept what was inside that FAI as being an accurate reflection of what took place. I think from the staff's point of view, where they get frustrated...and Wendy's been involved fairly closely in terms of what happened, in terms of Polmont, there were a couple of suicides in there. It was very high profile, there was an awful lot of media attention, there was a feeding frenzy. I think the

behaviour of legal representatives in those cases have been absolutely abhorrent in the language they've used to describe what takes place inside of a prison, is completely against what actually goes on inside of prisons and completely misses the fact the impact that these things have on site staff who work with the prisoners on a day-to-day basis. It is an enormous impact on staff who find prisoners in those circumstances and nobody pays a blind bit of attention to any of that. I think, in Edinburgh's case, I think the thing that has really upset the staff this time round Humza, I have to say, is you offered an apology. Now, I understand why you offered the apology but the headlines that you talk about in the week upon week, upon week in which those papers were running completely false stories and headlines about what actually took place, the public...the social media reaction to what they read in those papers have you believe that our officers stamped that boy to death. That is what the language –

HUMZA YOUSAF – CABINET SECRETARY FOR JUSTICE, SCOTTISH PARLIAMENT: Phil, Phil, I don't control the media. With the best will in the world, my job would be a million times easier if I controlled what the Sunday Mail or any public...any press printed. When you talk about the apology, again, I will not say sorry for that. The fact that a family who lost their loved one in our care asked me what went wrong and I spoke to them in detail about the Sheriff determination. You can have your opinions on that, that's fine. But I have a duty of care for all of these people in our care, including prisons, including police custody cells and the fact that people would have an issue with me giving an apology to a family that have lost a loved one in our care, I mean...look, we've gotta think about again the values-based organisation that we are. I don't control how the press end up portraying it, how they end up printing it in the papers but I do have responsibility to those that are in our care and their wider families.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Briefly Phil, then I'm going round to some of the members.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: The issue's not around the fact that you gave an apology. I think the issue for our staff is they weren't quite sure what it was you were apologising for. And it was the timing in which you dropped that apology in, right in the middle of that absolute feeding frenzy that was

going on at that particular paper who were running that story. Our staff...that apology looked like you were apologising for the social media thing that said that that boy was trampled to death inside of prison. They feel like they were thrown under a bus and I understand why.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: Right, I want to speak to...I want to hear from some of the members. Mark from you again. Briefly.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Yeah, so very briefly, just on a couple of points. I attended the FAI through it all and there was a couple of issues. They were talking about the use of a foot and how you can't defend that. The police looked at it, the PF looked at it, the expert, Batting, I think his name is, looked at it. They all deemed it as being unfortunate but acceptable. There were no charges brought to the individual that was involved with that. It was a foot that was placed on the buttocks and that never ever came out in the media. The media were talking about stamping, kicking. That did not happen.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: OK.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: It was a foot that was placed.

COLIN MACKAY – SCOTTISH TELEVISION NEWS POLITICAL REPORTER: I'm going to come to Eddie.

EDDIE CRUSE – POLMONT SECRETARY: Minister, there hasn't been any more emotive subject in our recent past than what's going on in the media and how we're being trialled by media and I have to say to you, if we lose confidence and feel that you're losing confidence in us being able to adapt to an issue that we have no control over and we have never seen before, then that is a very, very, very bad thing for the running of our prisons on a day-to-day basis. How we have been portrayed in the media I think is absolutely disgraceful. I think you would apologise to a family, I have no issue with that but I think we need to be very clear about the language that we use when we're saying stamped on and how that's actually done. I think we need to –

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: OK, I'll come back to you in a minute.

EDDIE CRUSE – POLMONT SECRETARY: Have a conversation.

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: Briefly from John as well and then we'll come back to the panel.

JOHN GRIEVE – EDINBURGH SECRETARY: Panel, five years ago this branch came to Conference and raised the concerns with NPS. Nothing has been done from the Government or from the SPS on how we're supposed to solutionise it. 15 to 25 minutes rolling about with a violent, angry prisoner. You're knackered after about 35 to 40 seconds, trust me on that one.

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: OK. Back to you Cabinet Secretary, on both of those points really.

HUMZA YOUSAF – CABINET SECRETARY FOR JUSTICE, SCOTTISH PARLIAMENT: Yeah, OK, on both those points but I take the point that was made by Polmont and by Edinburgh. As I keep saying, trust me, at every media opportunity and public opportunity I get, I will defend the difficult and exceptional pressures that you're under and the exceptional job that you're doing. Colin's previous answer to this...previous answer to the previous question, was important because we haven't seen the challenges that prisons in England and Wales have necessarily faced because of the staff that are there. No, I will do that and I'm happy to take the pelters, by the way, that's part and parcel of the job –

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: But Eddie wants to hear that you've got confidence in the Prison Service, the prison officers.

HUMZA YOUSAF – CABINET SECRETARY FOR JUSTICE, SCOTTISH PARLIAMENT: Yes, absolute confidence in prison officers. And I say that time and time again. In any organisation there will often be, unfortunately, people that will do things outside of process or things that we can say on reflection were not the best way to handle a situation and prison officers in our prison estate are no different to that. But absolute confidence. The point about Polmont is really important because what we've tried to do there is take a systematic approach to what are very tragic circumstances. What I think we have to reflect a little bit carefully on as Government...because I'm hearing what Phil's saying, I'm hearing what you're saying, is if an FAI is taking

years to take place, I think that prison officers don't feel that they have a right to respond to what are often inaccurate...and I agree with you, Phil, in terms of the incendiary language that's sometimes used. I've taken it up actually with that particular legal representative that he's talking about. So I think there is something we have to look at about how do we make sure that it's not all one-sided and the prison officers also have a way of telling their story or indeed getting their perspective out before an FAI takes place.

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: OK, briefly...and we'll come back to NPS in a moment but briefly along the panel, Colin. Just briefly.

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Yeah, it's...I think, as the floor has already said, it's one of the most emotive and I think stressing issues that confront us in terms of what the media say about us, about our colleagues. I agree with the analysis that's been made. I think the media handling, the language that's been used is highly inappropriate. I think unnecessarily damaging to I think the good reputation of prison officers in Scotland, for all the reasons I said. I will say, however, thank goodness I work for the Prison Service and I'm not a politician. I think, with all due respect, I think it is a difficult space to inhabit but be clear, I 100 per cent support the people that are represented here. I would want to make the distinction though, if I may?

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: Briefly.

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: If I may. I don't particularly want to dig into the details of the Allan Marshall FAI, I'd rather make a sort of general observation. Whether we agree or not with a senior Sheriff's findings, ultimately they are the findings of a senior law officer in our country. So, professionally, we have to sit up and take notice of what the Sheriff said. Now, as a professional organisation, we want to be the very best that we can be and I think the way that we continue to reinforce and enhance our reputation, is to demonstrate that, regardless of what we might feel personally, that as a professional cadre of prison officers in Scotland, we will listen and we will learn and we will develop our responses. And –

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: What about John's point on psychoactive substances? Just briefly 'cause we are...he's running out of time.

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Yeah. I thought you were going to cut me off there but I want to come back to John's point.

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: Briefly.

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: On psychoactive substances. I think you do us a great disservice there actually. You say we've done absolutely nothing about it. Actually, I think in the UK we are absolutely leading the way in trying to understand the risk that psychoactive substances present and moreover, how to detect them. And you'll know, from your operational experience, because essentially psychoactive substances are a kitchen science and someone sitting in their kitchen or their garage can tweak the concoction which makes the next batch almost impossible to detect. One of the great challenges we face, not just us but most jurisdictions certainly across Europe, is how to find a reliable methodology to detect psychoactive substances before they get into our custodial space. And again, quite uniquely, you'll be working with Dundee University, a well-renowned professor working in this area, to try and find a way and with the producers of the technology that you push something in and the screen tells you whether it's psychoactive substances or not. So, we've got academia working with us, working with the manufacturers of the equipment, to try and come up with...and there's two elements to this. Not just a system that will today give you, us, a reliable indication that a psychoactive substance is present but that that system is so flexible that we can upgrade it by what we know in terms of as the substances change and their constituent components. That would be a unique and I think impactful development for the Service.

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: Quick answer from Wendy and then very briefly Phil because he's got to go and I want to get one more question in. Wendy first of all.

WENDY SINCLAIR-GIEBEN – HM CHIEF INSPECTOR OF PRISONS: Not a problem. Two things. One is the experience that many prisoners have had or prisons have had, sorry, with deaths in custody. My experience

as I go around prisons, is caring, compassionate and committed staff, who absolutely feel devastated when things, as in Polmont and as in Edinburgh, happen. I have absolutely no doubts about that. My heart also goes out to the families. You think your relative is safe in prison and then they're not and I can absolutely sympathise and I think that is always difficult. The one thing I just do need to mention is inevitably you look at other countries and see how they manage it and Finland, Scandinavia, Canada, they're all held up to us as examples. They have a neutral media. They are so lucky. We don't have a neutral media. But I have not yet met any member of staff for whom I don't have the utmost praise. In terms of psychoactive substances, to me it reminds me a bit like the Ebola virus. When it first hit the prisons we really didn't know what to do and that's very evident. We now have experience and the prisoners have experience and I think your handling of it is getting steadily better but inevitably their experience changes as well. So I'll look forward to seeing that improve and grow.

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: Phil, very briefly.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Well, I think the two things about the psychoactive substances. The first bit about Colin in terms of detection and being able to stop it coming in, I absolutely agree 100 per cent. There's no...that changes in such a frequent way that the technology we need to stop it coming in is a capital investment that needs to happen immediately. The other bit was about the staff themselves, in terms of how they deal with something in an incident that involves psychoactive substances. I think Allan Marshall's case and others have demonstrated to us that some of the things that we've used as tried and tested methods to control incidents are not the right thing to do in the circumstance. I think where we're falling...and I agree with Wendy, we are making progress but where we haven't got to yet...and this is four years later, is staff having enough confidence to know what the alternatives are to manage those incidents in a safe way for them and the prisoners.

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: I'm going to take a quick final question to move it all on, from the Prison Service College.

MAURICE DICKIE – SPS / HQ COLLEGE BRANCH: This is related to our private sector colleagues. The question really is, have we reached the tipping point when it's cheaper to Kilmarnock back into the public sector? And if not, when will the private sector prisons return to the public sector control?

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: Humza.

HUMZA YOUSAF – CABINET SECRETARY FOR JUSTICE, SCOTTISH PARLIAMENT: I don't think it's necessarily a case of a tipping point. I'm determined to reduce the prison population, which should hopefully mean that we no longer have to rely on purchasing places at the private estate. To answer the second part of your question, if I read it...listened to it correctly, my absolute intention, the Government's absolute intention, is that upon expiration of the contracts, those prisoners come back into the public sector, no ifs, no buts, no maybes.

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: Colin McConnell, when does Kilmarnock's contract expire? Is it 2024 something like that?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: March '24.

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: And will it...would you expect it to come back into the SPS fold by then? The public sector?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: I'd be shocked if it didn't.

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: And...this is just 'cause I'm nosey. Who will own it at the end of that? Who will... 'cause it's a PFI contract isn't it?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Yeah.

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: Who will own it?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: It reverts to the SPS.

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: So you get it, so that's fine. So, as far as you're both concerned, that comes back in the public sector 2024?

COLIN McCONNELL – CHIEF EXECUTIVE OF SCOTTISH PRISON SERVICE: Indeed.

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: Phil Fairlie, are you happy with that? I would have thought so.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Well, there's no tipping point for us, it should never have been in the hands of the private sector in the first place. We have never agreed with private prisons and actually there's a legacy of costs that the public sector prisons have had to endure throughout the whole time of that contract. I would take it back right now. I wouldn't bother waiting till the end of the contract. I think it's ludicrous that the public sector prisons are paying huge sums of money out of the public sector budget to buy spaces in the private sector, at the cost of what we're able to deliver inside the public sector prisons, to pay private shareholders. It's absolute madness and I would take it back today.

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: I'm going to have to finish it there because Humza's got a Parliament to go to but if you could thank the panel in the usual way. Thank you very much.

<Applause>

COLIN MACKAY – SCOTTISH TELEVISION NEWS, POLITICAL REPORTER: Sorry about the questions we didn't get to but we covered quite a lot of ground there.

PHIL FAIRLIE: For what was a very difficult series of questions but also to thank Colin for his efforts in facilitating that. So if we can just thank Colin in the usual manner.

<Applause>

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: OK, can we take our seats please? OK, welcome back colleagues. Before we move onto the formal adoption of standing orders, you'll see on your table a leaflet from the charity that we're sponsoring this year. And

I've got Paul Johnson, who's going to represent the charity and give an address to Conference, giving you a bit of background to the charity itself. I'm just going to quickly read you a bit of the background around...about Paul, first of all. Paul Johnson's a 26 year old double above knee amputee, who lost his legs at 21, when trying to take a short-cut over rail tracks. He was trying to escape his troubled background with alcohol and substance abuse from 16 years old and became more reckless over time. Now Paul is sharing his story of how he's turned his life around, thanks to Finding Your Feet. After a couple of years of not leaving the house out of embarrassment and guilt, the charity helped him out of isolation and he is now a public speaker raising awareness of railway safety, alcohol and substance abuse and the work of Finding Your Feet, an amputee charity. There's also a big focus in Paul's message to not only accept your own differences and grow your self-esteem but to also accept each other's differences. In light of Paul's journey in how far he's come to now being able to help the next generation, he was awarded the Young Scot, Young Hero Award for 2018. I'll ask Conference to give a welcome to Paul.

<Applause>

PAUL JOHNSON – FINDING YOUR FEET: Hi everyone, evening. I was going to start by saying you're probably wondering what on earth happened to me but you've just seen <laughs> you've just heard. So. I grew up in a very neglectful household. I, myself and my brothers, suffered through a lot of depression over the years. And at the age of about 16 I took to drugs to escape that reality. For the next two years that's all I did. I completely missed out on school, my education and everything and just wanted to escape. At 18 I realised how much my mind was being deteriorated and I quit but I didn't quit everything. I ended up taking a substitute; I ended up taking up on alcohol and that was me for the next three years. I gradually got worse and worse with how much I was consuming. Binge-drinking almost four or five times a week really, by the age of 21. And I became more and more reckless over time. At 21, on one night out, I was coming back home and I got out the taxi early as I like to do, so I could get up to no good, basically and I found myself at a railway line. I was at the side of the banking and I tried to cross over to the other side using the overhead beam. I didn't know this but the electricity that's within the wires is so high that it's actually in the air surrounding it as well. So the electricity jumped out and electrocuted me. I got knocked back onto the track from 20 foot up in the air

and I passed out for two hours. When I woke up my legs were on fire. Now, I'm not personally a religious person...I'm not personally a religious person but when I woke up I thought I was in hell. I had to roll over, put myself out and then it was pure survival instincts kicking in. I had to think, 'How did I get here and how on earth can I get out of here?' So I saw my bag in the middle of the track and I had to drag myself over because my legs weren't working at this point. Got my bag with my phone inside and dragged myself back away from the track, called myself an ambulance and 20 minutes later they arrived, saving my life. You're probably thinking I shouldn't be standing here able to tell you my story right now and you're right. I'm extremely lucky to be here and I'm so grateful every day now but I wasn't so grateful in the first couple of years. So I spent four months in hospital. I was basically a newborn baby, I was completely weak and feeble. I had to learn how to eat, drink, breathe, just do everything again. And that's where I learnt how to use a wheelchair as well. When I was discharged, around the time of my birthday, it should have been a time for happiness. Instead I was faced with the new reality of what living as a double amputee was going to be like. I could see everything that I used to do in my house: reaching up to the top shelves in the cupboard, the fridge, going to the toilet, even getting into bed at night, was all so difficult 'cause I was so weak. There was a lot of darkness over those first couple of years and I felt like I couldn't leave the house 'cause all those vulnerabilities that I felt on the inside before I lost my legs were now shown for the world to see. That's when Finding Your Feet stepped in. Cor had been...Cor Hutton had been nagging me for a while - and I call her my wonderful bully - to go for lunch. Does anyone know who Cor Hutton is? You might have seen her on the leaflets now. So she...you might have seen her on the news. She had climbed Kilimanjaro last year and she's a quadruple amputee, so she's lost both her hands and both her feet to sepsis. And then most recently she became the first Scot to receive a double hand transplant, in January this year. And she's just an absolute inspiration, an incredible woman. She founded our charity five years ago. When she lost her hands and feet, she realised that when she'd finished her physio there was nowhere else to go. You finish with the NHS, where you're amongst other amputees, you're in a safe environment where you can talk to people who share your experiences and know what you're going through. And then you're discharged and you have no idea what you're going to do from there

on, you just have to kind of pick up the pieces yourself. And she knew that other amputees must be feeling the same way, which is why she started Finding Your Feet charity, so that people did not need to feel the same way that she did and that I did when I left hospital. So she invited me out for lunch with herself and our friend Linda. It was the first time in two years that I suddenly felt that my disability wasn't so different. I was with our friend Linda, who uses a para wheelchair and has lost one leg below the knee and then Cor Hutton, who's lost both her hands and both her feet and on prosthetics. I myself at the time was in my wheelchair and basically never left the house. But in that moment, I didn't feel as though I was disabled, I felt accepted, like I was part of something bigger than myself. Different...what we like to say at Finding Your Feet is, different is normal. And that's not just for us limbless folk, that's for everyone in this room as well. I'm sure everyone here has felt different at some point in their lives, whether it's your facial features, maybe your body, maybe something not so physical, maybe something mental. You may have felt alone at times. And we started an online campaign just to show that everyone has this and it was quite successful, with a lot of people getting involved and we had everyone holding up a card saying different is normal, just to show that we are all the same, no matter where our differences lie. Fast-forward a couple of months from that lunch, I was finally able to start walking on my prosthetics and a few months after that, my wonderful bully, Cor, was at it again. She had me abseiling off of the Titan Crane and for anyone that's unfamiliar with it, it's 150 foot tall and this is me just five months into learning how to use prosthetics again <laughs> So here I was standing at the top of this absolutely massive structure, looking down, thinking, 'This is just basically a leap of faith.' <laughs> And I had to let go, grab onto the rope and just drop, basically. It's amazing. Cor lent her hand out to me - or her stump at the time - and from that all of my perspectives over the last two years were just completely shattered. Thinking that I wouldn't be able to walk again, I walked there. Thinking I wouldn't be able to run again and I do plan to go running again. Thinking I wouldn't be able to drive again and I drove here from Glasgow today. Everything...it made me realise that life can go on, life will be the way that I want it to be. So, I got more and more involved with Finding Your Feet, at first volunteering and I'm now a full-time member of the team. And I went...without the charity I wouldn't have become the person that I am today. So I went from not leaving the house for two years, due to

all my insecurities, to now being able to stand in front of a crowd of people that I don't know. No offence. <laughs> And be able to tell my story. And just last year...we hold an annual dinner, fundraising night and there was about 400 in attendance and I played and sang Mr Brightside by The Killers in front of all of them, which was terrifying but I made it, made it through. I genuinely don't know where I would be without the charity. So, I got involved with Finding Your Feet really at its grassroots, only a couple of years old. The charity's grown arms and legs since then, unfortunately I can't say the same for myself or some of our guys, all of our guys.

<Laughter>

And our main hub is Glasgow but we're constantly expanding into other areas. So we're in Edinburgh, we're in Ayre, Fife, Dundee, Aberdeen, Leith and most recently, Inverness. And our plan is to further consolidate all the clubs that we have in those areas, as well as expand further out into Scotland and any corners that we can reach out into. We've become quite involved with the NHS. We've just had our peer support training, just last week, actually, finished it. So, we have a group of 11 volunteers and we go out to hospitals - this is in partnership with the NHS - we go out to hospitals and when someone's just had their amputation, they know that we're there right from the start. They have ward meetings and Cindy, who's part of our staff, as well as all of the volunteers that she coordinates, they all go out to the hospitals in Scotland and make sure people know what they can go onto once they are finished their rehabs, so they don't have to hit the same wall that many of us have before Finding Your Feet. So, firstly we invite them...invite the amputees. And we call them our troopers. We invite our troopers to our amputee sessions...and that's ampu-teas coffee mornings <laughs> 'Cause we love a good pun. And from there they get to meet other amputees, other troopers, who may have been on the journey a bit longer than them. Some of them are new as well. And what we've recently started doing is getting the newbies into a session where they can break the ice in their own quiet group, become a bit more comfortable with the environment and then go into the bigger group. We do that now because we're...we have about 40, 50 people coming to our meetings every couple of weeks and that can be really daunting for a new amputee, just for the first time leaving their house. Out of hospital and leaving the house and meeting other people outside of their usual

comfort zones. From there they get to know about all the clubs that we offer and they get to meet Michelle, who's our in-house counsellor. And having an in-house counsellor for amputees is just an absolutely brilliant thing. So, when you look at an amputee you think it's very much a physical thing and it is but beyond that, the much more challenging aspect of your journey is overcoming your mental challenges, so we're so glad to have Michelle on board to help our troopers get through that. We did a recent report just a few weeks ago and we found that we're actually at 51 per cent male and 49 per cent female for our troopers that go along to see Michelle, which is just amazing to us because we thought it would have been completely the other way around, with females talking about their problems more. And I think it's generally known that men don't really talk about their feelings and their issues, and don't ask for help when they need it. So we're so chuffed to see that our male troopers are asking for help and getting it where they need it.

On top of that we have a private Facebook group for amputees where they can share something that they're proud of. If they've climbed a mountain, we like to say that no challenge is worthless, we like to see them all, big or small. It may have been climbing a mountain, it may have been simply getting out of the bed that morning, if they're having a really tough time. And through our No Limits group they can all share, and we're actually having a lot more people struggling with addictive issues coming in and it's been quite a recent thing where they're asking for help and it's great to see so much support for these guys who are really struggling and people are just on it like that, making sure that they know that they're not alone in their journey. So we have a lot of ... we offer our troopers a lot of clubs, we're running over 50 clubs at a month at this point and I won't mention all of them! I'll talk about our swimming club. So swimming we do in Glasgow at two places, Easterhouse and Tollcross, and they're in public swimming pools. For a lot of amputees, it's a really ... empowering thing to be able to expose your stump, basically, in front of other people, in front of the public, not just to other people, and be able to be comfortable with other amputees and knowing that you are you, and ... it's a really warm friendship that they build. On top of that of course, it is amazing for their physical fitness, which is really important for amputees, and walking and everything. We're teaching amputees to ski, to climb. We've had amputees go go-karting, we do a lot of one-offs. Some of our most recent one-off clubs, taster sessions we call them, is

golf, the golf was really cool. They had a special machine – I don't know if you would call it a wheelchair as such – but for anyone who was in a wheelchair, they could get inside it and it would lift them up to a standing position so that they could swing the club, which was just amazing. We have bowls and we've had people motorsports-driving as well, in an accessible car, which is just amazing to see. So those are the more physical ones. We also offer our troopers meditation classes, which is, I'm sure we all know, amazing for your mental health, arts and crafts, gardening clubs, all again great for your mental health and just seeing our troopers benefit so much from this, from our clubs and coming regularly, is just ... so overwhelming at times. Last thing I'd like to leave you with is about our youngest trooper – I'm going to call her Sarah, for confidentially reasons. So Sarah was not born with, just as a baby she lost both her hands and both her feet to sepsis. She kind of got messed around a little in the care system and she really struggled to find her way, and just a few years ago we met Sarah and she was just the most happy little girl ever and she was just living a normal life basically, not realising that she was disabled or anything, or about any of her tough upbringing. So she came to our cycling club and we managed to teach her how to cycle and it was just absolutely beautiful to see the smile on her face at just nine years old, learning how to cycle with no hands and no feet, and we actually managed to buy her a bike, because we knew just how much that would mean to her, and I'm happy to say that she's actually been adopted now and she's in a family, got a sister and ... yeah, it's just beautiful. So we want to be there for Sarah, for Sarah as she gets older, we want to teach her to climb, to ski, to swim, all these things. We want to be there for her when she goes to school. And if, god forbid, she gets bullied for her differences, we want to teach her that our different is normal, and she can keep living the way she is and be that happy little kid. We want to show her, give her a career path if she loses here way, or if she needs the help, and we'll be there for her no matter what. And it's events like this and fundraising from people like you that allow us to continue our support. So thank you very much.

<Applause>

Would anyone like to ask some questions. I'm an open book, ask me anything.

Anybody? Anyone at all?

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: OK Paul, first of all thanks very much for coming along and telling us about the charity and the work that you do, and I think there was a member of the trade union from Greenock who put forward your charity to the union as a suggestion for the fundraiser this year, and I'll be honest, I didn't know a thing about it until the name came forward and we had a look. And actually I think you mentioned a couple of names that you've said was an inspiration to you. I think you're right. Actually I knew the story of Corrine but I didn't relate it to the charity. I just happened to see the story on the news, but I think you're a wee bit inspirational yourself, Paul.

PAUL JOHNSON – FINDING YOUR FEET: Thank you!

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Your story is quite remarkable, as is the work of the charity. Now we're not a big conference, there's not an awful lot of us here, but we are known to be very generous in our charity fundraisers and I hope that your story helps inspire all of us to just dig a little bit deeper tonight at the fundraising. I can say here, Colin MacKay, who you might not know but the hall had his company earlier on this morning for the formal debates, and when he heard about the charity, he said could we just put his fee straight to your charity, so we're up and running already, even before we sell our tickets. So that was a lovely gesture, I thought, from Colin, once he recognised the work of your charity, and I think everybody in here's inspired with the work that you're doing, so I wish you all the very best. Thank you very much for coming.

<Applause>

OK, colleagues, a kind of strange and mixed-up route to getting to the start of the Conference but we're now going to move onto the formal part of the agenda. First of all could I have Conference approval for John Crombie and Allan Blackwood being appointed as the scrutineers and tellers for Conference. Please show.

Thank you. I'm now going to ask Mick Grattan, as Chairman of Standing Orders Committee, to give his standing orders report.

MICK GRATTAN – CHAIRMAN OF STANDING ORDERS COMMITTEE: Chair, Conference, colleagues, welcome to Peebles Hydro. I'm pleased to move Standing Orders on behalf of the Standing Orders Committee for Conference 2019. First of all, I ask all the delegates to

note start and finish times on opening of your agenda. The voting structure will remain the same as previous years' Conferences. A voting card is contained within your delegates' pack and each motion the Chair will rule on that the motion is carried or lost by a straight show of voting cards. The rules of debate are contained within the Standing Orders Report detailed in your agenda, and within the report guidance is provided to advise delegates on the formal process for raising points of order. It clearly describes the circumstances under which legitimate points of order can be raised in the first instance. It also defines the process for challenging the Chair. I ask that all delegates abide by this, the rules of debate, at all times.

Conference, Standing Orders Committee received, at the closing date of motions, 85 motions in total. There were two requests for report backs. These have been sent out to the branches. Six motions were composited into three motions, one motion was withdrawn. Twenty motions were rejected and there were three motions appealed to the SNC. One of these motions was successful on appeal to the SNC, leaving us a total of 52 motions. We have four appeals to Conference, one from Barlinnie and three appeals from Edinburgh.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: OK, could I ask the branches who are about to appeal to Conference to come forward, make your appeals first. Edinburgh, if you don't mind can we do Barlinnie first, just simply 'cause it's the one?

<Laughter>

Even alphabetically it beats you!

JIM MCCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference, appealing to Conference. We got a motion knocked back for two different reasons. One was time barred. However, the date, the closing date, the 22nd August, I was actually on leave. An email went to my email address, couldn't have answered it 'cause I wasn't there. Another one was that it was a debate we were after, and it was Conference debating; the refusal, the rejection, was based on the Conference debating personal decisions of individuals which is not a matter for Scottish Conference. I would argue that we asked for this to be on camera so it would only be trade union reps that were here, personal decisions – this affects 3,000 members of the union, this debate, and I feel that we all kind of serve the trade union, so we should let

the trade union know where we're going. So on that basis I would ask to get this motion heard.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks John. Mick Grattan to respond on behalf of the SNC.

MICK GRATTAN – VICE CHAIR, SCOTTISH NATIONAL COMMITTEE: John was right, the point of the time bar. The main reason for the motion being rejected was because a debate of such personal details to anyone's future should never be debated in a public forum, such as Conference. Individuals make decisions on their future privately and should never be done in public.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: OK. Colleagues, we've been asked to make a decision in terms of appeal for the motion to be heard. This isn't about the motion itself. That will only come if the motion appears on the agenda, so in terms of the answer you've got from Standing Orders for this rejection, could those of you in support of the appeal please show? OK. Those against the appeal? Any abstentions? OK, the appeal's been lost.

Edinburgh, do you wish to make your appeals?

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Chair, Conference, Conference, our first appeal. I'm just going to read it out briefly so you know what we're talking about. That the SNC seek a review of the maternity variable and pursue the actual cover required is met. I won't talk to the motion, but it was rejected because this is already POA's policy, and that's true; it already is. But I know there's other things that are in our agenda paper that are already policy as well. And the Standing Orders Committee, in my eyes, shouldn't be ruling out motions that I think are good for us to debate, good that are very up to date, something that we're having to deal with, and to reiterate and to refocus on the things that we're trying to do. What it says when we're putting motions in is that they, it's the twelve months, that motions involved there's an item of policy determined before the close of our annual Conference but within the last 12 months. I get that. If we spoke about something 12 months ago, why are we back up speaking about it again? Maternity has changed. It's changed loads for us and I think people would be interested to hear the debate and reiterate. Just because it's already lost somewhere in a policy document, shouldn't mean we can't discuss it. Please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Mark. Mick Grattan, on behalf of the SNC.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Chair, Conference. I think Mark said it himself, that the reason this motion was rejected was the motion is still our current policy.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: OK.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Yes, I'd like the right to reply. Yes, it may well still be a policy but it's what...I'll read out what the policy says. 'That such minimum staffing levels and variable cover, is identified and money is made available to establishment budgets to prevent operating below the minimum levels, for whatever reason.' I want that to go even further that we...that Conference recognise...that's what we want forward, that we want specific focus on covering the maternity leave that we now face because of the change of gender. Without trying to go into the motion itself, I think that should be heard and I think we should be looking at this to try and make it more specific than being lost in the mire of our overall policy document.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: OK, thanks Mark. Those in favour of the appeal please show. Those against. Any abstentions? OK. That appeal's been won.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Getting old. OK, motion two, for very similar reasons, so I won't dwell and take up too much of your time, the motion reads that the SNC seek a review of the return-to-work variable and pursue that actual cover is met and what cover is required is met. Again, this is covered under the same policy document. Yes, it's already policy because it says, 'Operating below the minimum levels, for whatever reason.' 'For whatever reason,' is fine, it's out there. I don't know how your gaols are operating; the amount of guys that we have...guys and girls, sorry, on return-to-work programmes is impacting hugely. There is no variable whatsoever for return to works, so that should be specific in our policy document. Yes, we could head it, 'For whatever reason.' We could then have maternity, we could have then have sick, we could then have return to works. It should be specific and fought for specific reasons. For the very same reasons as you supported the last motion, please support this one.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Mark. Mick Grattan, on behalf of the SNC.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Chair, Conference, for the very same reason, we're saying that the reason it was rejected is this motion is still our current policy.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Those in favour of the appeal, please show. Against? That appeal's won. Go for it Mark.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Select the more controversial one to finish up <laugh> The motion reads: 'Conference confirms that this union is fundamentally against direct entrants at any grade but particularly at D and E band, thus maximising opportunities to our current members.' You've got to bear in mind that this motion was taken from the floor, it was actually based about E bands at College but it was extended to potential C, D and direct E entrants and we had a discussion on that. I'm going to repeat the motion foreword: 'This motion was prior to the pay deal and the pay deal, as we know, includes stuff around this.' However, this motion was rejected and I'll read you why it was rejected. 'Rejected. Not all grades are represented by the POAS.' Now, I'm imagining that the then Standing Orders Committee knew that the impending vote might impact this motion but you shouldn't be knocking back a motion because it says not all grades represented by the POS. No, I know we don't...actually, we can represent all grades, however, it says that we're fundamentally against. Whether or not we represent G bands, E bands, F bands, whether we represent them, doesn't matter, it's not a reason for knocking back a motion. We can fundamentally be against anything. We're fundamentally against the retention allowance, however, we tend not to represent these grades. The reason that this was rejected, in my opinion, by the Standing Orders Committee, was 'cause it didn't want to hear the motion heard because it was already going to be decided by the vote that we had on the pay. We can debate that, we can discuss it when we hear the motion. I appealed the motion and I appealed the motion to the SNC because whether we represent all grades or not, does not mean what we are fundamentally against. They didn't really reply on that matter, it was rejected again for a second time. 'In respect to Motion LS, SNC upheld the decision for the Standing Orders Committee and further recognised that the terms of the motion would not allow the SPS

to recruit at all.' Now, I actually read this and thought, 'You're having a laugh.' It does not say we cannae recruit at all, it says we're against direct entrants, particularly at D and E. Coming in at C is recruitment, that's a very straightforward word, that's recruitment. Direct entrants come in at a different level. Now, we might all have an opinion and I'm not allowed to go into the body of the motion...might all have our own opinion whether direct entrants are good or bad, indifferent. I know that we've already voted it, we voted with a pay deal, so that might be something we want to discuss but we discussed that here, amongst ourselves, that's what we're here for. Not knocking it back for reasons that to me just aren't clear, because we don't represent all grades and because it means we couldn't recruit at all, that's just absolutely nonsense. It smacks a bit of, 'It's just not going to be heard.' Please support the motion and debate it if it comes up.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Mark. Mick Grattan, on behalf of the SNC.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Chair, Conference. The wording of Edinburgh's motion is quite clear to the SNC Standing Orders Committee and the reason that we rejected the motion is in the terms of the motion would not allow the Scottish Prison Service to recruit anyone and that is the reason we rejected it.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Without using any Parliamentary language, I think that's absolutely very clear for people to see. That's not the case. Direct entrants is obviously what we mean; that's coming in at D, E and above. Recruitment is coming in at C. That's what it means. It shouldn't be knocked back because it means we couldn't recruit. Of course it doesn't. It doesn't mention C, it doesn't mention recruitment. Of course we still need to recruit at C; it would be absolutely crazy. We would never ask these guys to go out and win something like that. It's for us to ask the guys what we want to achieve. However, the direct entry idea, I think there's a whole lot of debate to be had on that, whether it's a good thing or a bad thing but let's hear debate...debate. Please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: OK. Those in favour of the appeal, please show. Those against? That appeal's won.

<Laughter>

UNKNOWN SPEAKER : That'll teach you Mark.

<Laughter>

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: OK, colleagues. The Standing Orders Committee will meet in the next break, to decide placement of those motions onto the agenda. We'll inform Conference. For Edinburgh.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Chair, Conference. The motion reads: 'Conference mandates the SNC to negotiate the removal of paid progression points from the pay policy, thus allowing all promoted staff to be paid at the full rate for their promoted role.' Conference, this came from the floor at our local meeting, where we look for motions and it first...the member of staff that was putting it forward had a fair debate with them because they didn't really agree with it. He was, however, somebody that was moved from D to E and because the way that the pay progression's done, it was done just past...halfway through the year. So, he started at the landing point, which is pay point two and he remained on that for 17 months. During which time, acting as a first line manager, he was carrying out exact same roles as the guy on the opposite shift to him. So he was expected to hit the ground running and take up all the responsibilities of the new role and mostly unaided. This was somebody that progressed and why was he getting paid 4000 less than the guy that was his opposite number, for these 17 months? And then having to go through it. I got his point and I thought, 'Well, why not? Why shouldn't we be asking? All we're doing is trying to get some of our members and individuals more money.' I know that it might be difficult to win but all it asks is that we negotiate. Please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Edinburgh. Shotts, are you seconding?

JOHN DICKSON – BRANCH CHAIR, SHOTTS: Seconding the motion. What we got told, if you remember, a way back, was that they had the pay progression on the basis that we were basically apprentices and whack a bit of wad while we're learning the job. But I don't know if people realise nowadays, that due to the lack of movement by the Scottish Prison Service in actually promoting anybody from C to D to E, etc, what's actually happened is, we've got people going down, carrying out the job now for one year, two year, three years, depending on the length of time the SPS finally

get their finger out and get people promoted. So, that actually bursts the bubble of we're dealing with the apprenticeship, 'cause we're now going to be in a really strange process of, if we have direct entrants, we're going to have C band officers teaching D band officers how to do the job. So, what the motion says and what Marks says is quite correct. Let's start paying them the correct money for the job that they're doing. Please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Shotts. Barlinnie.

JIM McCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference. Support the motion. I would like to know if the SPS actually have a model for the pay progression. So if we take it to outside industry what generally happens is, you get promoted, you learn the job and then the next year you learn something else and then the next year you learn something else and thus pay progression, in the private sector. But in our operations group, all D band gone to E, C gone to D, they go right in there and they're right in the hallway, right away doing the exact same job as the guy with 20 or 30 years' experience, so there's no need for pay progression. So if you have got a...if the SPS has got a model, we'd like to see it but I ask you to support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Barlinnie. Anybody else? Andy Hogg, on behalf of the SNC.

ANDY HOGG – ASSISTANT GENERAL SECRETARY FOR SCOTLAND: SNC is asking you to reject the motion. I think it's fair to say though that the SNC have some sympathy for what Edinburgh's attempting to achieve and as a union we have always sought to have a pay structure that gets the staff to the rate for the job as quickly as possible. It's also fair to say that we have made some progress in reducing the number of progression points and the travelling time from the bottom to the top of the grade over the years. However, that's where the sympathy ends. What the wording of this motion seeks to do is to remove progression from the pay structure altogether. Now, setting aside the negotiation that this nature would involve of the views of other constituent unions, this is not something that we believe would be acceptable to the membership. Accepting the terms of the motion would mean that a new recruit coming into the SPS and on a year's probation, would access the exact same rate of pay as another prison officer, irrespective of the

length of service or experience. The intention of travelling through progressive pay points, apart from smoothing out the cost of the pay bill, is to reflect the experience of the individual that may be reasonably expected to demonstrate a role. And most negotiations that usually involve the discussion on how long it takes to become fully au fait with the role and the associated tasks that you undertake, that we believe our current travelling time through the points is too long and we continue to press that case. But that's different from removing them altogether and how acceptable that would be to our members. A case in point - and there's a few - is the reaction that our members, when we successfully reduced the length of time that you're required to serve before accessing the additional five days...five days leave. The reduction from 20 years to five years was met with much anguished howling at the unfairness of it all for those that had to wait for the 20 years. Indeed, it was quickly raised and passed into Scottish policy, that we seek to achieve an additional five days for those who have served 25 years. So, we look to recognise experience ourselves. Our membership have demonstrated that it wants experience recognition in some form, therefore we believe that to introduce a structure that allows the newest recruit to be paid immediately at the same level as someone with experience, would not be acceptable to the membership. Conference put motions in the paper later on about the question of starting salaries for prison officers. If that motion is passed the starting salary would be the only salary point. The opportunity to consider how progression is managed for prison officers will no doubt be a feature of the new pay arrangements, going forward. But it would be a folly to tie the hands of those who would seek to negotiate the new arrangements beforehand, before introducing the policy position that the membership are unlikely to accept. So please reject.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Andy. Edinburgh, right to reply.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH:
Conference, I'm glad Andy had some sympathy and the guys that spoke in favour, I'm proud of as well. Now, this might be my fault for the way I wrote this motion. It was very clear that I meant this...if you read the motion again, 'Thus allowing all promoted staff to be paid at the full rate for the promoted role.' When we discussed that and when I took the motion out of our meeting, it was about promoting C to D, D to E, for the very reasons that Barlinnie and Shotts have mentioned

and I have. I've underlined it that it quite clearly says promoted staff. I've been coming to these Conference.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: ... for a number of years and the SNC of occasion will say to me, 'Mark, we agree with the sentiment of the motion but could we ask for a remit, 'cause we didn't quite understand what you meant.' 'cause what I mean with this motion, quite clearly, is promoted, which again so I've underlined. Not for new starts 'cause we agree that there is some sort of apprenticeship to be done when people start new and there will be bandings. And then indeed, we have a motion further in this paper that asks for a better starting wage, which is a totally separate issue. It's quite clear that the SNC'll know what I mean. It doesn't mean that if we vote yes on this they'll go away and win and everybody will start at the top of the band. That's not what we're here to do; we're here to be sensible, get the remit to the SNC, tell them we mean promoted, as underlined. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Mark. Just for clarity, in terms of the SNC's position on this, this is not about splitting hairs with you Mark or whether we're trying to steer off from the intent of the motion. The bottom line is Conference has to pass motion based on the wording that's there, not on what people meant by it. And that's two motions already so far today that is about what you meant, as opposed to what's written on the paper. We can only pass a motion based on the wording that's in the motion itself. Those in favour of the...sorry?

UNKNOWN SPEAKER: You know what I mean by that

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
That's twice you've said that, 'I think the SNC know what I meant by that.' What you meant is irrelevant, what the Conference will vote on is the wording of the paper.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Fine, can I just clarify what I meant. What I mean is that I think you got what I meant, 'cause the way I wrote it, I wrote it as, 'All promoted.' Not at the start, I didn't say, 'This omits new starts,' I wrote it, 'All promoted.' And I thought you would understand that that's what they meant. I don't know what other motion you mean, that I wrote wrong.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

During the appeal...the three appeals you did, you talked about the fact that, 'The SNC understood what I meant.' The only point I'm making to Conference and to yourself is what you meant isn't what people vote on, it's what's in the wording of the motion itself.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH:

Promotion's quite clearly worded: 'All promoted.' That's what I -

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: OK.

Those in favour of the motion please show. Those against. The motion's carried. Motion Five, Cornton Vale, to be seconded by Edinburgh.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH:

Cornton Vale have asked that I move this motion. It's a joint motion, a composite, they've asked that I move it. I have read the paper, there is other people due to speak. I have just been unlucky that I've had the first five motions and have to be up here but please bear with me. Both Cornton Vale and ourselves have moved this motion. Cornton Vale have asked if we move it and they second it. Conference mandates the SNC to seek negotiate, in partnership with the SPS, the incremental pay points arising from pay progression, are paid on the first of April. Regardless of any ongoing pay negotiations and subsequent increase, to be backdated to the first of April. Hopefully I've wrote exactly what I meant but -

<Laughter>

Sorry <laughs> This motion...we're all aware of...we've had a lot of talk about the pay and we don't want hands tied and we want to be able to keep going till the end and get the best deal. And in my own particular position and probably most people in the room, if we don't get a pay rise on the first of April and we have to wait three months, six months, for it, it's not the end of the world, we're living by the same means in we were. But some staff, specially the new staff, that are waiting on their progression point, it's very important to them, it's thousands of pounds to them, it's a mortgage to them. So the increments should be paid on the first of April. And those of us if it's a three per cent, 15 per cent, whatever it may be, that then gets backdated and adjusted. Quite clear forward and quite straightforward I think. I'm only pre-empting this but I think that the SNC will argue that increments are negotiated as part of the pay talks. This is what's been happening over the

years. However, what I'm saying is this should not be the case. The increments are there as part of the Civil Service policy and should be paid when due. It's up to us to negotiate that point. I know that currently when we open pay talks, everything's open and progression points being one of them and it's all part of the same pot and we have to come and decide that but every year since I've been here, the pay rise that we've had, the progression points have been made and it's the first thing that our SNC achieved on our behalf. So it's for us to negotiate that point and take it forward. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Thanks Edinburgh. Cornton Vale, do you just want to formally second this motion since you're...yep, OK. Anybody else wish to speak? Ian Welsh on behalf of the SNC.

IAN WELSH – SCOTTISH NATIONAL COMMITTEE:

Chair, delegates, Conference. The SNC, Mark, Conference are asking you to support this motion. We will require our employer to recognise the fact that staff expect pay progression monies on the first of April. Whether it's called progression, increments or whatever, it's about access to the money on the first of April every year. The SNC will approach our employer with a view to get this achieved. Support the motion and we'll get into dialogue with our employers.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Mark, I think you squeezed your right to reply into your moving of the motion but do you want to come back again? <Laughs> I thought you might.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH:

<Laughs> The reply is, this is a vote...this is of course that we don't win the motion that we previously passed, so if there's no paper. If we manage to achieve that, then this will be a moot point.

<Laughter>

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: You live in some world.

<Laughter>

Those in favour of the motion please show. Those against. Motion's carried. Motion Six, Dumfries. Conference accepts Motion Six being withdrawn.

Please show. Motion's withdrawn. Motion Seven, Low Moss.

DOUGIE MUIR – BRANCH CHAIR, LOW MOSS: Chair, SNC, Conference. Motion Seven reads that the POA pay negotiators look to protect pay band differential when submitting a pay claim and negotiating pay rises. The current accepted pay deal was giving a deal to de-uniformed officers circa 15 per cent of consolidated pay rise, if all of them received a 10 per cent consolidated pay deal and a two per cent non-consolidated. This result of the above pay deal has resulted in a top of the pay bands between D and E reducing and will further reduce in the coming years, providing the Government pay threshold does not change. Eroding the pay gap between the grades in this way will have a detrimental effect on the internal promotion through the different grades, as the financial incentive for progression of work is reduced. In the current climate of abundance of ex gratia, a D band officer need only work two ex gratia shifts a month to take home roughly the same as a first line manager. The difference between take home pay and the conclusion of the pay deal in 2022 will be approximately £300 per month, dropping from approximately 350 from the previous 2016/17 pay deal. This has led our members to suggest that they would not apply for promotion to E as there is no financial incentive other than slightly increased pension contributions that partially compensate for the increase in responsibility that inevitably comes with the role. We accept that there is...that there are those who do not use remuneration as the sole purpose and drive for promotion, however, this could devalue the first line manager role and reduce the uptake in internal promotion. It's important that we retain experienced staff and make promotion an attractive proposition. Colleagues, please support this motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Dougie. Do we have a seconder? Dumfries, do you wish to speak? Anybody else? Barlinnie.

JIM McCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference. Speaking against the motion. I find it folly for the union to keep the lower paid worker at the lowest paid wages. So, my take on this is we get two per cent. I've long advocated that we get the money. A million pounds Scottish Government's given and we divvy it amongst 3000 people. 1995 governors earned...no idea, 55,000 and we earn 15,000. B bands earned less again. I've long advocated that we take the money and we divvy it equally. Keep the difference,

make the difference less. So, 95 the B bands are getting 14 grand, this year they're getting 18. Governors are getting 60, they're now getting 70. We're encouraging disparity for the lower paid workers, so I'm against that motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Barlinnie. Shotts.

JOHN DICKSON – BRANCH CHAIR, SHOTTS: Chair. Also speaking against this motion. I'm a trade unionist and I'm a socialist and what we should be doing is we should be lowering the pay gap from the top down, not from the bottom up. So what we should be doing is actually making that disparity so that you get the pay gap closes for the lowest paid members that we've got and that's what we should be doing. So reject this motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks John. Anybody else wish to speak? Andy Hogg on behalf of the SNC.

ANDY HOGG – ASSISTANT GENERAL SECRETARY FOR SCOTLAND: Conference, SNC is asking you to support this motion. There's not much that needs to be added by way of explaining why it's a sound motion. Maintaining pay differentials that encourage and motivate members to seek and be rewarded appropriately for the additional responsibility of the promoted role, is something that negotiators are conscious of when looking at the distribution of monies that are available. The only caveat I would add to that though is a reminder that it's the membership who then ultimately make a decision about the pay and the levels that exist between them, through a ballot. So, the motion itself makes for good policy, so please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Andy. Low Moss, right to reply? No. Those in favour of the motion pleased show. Those against. Motion's carried. Motion Eight, Barlinnie.

JIM McCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference. On a roll here. Motion eight reads Conference to stop the SNC negotiate, in partnership with SPS, to have put in place a form of compensation for staff whenever the delayed April pay deal...ever get a feeling that a lot of these motions were written before the pay deal came out?

<Laughter>

But I've been asked to speak and therefor...So, there was a six-month delay in me getting my back money, I get that but staff were asking for...money to do something, to get paid until they pay our back money. Support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Jim. Do we have a seconder? No seconder. The motion falls. Motion nine, Dumfries.

ALISTAIR WILSON – BRANCH SECRETARY, DUMFRIES: Colleagues. Motion Nine reads that future pay and condition negotiations be done on a unitary basis, rather than collectively with constituent units...unions. This would mean a withdrawal from our current collective bargaining arrangements. I do believe we got an answer from...Andy referenced this. We were just going to formally move it but we would like an explanation based on that motion. I ask you to support it.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Ali. Do we have a seconder? Low Moss, you wish to speak? Anybody else? Andy Hogg on behalf of the SNC.

ANDY HOGG – ASSISTANT GENERAL SECRETARY FOR SCOTLAND: Conference, SNC are asking you to reject the motion. As you know, the recent pay deal provides the time to engage with the SPS and develop your pay negotiating structure based on separating the staff side from the uniform side. So, the last part of the terms of this motion have to all intents and purposes been achieved in that regard and so far as the current collective bargaining arrangements for paywall change. But we need to be careful what we wish for, Conference. We not only represent uniformed grades but we have joint recognition to collectively bargain on behalf of our members working on the estates and for those members operating at pay band F. So passing this motion would potentially give rise to POA derecognising itself from representing those groups, as other unions legitimately continue to collectively bargain on their behalf. This motion means that we would not be in the room during pay negotiations for those groups of staff and for discussions on call allowances etc. Therefore, we would not know what was being raised, discussed and proposed by SPS and unable to influence the direction our sister unions may be taking in those talks. In the meantime, if we retain the recognition, a different set of negotiations will be taking place with the SPS, covering the same group of

staff in a separate negotiation. This wouldn't make sense to do this. Now, whilst we've always worked on a single table bargaining position, through the TUS, this does not prevent any union from acting individually on any matter. Just as before, when the nurses for a number of years and the SNC of occasion will say to me, 'Mark, we agree with the sentiment of the motion but could we ask for a remit, 'cause we didn't quite understand what you meant.' 'cause what I mean with this motion, quite clearly, is promoted, which again so I've underlined. Not for new starts 'cause we agree that there is some sort of apprenticeship to be done when people start new and there will be bandings. And then indeed, we have a motion further in this paper that asks for a better starting wage, which is a totally separate issue. It's quite clear that the SNC'll know what I mean. It doesn't mean that if we vote yes on this they'll go away and win and everybody will start at the top of the band. That's not what we're here to do; we're here to be sensible, get the remit to the SNC, tell them we mean promoted, as underlined. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Mark. Just for clarity, in terms of the SNC's position on this, this is not about splitting hairs with you Mark or whether we're trying to steer off from the intent of the motion. The bottom line is Conference has to pass motion based on the wording that's there, not on what people meant by it. And that's two motions already so far today that is about what you meant, as opposed to what's written on the paper. We can only pass a motion based on the wording that's in the motion itself. Those in favour of the...sorry?

MARK MEIKLE – I think you know what I mean by that

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: That's twice you've said that, 'I think the SNC know what I meant by that.' What you meant is irrelevant, what the Conference will vote on is the wording of the paper.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Fine, can I just clarify what I meant. What I mean is that I think you got what I meant, 'cause the way I wrote it, I wrote it as, 'All promoted.' Not at the start, I didn't say, 'This omits new starts,' I wrote it, 'All promoted.' And I thought you would understand that that's what they meant. I don't know what other motion you mean, that I wrote wrong.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

During the appeal...the three appeals you did, you talked about the fact that, 'The SNC understood what I meant.' The only point I'm making to Conference and to yourself is what you meant isn't what people vote on, it's what's in the wording of the motion itself.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH:

Promotion's quite clearly worded: 'All promoted.' That's what I -

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

OK. Those in favour of the motion please show. Those against. The motion's carried. Motion Five, Cornton Vale, to be seconded by Edinburgh.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH:

Cornton Vale have asked that I move this motion. It's a joint motion, a composite, they've asked that I move it. I have read the paper, there is other people due to speak. I have just been unlucky that I've had the first five motions and have to be up here but please bear with me. Both Cornton Vale and ourselves have moved this motion. Cornton Vale have asked if we move it and they second it. Conference mandates the SNC to seek negotiate, in partnership with the SPS, the incremental pay points arising from pay progression, are paid on the first of April. Regardless of any ongoing pay negotiations and subsequent increase, to be backdated to the first of April. Hopefully I've wrote exactly what I meant but -

<Laughter>

Sorry <laughs> This motion...we're all aware of...we've had a lot of talk about the pay and we don't want hands tied and we want to be able to keep going till the end and get the best deal. And in my own particular position and probably most people in the room, if we don't get a pay rise on the first of April and we have to wait three months, six months, for it, it's not the end of the world, we're living by the same means in we were. But some staff, specially the new staff, that are waiting on their progression point, it's very important to them, it's thousands of pounds to them, it's a mortgage to them. So the increments should be paid on the first of April. And those of us if it's a three per cent, 15 per cent, whatever it may be, that then gets backdated and adjusted. Quite clear forward and quite straightforward I think. I'm only pre-empting this but I think that the SNC will argue that increments are negotiated as part of the pay talks. This is what's been happening over the

years. However, what I'm saying is this should not be the case. The increments are there as part of the Civil Service policy and should be paid when due. It's up to us to negotiate that point. I know that currently when we open pay talks, everything's open and progression points being one of them and it's all part of the same pot and we have to come and decide that but every year since I've been here, the pay rise that we've had, the progression points have been made and it's the first thing that our SNC achieved on our behalf. So it's for us to negotiate that point and take it forward. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Thanks Edinburgh. Cornton Vale, do you just want to formally second this motion since you're...yep, OK. Anybody else wish to speak? Ian Welsh on behalf of the SNC.

IAN WELSH – SCOTTISH NATIONAL COMMITTEE:

Chair, delegates, Conference. The SNC, Mark, Conference are asking you to support this motion. We will require our employer to recognise the fact that staff expect pay progression monies on the first of April. Whether it's called progression, increments or whatever, it's about access to the money on the first of April every year. The SNC will approach our employer with a view to get this achieved. Support the motion and we'll get into dialogue with our employers.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Mark, I think you squeezed your right to reply into your moving of the motion but do you want to come back again? <Laughs> I thought you might.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH:

<Laughs> The reply is, this is a vote...this is of course that we don't win the motion that we previously passed, so if there's no paper. If we manage to achieve that, then this will be a moot point.

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PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

You live in some world.

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Those in favour of the motion please show. Those against. Motion's carried. Motion Six, Dumfries. Conference accepts Motion Six being withdrawn.

Please show. Motion's withdrawn. Motion Seven, Low Moss.

DOUGIE MUIR – BRANCH CHAIR, LOW MOSS: Chair, SNC, Conference. Motion Seven reads that the POA pay negotiators look to protect pay band differential when submitting a pay claim and negotiating pay rises. The current accepted pay deal was giving a deal to de-uniformed officers circa 15 per cent of consolidated pay rise, if all of them received a 10 per cent consolidated pay deal and a two per cent non-consolidated. This result of the above pay deal has resulted in a top of the pay bands between D and E reducing and will further reduce in the coming years, providing the Government pay threshold does not change. Eroding the pay gap between the grades in this way will have a detrimental effect on the internal promotion through the different grades, as the financial incentive for progression of work is reduced. In the current climate of abundance of ex gratia, a D band officer need only work two ex gratia shifts a month to take home roughly the same as a first line manager. The difference between take home pay and the conclusion of the pay deal in 2022 will be approximately £300 per month, dropping from approximately 350 from the previous 2016/17 pay deal. This has led our members to suggest that they would not apply for promotion to E as there is no financial incentive other than slightly increased pension contributions that partially compensate for the increase in responsibility that inevitably comes with the role. We accept that there is...that there are those who do not use remuneration as the sole purpose and drive for promotion, however, this could devalue the first line manager role and reduce the uptake in internal promotion. It's important that we retain experienced staff and make promotion an attractive proposition. Colleagues, please support this motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Dougie. Do we have a seconder? Dumfries, do you wish to speak? Anybody else? Barlinnie.

JIM McCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference. Speaking against the motion. I find it folly for the union to keep the lower paid worker at the lowest paid wages. So, my take on this is we get two per cent. I've long advocated that we get the money. A million pounds Scottish Government's given and we divvy it amongst 3000 people. 1995 governors earned...no idea, 55,000 and we earn 15,000. B bands earned less again. I've long advocated that we take the money and we divvy it equally. Keep the difference,

make the difference less. So, 95 the B bands are getting 14 grand, this year they're getting 18. Governors are getting 60, they're now getting 70. We're encouraging disparity for the lower paid workers, so I'm against that motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Barlinnie. Shotts.

JOHN DICKSON – BRANCH CHAIR, SHOTTS: Chair. Also speaking against this motion. I'm a trade unionist and I'm a socialist and what we should be doing is we should be lowering the pay gap from the top down, not from the bottom up. So what we should be doing is actually making that disparity so that you get the pay gap closes for the lowest paid members that we've got and that's what we should be doing. So reject this motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks John. Anybody else wish to speak? Andy Hogg on behalf of the SNC.

ANDY HOGG – ASSISTANT GENERAL SECRETARY FOR SCOTLAND: Conference, SNC is asking you to support this motion. There's not much that needs to be added by way of explaining why it's a sound motion. Maintaining pay differentials that encourage and motivate members to seek and be rewarded appropriately for the additional responsibility of the promoted role, is something that negotiators are conscious of when looking at the distribution of monies that are available. The only caveat I would add to that though is a reminder that it's the membership who then ultimately make a decision about the pay and the levels that exist between them, through a ballot. So, the motion itself makes for good policy, so please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Andy. Low Moss, right to reply? No. Those in favour of the motion please show. Those against. Motion's carried. Motion Eight, Barlinnie.

JIM McCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference. On a roll here. Motion eight reads Conference to stop the SNC negotiate, in partnership with SPS, to have put in place a form of compensation for staff whenever the delayed April pay deal...ever get a feeling that a lot of these motions were written before the pay deal came out?

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But I've been asked to speak and therefor...So, there was a six-month delay in me getting my back money, I get that but staff were asking for...money to do something, to get paid until they pay our back money. Support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Jim. Do we have a seconder? No seconder. The motion falls. Motion nine, Dumfries.

ALISTAIR WILSON – BRANCH SECRETARY, DUMFRIES:
Colleagues. Motion Nine reads that future pay and condition negotiations be done on a unitary basis, rather than collectively with constituent units...unions. This would mean a withdrawal from our current collective bargaining arrangements. I do believe we got an answer from...Andy referenced this. We were just going to formally move it but we would like an explanation based on that motion. I ask you to support it.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Ali. Do we have a seconder? Low Moss, you wish to speak? Anybody else? Andy Hogg on behalf of the SNC.

ANDY HOGG – ASSISTANT GENERAL SECRETARY FOR SCOTLAND: Conference, SNC are asking you to reject the motion. As you know, the recent pay deal provides the time to engage with the SPS and develop your pay negotiating structure based on separating the staff side from the uniform side. So, the last part of the terms of this motion have to all intents and purposes been achieved in that regard and so far as the current collective bargaining arrangements for paywall change. But we need to be careful what we wish for, Conference. We not only represent uniformed grades but we have joint recognition to collectively bargain on behalf of our members working on the estates and for those members operating at pay band F. So passing this motion would potentially give rise to POA derecognising itself from representing those groups, as other unions legitimately continue to collectively bargain on their behalf. This motion means that we would not be in the room during pay negotiations for those groups of staff and for discussions on call allowances etc. Therefore, we would not know what was being raised, discussed and proposed by SPS and unable to influence the direction our sister unions may be taking in those talks. In the meantime, if we retain the recognition, a different set of negotiations will be taking place with the SPS, covering the same group of

staff in a separate negotiation. This wouldn't make sense to do this. Now, whilst we've always worked on a single table bargaining position, through the TUS, this does not prevent any union from acting individually on any matter. Just as before, when the nurses ...

File name: TAYAV011

ANDY HOGG – ASSISTANT GENERAL SECRETARY FOR SCOTLAND: Were SPS employees, we negotiated their pay and conditions alongside the RCN. No other union was involved and no other union had recognition over this group of staff but it made sense to negotiate with the SPS jointly. What is proposed by this motion is not feasible and what would be a disservice to our members in the estates and the middle management level, so please reject it.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Andy. Dumfries, the right to reply. No, OK. Those in favour of the motion please show. Those against. The motion's lost. Motion Ten, Edinburgh.

JOHN GRIEVE – BRANCH SECRETARY, EDINBURGH:
Chair, SNC, Conference. Motion Ten reads that Conference mandates the SNC to negotiate a higher starting salary for new recruits. Pretty straightforward Conference. We think this is urgently required to attract the best possible candidates to apply for ops jobs. We had a meeting recently with workforce planning. They're looking to employ 50 C bands in the next few months. They reckon they need 1000 applicants, which means...basically means 950 don't make the grade. We realise that the straight to D is to give them a wider choice of candidate, so we think that by raising the starting wage will also have the same effect. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks John. Do we have a seconder? Barlinnie, do you wish to speak? Anybody else? Ian Welsh on behalf of the SNC.

IAN WELSH – SCOTTISH NATIONAL COMMITTEE: Chair, delegates, Conference. The Scottish National Committee fully support this motion; it is a good motion to take forward. The starting salary for a C band operational staff is £20,004, so Sodexo prison custody officer starts on 22,700, rising to 23,312 on completion of their probation. If we can secure an increase through this, we will. Clearly it will have a knock-on effect for other pay points; however, let's get the ball rolling and

get the new recruits a salary increase. Support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Ian. Edinburgh, right to reply. Those in favour of the motion please show. It's unanimous. Motion Eleven, Dumfries.

UNKNOWN SPEAKER : It's a withdrawal.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Conference permission to withdraw Motion Eleven. Thank you. Motion's withdrawn. Motion Twelve, Grampian.

SAMUEL BARTON – BRANCH CHAIR, GRAMPIAN:
Chair, Conference. Motion Twelve reads that toil will be accrued at the same rate as ex gratia and not on a one-for-one basis and if time off has not be granted within three months, there is an option to have it paid at the ex-gratia rate at which it was accrued. Conference, this is just reflective across...well, particularly at Grampian. We have colleagues there who would rather do...work for hours but they're not getting it back. It doesnae matter, there's no option in there for time off, so just support the motion. It's just that ... pandemic across our estate, so please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Sammy. Do we have a seconder? Low Moss. Anybody else wish to speak? Willie Carle on behalf of the SNC.

WILLIE CARLE – SCOTTISH NATIONAL COMMITTEE:
Conference. Asking you to support this motion. We did have concerns but having it as an option leaves it open for staff to take it or not, if they wish to build up toil for extra leave. The one issue we would state is the chance that there could be a quid pro quo in the negotiations, if management wish to have an option to recoup the hours. Apart from that, we ask you to support the motion and give our members the option.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Willie. Grampian, right to reply.

SAMUEL BARTON – BRANCH CHAIR, GRAMPIAN: No.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Those in favour please show. That's unanimous. Thirteen, Dumfries.

ALISTAIR WILSON – BRANCH SECRETARY, DUMFRIES:
Afternoon colleagues. Motion Thirteen reads that this conference seek the SNC to change the terms of ex gratia payments to an overtime basis and that this payment be pensionable in regards to salary. If they are unsuccessful in changing this mechanism, then they consult the membership in terms of balloting for industrial action. Dumfries has brought this motion every second year to Conference, worded differently, however we managed to get it through Standing Orders because of the last part of it, 'If they're unsuccessful in changing the mechanism, then they consult the membership in terms of balloting for industrial action.' There's no timescale on that, however we would assume we would be pushing for it within the next 12 months. However, the pay deal's three years and I'm not so sure if that's tied to that as far as pay and conditions are concerned. I ask you to support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Ally. Do we have a seconder? No seconder. Low Moss, you wish to speak?

MALKY MCKAY – BRANCH SECRETARY, LOW MOSS:
Unprepared but just to make you aware, the difference between ex gratia and overtime particularly has been an issue we've had locally at Low Moss. And the fundamental legal differences between ex gratia and the fact...but anyway, the concern for me is that the employer isn't legally bound to pay you any money and equally so, the employee has no obligation to actually turn up for work, unlike an overtime contract, you're duty bound to turn up. And that's a concern, given the crisis we're facing with staff and overcrowding. I'm sure that every establishment here is experiencing the same thing, so we'd ask you to support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Malky. Anybody else wish to speak?

COLIN CAMPBELL – BRANCH DELEGATE, GREENOCK:
Conference, Chair. Would this not depend what pension scheme you're on? If you're on Nuvos, which is the average. Would that not be taken into your calculations for your pension anyway? But these don't affect Alpha...sorry, not Alpha but Classic and Classic Plus? Is there new...is that...just 'cause it's an average salary, would that not be taken into account anyway? I don't know, it's just probably a stupid question.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: I've been advised by my pension expert here that, Colin, <laughs> Anybody else? Mark, do you want to address the motion?

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Conference. I'm supporting the motion and just because there was a point in clarity asked. The Alpha pension is a clear average scheme, whether it's a clear average of earnings or not, it does not include ex gratia, it's just your straightforward earnings over your career. So, it wouldn't matter what scheme you're in, Classic or Alpha.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Barlinnie.

JIM McCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference. I'm going to do Dumfries a favour here and ask you to reject this motion 'cause I've no won nothing today. I don't think we should be giving the employer the long-term notice that we're prepared to work overtime in ex gratia. I think we should have the staff in place, so on that basis only, I'd ask you to reject it.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Barlinnie. Anybody else? Andy Hogg on behalf of the SNC.

ANDY HOGG – ASSISTANT GENERAL SECRETARY FOR SCOTLAND: Conference, the SNC are asking you to reject this motion. Conference, like you, I've seen many a conference motion, most of them are a serious attempt at establishing sound policy for the union going forward. Some of them are funny and a wee bit mad around the edges and some are plain daft. But occasionally, some are downright dangerous and this is one of those. The terms of this motion seeks to end ex gratia payments and replace it with an overtime system. The impact of the introduction of an overtime system will cut staff complements and replace it with a budget at a time when we're screaming for more feet on the ground. To manage the overcrowding levels and the high sick absence that we're currently experiencing, we've just been successful at Low Moss, in overturning an SPS decision to manage external staff purely through ex gratia payments. Now we want to compound this by introducing overtime. That's not enough. The terms of the motion would also place an obligation on the union to seek to ballot the members on industrial action if we don't succeed. What would the question on a ballot paper look like? 'Do you agree to take industrial action

in order to achieve staff reductions?' I think our members would think we'd lost it and I think the call would be right. Conference, we already have a policy position: the desire to seek to replace the ex gratia payment system with overtime payments, at a particular rate and that is considered pensionable. We've achieved part of this in so far as the rates between overtime and the SPS and ex gratia are the same and we'll continue to try and get to make these payments pensionable. However, this motion moves that to a different and more dangerous position. Don't get confused between the two. Our prisons need bodies, not pounds. Please reject.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Andy. Dumfries, right to reply.

ALISTAIR WILSON – BRANCH SECRETARY, DUMFRIES: I'm a bit confused by what Andy just said there about losing jobs and the ballot paper. I thought we just had a ballot and pop, we were losing jobs and that was recommended by the SNC. I ask you to support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Dumfries. Those in favour of the motion please show. Those in favour of the motion. Those against. The motion's lost. Motion Fourteen, Barlinnie.

JIM McCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference. Motion Fourteen: Conference to instruct the SNC, in partnership with SPS, to review the detached duty policy. This came from one of our guys that's actually detached at Grampian. Seemingly it's not been updated for many a year and it's the same rate of money that we've got five, ten years ago. But costs have increased, petrol, food, digs. Also, what another part about what the fellow was telling us was that it's actually on your wages. If it's on your wages you're actually paying tax but you're also if you're an SO first line manager, you're getting nearer the tax threshold and you're paying more money in tax. So, I ask you to support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Jim. Do we have a seconder? Shotts, wish to speak? Anybody else? Mick Grattan, behalf of the SNC.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Chair, Conference. Thank you Barlinnie for bringing this motion to Conference. This policy is encompassed in the Pay Policy Work Group. We have

had a massive increase in our members participating in detached duty, particularly in Grampian. We're shouting it all the time; 'Cannae get enough staff.' There have been points raised to us that at one time our members were getting paid for coming down to see their family and all of a sudden that money's been stopped. They can't get down as frequently and have that paid as they used to. It's a very good motion. On this point we're asking you, do support it and we'll do our best to improve this policy. Thank you.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Mick. Right to reply.

JIM McCABE – BRANCH SECRETARY, BARLINNIE: No

<Laughter>

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Those in favour please show. Those against? Motion Fifteen, Edinburgh.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH:
Conference, the motion reads ...

File name: TAYAV012

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: The Conference reiterate that we are committed to seeking an unsociable hours shift allowance. I'm aware this is already policy and I quite genuinely wrote this as 'reiterate' just to bring it back to the table and refocus. When I was at the lock-up meeting, which I've already alluded to. There was a feeling out there that this was not being pursued vigorously and the feeling on this was because that most of us in the room are eight to five and we'd be in a detriment should this policy be passed. I assured them that that wasn't the case and we were a union that would fight tooth and nail to make sure that those that do shifts on weekends are rewarded suitably. Please support. It came from the floor in one of our lock-up meeting and I said I would bring it and reiterate that's what we should be doing.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Mark. Do we have a seconder? Glenochil, you wish to speak?

BILLY YOUNG – BRANCH CHAIR, GLENOCHIL: I've worked shifts for 20 odd years. It has been something that has bugged a lot of staff for years now, that you could go and get yourself an eight to five job and earn

the same wages without the disruption to your family life that means working a back shift, working the weekend. The fact that you are held back on various occasions because of incidents that run on after five o'clock on a Saturday, all the rest of it. I support this motion based on the fact that there used to be differences, there were shift allowance paid back in the day. That was done away with because they said, 'We're moving forward.' We seemed to have not recognised the fact we still have staff having to work shifts that are unsocial. Outside you get it, I think we should have that in the SPS but we support this motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Glenochil. Anybody else wish to speak? John Cairney on behalf of the SNC.

JOHN CAIRNEY – SCOTTISH NATIONAL COMMITTEE:
Chair, Conference, replying on behalf of the SNC. Conference, SNC asks you to support the motion. As Mark's alluded to, the motion is still POAS policy and sits under the allowances edits within the policy document, with gets circulated with all the conference paperwork. The current policy position which the SNC will continue to seek the introduction of a range of pensionable allowances and premium rates of pay, that recognise the requirement to work unsocial hours and at weekends. We're supporting this motion, it reaffirms this position, so please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks John. Edinburgh, right to reply. No. Those in favour please show. Anybody against? Motion's carried. Colleagues, I'm going to close the moving of motions at Conference at this stage. The SNC need to have a meeting with the Deputy General Secretary and we need to organise a Standing Orders Committee for the placement of those motions, as well as picking a position on them, so I'm going to call it early today. Just to make you aware that...I think most of you will have seen and be aware of the Auditor General's Report into the Scottish Prison Service's Finances and Performance, that was taken in front of Justice Committee last month. Colin McConnell...actually, everybody who was on this panel today, all gave evidence at one stage or another to that Justice Committee. We were invited to give evidence again tomorrow morning to a Scottish Parliament Public Audit and Post-legislative Committee. Now, it's a bit of a mouthful but actually that Committee's quite an influential group in terms of determining where Scottish Government budget will be going next year. We wrote back to them and said that

our annual conference was taking place this week and we won't be able to attend, we'd be happy to put in a written report if that was acceptable to them and it was, which is what the plan was going to be but actually we got notification of who else is appearing in front of the Committee tomorrow. So, PGA will be there, giving evidence. Community, the trade union who represent the private sector here in Scotland, both in Kilmarnock and Addiewell, are also giving evidence, as are those two private prisons. Now, given this is about Justice resource in terms of how that money is going to be spent and as far as we're concerned, all we've got there is the senior management team or the trade union that represents the senior management team, giving evidence to that, alongside the private sector, we've decided that actually it's really important that we don't send in a written report, that we turn up ourselves and give evidence and deal with the questions that come from that Committee. So, I'll be attending that Committee tomorrow morning on behalf of the POA, to make sure that our membership's voice is heard in that debate, because it is an extremely influential Committee in terms of where the budget will go from there. So, Mick Grattan will be taking over chairing the conference for the first part of the morning. I expect to be back by about 11 o'clock, back 11 in the morning but I just don't think, given the seriousness of the financial situation the SPS is in right now, where there's budget decisions are going to be taken, that we can afford to put in a written response and have that left open to PGA, Community or the private sector to start to dissect that and shift the resource around. So, that's why Conference will probably start slightly later I think tomorrow morning; we're going to start at quarter to ten. But Mick Grattan will be in the chair <laughs> to kick off proceedings. In terms of tonight's arrangements, we've got the drinks party, six thirty, which is...I think some of you already know where the bar is but for those of you who don't, go out here, turn left, halfway down the corridor, left again. It's called Not The Cocktail Bar. It used to be a cocktail bar, it no longer is, which explains its name. But there'll be the drinks...pre-dinner drinks reception there from six thirty. I appreciate that this hotel is a bit closer to Peebles than the Cardrona is and the temptation will be to head off into town, have a couple of pints and by all means go ahead and do that. Can I say to you though, it's really important that we're back here for dinner. If we do not have dinner the POA do not get refunds in terms of the cost. What you've got is a set rate per day for delegates' attendance at this conference and the

two dinners that we put on are part of that conference, so it's the membership money that we're spending in doing this and I would urge that you all come back in time for the dinner tonight. Apart from anything else, it will be rude to the guests we've got sitting at the back of the room who are looking forward to your company. So, I look forward to seeing you all later on tonight. Thank you very much.

Thursday 31st October 2019

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Morning Conference and we're off. Hope you all had a really good night last night. Obviously, Shotts have 'cause they've not surfaced yet. Yesterday there was three appeals to Conference, the appeal papers should be on your table. We've positioned them as 15A, 15B and then 37A. So, that's 15A, 15B and 37A. Can I ask Edinburgh to come forward please?

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Morning Conference. Two appeals to be heard this morning. Thank you very much for having them heard, I think it's important that we discuss them. I know they're already policy so I'm hoping that we do all put our cards up and uphold the policy but I think it's good that we can reiterate to our SNC that some of these policies that we have need to be pursued a bit more vigorously and be a bit more at the forefront. So, the first one reads that the SNC seek a review of the maternity variable and pursue the actual cover required which is met. When we argued our variables, way back in the dark days when it was black and white and I think I was actually in the job then, we got a certain amount of cover for the dynamics that we had in front of us, which was 12 days of sick pay per year, per man. Wish that was true but it's not. Five for training, which is nearly true and one other. The other was to cover everything else. We now have different dynamics of employment; there is and quite rightly, much more female gender working in the workplace. With that brings, quite obviously, maternity leave and we don't have the right cover for that. Currently, me and John counted yesterday we have 12 that are either off on maternity leave or on light duties because of being pregnant. It's good that we are an employer that encourages that and has a different dynamic in the workplace but to that end, we have to make sure we've

got appropriate cover for it. And bringing this, albeit it's policy, bringing this to Conference was a chance for you guys to mention or for me to reiterate - I think we're all in the same position - that just because the dynamics we have, we need a bigger push on this and a bigger cover for a variable for maternity leave. Please support the motion.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Thank you Mark. Do you have a seconder? Perth second. Any other speakers? Tony Quinn for the SNC.

TONY QUINN – SCOTTISH NATIONAL COMMITTEE: Chair, Conference. I'll be brief. The fact is, maternity...the issues surrounding maternity, is having a significant impact on staffing in our establishments. It's not going away. The SNC are asking you to support this motion.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: To the vote. Those in favour? That's carried. Mark, on you go.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Again Conference, thank you for allowing the fact that we hear this motion because as I said when we were moving the appeals, some of these motions need to be reiterated and need us to focus and need some people in the back of the room to hear what we're facing, what we actually need. I know it's kinda policy but this motion reads that the SNC seek a return to work variable and pursue that the actual cover required is met. For the last motion I just talked about figures that it's 12 for sick, five for training and one other. That one other is to cover our maternity, our special leave and return to works. I don't know how well you work with your HR but what we do very much is encourage people to come back to their work and in some cases that might be front house working, office, doing whatever. Currently, John if I'm right, we have 11 on returning to works in Edinburgh. Add that to our 15 pregnant of 36, and C to E band, we start at 65 short on a Monday morning. But this return to work bit is another bit that is...it comes under a policy we already have, which is for whatever reason. That's what our policy says. Our policy should be quite clear: cover for sick, cover for maternity, cover for return to work. It's good that we can talk about it. I'm imagining you guys are in a similar situation; you've got an age in the workforce that maybe have skeletal muscular problems and or mental health problems and here's hopefully that we can push

for the appropriate cover to cover the return to work guys. Please support.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Thank you Mark. Do we have a seconder? Grampian. Any other speakers? Ian, on behalf of the SNC.

IAN WELSH – SCOTTISH NATIONAL COMMITTEE: Conference, delegates. The SNC are asking you to support this motion. By supporting this motion, Conference, we will be reaffirming our policy position and the POA policy being amended accordingly. Please support.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: To the vote. Those in favour. That motion's carried. Up you come Mark. You're Motion Sixteen.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Sorry, no apologies Conference, it's just the way the order paper's running. I do sit down for a while after this.

<Laughter>

We're onto miscellaneous I think in Motion Sixteen, which reads, the SNC seek an ex gratia bonus payment, similar to that offered to HMP Grampian, for all establishments. If necessary and possible, this should be pursued as an equal pay claim. Now, I know that our colleagues up here may well speak about equal pay claims and how that has to be gender specific and that's what equal pay claims are about. This came to the floor, again it's in a lock-up meeting that I'm talking about. I'm guessing you are all in the same situation as us because of staff shortages, act-ups and all the other things that I went through earlier, we have more ex gratia or overtime, which we could have, than we're able to cover. There's just not enough guys prepared to do it. We just don't...we keep sending them all up to you guys up in Grampian <laughs> you've got three of them, who're used to the overtime. And there isn't just the want out there to have this cover. No guys shouldnae have to work more hours but if they are they should be appropriately rewarded. Now, I know there was a scheme just recently where we upped enhancement...John, you'll probably remember what that repayment went to <laughs> Sorry, that's a dig 'cause he's never out the place. However, Grampian came up with a bonus scheme; I think you signed up for 40 hours, got an extra grand and a half. The actual

figures I don't have in front of me and apologies for that, I could have done that. But the idea is that to encourage it and to reward guys that are doing above and beyond the call of duty, coming in, doing their extra work, getting a wee bit payment for it but give them a bonus. Why not? They managed to achieve it in Grampian, I'm guessing we're all in the same boat now, that we're probably in the same predicament that Grampian was then, that we cannae get the cover, why not seek extra payment for the guys? It would be folly not to vote for this. We're just seeking extra money for guys going above and beyond the call of duty. I mean guys and girls obviously. Please support the motion.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Thank you Mark. Do we have a seconder? Barlinnie. Any other speakers?

JIM McCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference. I'm supporting the motion. £1550 was offered to Grampian staff for working toil or working ex gratia to keep the gaols running. They wrote an email to Adam at the back there, from Barlinnie, to state that we're actually running with a population of more than what Grampian **houses**, with no extra staff, for no bonus. So, our membership are fizzing when this notice to staff came out. Couple of emails back and forward, never got anywhere. But if we're going to give it to one section of the country, then we give it to all, every member that works overtime. Support the motion.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Thanks Jim. Malky.

MALKY McKAY – BRANCH SECRETARY, LOW MOSS: This is quite pertinent to Low Moss. We've got a live grievance on the go just now, regarding this issue. We sympathise with our colleagues in Grampian, the staffing issues. It simply cannot be right that a member of staff in any other establishment, doing exactly the same job, can't access this bonus simply because of the location. The job's pretty much the same no matter what prison we work in and so are the difficulties. Employers should recognise this and allow all our members to access this bonus during these difficult times. Please support the motion.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Thank you Malky. William Reid on behalf of the SNC.

WILLIAM REID – FINANCE OFFICER, SCOTTISH NATIONAL COMMITTEE: Chair, Conference. The SNC supports this motion. As you're well aware, it's the union's policy to oppose any form of pay or financial enhancements for individual establishments. Any such offers should be made available to all. It's hoped that in partnership we can seek a similar payment for all and if we're unsuccessful in the talks with the SPS, then we as a union would then seek legal advice to see if we could pursue an equal pay claim. Please support this motion.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Thank you William. To the vote. Those in favour. It's carried. Motion Seventeen, Low Moss.

DOUGIE MUIR – BRANCH CHAIR, LOW MOSS: Chair, SNC, Conference. Motion Seventeen reads that the SNC should negotiate changes into part-time working policy to better reflect the current situation. Taking cognisance of the new pension schemes, in particular the onus should be on the employer to provide opportunity for part-time working. Conference, the current retirement age is 68, has resulted in us seeing more and more staff of increasing age working in frontline operational duties. The working environment is becoming increasingly more demanding, with high levels of violence towards staff, due in the main to an increase in the use of psychoactive substances by prisoners and unprecedented high prisoner numbers. This has led a number of members to consider part-time working as they feel the increased physical demands are more manageable on a part-time basis. However, although the current part-time working policy offers a number of options, the reality and experience of our members is completely different, with the onus being placed on the members to find colleagues with which to share lines and manage the transition to part-time working themselves. Low Moss seeks support from Conference to mandate the SNC to review with SPS management the part-time working policy, to ensure when our members apply for it, part-time working is made available to them. Conference, please support the motion.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Conference, do we have a seconder? Grampian seconded. Any other speakers on that? OK Billy-boy.

BILLY YOUNG – BRANCH CHAIR, GLENOCHIL: Chair, Conference, colleagues. I'd ask the membership to go with this. I have colleagues at work who cannot get

part-time because of the rule, they need to get part-time. They're currently working and paying half their wage to stay at full-time because Glenochil refuses to give them part-time. They base this on the fact we don't have the staff, we don't have the variables for training and we've got too many part-time. So, I'd ask Conference to uphold this motion and back it. Thank you.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Thanks Billy. Any other speakers? Can I ask Tony on behalf of the SNC?

TONY QUINN – SCOTTISH NATIONAL COMMITTEE: Thanks very much Low Moss for bringing this motion. The SNC are asking you to support it. The effects that this has on a sizeable portion of our members mean that this issue's not going to go away. In fact, if not sorted, I have little doubt that it will cause industrial relation issues in the not too distant future. And when I say not too distant future, well, first intake after Fresh Start was November 1987, staff joining then at 28 years or over, will now be reaching 60, the age that they were due to retire prior to Hutton. Granted, taper will have helped some and they may still be tapered. However, over the coming years and for a good many years thereafter, our members, including the majority of us here today, due to retire at 60 and subsequently forced to work to 68, will face a potential for severe detriment. This will be subject to choice but we have a right, nonetheless, to draw a Classic pension that we are due at 60. And I think I've stated here before, that particular right will be subject to you getting part-time. It will be subject to the pension scheme rules, particularly that we reduce our income by a minimum of 20 per cent. Now, this can be done by taking a lower paid role on the same hours or, more probably, by seeking to reduce our hours, working fewer days a week. Currently there is the ability to do this in most goals but for operational staff the prime fixer for this is to allow it only if you bring a colleague who is willing to share a line with you. That's just not right. Now, that may be easy for management in the short-term but it won't be ideal for our members ultimately, to force them into a decision to maintain full-time working, at a time in their lives when we should be allowed to wind down to retirement or to leave the Service, ensuring that our pension is not ripped from us.

TONY QUINN – SCOTTISH NATIONAL COMMITTEE: Conference, it's been highlighted to me that it may be difficult to put into a policy something that may result

in a discriminatory practice and it may not therefore be possible to construct a policy or guidance that offers the right to individuals based on age. Based on age is not available to all employees but you know what? Even with the current policy that may be what's happening just now. Right now, it appears that if you're able to draw down your pension and find a colleague to share a line with you, then you've a far better chance of successfully requesting flexible working. That benefits older people. Right, now, this is not easy for our members who seek flexible working, maybe to look after a newborn baby or an elderly parent. They can't afford to reduce their hours by half, in fact, in some establishments it may seem impossible and I believe that that's evidenced in current figures. Recent return from establishment, although not entirely accurate, indicates that for pay bands C's, D's and E's...and I couldn't get a split operational, non-operational. 72 per cent of the people that are working are on 18 and a half hours. From experience though, I can tell you that right now it is not the current policy that is hindering or will hinder in future, reasonable applications for part-time or flexible working. It's push-back from the operational line. While the reasons for refusal might include – and they contradict each other – 'You can't get your four days a week because that might affect consistency. But you know what, bring somebody up here and only work two and a half days and you'll get it.' Doesn't marry. 'You can't share a line because of the high sick levels or staff shortages but it's OK if you have to leave as a result of that.' It's nonsense. Colleagues, a new flexible working policy is on the table and it's likely to be shared before agreement. There's a couple of points yet to be ironed out but it and its guidance does offer additional support for applicants. Potential applications to be put on hold or agreed, even awaiting further recruitment. Possibility for additional application within the year if new information or recruitment comes about and an initial safety check to ensure consistency throughout the SPS. This, along with a commitment to keep more accurate records, including refusals, will allow us to better review its application SPS-wide. And the continued mechanism to address unfairness, discrimination etc. through the employment tribunal will still be there. But colleagues, it won't...it will not do this unless the SPS unlock the door to more opportunities and to do this it needs to get itself out of its current hole. Part-time opportunities within the operational line needs to be addressed and it needs to happen quickly. Please support.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Thank you Tony. Those in favour. To the vote. Motion carried. Motion Eighteen, Glenochil.

BILLY YOUNG – BRANCH CHAIR, GLENOCHIL: Chair, Conference, colleagues. Our motion to Conference reads, Glenochil Branch seeks support from Conference to mandate the SNC to enter into discussion with the SPS management, to resolve the ongoing issue of lateral transfers not going ahead due to sick windows, instead of running a bank list. In a nutshell, if there is no lateral transfer window opened, there is no lateral transfers. You apply for it and you basically get shut down. What we're seeking here is for the conference to mandate the SNC to enter into negotiations to resolve this by making that national workforce planning arrangement, that when you ask for a lateral transfer you stay on a bank list until such times as it can be tied in with other policies, such as recruitment etc. to allow that to happen. We recruit somebody to go to Polmont, someone wants to transfer to Polmont, we switch where the person goes, they get their lateral transfer. To me that seems very simple but for some reason, that's not the case. Please support this motion.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Low Moss, you wish to speak? Any other speakers? John Cairney on behalf of the SNC.

JOHN CAIRNEY – SCOTTISH NATIONAL COMMITTEE: Chair, Conference. Replying on behalf of the SNC. Conference, the SNC asks you to support the motion. We were under the impression that the windows were done away with and we thank Glenochil for bringing it back to our attention. Looking into the rationale for going back to windows, it was found out that it was done at the request of establishments, as some were releasing staff who had been granted transfers straight away and some weren't until they received backfill to bring their complement back up to what it should be. The SPS felt that this was causing undue stress and anxiety onto the staff involved, due to the different ways it was getting done, therefore by reinstating the windows they were in a better position to manage the process and ensure that the moves all took place at the same time. Whilst we agree that the process needs to be streamlined to ensure that the aforementioned stresses are not getting placed on staff, we believe that the issue that causes it should be addressed, ensuring that staff transfers get granted...or happen as soon as are granted, rather than reintroducing the windows. Because we believe the windows act as a barrier for

staff because they are at their most vulnerable when they apply for the lateral. So by removing the windows it gives them a better opportunity to solve and address the issue that's happening in their lives, to enable them to move on. So please support the motion.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Thank you John. Could we have the vote? Those in favour. Motion's carried. Glenochil, up you come again. Here Billy.

BILLY YOUNG – BRANCH CHAIR, GLENOCHIL: Chair, Conference, colleagues. Our motion to Conference reads as follows: Glenochil Branch seeks support from Conference to mandate the SNC to enter into discussions with the SPS management to resolve the compassionate transfer issue of one application in a 12-month rolling period. This should be an open application lasting 12 months. This came to light because we have members asking for compassionate transfers and they're told that they must meet one of the five criteria that are set from a policy that hasn't been reviewed since 2007. So, unless you meet one of those five criteria, you are not getting a compassionate transfer. And also, if you do not get your compassionate transfer, you're not allowed to apply within 12 months. Now, I believe there's been a case where after this was reviewed, I believe at Polmont, it was found that cognisance wasn't taken of the circumstances and appeal was held and it was upheld. We're looking for the fact that we seek Conference to allow the SNC to look into this and change the policy. It needs reviewed, it's 12 years out of date. Please support the motion.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Thank you Billy. Do we have a seconder? Low Moss. Anybody wish to speak? John Cairney on behalf of the Scottish National Committee.

JOHN CAIRNEY – SCOTTISH NATIONAL COMMITTEE: Chair, Conference. Replying on behalf of the SNC. Conference, the SNC asks you to accept the motion. There are no apparent reasons why it's only six months and not a rolling 12-month period, as the motion says. There's nothing in the Civil Service Code or ACAS guidelines to support either timescale. And on looking into the motion, how we respond to it, we spoke to a colleague within the team. They've stated that the rationale behind it being six month is to allow them to better monitor the circumstances for the compassionate transfer to ensure that they still exist. For the SNP...SNP? Apologies. It's for the SNC –

<Laughter>

It's alright Conference, that was two weeks ago <laughs> There's nothing to support why it can't get done regardless of the timeframe. It shouldn't be forgotten a member of staff applying should be made aware to report any changes of their application at any time, so this would rule out the SPS's point that six months is easy to manage. Moving to 12 months rolling we believe would support the member of staff and maximises the opportunity for the staff member to obtain their compassionate transfer and quite simply, it would also cut down the workloads placed on managers, as they need to only do the application once and not follow it up twice. So please support the motion.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Thank you John. Can we have a vote for that one please? Those in favour. Motion carried. Motion Twenty's a debate. Polmont.

EDDIE CRUSE – BRANCH SECRETARY, POLMONT: Nice one John. Cheers Conference. Motion Twenty is Conference debates whether or not the conduct of the investigating unit is fit for purpose. We will all be dealing with these issues day to day. It's a real frustration when we used to have ten days, we're now taking months upon months, upon months and there's a lot of issues about the Conduct Investigation Unit. Possibly the resources, would we want any more? I would doubt it. The length of time that it takes, the volume of the investigations, the type of things that comes back from these investigations and particularly the quality of these investigations. In one that I'm reading at the moment, there is a comment that a manager was in a room for nine minutes but it doesn't say anything about that, it just leaves it hanging in the air. That cannae be good enough. We're in the modern times, supposedly, we should have better investigations. We should have a better Unit, doing better things and if somebody's guilty of something then they'll suffer the consequences of that but we shouldn't be making stuff up and we shouldn't be leaving suggestions in these reports. The Conduct Investigation Unit cannot be fit for purpose at the moment, I don't think and I think it certainly needs changes to it. What that looks like, I don't know but they certainly need to also be able to understand the operational environment, which they clearly do not. They don't understand the operational environment, they rely on CCTV and it gives them the wrong idea

about what is going on in that CCTV and they then report it accordingly. And they're influencing governors to make decisions...or adjudicator, should I say, to make decisions that are not in our members' best interests and it doesnae do the correct things. I don't think the CIU is a fit for purpose...fit for the SPS and certainly, it isn't for our members. Please join the debate.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: The request for debate doesn't need a seconder. Any other speakers? Tony, on behalf of the SNC.

TONY QUINN – SCOTTISH NATIONAL COMMITTEE: Chair, Conference. Thanks very much Eddie. The CIU was something that actually Conference had asked for...we need to take that back a wee while ago eh? And it was based on the experience of the previous model, which was a model that gave no confidence to those caught up in it and for many and legitimate reasons at the time. It might not be perfect and indeed it might be far from it. Conference, the SNC agrees that the CIU can do better and that some things may need to change but given a choice to go back to what we had before, we would have our reservations. Although not involved in its start-up, I'm going to assume that what we wanted from a Central Investigating Unit was similar to the SPS: consistency, fairness, professionalism, objectivity and best practice. And I'm not sure...well, Eddie's certainly saying that's not what we are getting. But we can address these issues. If you have concern, there's a Conduct Executive Group. It sits...it's quite a high-level group but if we've got issues with regard to it, we can put them forward and they will get discussed with the SPS at a higher level. But meanwhile, if you believe that governors are advocating some of the responsibilities are passing obvious, non-dismissal cases to others, raise it. If you believe that governors are seeking to guide or unduly influence an investigating manager, ask them. And if you believe that submitted investigatory outcomes are suspect or without substance, then fight it. Conference, one of the main points made at Conference in accepting this as policy, way back, was at the time it would put trained, professional individuals in the roles of investigating managers and as a result, would put us, as representatives, at a disadvantage. And maybe it did but a definite outcome from it, intended or not, is it's made us better. We too have learned, adapted and got far better at representing our members. But most importantly of all in this debate, is the effects on our members and we should never forget this. The recent high numbers of cases being processed

by a small team has, without doubt, elongated a process which should be completed timeously. It's added considerable stress at a time when anxiety will be heightened and it's potentially contributing to higher levels of sick absence in the SPS. This is a debate colleagues and while suggestions have been made to alternatives, we can apply that tried and...that can apply that tried and tested adage of common sense, the SNC has not been asked within the motion to do anything to change the system. We will, however, ensure that concerns that you've made, Eddie, will be taken back to management.

MICK GRATTAN – VICE CHAIR SCOTTISH NATIONAL COMMITTEE: Thank you Tony. Obviously, there's no vote on that one. Twenty-One, Edinburgh.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Chair, Conference. The motion reads that for those who attain a promotion ticket, this should remain live for three years.

This is one of the motions that I had to appeal to the SNC, who accepted it, because we already have a policy on this, and the policy is that those that get offered promotion progression, which I prefer the word, automatically move onto the new pay scale. And absolutely right, they should move onto the new pay scale immediately. However, we've been unable to attain that. It doesn't happen. People get a ticket and fortunately for these guys at the moment they do manage to get that within the year because of how bad the staffing is and they get it. However, it has been known in the past that people sit with their ticket, they went through all the rigmarole of the application, how complicated the SPS make it. They do all that, they end up sitting for a year, which currently is the SPS policy. At the end of the year they don't get a vacancy and then they ended up not getting their promotion ticket.

We've debated it at a lockup meeting, which I've discussed a few times, and it was to be five years and there was a lot of debate, 'Well, what's right? Should it be one, should it be three, should it be five?' Of course we don't want to close off new people applying and we came up with a figure, three years, after a lot of discussion amongst ourselves, as to what would be right and what would be wrong. We reckon three years is about right and gives everybody the chance to get there without closing it off to other people who may wish to go for D or E band, which is currently the policy. Please support the motion. I know the current policy

we have is more robust and it should be immediate. Again, I reiterate we've not achieved that. This could be a fall-back position at the bottom of that in saying, well, at the very least it should last for three years. Please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Do we have a seconder? Greenock, wish to speak? Did you second earlier, Colin?

COLIN CAMPBELL – BRANCH DELEGATE, GREENOCK: No.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Do we have a seconder? Glenochil.

COLIN CAMPBELL – BRANCH DELEGATE, GREENOCK: Chair, Conference. I'm speaking against this motion purely on the basis I don't think it should be three years. I think it should be open-ended, particularly if there's talk of direct entrants, somebody's deemed to have attained a standard that can do the job. I don't see why it should be time barred, you're either competent or you're not. So, it's purely on the basis that I don't think it should be three years, I think if you reach the standard, you should be therefore eligible for promotion or advancement, progression, whatever you want to call it, when a post becomes available to you. So, purely on that basis I'm going to ask you to reject the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thank you, Colin. Any other speakers? William Reid on behalf of the SNC.

WILLIAM REID – FINANCE OFFICER SCOTTISH NATIONAL COMMITTEE: The SNC are asking you to reject this motion. I can understand where Mark's coming from, and he's touched on it already regarding what our position is, the union. As it says here, it's the SNC's position that if we were to pass this motion it would dilute what is the union's policy, which to remind Conference, is that when someone has attained a promotion then there shouldn't be a time bar to when this so-called ticket expires. For our boys who sieved out], it's our belief that once someone has passed the board for promotion then is deemed competent for that grade, and as such they shouldn't have to reset the same promotion board 12 months later. I understand, like I said, where Mark's coming from, but I'm asking you to reject this motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Mark, do you wish to reply?

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Thanks for the debate guys and I fully support the fact that it should be open ended and I fully support the fact that it should be immediate. Of course it should be, and that's already our policy, that it should be immediate and open ended, however, we've been unable to achieve that. It can still sit in a policy document that it should be immediate and it should be open ended. That is what we ultimately want to achieve. However, when the SNC are in negotiations with the H team or HR, whatever they choose to call themselves at the moment, at least we've got a target here and it's three years. Because, if we say to them it should be open ended, they'll say, 'No, that's too much to ask for.' If we ask them it should be immediate they may well say, 'No, that's too much to ask for.' So, rather than one year, which is currently our manager's policy, it's live for one year, this multiplies it by three, it gives us another wee bow to your feather, to say, 'Let's make it three then.' Not one, three. Albeit, ultimately, we want open ended and immediate. Of course that's what we want and that's what we want to achieve but at the very minimum let's make it three, just gives us another target to aim for. Please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thank you, Mark. To the vote, those in favour. Those against. Motion is lost. Motion 22 – Polmont. You forgot that one, Eddie, eh?

EDDIE CRUSE – BRANCH SECRETARY, POLMONT: Chair, Conference, colleagues. Motion 22, that in the event of a Section 11 application being made for a workplace injury, no potentially punitive MAAPP award is applied until a final decision can be made in respect to whether a Section 11 is granted or not.

Colleagues, we've got too many members who are suffering a detriment in pay because my CSP the SPS or HML, some of the companies that assist this process can't do the work quick enough. We've got members who are sitting in a timeframe that's way outwith the six-month period, and some we've seen the disgraceful suffering because these processes can't be done quick enough. Now, there is, contained in the rules, this idea there's a three-month window that this should be done within and that simply isn't happening, the majority are outwith six months. It isn't good enough and can't have

members suffering when, in fact, they end up with Section 11's, but they're on half pay and then they recover their money so it's OK. It isn't OK and this needs to be resolved. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thank you, Eddie. Barlinnie wish to second? Cheers then.

JIM McCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference. In support of the motion. Eddie's completely correct, there's nothing worse than one of our members getting injured at work. The injury is solely and wholly attributed to their workplace so the process should be quicker. The fact that we don't have occupational health gain appointments quicker than what they want to give them, it's our members, they're a service, we should be telling them. If the guy's not fit or the lass is not fit due to a workplace injury then we put this on hold because we get people in our officer on a regular basis worrying about their wages. So, not only have they got a physical injury, they've now got a mental injury 'cause their worrying about their bills and their mortgages. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks, Jim. Any other speakers? Ian Welsh on behalf of the SNC.

IAN WELSH – SCOTTISH NATIONAL COMMITTEE: Chair, delegates. Conference, the Scottish National Committee are asking you to support this motion. We will approach our employer and try to achieve this in the current MAAPP. However, we have a very short window to achieve this in the current policy. As you'll be aware we are currently reviewing the MAAPP and one of the discussion points raised by the SNC was exactly what this motion is asking for, including the points raised by both Polmont and Barlinnie this morning.

We have made positive progress to date and we are sure our employee is listening to us on this matter. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thank you, Ian. To the vote, those in favour. Motion carried. Motion 23 – College HQ.

PAUL DUFFIN – BRANCH CHAIR, SPSC/HQ: Chair, SNC, colleagues. Motion 23 reads: This branch mandate the SNC to instruct branches that when dealing with any

violent incidents, where staff have been assaulted as a result of said incident, that they are encouraged to record the assault on a Violent Incident Reporting Form and provide a copy to Police Scotland.

Currently, if a member of staff's injured or assaulted it's recorded on a Accident at Work Form, albeit highlighted that it's as a result of a violent incident. We don't think that's taking it far enough. We think it should be on a Violent Incident Reporting Form and copied to Police Scotland. Having spoke to Thompsons yesterday, they're in agreement that should happen and they would like copied in as well. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thank you, Paul. Do we have a seconder on that? Cornton Vale, you wish to speak? Any other speakers? John Cairney on behalf of the SNC.

JOHN CAIRNEY – SCOTTISH NATIONAL COMMITTEE: Chair, Conference, replying on behalf of the SNC. Conference, the SNC asks you support the motion. As Paul says, as things currently stand, SOL are recorded under injury at work and for us this isn't how a SOL should be recorded. We've got a meeting setup on the 11th of November with the health and safety team at HQ to discuss the matter. We're asking the moving branch to allow us time to discuss it and our outcomes we'll feed back into the branches. That said, we do fully support the motion so please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thank you, John. Motion to the vote, those in favour. That's carried. Motion 24 – Polmont.

EDDIE CRUSE – BRANCH SECRETARY, POLMONT: Chair, Conference. Motion 24 reads: That Conference hold a vote of 'no confidence' in the current HRBP model, where a vote 'for' means we have 'no confidence'.

Colleagues, it's a particularly bad experience that brings this to your attention and for us to bring this to Conference, but it's not across the board, it's not every HRBP, it's the model that we're considering here and does it fit and does it work for use. However, because it reflects on individuals we're asking Conference's permission to withdraw the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Conference, do you support to withdraw the motion. Motion withdrawn. Motion 25.

MICK MULHOLLAND – BRANCH CHAIR, BARLINNIE: Conference, chair. Motion 25 reads: Conference instruct the SNC to seek assurances from the SPS that staff who work in the TSO roles at the time of suspension are given first opportunity to be reinstated to that role when the roles are reintroduced.

It is our belief that the role was suspended due to high prisoner numbers and high levels of staff sickness throughout the estate with these staff being utilised to ease the burden on the residential areas. When and if these roles are reintroduced we feel that it is in the interest of fairness that those staff, who made such success of the role, should be given first refusal to return to the post. We're asking you to support this motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks, Mick. Eddie?

EDDIE CRUSE – BRANCH SECRETARY, POLMONT: Chair, Conference. Obviously seconding, fully support this. It's really important, I think, these people return to these roles. I think everybody realises that they've done an excellent job, both inside and outside the prisons, everybody knows the quality of the work that they've done, the enthusiasm they bring to this role and it's really, really important that they are returned. Every one of them has an absolute passion for the role. However, there's just one addition I'd like to make. It's so easy to pull that role when it's so important and why are we funding it from within and the minister should take a particular interest in this and fund it. Please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: That motion, we're taking Polmont on a seconder on that motion. Can we have the motion to the vote please? That motion is carried. Moving onto 26 – make it quick. Dumfries. Formally move. Those in favour we move that? OK. Seconded, Inverness. Next 27 – Barlinnie.

JIM McCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference. This is a debate and the debate is: Is there a requirement for more resources for the Intel Unit, the Operations Group Is there a requirement for more resources for the Intel Unit, the Operations Group who

are having to deal with more prisoners linked with organised crime?

Colleagues, we have got more and more high-profile prisoners who are running their gangs inside the goal we'r expected to keep a tab on what they're up to with the same amount of staff that we had before. I can only give you an example at Barlinnie 'cause that's where I work. So, you've got 1400 prisoners or so, long term, short term, national top-end and short of 20,000 movements a year approximately at Barlinnie, and they'll be the same staff as we'd have had five and ten years ago, which is one manager, two analysts and one admin. Now, they need more resources, they need more resources to compile the paperwork to protect the] staff and they need more resources to carry out the searching, so searching of the cells etc. let's find what's happening in the gaols.

So, as I say, it's a debate, I'd like to take part in a debate but I think it's obvious that when more and more people come to the goal, because the police are getting better resources, then we should be resourced the same, so I'm asking you to.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks Jim. Anybody else as a debate? William Reid on behalf of the SNC.

WILLIAM REID – FINANCE OFFICER SCOTTISH NATIONAL COMMITTEE: Chair, Conference. Firstly, the SNC would like to thank Barlinnie for bringing this debate to Conference. Conference, we've all seen the headlines in all the media outlets about these organised crime gangs – the papers love to report on their heinous crimes, the levels of violence that they perpetrate, the arsenal of weapons that they have access to and have used on numerous occasions. And when you get the heavy sentences, that the crime correctly warrants, the police and the politicians like to remind the public that we've taken these individuals off the streets and we'll see them standing outside court telling you that it's a success. And it is a success. But this is when the reality for our members kicks in and they become residents of our establishments. If anybody thinks that these individuals now say to themselves, 'Well, I've been caught so it's about time I started to rehabilitate and forget about my ill-gotten gains.' People are in cuckoo land if you think that. This is when the individuals become dangerous. Jim touched on this. This is our members, now that they're incarcerated, they become dangerous individuals on the inside. We all know how it works, they attempt to start up their

new networks in the prisons, plus they have to keep their organisations outside... sorry, their networks outside as well, still earning for their dependents.

They can't show that they've lost any of that violence and so-called fear factor so we see a higher level of prisoner-on-prisoner violence. We already touched on it, almost 40% in fact, over the last few years. Staff intimidation and violence increases putting even more pressure on our stretched members. That is why we need the government to support the SPS financially, not only by giving our staff access to technology such as phone blocking equipment, we also need extra staff. If we're to keep our establishments safe we need to be proactive. If we are to have any success, we need to introduce things such as dedicated search teams, not just the usual, 'Who's spare to carry out a search?' or the tick box daily search. We need to be properly trained and equipped teams. We need to expand our Intel units, that's the operational staff, these are our members who have the working knowledge that can't be replicated. These are individuals that can be on the ground in and around all these prisoners in areas that they frequent. This cuts down on reliance on intel reports from the staff in those areas alone. We need to improve the flow of intelligence between ourselves and the establishments and the different organisations outside. Yes, we know that it's improved over the years, but there's still always room for more improvement. This can all be improved by training and to do this we need investment and staff and technology.

Back to this thing again – this all costs money. We know that. But if we want to decrease the levels of violence, we had the debates telling us how the gaols were going to be actually we're going to have 500 less or whatever is, they'll be safer. Right, OK. We have to invest. Yes, we want these crime gangs off the street, but the same politicians who like to take credit when these people are sentenced, should remember that these individuals don't stop when they are sentenced. Now, if you want to give us a chance Mr Politicians, make it harder to run their cartels and make it a safer environment for both our members and our prisoners, then we ask the same politicians to support us financially and give us the technology and staff to do our jobs. Again, thank you, Barlinnie, for bringing this to Conference.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thank you very much William. That was a debate. No reason for a vote. Conference, I'm going to bring you back, schoolboy error, motion 26 which was formally moved

by Dumfries and seconded Inverness. Have we got a speaker on that? Willie?

WILLIE CARLE – SCOTTISH NATIONAL COMMITTEE: Conference, we're asking you to reject this motion. As it stands, following recent clarification from Kate Hudson at the SPSC on this issue during a recent officer recruitment campaign, she stated that, 'The eligibility criteria for presidential officers were qualifications at SCQF, level 6 e.g. Highers or above or evidence of equivalent relevant especially with a cognitive ability testing, as you have for ops. Anyone who does not meet these criteria's will have the opportunity to complete an SVQ in custodial care, a bridging course. We believe this covers the issues that this motion is trying to achieve.'

The danger of this motion, if passed, we'll be stating as a union that anyone can apply to be a prison officer and can be trained. Be careful, Conference, as we would be publicly stating that we are not professionals as anyone can be trained to do our job. As it stands, Conference, the changes in the education system, and looking back over the last ten years the numbers of students leaving of all grades is the same today as the number of students leaving with Highers, so we'll be fishing in the same pond. We're not suggesting that qualifications should be the be-all and end-all in assessments, but we have challenged this issue for years, the perception of just being a turnkey prisoner officer and that we are professionals that work in a specialist environment dealing with complex, difficult and dangerous prisoners, doing a job that not everyone can do. By passing this motion we are accepting the same argument that previous governments have used in justifying privatisation and the perceptions the press use in selling papers, when they undervalue the role of a prison officer. Why would you want to undervalue the role by accepting this motion when you have avenues for the applicants to take? Allowing this motion would be conflict what the union's trying to achieve in getting proper recognition for the role a professional prison officer carries out. Please reject the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thank you, Willie. Motion to the vote, those in favour. Those against. Motion is lost. 28 – Edinburgh.

JOHN GRIEVE, BRANCH SECRETARY, EDINBURGH: Good morning, Chair, SNC, Conference. Motion 28

reads: That Conference reiterate that any proposed change to shift patterns must be locally agreed and cannot be implemented until agreement is reached.

We find at partnership meetings this comes up regularly as a threat, off the cuff remarks like, 'Let's lock the gaol up at nine o'clock; let's curtail the handover between 11:45 and 1.' This is something that's very precious to staff and we must make it clear that they must be agreed, and as you're all aware I'm sure, this is what caused our most concerted industrial action. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Do we have a seconder for that one? Dumfries, wish to speak? Any other speakers? Tony, on behalf of the SNC.

TONY QUINN – SCOTTISH NATIONAL COMMITTEE: Chair, Conference. I'm going to ask for you to support this motion. This is stellar policy position and it's in the revision four and a similar motion actually was brought to the Conference from Low Moss earlier. However, Conference, support is caveated with the disputes procedure. We should never take our eyes off the agreed disputes procedure. We all know that when we cannot get an agreement, even after lengthy discussions, you would lodge a potential FTA. Ultimately, this is a potential to end up to conciliation then onwards to an arbiter who would agree, one way or the other, to the question put to them. The arbiter would then determine which party has the best case. Support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Motion to the vote. Those in favour. Motion carried. Motion 29 – Barlinnie.

JIM McCABE – BRANCH SECRETARY, BURLINNIE: Chair, Conference. Motion 29 reads: Conference condemn the SPS Workforce Planning Group as being unfit for purpose, it has a proven record of being incapable of delivering its job or managing recruitment to ensure the SPS has the correct number of officers, at the correct grade available, and the correct goals to safeguard our members and allow them to carry on with their jobs.

Doesn't really matter the reason. The Workforce Planning Group doesn't work. Most goals in Scotland will be short of staff today. They don't appear, the planning but ... I kinda that. December 2018 Barlinnie required 30 D band staff, we were going to need 30 D

band staff because capabilities, part time work, retirement 'cause we were forward planning and it's took us to only recently to get the staff in place. However, we can now forecast that we're 14 C bands short, because we're operations groups, despite the recent pay deal, still got offered more money than other services, than the fire brigade and the police, the railways. So, we're now forecasting, but the Workforce Planning Group appears not to take cognisance of where we are in the future and where we are as we going to be short next week, next month, six months. They appear to deal with the figures of the day. They don't plan. I'll ask you to support the motion, please.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks Jim. Do we have a seconder? Polmont, do you wish to speak? Any other speakers? Willie Reid on behalf of the SNC.

WILLIE CARLE – SCOTTISH NATIONAL COMMITTEE: Chair, Conference. The SNC are asking you to remit this motion. Conference, this motion is asking you to condemn ourselves as we are members of this particular group. The real issue in this group is that the group suffers from lack of executive authority. It's fine for this group to agree possible solutions to the issues we have mentioned, but when these appear to be ignored or delayed because of a lack of executive authority then it's understandable that a motion like this comes to Conference. It shouldn't be the Workforce Planning Group that's condemned, but the individuals that have diluted it and moved its authority to react quickly and implement the solutions that this group have identified.

As I said, we understand the frustrations, not just Barlinnie but no doubt everybody out here. But the group itself is fit for purpose and I'm going to explain why. This group meets regularly, at least once a month, in attendance are two members of the SNC, normally myself and Willie Carle 'cause I'm not taking for this. We regularly put forward the needs and the concerns of the establishments. We can honestly say that we are listened to by the members of this group. These members are equally as frustrated. The group do forward plan, they do try to find solutions to recruitment issues, especially the northeast, and many other issues such as gender balance or staff deployment in the correct grades in the correct areas.

Among the frustrations for us all is that not all information we receive is accurate. We know that you

should be attending monthly meetings regarding your establishment staffing issues and then agreeing a position in the partnership. These agreed figures should then, through your HRBP, be made available prior to the group meeting so that we are presented with the most up to date information available. This doesn't always happen. So, in effect we are starting from a false position, so I would ask you all here to make sure that the proper and accurate figures are agreed timelessly.

This only adds to the tensions in the group because we all want to implement the solutions identified, but as I said at the beginning of this, it's position is constantly being diluted because of a lack of executive authority. Let's be clear, all of us in attendance here, at that group, have the same frustrations you all feel, the problem is not all in that group can voice it outside the group. Conference, condemn the people responsible with a lack of authority, not the group trying to fix it. I would ask Barlinnie to accept a remit.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thank you, William. To accept the remit. That's really kind of Barlinnie in this instance.

<Laughter>

He'll be back.

Motion 30 – Low Moss.

MALKY MCKAY – BRANCH SECRETARY, LOW MOSS: Motion 30 reads: That this Conference debate the current SPS MORS policy.

Conference, we're experiencing nothing short of an epidemic in psychoactive substance abuse. The latest official SPS statistics state a 305% increase in the number of reported MORS incidents in the last three years alone, with Low Moss and Glenochil seeing a rise of over 430%. In the last two years we've had 14 possible drug related deaths in our prisons, a number of those individuals were being managed on MORS or previous MORS markers. The new MORS policy being developed, questions need to be asked if this is indeed the correct way SPS should be managing the issue at all, questions like what does MORS actually achieve? Nearly half of the confirmed deaths in the last two years were managed, at some point, on MORS. So where really is the life-saving factor? Recorded MORS incidents year-on-year and are increasing at an

exponential rate so there's no evidence to suggest it's a mechanism for stopping prisoners from taking substances. In fact, a recent exit poll from prisoners states that 85% of them are taking illicit substances whilst in custody. So, even as a recording tool MORS accuracy is questionable.

To place a prisoner on MORS can be an extremely challenging and time consuming process for our staff and NHS partners, and given the stats I've just mentioned, how much profit do we actually get back for that investment in time and energy and what real purpose does the MORS policy serve? Colleagues, I invite you to debate.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thank you, Malky. It's a debate so it doesn't need a seconder. Any other speakers? Barlinnie, Glenochil, Shotts. Good to see Shotts here now.

BILLY YOUNG – BRANCH CHAIR, GLENOCHIL: Conference, I'd like to thank our colleagues at Low Moss for raising this debate. As just pointed out Glenochil's had a high increase in MORS for the past two years. We have the situation now where we have staff having to rely on nursing staff to make the decision whether a prisoner is under MORS or not. That's how our acting governor leaves the situation, Jude Reid, and if you actually read the MORS policy it actually kind of reads that way. It's not to the staff, who are now reliant on a secondary agency within to make a decision on a prisoner's ability to be put under MORS. We feel that that's wrong. We feel that it needs to be looked at. It needs to be made more robust and it needs to put the emphasis back on the staff, for the staff health and safety as well as the prisoners', and indeed the nursing staffs', it needs to be debated fully and it needs to be changed. Thank you.

MICK MULHOLLAND – BRANCH CHAIR, BARLINNIE: Conference, chair. Just following from what Billy said there. We've got a problem with the NHS staff with availability to remove the MORS. Basically we've got overstretched staff needing to continue obs. and feeding them behind their doors when actually they should be off it and we need to wait for NHS staff to come and then physically remove them. That's the problem that we've got with MORS.

JOHN DICKSON – BRANCH CHAIR, SHOTTS: MORS – Management of Prisoners under Risk of Substances. We're not using it correctly. Staff are making decisions

on, 'He's out his face, he's out his face, so we'll put him on MORS and we'll put him on MORS because we can't cope with it.' Staff are looking at 30/40 people on the landing that they can go, 'They look like they're under the influence of something.' But if you put them all under MORS we can't cope with looking them up, looking after them and trying to make them safe. It's a false economy what we've got at this moment in time with MORS. We had an incidence where... and this is important, that the staff are the people who put them under MORS. Not the nurses. Not the doctors. The staff on the landing, they put them under MORS. What happened recently, we spent 40 minutes trying to persuade a prisoner, who was out his face on NPS, trying to get him behind his door. 40 minutes using skills to say, 'Get behind your door.' We got him behind his door. The nurses then came down and went, 'We need to see him in our wee room up the section.' The staff then went and opened up this person, took him up, put him in the wee room (after 40 minutes of getting him behind his door) and he then came out of that and then said, 'I'm going behind my door again'. So, we have now got an agreement at Shotts where we turn round and say that the *staff* have said, 'This guy, you can't talk to him, he's out his face, he's angry, he's going to assault something, we're not opening him up.' And the nurses have agreed to say, 'OK, thank you for that, we can't see him at this moment in time so what we will do, is we'll place him on 15 minutes observation.' That safeguards them, it safeguards us but the underlying cause here, colleagues, is that there's more and more and more people who require to be under MORS and we cannot cope with it. The policy doesn't fit. Please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thank you very much. Tony on behalf of the SNC.

TONY QUINN – SCOTTISH NATIONAL CHAIRMAN: Chair, Conference. Thanks very much for the debate people, it's nice to see two or three folk coming up from it. As Malky's already said, the MORS policy is currently under review and I know that some of you have seen sight of it and you're not happy with it, but this debate has therefore come at a very good time. The issues that you raised (brilliant bit of research Malky, well done) we can take that forward and the live examples, we'll do that for you.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thank you. It's a debate so they'll be no vote. Low Moss again – 31.

MALKY MCKAY – BRANCH SECRETARY, LOW MOSS: Conference, motion 31 reads: Conference accepts that the SPS MORS policy is not fit for purpose.

Conference, that depends on what purpose you want it to achieve. If you view it solely as a mechanism for observing a prisoner at intervals whilst under the influence, then it's actually very effective. An introduction to the policy itself states exactly that, it's designed to provide assurance that offenders are being managed and receiving an appropriate level of care to ensure preservation of life. So, once a prisoner is removed from MORS what happens then? I guess we all hope he or she's had a nasty scare and will never do it again. However, that's a very unlikely scenario. Currently half of the offenders who are on MORS are people who've had previous markers for it, so MORS is neither a deterrent, nor does it educate the offender. Once an individual is removed from it there's no follow up, there's no intervention, no incentive to stop them reoffending. If the prisoner ends up on MORS twice in three months then the policy states in a few words, 'A referral should be made to the NHS addiction services.' You tick the box and that's your job done.

Conference, we've got a crisis on our hands. Abusive substances are at unprecedented levels, hand in hand with that goes prison violence to which your members are exposed to on an ever-increasing basis. Simply applying a band aid, an Elastoplast, which is all MORS really is, isn't enough. I refer to the opening sentence, 'It depends on what you want it to achieve'. Conference, if you're content with a policy that does nothing more than place a prisoner on medical observation for a small duration of time and does very little else, then that's fine. However, if you want our members to experience less violence, less deaths in custody and less personal exposure to these substances, then let's move towards pushing the employer into developing something that will address these issues and keep our members safe. Conference, please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thank you, Malky. Do we have a seconder? Grampian wish to speak? Tony, on behalf of the SNC.

TONY QUINN – SCOTTISH NATIONAL COMMITTEE: Chair, Conference. Again, thanks very much for that Malky. The MORS is a sticking plaster, you can see that. It's not tackling the root of the problem; Malky's addressed most of this. But where's the resource

coming? Literally thousands of case Conferences, that we done before, are getting done now with nothing, so you're either missing something that you should be doing somewhere else ... I'm getting carried away here. And it does cause risk to staff. There are risks to staff putting people on MORS and that potentially the drawing time it takes for them to come off. Sorry, I'm a wee bit stuck here folks. Malky, I think you're spot on.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: He's got the wrong sheet of paper! To the vote please, those in favour. Motion is carried. Low Moss again – 32.

MALKY MCKAY – BRANCH SECRETARY, LOW MOSS: Motion 32: Conference mandates the SNC to submit a national FTA, Failure To Agree, in relation to the SPS MORS policy and the fact it's not fit for purpose.

Conference, you've heard the debate and you supported the not fit for purpose motion. It's time to mandate the SNC to submit a national failure to agree on this. It's now more imperative than ever that SPS produce an all-encompassing policy, and not just something that deals with one single aspect of substance abuse. Conference, please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Do we have a seconder? Perth, do you wish to speak? Any other speakers. Tony, as you're on your feet, you go.

TONY QUINN – SCOTTISH NATIONAL COMMITTEE: Chair, Conference. Conference, the SNC are very much going to take the lead from you in this. Part of the debate, there was loads of people talking about change, but in taking your lead we'll advise that whilst we may have a policy that in the main is not fit for purpose in its current form, it is currently under review. Should an FTA get taken to the arbiters decision the outcome may be, whether they like it or not, the removal of the policy with no replacement.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thank you, Tony. To the vote. Do you wish to come back now, Malky?

MALKY MCKAY – BRANCH SECRETARY, LOW MOSS: Tony, I agree with pretty much everything you said there. What I'd just like to put out there that nobody's asking for the removal of MORS, right now status quo would remain so we wouldn't be left without anything.

It's not fit for purpose, that's very clear, but something's better than nothing.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: We get that Malky. Can we put this motion to the vote please, those in favour? Those against. Motion is carried. Conference, it's ... time-check, five past-ish. We're going to stop now for a coffee/tea break – 20 minutes all back here. Thank you very much.

<Break>

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Colleagues, we've got Shotts who aren't in the room at the moment. I think we're expecting them back shortly, but Conference permission to go ahead in the absence of Shotts at the moment. OK with that? Motion 33 – Polmont.

EDDIE CRUSE – BRANCH SECRETARY, POLMONT: Chair, Conference. Motion 33: That the SNC seek that SPS hold a Conference where staff can input through their PLR's on the many issues that arise from the introduction of NPS within our prisons or psychoactive substances.

What this is asking for, colleagues, is as we said the other day with the chief executive, there is a lot of academic research being undertaken, there is a lot of discussion by prison services, by the trade union and there's a lot of universities doing a lot of work in this. That's excellent. But what it doesn't do is it might not solve the problems on the ground each day in all the different things that arise. I had one pregnant female ask me what would happen if she was under the influence and we just don't know. We don't know how it would affect them. Now, what this is asking for, I mean in our prisons on a daily basis we're finding drug related deaths, Alan Marshall, the furore over that. What's happening is when the staff succumb to this, they're essentially being walked along the corridors and in sight of people, at the moment there's a lot of visitors coming in and we're actually trying to get a local SOP that staff will be taken out a side door in a car, they won't be seen. What happens when we get them to the gate? We cannot let them drive. Do we get them into hospital. What happens if they live alone? There are absolutely thousands of issues in every single step of this and there's one massive issue that hasn't been talked about either. What happens if they weaponise this? We almost saw that at Beaumont when a prisoner blew smoke in an officer's face and that amplified it a

wee bit for us. If they weaponise this and they try to take out four staff, and four staff are under the influence of that, it's unimaginable what could happen. And that type of thing no academic research is going to get to, it's only us that can come up with the local problems and this is the only means that I think we can see that we can input back through management and actually solve some of our own problems. It's not about us sitting on our laurels and expecting academic research to do things for us, with no disrespect to the research, they are getting at the essence of this substance and then we can maybe then define it and then we can try to get machines to... there's loads and loads of stuff that they're going to do. I think what we need to do is we need to inform on the problems that we face on the ground each day and try to solve a lot of them ourselves. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks Eddie. Do we have a seconder? Shotts.

JOHN DICKSON – BRANCH CHAIR, SHOTTS: Fully supporting what Eddie's just said there. I missed the beginning 'cause I was checking on my colleague to make sure he was OK. It's already been weaponised at Shotts; we have a member of staff on nightshift who suffers from mental health issues, suicidal tendencies etc. went up to a door on a prison who was on MORS and as he looked through the spy hole the prisoner was at the opposite end of the spyhole so he's seen an eye looking at him and as he checked on the prisoner, the prisoner blew the smoke through the spyhole and that member of staff then succumbed to the effects of NPS. A week later he tried to commit suicide because his mental health issues and this, we believe, resulted in the fact that the NPS was blown directly in this face. What we've got at this moment in time is we've got a notice to staff, a notice to staff after four years, saying, 'Here's what you do in the event of; try this, try that; try this, try that.' It's got to the extent now where our members are at risk and we have to put something in place right now to stop this happening, 'cause if we don't somebody is going to die and it's going to be a prison officer who's going to die. We've got people with COPD, we've got people with mental health issues, we've got people with heart issues and palpitations etc. we all know that the effects coming from the NPS can have an adverse effect on these members of staff. We need to put something in place right now, under the health and safety legislation, that protects the members. MORS, as we've already said, is not the answer, but these prisoners now know what they're

doing and the effects it's having. And the vapes, the vapes in the establishment are getting abused and used in order for these prisoners to take their drugs and actually now starting to have an impact on staff. Please support this motion, colleagues.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks Shotts. Barlinnie.

JIM McCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference. Fully supporting the motion. I think Eddie's right, the experiences at first hand, and researchers can do all the research they want but until they see it in action, that's what it is, when your staff are subjected to this. We had a girl, she was off for seven months and she suffers with asthma, so whatever it was that overcame her affected the asthma and then this triggered a response and then I've got four of five staff panicking because she needs blue lighted to the hospital. The only people that can deal with this is ourselves and I fully support the motion that we take all the experiences for our members of staff and the prisoners and we bring it to Conference. Fully support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks Barlinnie. Anybody else? Willie Carle on behalf of the SNC.

WILLIE CARLE – SCOTTISH NATIONAL COMMITTEE: Conference, we're asking you to support this motion. This issue is one of the biggest threats to our members that I can remember. There are serious issues regarding an influx in NPS, in psychoactive substances in our establishments, with unknown effects that they have on our members. We need urgent help and support as the present policy dealing with the prisoners on psychoactive substances leaves staff and prisoners at risk. We need proper guidance and support that will protect our member and prisoners. We include the SPS and the Scottish Government in this, therefore we must understand the issues and how they affect the members on the frontline. To do this we need a Conference, as proposed in this motion, with experts and health professionals to deal with the members concerns that would allow the members and the branches to have input and evidence the facts and issues that are a benefit for all in tackling NPS and psychoactive substances in our prisons, making our prisons safe for our members. The only point I'd submit to Conference in the motion refers to PLRs only. I'd suggest it also includes local branch and committee

members. Apart from that, Conference, I ask you to support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks, Willie. Polmont, right to reply? No. Those in favour of the motion, please show. Against. Any abstentions? Motion carried. Motion 34 – Carstairs.

BOBBY HUNTER – BRANCH CHAIR, THE STATE HOSPITAL CARSTAIRS: Motion 34 reads: That this Conference requests that the SNC seek a 'Full Seat' and not just an 'Observer Status Seat' on the NHS Scotland Terms and Conditions Committee in order to take forward representation of our members across the NHS in Scotland.

Conference, this is a very similar motion I had a couple of years back and we were quite productive in that that we actually got observer status and that brings us in line with our colleagues down south, but now is the time to get a full seat at this table. The Scottish Terms and Conditions negotiate obviously for the NHS staff in Scotland and that would only be beneficial for our members so please support the motion. Thank you.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks Carstairs. Do we have a seconder? Polmont, wish to speak? Anybody else? Andy Hogg on behalf of the SNC.

ANDY HOGG – ASSISTANT GENERAL SECRETARY: Conference, the SNC are asking you to support the motion from Carstairs branch. There's not really a lot to add to the response to this motion, other than to recognise that since Conference did pass that motion a couple of years back to obtain a seat in the Scottish Terms and Conditions Committee, we've succeeded in achieving it to the extent of having observer status, as Bobby pointed out, and we attend these meetings on a regular basis. It's helped raise your profile in that community as well, and it has, as I believe, had a bearing in particular on our involvement in the National Forensic Mental Health Review that's ongoing at the moment. We're not only doing that and participating on behalf of the justice sector but we're also doing it on behalf of the hospital sector and I think that's direct reflection on our involvement with and the staff side. We also have, as part of achieving that, become participants in the Scottish National Staff Site meetings. That might not mean an awful lot to a lot of folk in the room but essentially it operates similar to the trade union side, it's where the constituent unions that operate across the NHS come together and make the

motions and discuss their business, all of which has an impact on your membership in Carstairs and I think it's absolutely right. The only thing with that is that actually our involvement as an observer has never curtailed our opportunity to speak up on behalf of the membership in Carstairs, and neither does the other unions itself actually then tried to prevent you for doing it at all. Although we have observer status we still are able to fully participate in that. The proper part about having that full status is being treated as equals amongst the other unions that's there. It's absolutely right that Carstairs bring this. I know nationally for the UK perspective, we try to pursue that full seat status as well and that's about voting rights etc. It's absolutely right, so please, support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks Andy. Carstairs, right to reply? Those in favour of the motion, please show. Against. Abstentions, Corton Vale, join in!

<Laughter>

Motion is carried. 35 – Polmont.

EDDIE CRUSE – BRANCH SECRETARY, POLMONT: Chair, Conference. Motion 35: That this Conference debates the long standing POA policy to achieve single tier prison officer structure to clarify that this is not an outdated policy.

It's a policy of this union to achieve single tier status and we voted against it last year. I can't imagine this will still be the policy of this union going forward because it's quite clear that headline grabber, 'Prison officer doesn't want to work with prisoner' is the truth of where we are today. So, to achieve single tier would certainly be to the detriment to some of your members who don't want to work with prisoners. Sound ridiculous but that's the truth. Please, join the debate.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks Eddie. As Eddie's just pointed out we don't need a seconder, it is a debate. It's absolutely understandable why it's become a debate in Conference agenda this year following the vote last year. So, while you're not picking a position and committing the union to a particular stance on this today, it would be really helpful to get some views and voices into this debate so that we know where we are going to go in the future. Shotts.

JOHN DICKSON – BRANCH CHAIR, SHOTTS: As Eddie quite rightly says there, we've got a lot of staff, operational grade, who, I wouldn't say don't want to work with prisoners because they do work with prisoners, they just work with prisoners not within the halls. We've got those staff who don't actually want to go down the halls and work, so the one tier that we were looking for as an organisation, and as a trade union, seems to have shifted slightly where staff are quite happy to remain where they are. And we've actually had people who've actually opted down because they actually quite like working in the operations group rather than working in the residential or programmes or industries etc. So, the debate is a very good debate to actually bring forward. I think as PLRs and as branch chairs and branch secretaries I think we have to now start taking the voice of the membership and actually ask what is it you want, because I don't think the one tier is as prolific as it used to be and I think we have to have a snapshot of what each branch actually is looking at so we can inform the SNC. This is the direction we need to start looking at because there's a lot of people out there who are quite happy sitting where they are and don't want progression. Likewise, we've also got people who do want progression so I think for a snapshot for the SNC to say, 'Here's where we are now and here's what it actually looks like', would be very, very helpful. Please join the debate.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks John. Barlinnie.

JIM McCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference. John pointed out that there's a change in the dynamics of the workforce. A lot of the operations but there's a lot of the operations groups it's a second job now, whereas when this initially came about it was a main wage earner, was the prison officer. But we get more and more staff wanting just a secondary job – they don't like working the halls. However, we can't forget why it came about. It came about initially because in days gone by jobs at the gates and CCTV and that could be offered to aging staff, 'cause we've now got an aging staffing population. They didn't reduce their wages, so they didn't have to take a cut in their wages to go to one of these jobs, they're protected by the service because they're generally given 25, 30 or 35 years. We cannot forget that part of it, we should be looking after the older staff

as well and giving them the opportunity to work in a safe environment without detriment to their wages. Take part in the debate.

WILLIE CARLE – SCOTTISH NATIONAL COMMITTEE: Conference, this is a much-needed debate and we thank Polmont for bringing it Conference. It is needed to help guide this union's future. For over 20 years this union has followed a mandate by Conference to divert to a single tier prison officer. We must not forget why this policy was introduced. It was a time we were facing a tax on our members with increasing savings cuts and threats of ongoing privatisation in Scotland. The imposition of a split in the frontline operational staff within the introduction of a C band operational staff has been forced upon us at a cost cutting exercise. Posts that were once seen as prison officer posts were used as a saving to employ prison officers on a reduced pay level as management at the time identified roles as savings. We are now debating this issue following last year's ballot, where, as part of the POP, it was rejected. We therefore need to clarify if our members are still of the same mind, as we did have feedback that some of our members wanted a status quo. We can understand their points, as they only know the roles they're applying for and are content with the position they have, some have been doing it for over 20 years. They have no reason to work in the halls as their work/life balance revolves round the job they do and no knowledge of the history involved. However, the question we need to ask ourselves, what is right for the members. Do we accept the world has changed and we need to move on or do we remain committed that all prison officers should have the same training and pay as we all do the same work, in the same high-risk environment, with the same risk of assaults? We all have the same uniform and should have the same opportunities. Remember, as stated, this was a cost cutting exercise that was imposed upon us. The question, Conference, is do we accept that or move on, as the following motions have real implications for our future. Thank you for the debate.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks Willie. Thanks for the debate, Conference. We're about to move onto motion 36, which is where we are going to pick a position, under the Chairman's ruling if motion 36 is passed 37 will automatically rule. I ask Polmont to move 36.

EDDIE CRUSE – BRANCH SECRETARY, POLMONT: Chair, Conference. These motions were written some time

ago actually, very soon after the POP and on the basis of what has been said I'll move motion 36. That this Conference confirms its commitment to achieve single tier prison officer and I'll just move the motion. Please support, honest.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks Eddie. Do we have a seconder? Grampian, wish to speak? Anybody else wish to speak? Edinburgh.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: I was listening to that debate quite intently and me and John were quietly discussing which way we were going with this, because it is a bit of a quandary, because we know that some of the guys work in ops want to remain in ops, and we know that some of the guys in residential don't necessarily want to go back to pick up some of the duties: night shifts; back shift; weekends; visits, for example. So, we're in a bit of a quandary and it's asking that it confirms its commitment to achieve. If we are banding it totally, our worry that we alienate a lot of our members that are operational staff that aspire to become a one tier officer. I'm going to ask that we support the motion 'cause we confirm our commitment, however, I think over the years we can have many a debate and look at a sensible way forward if we can find a way to balance both. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks Edinburgh. Shotts.

JOHN DICKSON – BRANCH CHAIR, SHOTTS: I'm going to ask to reject the motion 'cause I don't think the SNC and ourselves have got the full picture at this moment in time for what the members want. I actually think we would actually be better remitting this motion, and as a trade union we should go back to our establishments and gather the facts of what our members want. That way we're not alienating Cs and Ds etc. what we're actually doing is we're going, 'Tell us what you want and then we can tell these guys at the top table', 'cause right now I don't know, and I don't think anybody in this room can actually say, 'This is what it means' 'cause we don't know. So let's ask for a remit and then gives the opportunity to go back and say, 'What do you want?' And then we can come back to Conference next year and say, 'Here's where we are.' Please reject.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks Shotts. Willie Carle on behalf of the SNC.

WILLIE CARLE – SCOTTISH NATIONAL COMMITTEE:

Conference, I ask you to support the motion for the reasons stated in the previous debate. We understand some members may have some issues with this stance, but we still believe. By rejecting this we are agreeing a split in operational service that could leave operational officers vulnerable to attack on their pay and conditions by management. That is why it's been policy of this union to achieve this following its imposition as a cost cutting exercise over 20 years ago. We are all working in the same environment with the same prisoners, we all go to the same alarms, we should all have the same opportunities and remuneration. We, as a union, are here to improve our members' pay and conditions and should restore them to what they were. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIR: Thanks Willie. Polmont, right to reply? No. Can we put that motion to the vote, motion 36 those in favour. Those against. Motion's carried. On that basis motion 37 falls, Conference.

Colleagues, we're going to take a quick break from the agenda and ask Steve Gillan, General Secretary, to come and address Conference on behalf of the NEC.

STEVE GILLAN – POA GENERAL SECRETARY: Thanks very much Phil, SNC and delegates to the Scottish Conference. New venue, very pleased to be here once again, and speaking on behalf of the National Executive Committee and I want to cover a few topics. Firstly, I'd like to congratulate John Cairney and William getting onto the SNC. I also want to pay tribute to Andy Hogg. Andy has been a fulltime officer of this trade union for many years. I was on his original interview panel and I've got to say he was head and shoulders above any other candidate and over the years I think he's demonstrated is knowledge, not just on Scottish issues, but trade union issues. He's been a fantastic ambassador for this trade union and I've got to say, he will be sadly missed when he retires next April. He briefs me on all the Scottish issues, keeps me up to date on everything and what a tremendous person he's been for the Scottish POA, also for the POA in general, and indeed, the trade union movement. You'll be sadly missed, Andy, when you come to go next April and clearly you've been good, for not just Scotland, but the whole trade union movement in general, so thanks for

your contribution, your work in relation to everything, Andy, it's been really appreciated, thank you.

I'll also mention as well, I didn't enjoy the Scottish Conference last year because of the sort of internal issues, and I think I said that at the time. It's good to see that there's a togetherness now in Scotland and you've got a great chairman in Phil Fairlie, who again, is a man that's worked through some troubling times, not just in relation to Scotland but also in relation to his private life as well, where sadly he lost his brother. But he continued the fantastic work on behalf of this trade union, even though he was denigrated on social media and things like that. I'll touch on social media in a minute because it's something that pulls this trade union down, not just in Scotland but in England and Wales and Northern Ireland as well. I'll touch on that in a second. But, well done, Phil, every family has its ups and downs and you rode the storm in sad times and you're a credit to this trade union, so very well done.

The POA at times, we hurt each other, but I'm proud to say that Phil phoned me, funnily enough, when I was driving down from Scotland back to England on a very important issue regarding Edinburgh, and yesterday you touched on that in some of the questions and answers of the panel. I don't want to delve too much in it but at times, as General Secretary, you've got to make split second decisions. I made a decision, after speaking to Phil, that we would fund to try and get an injunction against certain newspaper in Scotland for producing CCTV footage in relation to an incident that happened at Edinburgh. It cost about £10,000 but I had to make that decision because prison officers could've been in danger at Edinburgh by having their faces, their names and so forth splattered all over the media. It didn't work but the reality was I was very happy to spend that £10,000 on behalf of the Edinburgh membership to try and safeguard certain issues there.

I'm hoping that everybody accepts that that £10,000 was money well spent in defending our members, and I was proud to do that, but equally I'd like to thank the National Executive Committee because I had to make that decision on the hoof. I didn't hesitate and sometimes that's what happens when you're General Secretary that you've got to make decisions. And I've got to say our National Executive Committee fully endorsed that position in relation to safeguarding our members at Edinburgh. So, as far as I'm concerned, it was money well spent.

I think it would be remiss of me not to mention politics, to be honest with you, because lots of people tell me that the POA are politically neutral. There's nothing further from the truth. The POA are not politically neutral. Never have been and never will be. The reality is we might be party neutral but we're not politically neutral, because politics affects each and every one of you and your families and so forth and we will always engage with politicians, of every party, to ensure that your rights are looked after. Now, I've got to confess, I'm a wee bit jealous of the situation in Scotland compared to England and Wales, because you've had a government that's listened to the leaders of your trade union and they've sort of abandoned privatisation. I listened very intently yesterday; there's only two goals in Scotland that are privatised, unlike down in England where they are enhancing it under this Conservative government. Because every goal now, such as Wellingborough and Glen Parva will end up in the private sector without a public sector bid. We think that is wholly wrong, wholly inappropriate and we're a wee bit jealous that you've got a government that actually listens to you in Scotland. Now, I know they might not be everybody's cup of tea, the SNP, but they also gave you the right to strike back and also collective bargaining. Now, you struck a three year pay deal and I was very happy to tell our members down in England what you achieved through collective bargaining, and with a wee bit of pressure on having a right to strike, threatening that strike action if you didn't get what you wanted. We can't do that. That's why we're going to end up in court very soon on Contempt of Court, which we will defend our actions from last year, and again, in Liverpool when we walked out, or Liverpool walked out and so forth. Those issues are not going to go away down in England and Wales under this current government.

Now, I know there was a lot of anxiety when myself and Mark put out a press release saying that we were backing Corbyn and a Labour-led Party. I did not regret that for one minute in time, and I know that Mark doesn't either. Because you've got to make decisions and the decisions that we made were the correct ones. I'm not interested in what's said on social media, I'm not even interested on the press contacting the Labour Party either saying that we give £30,000 of union money for Corbyn leadership stuff. Never happened. It was fabricated. But it was POA members that fed the media, because the media guy told me they had it on

good authority from at least 12 POA members that contacted them to say that we'd given POA money for a Jeremy Corbyn fighting fund. We didn't. We never gave a penny to any political party. Funnily enough, I even had to get John McDonald involved in that because they've wrote, the media, because I wouldn't answer the questions, wrote to the Labour Party, copied in employers and god knows what saying that we've taken certain actions. The reality was John McDonald then sent me this email,

*'Dear Steve,
Further to our conversation about Jeremy Corbyn's leadership campaigns, I write to confirm, as the campaign manager responsible for the campaign and its finances, that the campaigns did not receive a single penny from the POA.'*

We don't fund. We're not affiliated to the Labour Party. We would never give any political party any money. The reality was this wasn't a new issue for this trade union about Jeremy Corbyn. And I'll tell you what, if it was the Conservative Party that were going to give us our trade union rights back, stop privatisation, restore our pension age and give us free collective bargaining, then I would have been singing their praises. But sadly, there's only two parties in the United Kingdom that have pledged those issues, one is the Scottish National Party and one is the Labour Party under Jeremy Corbyn. And he said it publicly and so has John McDonald and other politicians. So I do not regret, and neither does Mark, supporting Jeremy Corbyn because you'd be mad not to. Take Jeremy Corbyn out of the equation. I understand at times that he might not appeal to all POA members, especially those in the armed forces where they have a view of him; in my view it's a tainted view by a right-wing press, to be quite frank, *The Sun* newspaper and *The Mail*, who will try and dig him out at every opportunity. You only have to look last week where he was photographed asleep on a train going from Euston to Glasgow 'cause he had appointments up in Scotland. They said he was unpatriotic because he was asleep at a time that England were beating New Zealand and he should've been watching that in rugby rather than sleeping on a train. Now, that's the level that we've come down to in this country and I think it's pretty shocking to be honest, the way that people are lambasted.

When I say it's not a new issue, the POA National Executive Committee supported Jeremy Corbyn's

leadership challenge in 2015 and we put a POA circular out then to tell the whole membership why we were endorsing it. We also put a press release out in 2015 as well because he was the only candidate, that when we spoke to all the candidates, who gave this trade union solemn commitment. Commitment that you enjoy in Scotland, such as the right to strike, and collective bargaining and anti-privatisation. He was not ashamed to actually state, where other politicians such as Kendall and others, Miliband and so forth, they didn't want to know, they wouldn't commit to anything. So, in 2016 when he had another challenge by Owen Smith we endorsed him again, and again we put out a circular stating why we endorsed him. Of course, the 2019 press release that we put out seemed to attract attention on social media and that's what galvanised people to then put out for a special delegates Conference that ultimately failed. But let me be clear, it was nothing to do with our support of Corbyn, it was to do actually with the General Secretary election that's now taking place. It was to taint me as an individual. I've got absolutely no regrets. But what I do, I think you, Scotland, for your nominations of support. And by the way, we will continue to support any political party that adds to our aims and objectives. Forget Corbyn, not interested in Corbyn, not interested in any politician quite frankly, but I will talk to any political party who has a view to helping you as individuals and your families and I will never take a step back from that particular issue.

Leading away from that issue I now want to talk a wee bit about pensions. Joe Simpson has done a tremendous job on pensions. Joe talks to cabinet office, along with myself, but I've got to say Joe is leading on this particular issue and he's done an immense job. I will be putting out another circular with regards to it, but if you just bear with me, Chair, I just want to read something that will be coming out to you 'cause I think it's important. We will be putting this out:

'Pension Changes in 2015 – Age Discrimination Claims
As you are no doubt aware, the government has now admitted that the transitional arrangements that were made when changes were made in 2015 to the civil service pension schemes were unlawful because they discriminate on the grounds of age. We issued an employment tribunal claim for you and we have now reached a stage where your claim can proceed and we can obtain a remedy for you. I'm writing to you now because we may need a little further information to

pursue this on your behalf and I explain below what we will need. For most members that remedy will come about by amending the pension scheme regulations. We will negotiate the content of the new regulations before they are made, but you can rest assured that if you were a member of the pension scheme on the 31st March 2012, you will be treated as if you have never left. If your benefits would be better if you were treated as a member of the pension scheme that was introduced in 2015 Alpha, then you should be treated as a member of Alpha. Precisely how this is dealt with in practice is one of the issues we will have to negotiate. That will take some time, but until you reach the point when you are thinking about retirement, the delay will make no difference to you. The exception to this is if you have already retired or you're about to retire. These members will not have to wait until the regulations are amended. Most people in this situation will have retired early on the grounds of ill-health, some others may have retired early with a reduced pension. If you are in this position it is important that you let us know. Some of you have already provided this information, in which case it's not necessary to provide it again.

The government has told us that it will prioritise the cases of members who have retired or are about to retire and has asked us to assist by letting them know who is in this category. We can make a claim for any out of pocket losses that you have suffered, but it's not yet settled which claims will succeed and which will not. If we cannot reach an agreement with the government this question will have to be decided by the tribunal. It is important that you let us know if you have suffered any such losses. If you have already retired with a pension that is too low you will be owed arrears of pension. These arrears will be calculated by My CSP.'

And in Scotland I don't think you deal with My CSP, do you? You do. Right, OK.

We can check the calculations but there is no further action that you need to take at this stage. You may have suffered some other sort of financial loss, examples would be the fees you paid if you consulted an independent financial advisor or any additional tax liabilities that you have incurred as a result of the 2015 changes. If you have it is important you let us know so that we can make a claim on your behalf. We can also make a claim for compensation for the upset, anger and injury to feelings you have been caused, to some extent this will be a common claim for all members. No one

welcomed the 2015 changes. Some members may have suffered more than that, they may have had to change their financial planning or retirement plans; they may have suffered from depression or anxiety as a result. If you think that applies to you it is important that you let us know. You may be entitled to additional compensation but we will need some details if we are to pursue this for you.

I hope it goes without saying that any information you give us will be treated in the strictest confidence. To help us prepare for these next stages it would be helpful if you would fill in the attached questionnaire where more than 3,000 claims to coordinate, so at this stage we are only asking for outline information.'

I'm giving you the heads up that'll come out in the next few days and we'll speak to the boys about how we coordinate that for retired members as well.

The POA are now facing a Contempt of Court, as I told you, because of actions that we took last September, and indeed, over Liverpool and we will robustly defend those actions. I've got to praise Thompsons and the barrister that we're using, Hugh Southey, for the tremendous work over the last month in piecing together my statement on behalf of this trade union. It will be tense, it will be vital that we get a remedy at the court and so forth, and I will not rule out any further action as well in relation to this, because if they try and sequester our funds or imprison Mark or myself or any other individual, I would expect the whole union to unite behind us on that issue.

Now, me and Mark have been discussing the issues with the Secretary of State, as recently as a couple of weeks ago, and we are trying to get them to back off from this Contempt of Court. At the moment he hasn't done so. We have also put a counter claim in on the permanent injunction to say that it breached our human rights. And I've got to commend Scotland for the information that they have given us that's assisted our court case by having the right to strike and minimum staffing arrangements that, should you take action in Scotland, that will be provided. And Francis O'Grady, of the TUC, has also written a statement to say that we are the only trade union in the United Kingdom that suffers this indignity of having not the right to take any form of industrial action. Even if you blink and look in the wrong direction, and we've been dealing with that this morning on behalf of some of our members,

the prison service that statement is withdrawn by a local branch, and by the way, I would never repudiate any action by any local branch and I've already told a High Court Judge of that position. Because it's not for me to say if somebody's health and safety is in danger, and I will never tell any branch that they've done anything wrong if they determine, as individuals, that they're taking action in England and Wales.

That really sums up those particular issues and it just leads me onto the Cuffe Report. The Cuffe Report was accepted by Conference. There is work going on and I think you'll be hearing later from one of the sub-committees in relation to that. We don't fear the Cuffe Report at all because in many respects it's about what you want as individuals, not what I want as General Secretary or what the National Executive Committee or indeed what the SNC want. It's down to you and the membership to determine the future of this trade union. So, if I can give you a little example as to why it is important to scrutinise ourselves internally, because in 2010 we had minimum 5.5 million revenue coming into this trade union. Nine years later we are now down to 4.5 million and yet we get through each year providing a decent service in Scotland, providing a decent service and we're very proud of what we achieve on behalf of the membership.

The reality is it will be your opportunity in Scotland to shape the future for yourselves as well. I'm proud, as General Secretary, that when I became General Secretary in 2010, I always said that Scotland should have autonomy under our rules and constitution and you determine your own destiny. The reality is, as long as I'm General Secretary that will always be the position. I will never interfere on issues in Scotland, that's for the Scottish National Committee and you as delegates and you're an integral part of this trade union and you won't ever be treated as a second-class citizen.

So, have a great Conference. I've enjoyed the level of debate and I'm sure there's many more motions obviously to come and the debate will probably get better as well. So, thank you very much and enjoy yourselves and thank you SNC. Thank you Phil. Thank you.

<Applause>

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks very much Steve. I think the one thing we always get at Scottish Conference whenever the National Chair or the General Secretary come up and

address it, is that insight into a different environment in which you operate. I think you always get that when you go to Southport and recognise the differences, but it always gets hammered home every time you come up and address Conference and talk about the differences in those environments. The issue about the pension I think is good news and I'm going to pass on thanks on behalf of the SNC and the membership in Scotland for Joe's work on that and keeping us up to date and informed of what's going on and we know how much work's going on in the background to move some of those things on. We would echo your thanks to Joe Simpson for the work he's doing on that. In terms of Andy Hogg, Andy's made it very clear, very forcibly, that he does not want us to make a big issue about him going in April. I don't know if it's simply because it's going to be the longest goodbye in history if we do it today.

<Laughter>

He's going to be here through to March. Now that you've touched on it we can't do anything other than echo your views and sentiments towards Andy. It's going to be an enormous loss to every one of us. He's a huge figure in the SNC and he's been a stalwart for the membership here in Scotland throughout all this time, so it will be a massive loss to us. I think your description of him being as head and shoulders above everybody else will be the first time in his life he's heard that – he's about 5'2" in height.

<Laughter>

That'll be the bit he takes most from all that you've said today. Thanks very much.

Motion 38, colleagues, SPSC. Sorry, motion 37a – Edinburgh.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Chair, Conference. Thank you, Conference, for allowing us to be on the paper and I think it's good that we get to debate it. The motion reads: Conference confirms that this union is fundamentally, and I'll come back to the word again, against direct entrants at any grade, but particularly at D and E band, thus maximising the opportunities for our current members.

This came about at a meeting, the same one that many of our motions have come from. It initially was mooted because the of the issues that college were having, that

there was current E bands that didn't get through a sift in a board and they were going to look at direct entrants and teachers coming in. We debated a bit as well and we knew or we had heard that this might be part of the pay deal that we would be accepting direct entrants into D band. So, it was for E and D, which is why it's written.

We had a lot of debate about whether it's a good idea or a bad idea and we've just had a lot of debate about whether we have a one tier officer. And it is a bit of a complex issue, 'cause in speaking to the resourcing team, because the D band salary, which is going to be from 26 to 35, I think, it opens the door to maybe getting a wider applicant and maybe somebody that's, more suitable is the wrong word, because there's a lot of good staff that get recruited at C. So, I can see the merits in it, but this motion is quite clear in its word 'fundamentally'. We've got members, I think it's 105 in Edinburgh we have, so that would probably work out to about a thousand nationally that are operational staff. And if we were to say we weren't fundamentally against this then we would be alienating these guys and girls because they should, and quite rightly, get the chance to move on rather than be gazumped by somebody coming straight in at D or E.

I know that Polmont's motion that just got carried that we confirm our commitment to achieve a single tier officer. Yes, it is our commitment, however, how hard the SNC push that and their chances of winning it might be more debate to be had, like and whether or not we want a single tier officer. However, let's not alienate a lot of our operational staff and we can be fundamentally against something and support our members that are C band. I think maybe the SNC are going to have the play on words that they had when they rejected it, 'cause they say that that means we can't recruit. That's just poppycock. Direct entrants, poppy... I'm not going to try it again! Direct entrants, it's quite clear, coming in at a band other than C, coming in at C band is recruits. Let's not have a play on words. Direct entrants mean direct a band above C, so we can be fundamentally against it. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thank Edinburgh. Do we have a seconder? Shotts.

JOHN DICKSON – BRANCH CHAIR, SHOTTS: Supporting this motion. We have had a lot of operational staff at Shotts really concerned about this direct entrants,

because they've been acting up, having the opportunity, but they're not very good at interview and they're not getting the promotion that they deserve and there's some really, really good officers out there who should be getting that opportunity. They're worried about the direct entrant approach where... and this is the part for me, that we could have C band operational staff on the landing teaching direct entrants at a grade higher on how to do the job. That has to be fundamentally, as Mark says, wrong. Because what we're doing now is give the operational staff that we've got on post the opportunity to go for it as well, so I'm supporting Mark on this motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Shotts. Anybody else? John Cairney on behalf of the SNC.

JOHN CAIRNEY – SCOTTISH NATIONAL COMMITTEE: Chair, Conference, replying on behalf of the SNC. Conference, SNC ask you to reject the motion. Two fundamental, there's that word again, reasons for this. Firstly, we've not long ago had a pay deal agreed by almost 87% of our membership. That pay deal included a process of recruiting directly into the D band role within the service, so if this motion is passed it's going directly to what our membership have just agreed to. And just touching on what Mark says, where I get it is a source of frustration, but we're asking you to reject it on the wording. Whilst I respect Mark's opinion and his understanding that recruitment is different from a direct entry, we don't share that view and we believe the way the motion reads, it says, 'No direct entries'. This covers how we recruit officers into the operation roles, so if we pass the motion we're effectively asking the SNC approach management and stop all recruitment, and Conference, that's not achievable. Please reject the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks John. Edinburgh, right to reply.

MARK MEIKLE – BRANCH CHAIR, EDINBURGH: Conference, I think it's very clear that our SNC won't be able to anyway stop recruitment. That's not going to happen and this motion is going to do that. Let's stop getting all tied up in wording and what we mean. It's very clear to me direct entrant means at a level above C. Under no circumstances do we want our SNC to say, 'Stop recruitment'. In fact, there's a recruitment out currently. What we're asking is that we're fundamentally against it. We can understand some of

the reasons why they might want it, we have a thousand members that are at that grade at least or if you include the D bands going to E that may not get... I think we should just be clear on what we mean and that we're fundamentally against this. Please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Edinburgh. Those in favour, please show. Those against. Motion's carried. Motion 38 – college.

PAUL DUFFIN – BRANCH CHAIR, SPSC/HQ: Chair, SNC, Conference. Motion 38 reads: That this Conference mandates the Scottish National Committee to seek assurances from the Scottish government that when the current private contract at HMP Kilmarnock expires that the prison becomes a public sector prison.

I think that's quite self-explanatory. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks College. Do we have a seconder? Perth, do you wish to speak? Anybody else? OK, Willie Reid, behalf of the SNC.

WILLIAM REID – FINANCE OFFICER SCOTTISH NATIONAL COMMITTEE: Chair, Conference. Not surprising the SNC fully supporters this motion. In fact, it was good to hear the Justice Minister and the Chief Executive reaffirming that sort of position yesterday. Conference, we're fully aware what the union's position is when it comes to privatisation of prisons. To make a profit from people in our custody is something that civilised society should be disgusted by. Most of us in this room will remember the opening in 1999 of Bowhouse in Kilmarnock, our first private prison in this country. The then Chief Executive of the SPS, Tony Cameron, lorded its opening, making all sorts of claims of its being best practice, and best of all, using it as a club to hurt us when it came to pay negotiations or using it as a threat if he felt an establishment wasn't performing. Loved to use it as a comparison when you like to mention possibility of market testing. How we miss that wee man, hey? It was strange that he never mentioned staffing levels or the lack of them resulting in a very unsafe environment for the prisoners and staff or funny how he and the politicians at the time didn't shout as loud about the millions of public monies that would have to be paid if the need for extra spaces arose. They said that wouldn't be the case. That's right, Mr Cameron and others told us the prison population was falling and that there wouldn't be any need to buy

these spaces in the future. They certainly knew their stuff. Today, 20 years on and the public prisons are bursting at the seams; we're now forced to purchase extra spaces in these private prisons. The SPS pays millions to these companies over the years, at a time we're looking at more people than any other period in our service history and recording levels of violence. We are paying blood money to these private companies so they can pay out bonuses to their board of directors. The SNC wants Kilmarnock, and the other private prisons back in the public sector now, don't give them a penny anymore. Give us the keys now. The SNC are proud to support this motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Willie. College, right to reply. Those in favour of the motion, please show. That's unanimous. Motion 39 – College.

PAUL DUFFIN – BRANCH CHAIR, SPSC/HQ: Chair, SNC, Conference. Motion 39 reads: That this Conference mandates the Scottish National Committee to seek assurances from the Scottish Prison Service that if HMP Kilmarnock does become a public sector prison that the POAS have full recognition rights for custodial officers employed at HMP Kilmarnock. It's straightforward, please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Paul. Do we have a seconder? Shotts, wish to speak? Anybody else? Willie Reid on behalf of the SNC.

WILLIAM REID – FINANCE OFFICER SCOTTISH NATIONAL COMMITTEE: Chair, Conference. Again, and not surprisingly, SNC fully supports this motion. Conference, I'll be brief, and remind everybody that we are the only recognised union for uniformed staff in our prisons. As this would be a public prison its staff would be subject to the same rights afforded to our members currently in the public sector. Please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Willie. Right to reply, College? No. Those in favour, please show. It's carried unanimously. Motion 40 – Barlinnie.

JIM McCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference. Motion 40 reads: Conference condemn the SNC who decided to support the Prospect's candidate for the TUS Secretary's post.

Conference, in 2017, I believe, Barlinnie took a motion to Conference that asked that Conference mandate the

SNC when selecting the POAS candidate for the TUS Secretaries post the selection process is opened up to all POAS members. We're going to get a wee play on words that Mark was hinting about a while ago that the SNC will change the word. The word doesn't actually mean that. The SNC were against this motion in 2017 and it was duly carried by the branches because we can see it was open and fair competition. The post was coming to an end and it should've been available for any POAS member to apply for. However, as we know, the call to the constituent trade unions secretaries came out in March to see who they were putting forward for the TUS post. The answer I got back from Andy... great time to go up and talk against Andy, he's just been <laughs> anyway. Andy came back and says, 'When SNC discussed the matter it was relevant to the TUS in March. That would've been the call for when we should've been able to apply for this job or any one of our 3,000 members. SNC took the decision not to select a candidate for the post.' Oh that was very big of you, because it wasn't your decision. Conference, policy was that it gets opened up to the membership. It wasn't SNC that should've made that decision. The constitution reads, 'The power in this union is at Conference, not the national level, NEC or SNC.' Conference. Conference decided to direct you in a direction for what we should be doing when this post became available. Because it became available. Let's not kid ourselves, 'cause the agenda for the TUS meetings in April was the election of trade union secretary. But none of your members got the chance to apply for that because the TUS decided that they were happy with the present incumbent who had been put forward, nominated by another union. Rule 2 of the constitution will state, 'That you protect and promote the interest of *our* members', not for what some other union puts forward, whether you like him or not, whether he potentially could've got the job or not. You were directed by Conference and therefore I ask you to support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Jim. Do we have a seconder? Shotts.

JOHN DICKSON – BRANCH CHAIR, SHOTTS: Seconding this motion on the basis that we knew in the previous Conference what we'd put forward and very clever for the top table saying, 'You know what, we didn't nominate anybody so that actually doesn't count.' A good manoeuvre for the SNC to actually keep the person in post. It wasn't about that. It was about having the opportunity for every other person within our

union to put themselves forward if they so wanted. It's not about the candidate who's in there now because they might be the best person for the job, it was about the opportunity for everybody to get that same equal opportunity to put themselves forward. They might not have succeeded or they might've succeeded. It's the fact that as a trade union we should be fundamentally standing up for the rights of our members to get their name put forward. Clever move. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Thanks John. Anybody else? Andy Hogg on behalf of the SNC.

ANDY HOGG – ASSISTANT GENERAL SECRETARY:

Chairman, if I can just beg your indulgence for a short minute and take time to thank the General Secretary for his kind words regarding myself earlier on. Very much appreciated and I know that it's very much reflected in what I feel for, not only the General Secretary, but for the NEC who have provided me with tremendous support over the years that I've been involved in this post and this union. So, thank you very much.

Getting back to the motion. Conference, SNC, probably not surprisingly I'm asking you to reject this motion. By way of providing some context to the motion, the TUS has its own constitution of the terms of process for electing the office, of which the TUS Secretary is principle amongst them. The successful candidate is elected at an AGM from within that membership of the TUS committee, holds the office for a period of five years and the TUS committee, as you are aware, currently consists of three trade unions recognised by the SPS for the purposes of collective bargaining. They're unions of the POA, PCS and Prospect. But it's correct to point out Scottish Conference in 2017 that motion 59 was moved by Barlinnie branch, thus I'm going to tell you what it says, 'Conference mandate the SNC that when selecting the POAS candidate for the TUS Secretaries post the selection process is opened up to the POAS membership members.' As Conference supported the motion the terms were adopted then into the Scottish policy, and you'll see that in the document that we've sent. In 2019 the post of the SPS TUS Secretary was due for election and a call for the nominations for the constituent unions was sent out by the TUS Secretary on the 28th of March 2019. The Scottish National Committee met on the 25th of March for its normal monthly meeting, following which a meeting to

consider the TUS matters was discussed. That's the way we do our business. The meeting was informing that Prospect had already nominated the TUS Secretary for its nomination was known to us by that time. In discussions relating to that nomination of a TUS Secretary it was identified that the current post holder was a POAS member, not only a POAS member but it was also an ex-SNC member and was actually incumbent in that role, for which we had put him forward at that time... previously been put forward POAS as a candidate and he was subsequently elected to fill that vacancy on an interim basis. Discussions around the terms of the Conference motion took place and it was the view of the SNC that the terms of the motion did not require nor compel the SNC to identify a new candidate, but to enact a process that was open to the membership when it chose to identify a candidate. As the current incumbent was our candidate previously, there was no question around his performance in the role, it was considered that no process to seat another candidate was required at this time. So, there was the TUS AGM held in April, Prospect's nomination for the post of the TUS Secretary was unanimously supported by all the constituent unions for the TUS. Conference, in concluding the response, I think it's worth Conference noting that the TUS supporting the sister union's candidate is not uncommon. In fact, it's quite normal. And I would point out indeed that my own predecessor at that time, the late John Moffatt, was a member of what is known nowadays as PCS. We had a different union in those days. Equally the SPOA and the POAS have had their candidates supported by the other unions over the years, including the old Governors and Managers Committee, PCS, IPMS which is now Prospect and RCN. So, Conference, I hope this helps to clarify the process was undertaken. There is no Machiavellian drama in this or people trying to upstart somebody else. This is actually the TUS have operated for all these years, so please reject.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Thanks Andy. Barlinnie, right to reply.

JIM McCABE – BRANCH SECRETARY, BARLINNIE:

Chair, Conference. Now, I'll also say, Andy, you have been great for 30 years. The thing with that one was that was just muddy in the water. Let's not get mixed up with this, that the TUS meeting is a nice wee gang and we pick each other, pals! Nothing to do with it! So, the nearest I can get to this is like dealing with a local partnership, so as partners we toddle in and it's a

different forum for the union, so we toddle in and we agree or disagree on a process. However, if we've got a lock up and the members know that we're ready to get into discussions with management on shift patterns, tea breaks, when the membership tells us that it's not happening and it isn't going to happen, we cannot do on and better idea. So, take this back. They were instructed by Conference, under the constitution, to open this post up to every one of the member. the union, it wasn't their choice to , it's their union, it was their choice to be happy. So I ask you to support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Thanks Jim. Those in favour of the motion, please show. Against. Any abstain? Sorry, can we do that again. Those in favour please show. Against. OK, it's 7/4, 7 against. One abstention. Do we have support for a card vote. Scrutineers and tellers can we have a card vote please?

TAYAV023 starts:

Colleagues, normally we would be breaking for lunch at this moment but given it's a card vote we need to stay in the room until the card vote's been declared, so we'll be a few more minutes yet.

Seats again please. The result of the card vote – votes for 1,568; votes against 1,062. The motion is carried. John and Willie would like me to point out it's nothing to do with them.

<Laughter>

They weren't here.

<Laughter>

Colleagues, we're going to break for lunch in a few seconds but before we do we're going to do the least enjoyable part of Conference which is obituary for those members that we've lost in the last year. Could I ask you to take to your feet while we remember and I'll read through the names for you? James Kerr from the State Hospital; Vera Thompson from State Hospital; Sarah Kilmore from HMP Kilmarnock; Malky Darcy, retired HMP Shotts; Colin Gregory, HMP Edinburgh. Thanks colleagues. We're going to break now for lunch, can we be back for half-past-two?

OK, thanks colleagues, welcome back to the last part of the agenda. Before we get onto the motions, Mark Fairhurst, National Chairman has been able to join us this afternoon and I'm going to ask Mark to say a few words to Conference before we go back to the agenda.

MARK FAIRHURST – POA NATIONAL CHAIRMAN:

Thank you to the Scottish National Committee. It's good to be here back in Scotland; I do enjoy coming to Conference. Unfortunately, because of the many things that are going on down the road it is only a fleeting visit. As early as this morning I got yet another phone call from our solicitors telling us that there's a possibility tomorrow I could end up in the High Court. The employer once again is trying to injunct us because one of our branches has the temerity to inform their line managers that, as from now, because of the way they're being treated they will stick to their job description religiously and only perform the tasks highlighted in that job description. They will also ensure that, under the Working Time Directives, they have the full 11 hours between each shift. Our employer has said that is incitement, it's industrial action and they're now threatening us with court action. So, watch this space.

I just want to start off by commending the Scottish National Committee. Commending them for the work they do on your behalf, particularly with the Pay Award, a fantastic three year deal that benefits everyone. That's because you've got collective bargaining rights, which we don't enjoy, because the committee on your behalf forges those positive industrial relationships with the government that's in power at the moment in Scotland. Relationships that we can only wish for and we try and try again to forge the same sort of agreements with our government, as you do with yours. I'd also like to congratulate John and William on their election to the SNC. You now join that club, guys, where according to social media you're useless, you don't care, everyone can do a better job than you and you live off a gold card, apparently. Welcome to the club, I'm sure you'll enjoy it.

<Laughter>

That's obviously resonated. I'd like to thank you also for your support for me and the invites that you continue to give me to visit your branches. I've visited two this year, last year I visited about half-a-dozen, so I've got round quite a few. There's still a few to go so if you haven't had a visit off me just send me an email and I'll make sure I get round next year, but only in the

summer, I don't do winter in Scotland. I went to Grampian and I went to Inverness. Grampian obviously is benefitting from the same sort of, market supplement we call it, that exists in England and Wales for those gaols where it's difficult to recruit or we can't compete with the local market labour force. For example, inner city gaols in London all get an extra £5,000 on top of their basic salary when they join and those difficult to recruit sites in southern areas, remote areas and stuff like that, they get between three and five depending on how severe that problem is. Of course, that market supplement isn't pensionable, so they still get pensioned on their basic salary which is a starting salary of 22 grand, which doesn't even compete with local supermarkets. When you listen to the hype from the employer we've recruited over 4,000 prison officers, we're really struggling to retain those prison officers because of what we face in the workplace. You have similar problems to us and I agree that we should all be paid the same. But what do you when you're in a site where you just can't attract staff because the wages are too low? As an employer you have to do something to try and attract those staff.

So, what we need to do is we need to plug for equal pay for all, for one, but we need to plug for those payments being pensionable at the very least, which governments aren't keen to do because it's very expensive. We need to make this job more attractive. And going round these sites, particularly the likes of Grampian, it's a great, modern, new gaol with great facilities, good working conditions for staff, decent conditions for prisoners, which obviously improves the levels of violence because they're not living in cramped, over-crowded, dilapidated buildings. So, it's good to see, and the benefit you have in Scotland, again, is your government is committed to all new build prisons remaining in the public sector. It remains to be seen if the SMP bring back the likes of Kilmarnock into the public sector once their contracts run out. We can only hope and I'm sure the SNC are working tirelessly behind the scenes to ensure that happens. Our government have announced that every new build prison will be privatised and we're not even allowed to bid. More galling than that is the fact that the taxpayer is going to fund those new build prisons in their entirety and hand it to profiteers. Prisons are not for profit. We've proven in England and Wales that the most violent gaols are the private sector gaols. Out of the top ten violent prisons four of them are in the private sector – we've only got 14, so percentage-wise there's a much higher level of violence in private sector prisons than there is in the public

sector. So, we'll keep plugging away and try and turn that opinion and turn that tide against our government and return private sector prisons into the public sector and go for that mixed market that they keep telling us that they're committed to and get at least one of those contracts handed over to the public sector. We'll keep plugging away on that.

You're having a lot of success lately, as are we, but people want instant results, don't they, the members want instant results and it's not always possible to deliver instant results. For example, the latest safety and custody statistics were released this morning and when we sit in meetings with the employer, before they're released they say, 'There's green shoots, it's positive, violence is reducing.' But we know different. We know different from our branches who tell us the reality of life on the landings and we know that underreporting from managers is rife, at least 10%. So, when the safety in custody statistics were released this morning the highlighted that yet again, for a successive quarter, assaults on staff have increased by 10% now running at 10,424 per year. That's in excess of 28 per day each and every day. More concerning, serious assaults on staff continue to rise, they're up by 7%. And in the meantime the PAVA spray we were promised 12 months ago that will get rolled out from January 2019, to date, besides the four pilot sites, we have two prisons who have rolled it out. And that's because our employer cares that much about our safety. They've placed a criteria on our members health and safety. So, in order to get PAVA rollout in our prisons you have to deliver key work at a rate of 52% consistently for a four-week period, then you have a team come in called the Readiness Assessment Team who go through all your systems for delivering PAVA and storing PAVA and governance of PAVA. And then, when they sign you off, you can start to roll it out. But you'll only get issued with PAVA when 50% of that staffing complement in the prison are trained in it. Just put that into real terms. If you do your PAVA training tomorrow, six months later 50% of your colleagues are trained so you start to get issued it, by which point you've forgotten your training, you've forgotten the legislation and use it inappropriately and you get disciplined. It just doesn't make any sense.

I visited Bedford prison, which is one of our most violent gaols, a few weeks ago. They've delivered key worker training at a rate of no less than 57% consistently for the last three months and are nowhere near even beginning to rollout PAVA. So, when I met

the Secretary of State, Robert Buckland, two weeks ago I forcefully told him what we would do to ensure the health and safety of our members and told him that in his position we should be telling directors in HMPPS to scrap the criteria on the health and safety of our members and to get PAVA rolled out without delay. I'm currently waiting for a response because I believe he's had a word with one of the directors, so we'll wait and see what comes of it. But what I do, I contrast with chief constables, who recently in the press said, 'We're facing unprecedented levels of violence and if our staff, our constables, want Taser they're going to get it, we'll issue it. No delays, no red tape, no criteria. Our constables are not there to face violence at the levels they face, we're going to combat it, we're going to give them Taser.' Well, we've been going through this for years, our campaigning, our badgering, our protest action eventually got us to the point where they agreed to rollout PAVA and they still place a criteria on the safety of their staff and our members. We're not having it anymore. We are not having it. We have got plans in place to challenge them wherever they may lead us.

The conditions you enjoy in Scotland, I think you've done a fantastic job and everything we want. Politically we will publicly support, I will publicly support any politician who says to me, 'Mark, you know what, fair enough, we're taking what you're saying seriously, you do deserve to retire age 60 so we're going to reinstate your retirement age at 60. We're going to give you your right to strike back. We're going to end privatisation and return those private sector prisons into the public sector. New builds will be public sector and we're going to give you decent pay rises and give you collective bargaining rights over pay.' I will publicly support anyone who tells me that. I wish that this government that eventually gets elected after the 12th of December; I really do wish that they sit down with me and tell me that. Because we've got a lot of support for a retirement age of 60, we're making positive gains in that retirement age challenge.

The Tory government are determined not to give us our right to strike back, which I can't understand because look at it from an employer point of view, they're missing a trick. You can have a trace of giving us our right to strike back where we have to ballot the membership, we have to meet the threshold, 50% of our members have to take part in that ballot, 80% of them have to vote in favour of strike action. Once we meet those thresholds we then have to tell the employer, we have to give them 14 days' notice at least

of the day we're taking strike action which gives them 14 days to enact contingencies, 14 days to sit down with us and sort it out before we do anything. They can either have that model or they can have the model we have now where we walk out in protest action in a wildcat manner, all hell breaks loose and nobody's got a clue what's going on. So, they're missing a trick – just give us our right to strike back. You've got it in Scotland. There's no excuses. You've never had to use it 'cause you've got good IR and that's what we want. So, there isn't a trick there.

What I'm saying is, on behalf of myself, my National Executive, all my staff, fulltime officials, every one of us, thank you so, so much for your support. I personally believe we've never been so united. We all want the same things, decent conditions, safe conditions, a way forward with decent retirement age. You've got decent pay rises, we're working on it. So, thank you for your continued support and, with total respect and solidarity, I wish you all the very best and I look forward to seeing you at Conference in May next year and look forward to attending Scottish Conference again this time next year. Well done all and thank you very much.

<Applause>

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks very much Mark. I did say to Steve, just before lunch when he addressed us as General Secretary, how much whenever you come up we spot the difference. I think what always strikes us is how much of your time as trade union officials is spent in the court rather than inside the room with the employer and the government trying to get to some of the positions that we've got in Scotland. And I do hope that whatever we do here, this dialogue from our colleagues in England and Wales, that we don't ever take for granted what it is that we've got. It's not an easy achievement to get to, some of the things we've got here in Scotland, and you have to work hard to keep at it. We've got an employer sits in this room throughout the whole of our Conference every time we're here, and that's not for any reason other than that mutual respect and understanding of the joint agendas that we've got and whatever policy positions we take in this Conference, the start of that conversation has already taken place inside this room. Sometimes for people they question why we've got that relationship with the employer in the room with us, it's for that very reason and it's not something that we should take lightly or be complacent about. And every time we hear from yourself or from Steve we

recognise just how far a journey you've still got to get, but I can assure you you've got the absolute support and solidarity of the membership in Scotland in trying to get to that position.

Back to the agenda, colleagues. 41- Polmont to move.

EDDIE CRUSE – BRANCH SECRETARY, POLMONT: Chair, Conference. 41: That the SNC seek for the SPS position in relation to professionalization of the prison officer role, in what it will look like, how it will be achieved and implemented.

Colleagues, an awful lot of speculation at gaols about what this is going to look like, what it entails. It's a simple motion, it's just asking for clarity. It's one of those things that we're not hearing anything coming back, we're not getting any reports so it would be good if we could have an update on where that actually is. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Polmont. Do we have a seconder? Barlinnie, wish to speak? Anybody else? John Cairney on behalf of the SNC.

JOHN CAIRNEY – SCOTTISH NATIONAL COMMITTEE: Chair, SNC, Conference, replying on behalf to the SNC. Conference, the SNC asks you support the motion. aware of the outcome of what was and the SNC will not now revisit as per the outcome of the ballot. We need to be mindful that going forward the SPS will seek to introduce elements of it onto new recruits joining the service. Whilst we have full recognition rights for the operational staff currently employed we don't have this for individuals not currently in the service, so it's only right and proper that we have an insight to what management have in mind and that we have meaningful discussions on how we shape the role going forward, whilst maintaining the role as it exists for our membership. But, Conference, let me be clear that POP is not on this union's agenda, and as I've just said, that said it would be folly of us not to be involved to see the direction the SPS wants to take. It's an important motion, please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks John. Polmont, right to reply? No. Those in favour of the motion please show. That's unanimous, thank you. Motion 42 – Corton Vale. Conference give permission for 42 to be withdrawn. That's withdrawn, thank you. 43 – Shotts.

JOHN DICKSON – BRANCH CHAIR, SHOTTS: Chair, Conference. Motion 43 reads: Conference instructs the SNC to open talks with the SPS into having incidents where staff come under the influence of psychoactive substances as the result of deliberate action of the prisoner recognised as assault and afforded the relevant equivalent pay protection.

Straightforward motion, colleagues, prisoners know what they're taking, they know what the effects are and they know when staff come in the door they could be succumbing to this. I already spoke about the member of staff on a night shift who went to the cell and the prisoner was up against the spyhole and he breathed the NPS towards the member of staff who resulted tried to kill himself because his mental health and this actually happening to him. So, this motion is basically saying that when these prisoners are doing this to staff that we get afforded the proper protection, because right at this moment in time there's nothing in place for us. We have had to fight hand and tooth to try and get people recognised from HML, I think it is now, they're telling me employment law. They're doctors. Why the hell are they telling me employment law saying that because they're not recognising this condition in our gaols that they're not getting afforded Section 11 protection. We are saying give us the actual, we're being assaulted at our work, they know what they're doing and they're doing it to us. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks John. Do we have a seconder? Barlinnie, wish to speak? Anybody else? Willie Carle on behalf of the SNC.

WILLIE CARLE – SCOTTISH NATIONAL COMMITTEE: Conference, I ask you to support this motion. We all know the risks a prison officer must deal with day-in, day-out. With the introduction of NPS and other psychoactive substances that have given all involved a real cause for concern due to the unknown dangers that our members have to face. As such, we must insure that it's right and proper that prison officers should be protected when prisoners cause harm to our members. It makes no difference if it's a fist, foot, blade, boiling water or NPS – if it's deliberately being used to injure a member it's a weapon and should be recognised as an assault and a member given all the protections they're entitled to. Conference, please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Willie. Shotts, right to reply? Those in favour,

please show. Unanimous. Motion 44 – Dumfries. Formally moved, do we have a seconder? No seconder. The motion falls. Motion 45 – Edinburgh. Formally moved, do we have a seconder? Motion falls. 46 – Barlinnie.

MICK MULHOLLAND – BRANCH CHAIR, BARLINNIE: Conference, Chair. Motion 46 reads: Given the dangers and the impact on our members health due to NPS, Conference instruct the SNC to approach the SPS management and emphasize that the problem has got to be tackled now. Given that a large percentage of drugs comes in via mail that SPS develop a system whereby prisoners only receive by email that can be printed off and given to them.

Although we're aware that drugs are introduced into prison by various means, we are also aware that the recent spike in the use of mail to facilitate this practise. We feel that the risk to our members could be significantly reduced if there was a review in how prisoners got their mail and we're proposing a type of email postal service; family or friends send in an email to the prisoners to a specific mailing email address at the prison, with their name, number and location on it, the prison prints it off and puts it in an envelope and delivers it in the normal way. This action would protect staff from coming into contact with contaminated mail and is far safer than using nitrate gloves, therefore reducing the risk to our members. I ask you to support this motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Mick. Do we have a seconder? Polmont, wish to speak?

EDDIE CRUSE – BRANCH SECRETARY, POLMONT: This was actually one of the questions that we had formulated to put to the panel yesterday and I think it's a really important thing 'cause there's a huge amount of protection in here for our staff. This system exists, we use it just now, the uptake in it was pretty good, as I understand, and a lot of our prisoners were already using this facility. I think it's an excellent way forward and thank Barlinnie's motion, we should all support. Please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Polmont. Shotts.

JOHN DICKSON – BRANCH CHAIR, SHOTTS: Chair, Conference. Fully support the motion. Recently we had

the mail coming in to a young girl up in the hub up the stairs who opened up a letter and then succumbed to what was on that letter and collapsed. The solution for the SPS was to send up operational members of staff with blue gloves on as if that was gonna help them. This motion is very important because this is how they're getting it in, it's not just there, they're getting it in by putting socks, pants, bedding, trousers, you name it, soaking it in the stuff and they're putting it in their kettles and they're taking the stuff out. This is one avenue to reduce that risk so fully support this.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks John. Low Moss.

MALKY MCKAY – BRANCH SECRETARY, LOW MOSS: Just to add that we've got the machine on loan at Low Moss just now. We've just had it for a few weeks; already it's detected at least eight pieces of mail every single day, so the evidence is there. The organisation know this stuff's coming in, it's not circumstantial, so please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Malky. Anybody else? Tony Quinn on behalf of the SNC.

TONY QUINN – SCOTTISH NATIONAL COMMITTEE: Chair, Conference. Conference, Barlinnie's quite right in its assertion here, as the other speakers have as well, this issue needs to be addressed now. There's an obvious ongoing risk to prison officers safety, wellbeing and reputation but the SNC are asking for a remit on the motion to allow us the opportunity to address what is a growing problem in our prisons. What the motion asks for, however, is quite specific; it talks only receive mail by email and we have concerns that it may not be achievable within the scope of current law, an example of this being legal correspondence but there may be others. Let us explore with the SPS what can be done; there appears to be a will to do so. This is not dismissing the use of email in future, in some instances it may be appropriate, but it may not be in all and that is what the motion asks for. We are aware, for example, that there are currently ongoing trials in some prisons in England and Wales whereby mail is being photocopied, stored and the photocopy is given to the prisoners. Although our laws and practices have differences, this is another avenue we can explore to reduce the risk to our members, so we're asking for a remit.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Thanks Tony. Barlinnie, right to reply? Malk, I appreciate this is the first time you've got up to address a motion so just so you understand, we're going to ask you if you accept a remit. If Barlinnie accept the remit we'd ask Conference if they would support it and if it is we'll take it forward as a remit, if not the SNC would take a different position in response to that. You may want to consult with Jim but I'm going to ask if you are willing to accept a remit.

<Laughter>

You might want to consult with another branch actually.

<Laughter>

Conference accept the remit. Thank you, the remit's accepted. Motion 47 – Low Moss to move.

DOUGIE MUIR – BRANCH CHAIR, LOW MOSS: Chair, SNC, Conference. Motion 47 reads: That this Conference recognise the problem of SPS reporting and recording arrangements for staff who suffer intoxication by NPS and the working of the Notice to Staff 53/2017 is unreasonable and mandate the SNC to seek the removal of the term 'as a near miss' from the Notice to Staff or enter into a Failure to Agree with the employer.

Conference, the motion speaks for itself. The employer has already been approached regarding this matter, which I'm sure the SN speaker will reiterate. Low Moss has asked repeatedly for the term 'near miss' to be removed from the Notice to Staff. Some may ask, 'What's the big deal?' Well, having the term near miss on the notice is actively encouraging local health and safety advisors to record most incidents as a near miss when a member of staff has been subject to inhaling an unknown substance, even when harm has occurred. When investigating the statistics locally, the local branch noticed there are 13 incidents of staff reporting an accident involving inhalation, only one was recorded as an accident. Ironically, this was a member of staff that went into the staff office and the kettle was on fire; the other 12 were actual harm occurred and were related to prisoners smoking an unknown substance recorded as a near miss.

Conference, this cannot be right. It's painting the wrong picture and it must be changed. Removing the term

'near miss' will encourage health and safety advisors to record these incidents and reflect fact, not fantasy. Conference, please support this motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Thanks Dougie. Polmont to second, you wish to speak?

EDDIE CRUSE – BRANCH SECRETARY, POLMONT:

I think this is quite an important motion. Dougie was quite right there, he said, 'What's the big deal?' The big deal is when you've been affected to the degree in which this can affect people, which is horrendous, and then your employee appears to refer to it as a near miss without going down and explaining to the individual why the reporting process only allows us to record it as near miss. Nobody does that so the person doesn't get that explanation. We've had a conversation with our health and safety chap at Polmont and he said, 'That's the only thing I can record this as.' It isn't a near miss, it's a direct hit and a really serious direct hit because this is going to have serious repercussions one day. But the effect on the people, it's really worrying to see and it's quite harrowing to see the state that some people get into. This might be about visibility but it's also about recognising to the member of staff that we recognise that you have had this type of injury at work. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Thanks Eddie. Shotts.

JOHN DICKSON – BRANCH CHAIR, SHOTTS:

Chair, Conference. Fully supporting this motion. As Eddie's just quite clearly pointed out, it's not a near miss, it's a hit. It's a direct hit as Eddie just said there. We have just passed a motion at Conference previous to this one to say recognise it as an assault. Recognise it for what it is as well, this is a hit, it's not a near miss. Please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Thanks John. Ian Welsh on behalf of the SNC.

IAN WELSH – SCOTTISH NATIONAL COMMITTEE:

Chair, delegates, Conference. The Scottish National Committee are asking you to support this motion. We already have scheduled meetings with a full review in mind to the Notice to Staff 53 in '17. Included in the review will be the removal of the wording, 'a near miss.' We will also be looking for clear guidance for staff, not only for NPS, but for all substances that have a mind altering effect. Please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Ian. Low Moss, right to reply? No, OK. Those in favour, please show. That's unanimous. Thank you. Motion 48 – Barlinnie.

JIM McCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference. Motion reads: That we debate the continual high numbers, prison numbers and the impact that this had on staff's health as well as the heightening tensions within prison.

Barlinnie's a wee bit maybe affected by this a bit more than some of the other establishments. We've got almost 50% overcrowding. We went from 20% at the beginning of the year to 30, 40, to nearly 50, almost 50% and we don't get any extra staff for it so we try to cover it with ex gratia, but people are getting worn down. Majority of the sick is now mental health, it's now stress; it's continually coming in every day and dealing with 20 extra prisoners on the landing that should hold 50, 170, 175 so there's more and more angst. Part of the angst we can't forget is this affects prisoners as well because they're not getting what they're entitled to, so they don't get rec so it's the prison staff that gets it in the neck. The exercise yards are full, so it's not safe for prisoners or staff. It's just this continual grinding down of staff's health and it needs to be addressed. There's maybe a not so obvious thing here as well. It's actually resources; there's not enough bedding sometimes, towels, so that's causing angst and then the prisoners react and the person they take it out to is the staff who then, subjected to more verbal abuse, who then potentially goes sick with stress, who then leave the gaol another person short. It can't just keep going higher and higher. We've got a thousand or so extra prisoners in the system, the more staff and it needs to end. I would ask you to take part in this debate.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Jim. It is just a debate so no seconder required but Shotts.

JOHN DICKSON – BRANCH CHAIR, SHOTTS: Shotts generally doesn't go above capacity because the amount of riots we've had previously, so there's a wee bit of a let's not touch Shotts. But there's another effect that's getting missed, and some of the establishments might agree with this, is that there's no ventilation anymore because of the overcrowding. Previous to this when we had a bad boy or two or three, we could actually phone up some of the gaols and say, 'Could you

take this guy off us and we'll take one of yours?' It's not there anymore because of the overcrowding. So what's having an impact there is we are dealing with the same troubles, the same prisoners who are constantly fighting with staff and coming back onto the same landing which is then causing the staff to go, 'We are going to have to try and deal with this guy again', and it's just compounding the stress levels and the staff don't feel they're getting supported by the SPS. Due to the overcrowding part of it where everybody's going up, and up, and up, Shotts can't vent out and I'm assuming other establishments also can't vent out, which is leaving the stress levels to cascade up the way. Please join the debate.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks John. Polmont.

EDDIE CRUSE – BRANCH SECRETARY, POLMONT: It's just something that Jim said there about towels. It seems like a very innocuous thing but to somebody out there who wouldn't understand here's a perfect illustration. It wasn't directly about overcrowding at Polmont but this was the effect. A prisoner had asked for a shower or he'd been offered a shower and he refused it and then later on he wanted a shower at a time he wanted it and he was told no. What we sat and watched on CCTV was a prison officer walking down the hall and the prisoner that he'd said no to, who'd been let out for something else, was walking up the hall and he attacked him. He probably had punched the officer about three or four times before he hit the deck and that was just because he didn't get a shower when he wanted it. So the issue about towels is a big issue when they don't get these tiny wee things.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Polmont. Anybody else? Glenochil.

BILLY YOUNG – BRANCH CHAIR, GLENOCHIL: We have overcrowding. We don't have it as bad as Barlinnie and some other places like Perth, but this is then held against us on various occasions. I have senior management team who seem to turn and say, 'Well, we're not as bad as Perth', but we have overcrowding. The other point that they turn and say is, 'We've only got another ten.' Well, I would advocate that depending on where you are and where you work those extra numbers have an impact. It impacts on your feeding time, it impacts on the time that you get to move them to the sheds, to move them to various places, who don't have enough spaces in those sheds.

But that doesn't seem to be taken into account when they do working timelines, when they work out when things are supposed to be done and the basics that we have every single day. This is something that needs to be addressed and is something that needs to be looked at. I get they can't fix it but they have to put systems of work in place to resolve this issue sooner rather than later, because the incidents of not getting a towel, not getting a shower will get worse and we'll end up with more staff off and then we'll be in a position where we are sitting as PLRs talking to unit managers and going, 'We told you. What have you done about it?'. Thank you very much.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Billy. John Cairney on behalf of the SNC.

JOHN CAIRNEY – SCOTTISH NATIONAL COMMITTEE:
Chair, Conference, taking part in the debate on behalf of the SNC. Formalities, Conference, we thank Barlinnie for bringing this debate and we thank the speakers for taking part. It's a position that the service has been in for many years and really needs to be sorted ASAP. I'm looking for information in which to bring to the debate, there's an inspector report on Barlinnie that made the point overcrowding is not the same issue as high numbers, but they're often connected. If you look at the statement the point that it was made within is that high numbers, whilst not ideal, are manageable through the current staffing complements that we have, because they are done in the design capacity of every establishment. The issue in the service at the moment is that we're actually operating above design capacity and that is a catalyst for the issues mentioned in Barlinnie's motion.

Earlier this month SPS Chief Executive, and he repeated it yesterday, was that Scottish government for a meeting with the Justice Select Committee. In his opening statement he made them aware that in September 1997, who I'm focussed on 'cause he brought the motion, were operating at 51% over capacity which led to the then Chief Inspector, Clive Fairweather labelling it as a national disgrace. It was pervading almost every part of the prison regime. Fast forward 22 years and Barlinnie's operating at almost 50% over capacity and the service as a whole is almost 10% over capacity. Real term numbers were designed for 7,669 but we're currently operating, as you heard yesterday, at roundabout 8,300. Is there any wonder staff's health is suffering when you hear those numbers? Think of the extra work that's been put on

them. So, where does the issue sit? Well, it's easy we could beat the employer with a stick, but it goes above them. In the statement you heard from Colin McConnell, the one he made to the Justice Select Committee, they too share the union's frustration. So it must fall at Scottish government and it must fall at sentencing sheriffs, they're the one who set the laws, they're the one handing out the sentences. A few years ago when I was PLR in Barlinnie I had a member finding out that we had nearly 200 prisoners in gaol for not paying fines up to £300. Surely there's a better way to deal with the issue than sending them to an already bursting prison estate.

Scottish government, this was discussed yesterday as well, but Scottish government made the decision following on from a horrendous crime that seen someone lose a life to a prisoner serving the remainder of their sentence on HDC. So much so that they set the bar at a level that's seen in excess of 300 prisoners recalled into our estate to serve the remainder of their sentences in custody. Whilst this is not the place to get into the politics of that decision, the point needs to be made that this was done without extra funding being put in place to support the staff with the increased numbers at the estate. The open estate is also under capacity due to levels that have been set by Scottish government who qualify to serve the remainder of their sentence. Now, you heard yesterday in the debate they were talking about the SPS staff will do the assessments and if they hit the bar for the risk assessment they'll get moved up. The point here is they are setting the bar too high to move people on. So, the open estate capacity are circa 284 and was set the other day at 190, again, this is not helpful to establishments at bursting point and a proper review of that will help funnel people away from overcrowded estate to help out.

This union's position is very clear on the issue. It was only recently that our Assistant General Secretary, Andy Hogg, wrote an article in the Holyrood Magazine which sets out the union's position. Andy says, on behalf of the union,

'For prisons to be successful arenas for positive outcomes and contribute towards a safer Scotland, not only requires a commitment of dedicated and professional staff but crucially requires the necessary funding to support constructive interventions that lead to positive citizens reintegrating back to society. An overcrowded and underfunded prison estate cannot achieve this. Overcrowded prisons are dangerous

places, they are inhumane and above all they're ineffective. They create an environment that's hostile for both our members and prisoners, where excess time is taken up through daily routines to prevent productive interventions from taking place. In short, overcrowding and underfunding prisons fails staff, fails prisoners and fails society. It may be truism that there are little votes in spending money on prisons and many in society need to be convinced of the important role they play in creating a safer Scotland. However, unless we learn from experiences and recognise that custody is not always the answer and should be the last resort reserved for serious offenders we'll continue to fail our citizens. POAS understands that current financial pressures and uncertainty mean the Scottish government need to reconsider their priorities wisely. Readjusting the prison budget may appear an attractive and easy solution, but doing so restricts the opportunity to address offending behaviour and is false economy. Our through-care officers have been delivering exceptional results in respect of reoffending rates, but their work is now curtailed by the requirement to have them back in the prison gallery to manage the increasing prison numbers. A success that quickly becomes lost through underfunding. Society is much served better by investing in the prison estate and the people who do positive work with those who reside there, not by growing it and failing to capitalise on the success.'

Now, that's a union position that's clear and it's been clear to Scottish government. Overcrowding is affecting the service; it's affecting our membership and it needs to be addressed. Phil was there this morning –

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JOHN CAIRNEY – SNC CHAIR: ... made aware yesterday, making representation on behalf of the membership as well. So the SNC are in constant dialogue with the SPS management to ensure they're doing all they can to support staff who are facing these pressures on a daily basis. There's an important role that SPS can play in ensuring that staff feel valued and feel supported should their health suffer due to these daily pressures. Going back to the panel debate yesterday, I was interested to hear that we've got a guarantee that we're going to have 400 less prisoners shortly; let's see how that goes. So thanks Barlinnie for bringing it and thanks to the branches who contributed in the debate.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Thanks John and thanks to the delegates who contributed to the debate. There's only three motions left to go, colleagues, but the honorary life members have asked if they can just quickly come up and say a few words. Could you welcome David Melrose on behalf of the honorary life members.

<Applause>

DAVID MELROSE – HONORARY LIFE MEMBER: Thanks Chair, thanks SNC and thanks Conference for allowing us to come up and speak. That's the fastest I've walked in about two years; my knees are getting better but... There's one thing I want to say and it's very strange to say this: I'm glad to have lived long enough to see Jim McCabe agreeing with the Chief Executive Officer.

<Applause>

Now there's a thing for Conference. However, it gives me great pleasure, colleagues, to stand here and address Conference on behalf of honorary life members. They're getting older and older and older and I'm getting older myself, I hate to say, but there you are. We've got Tom Adams up the back there, he's about 87 years of age and he's still coming to Conference. He'll get me into trouble for calling his age out, but there you are. These people are dedicated, honorary life members, to the union and have always been.

What I'd like to say is thanks very much for the hospitality that we get. We get treated like lords and that is not an understatement. When we come to Conference, we're given the due respect by yourselves and everybody in this hall for the work we have done in the past and the respect that we get as being honorary life members. And it is an honour to be an honorary life member because it means an awful lot. It's for the work that you've carried out in your career as a trade union official. I have to say, I'm glad to be here at this conference this week because the change of atmosphere and the change in the debate is constructive, positive and will be effective over the next year for your SNC to carry out that business. I don't want to get into the business of Conference but it's great to sit at the back and listen to a good debate that's positive and taking this union forward.

Saying that, I would just like to again thank everybody for the hospitality that you've shown to the honorary life members. Thanks Chair, thanks Conference.

<Applause>

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks very much Davy. Motion 49, Polmont.

EDDIE CRUSE – BRANCH SECRETARY, POLMONT: Chair, Conference. Motion 49 – the SNC seek swift action from the SPS to abolish name badges to protect staff identities. This one almost sounds a bit like black socks for anybody who's been in this room long enough to remember it when they introduced the badges. But when they introduced name badges social media wasn't a feature and now social media is a feature. Now, this came to me because one of the officers at front of house was having a bit of a hissy fit this day and I didn't quite understand what it was about. I later went back and asked and what she had done is she had Tippexed her second name on the badge which caused almost World War 3. The reaction was swift – 'Get that name badge sorted, get that done properly. Don't you deface the tools of the trade.' And I did just think it was a bit of a hissy fit. But when I then learned that somebody had traced her through social media because of her name, and obviously I don't know anything about social media, I don't do it, but I realised that we're not careful on social media and they are able to trace our names. Several staff have had their names, their identities, traced through social media. Now, I know, doing a wee bit of research on this, that the police are looking into this now and if you phone the Bank of Scotland they will tell you, if you make a complaint, for example, as I've had to do recently, I said, 'I need your name,' and they gave me their first name and a roll number and that's what we could do. But the name badges, we're now in a situation where they're thinking if they can get our names they can trace us on social media and I don't think we should help them to do that with name badges. So please support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Polmont, Barlinnie to second? Yes.

JIM MCCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference, just sitting there before Eddie was speaking, just reading through this. I've never been in favour of having our names exposed to the public because prisoners know you so you don't need a name

badge to identify. So it was always a dark side that I always felt with a name badge – it could have been numbers, it could have been numbers. I'd actually just written while Eddie was talking there, the social media side of this is just so dangerous nowadays. I don't do social media but the majority of our younger staff do social media and when they know what your name is and where you work, they can kind of locate you down so you can be exposed to from physical threats to going to bring some stuff in. So I think we should get rid of the name badges. I believe now that they've outlived their usefulness and we can replace them by numbers or just our first name. Support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: Thanks Jim. Anybody else? Willie Reid on behalf of the SNC.

WILLIAM REID – FINANCE OFFICER, SNC: Chair, Conference, the SNC are asking you to reject this motion. To protect staff identities, I'm not being flippant right, I know places like the front of house or visiting areas and that are really vulnerable to our members. But if a prisoner or prisoner's visitor wants to know who you are they'll find out, let's not be naïve about it. They knew who and, if they wanted, where you live long before they even had name badges.

If we're serious about protecting staff identities we should really start looking about what our members put on social media so I appreciate that you mentioned social media. You don't need to be a computer expert to find out all sorts of personal information like addresses, what establishment somebody works at, what pubs or clubs they frequent and who their friends and family are. Now, I understand with a name you can pick up but it doesn't help when you see posts like this. The best example recently was a nice Facebook post headed, 'Here's my new car,' along with its private plate. Now it sits proudly in that person's establishment. Now how many of our staff members can be identified by their numberplates? Do you know what I mean? You've got a name badge but you can go out into any of our gaols, you'll find numberplates. We have to get our house in order without the name badges, more about how we deal with social media.

What about our members that are not in uniform who attend various establishments as part of their job? How do we protect their identities and maintain security? Because there's nobody speculating as to what we'd replace it with. I understand you said about was it your

name and a number, your first name and a number, it's still a name. A name badge would that be or do we adopt an epaulette with a number? But it's only certain uniforms you can wear that, the estate staff, stuff like that.

Conference, do you honestly think that not having a name badge will make a huge difference to someone trying to find your identity? Please reject this motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Willie. Polmont, right to reply?

EDDIE CRUSE – BRANCH SECRETARY, POLMONT:
There's no way I'm going back to tell this officer that we didn't achieve this motion because she will absolutely go off on one. So I'm staying here. I hear exactly what you're saying, there's many different ways in which we could achieve this and there's as many different things that we can do as a name badge. We were encouraged by our previous Chief Inspector of Prisons who didn't actually know that we called prisoners by their first names, who suggested that we call prisoners by their first names and then us. They always have and that's fine doing that, we don't need a second name on that. They all get to know us. There are thousands of different ways of tracking us down, let's not make name badges one.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Eddie. Those in favour of the motion please show. Against? The motion is carried, safe to go home Eddie.

<Laughter>

She knows where you live. Motion 50, Cornton Vale.

STEWART ADAIR – BRANCH SECRETARY, CORNTON VALE: Chair, Conference, motion reads that this Conference instruct the SNC in partnership with the SPS to seek the removal of electronic vapes and chargers. This is under the Health and Safety banner, it's not really proven yet, nobody really knows how harmful it could be. Also why do we make it easy for prisoners to smoke NPS? Recent TV shows show how easy it is to modify a vape to facilitate the smoking of illegal substances. The chargers, allegedly, can only trickle charge and not be used to charge a phone. We work with a very resourceful group of people and I'm sure that the charger could be modified. I ask you to support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Corton Vale, do we have a seconder? Shotts.

JOHN DICKSON – BRANCH CHAIR, SHOTTS: Chair, SNC, supporting this motion. 17 deaths in America and it's all been related to spice and vapes. It's going to come here. Staff at this moment in time we don't know the risks associated with it. I do believe there is something called popcorn lung that's going about at this moment in time and that's purely being put down to the vape that's gone inside your system and is causing your lungs to have wee pockets of air and not breathing properly etc. So this is a bit like asbestosis etc. – we don't know the effects. The best way we can deal with this is to ban it in our prisons, as we did with smoking. Please support this.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks John, anybody else? Willie Reid on behalf of the SNC.

WILLIAM REID – FINANCE OFFICER, SNC: Chair, Conference, the SNC are asking you to reject this motion. Prior to the implementation of the ban of tobacco products in our establishments a lot of work was carried out and we could achieve this with minimum disruption. We all feared the worst, yes, but we were also pleased that we would be working in an environment free of tobacco but at the same time there was apprehension. Fortunately, we have encountered little resistance, not none but very little compared to our colleagues in other countries. We would be naïve to think that it was just down to us keeping the prisoners and our members informed about what we would be doing by offering up smoking cessation classes, fruit, extra gym time etc. The offer of vapes, irrespective of the negative press, eased tensions when the ban on cigarettes and tobacco products came into force in our prisons.

Yes, it's true we don't know the long-term effects on our members. Only last week in the media as well we had conflicting reports with Professor John Britton from the University of Nottingham, a consultant in respiratory medicine, saying no evidence passive vaping was harmful. In the same media outlets we had the headlines 'Mystery lung disease linked to vaping killed 20 and hospitalised 450.' When you look into the headline, in fact it was specific to the USA and three-quarters had been involved in vaping cannabis products. So conflicting reports but what we can all

agree on is that removal of tobacco products from our establishments was long overdue.

Pick on some of the things, and I get what John and everybody is saying as well regarding about the vaping and you could be putting whatever substance in it. Maybe it's the governance or how we deal with these vapes, the staff. We've all been in the situation where somebody has smashed something or they damage it, what do we do? Maybe give them a vape right away, it's done it with televisions so maybe that's what we should be more concerned about, how we govern these vapes.

Lastly, Conference, the policy which covers the use of vapes will be up for review shortly and we do have some concerns. If you have any more concerns, let us know and it will be addressed. Until the review let the vapes remain in our establishments. Please reject this motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Willie. Stewart, right to reply?

STEWART ADAIR – BRANCH SECRETARY, CORNTON VALE: I agree it would be difficult to remove it but who would have thought thirty years ago when I started that we wouldn't have tobacco in Scottish prisons? So, just because it's difficult doesn't mean to say that we shouldn't try to do it and achieve it. Please support.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Stewart, those in favour of the motion please show. Those against. Are there any abstentions? Okay, one abstention. Right, those in favour of the motion please show. Could you put your hands up in the air, please, high enough to see them. Cornton Vale. Okay, against? Abstentions? Right, there's still one missing. Oh, sorry, Greenock, I see you. Is that as high as you can get your hand? Okay, the motion is carried. Motion 51, Barlinnie.

JIM MCCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference, motion 51 reads Conference to instruct the SNC to approach SPS management to have put in place a change to how we handcuff prisoners on escort and adopt the police practice of cuffing both hands in front of themselves, thus affording staff more protection. So, first of all, we shouldn't be doing escorts, I get that, but we're doing them because there's no other option. We've got emergency escorts,

we've got hospital escorts, they're here and until we get rid of them, we need to protect our staff. So recently on a hospital escort one of the officers handcuffed to the prisoner, the prisoner is full of spice or NPS or whatever, managed to get him down to the Glasgow Royal Infirmary and when there the fellow went off on one. Now, the officer who was attached to him has now only got one hand and the prison officer was a big boy, it's not as if he was a wee fellow, about my height, but bigger. And he couldn't control him and it actually took the police to come in with PAVA and spray him before they could control him. So if the prisoner is handcuffed to the front with the cuffs on, at least when our staff are behind them, they can watch them and deal with them professionally and protect the staff. So I'd ask you to support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks Jim, do we have a seconder? Low Moss, do you wish to speak? Anybody else? John Cairney on behalf of the SNC.

JOHN CAIRNEY – SCOTTISH NATIONAL COMMITTEE:
Chair, Conference, replying on behalf of the SNC. Conference, the SNC ask you to reject this motion. Now, having been involved locally when this happened and when this motion came, it's been sitting for over a year, I was well for it. I'm not going to lie, well for it. But when I actually came to look into it and I contacted Police Scotland about what they do, timescales and all that, I was actually informed that they don't have a one-way approach to handcuffing, as the motion states. There will be times when, yes, the prisoner will be cuffed in front, but if the prisoner gets into a car they're cuffed differently. So they actually don't have a one-way cuffing rule. So, on that basis, the motion is not achievable because it's focussing on the one. For that reason I'm asking for rejection of the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:
Thanks John. Barlinnie, right to reply?

JIM MCCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference, it didn't take him long to turn, did it?

<Laughter>

I held it on for four years. Who needs enemies? Anyway, on a slightly more serious note, it was an example used as how the police handcuff. They're being pedantic again about safety of staff. If his hands are in front of him and we are behind him we know

where he is and what he's getting up to. I always felt it was unachievable if we had put forwards to the Scottish Prison Service that we're handcuffing behind their back, because you see that done with different services, and then there's been a fear of the prisoner falling and hurting himself. I thought that would never be achievable. But handcuffing in front, our staff not attached to the prisoner, I think has got to be the way forward so I ask you to support it.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Thanks Jim. Those in favour please show. Those against. Motion is carried. Okay, last but not least, Polmont, motion 52.

EDDIE CRUSE – BRANCH SECRETARY, POLMONT: Chair, Conference, 52: that all staff within their role who are required to read or prepare Parole Dossiers/ICM Assessments etc, attend ICM Case Conferences, Parole Oral Hearings, Talk2me case conferences or any other meeting where individuals' offences or behaviours are discussed and have professional psychological support made available to them. Now, I think this seems obvious that there is no support out there for people who are reading sometimes pretty descriptive and harrowing aspects of a prisoner's crime or even life, for a social aspect. They don't always see the effects of them immediately but, through time, we can see the effects and we have seen the effects on some of the staff who have suffered ill health because of it, mental health because of it. I think this is probably an excellent thing that we should introduce for staff to give them the type of support that they need in their role and in their professional role. I would ask you to please support it.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Thanks Eddie, do we have a seconder? Cornton Vale, do you wish to speak?

STEWART ADAIR – BRANCH SECRETARY, CORNTON VALE: Chair, Conference, in Cornton Vale, I'm a long time away from the main estate, but in Cornton Vale a high percentage of our customers suffer severe mental health issues and they're all housed in the one area. You can see that they're having a detrimental effect with the staff that work with them on a daily basis. So anything that's there to support them has got to be a good thing.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Thanks Stewart. Barlinnie?

JIM MCCABE – BRANCH SECRETARY, BARLINNIE: Chair, Conference, supporting the motion. I think Eddie has described it right – all this traumatic evidence follows a prisoner here, either through his crime or just through their upbringing – harrowing stories. We should support staff getting psychological help. We wouldn't go into a removal without having seen that, so why do we treat people differently because it's mental health. So I think it's a mental health issue and don't allow the staff to suffer and I ask you to support the motion.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Thanks Jim, anybody else? Tony Quinn on behalf of the SNC.

TONY QUINN – SCOTTISH NATIONAL COMMITTEE:

Chair, Conference, this is a great motion. Conference, the SNC fully supports the motion and thanks Polmont for bringing it. Scottish prison officers are the front line in protecting the Scottish public from, amongst others, individuals who have committed the most heinous of crimes, individuals who are committed to causing serious harm to Scottish communities and some of the most vulnerable individuals in our society. We're expected to listen to the most horrible of histories and, ultimately we are expected to manage these individuals, whether that be reintroducing those who have committed the most violent or heinous of crimes safely back into the community and managing them through the crisis of suicidal attempt. Those of us who do do this will be subject to a vast array of negative emotions because, apart from a very few who have an in-built ability to deal with these issues, the majority of us will go through an array of emotions when we carry out the tasks that we are expected to do and detailed in the motion. How that looks, it's many and it's open to interpretation, but common occurrences I see, I was only told last week, because I've done a wee bit of research in this, two individuals had sat in on an ICM, were looking for... it affected them, were looking for some help and they didn't know where to go. Struggling after it. We're still required to read court reports, they're not fiction, some of them are horrible and they're real-life events. Talk to me, many people have been driving home and saying, 'Have I made the right decision there?' They're all worried but there are loads. So you get that, you talk to colleagues, sometimes that's enough, but what if it's not? That's where there's real danger, colleagues – what do we do with all that negativity that we suppress? Do we bottle it up, take it home, transfer it? None of the above are healthy or acceptable, nor, indeed, is a signpost to an employee

assistance programme. What is proposed in this motion, if accepted and addressed by our employer, and why wouldn't it be – there are examples of this already – would demonstrate the right and responsible duty of care that we should expect in return for doing our jobs. Please support, a really good motion to finish on.

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN:

Thanks Tony. Polmont, right to reply? No. Those in favour please show. That's unanimous, thank you very much. Okay, so that's the end of the agenda, the formal agenda, but actually another positive note to end on. You all remember Paul Johnson who came into Conference yesterday from Finding Your Feet, the charity, who told his story which was pretty remarkable. I have to confess that even listening to him I found myself getting quite emotional listening to the journey that boy's been on and how he's turned his life around. I don't think I was the only one, given the amount we've raised – it's £2,380 has been collected. So very warm congratulations to all of us who contributed to that. We're not a big conference, it's not a lot of people, but it's a fantastic number.

<Applause>

And I'm sure if we share some of the charity literature with the National Chairman he might round it up on behalf of the POA to an even bigger number. So well done to everybody involved, that's a fantastic number. And I know, from what Paul said yesterday, actually that sum of money makes a huge difference to that charity, it's not a big charity. So well done to everybody.

I think I said to you yesterday that the Cuffe Committee were looking to speak to the branch officials at the end of conference, I think that's changed slightly. I think we've got one member from the committee who wants to just give you an update at the close of Conference in terms of what the next steps are. I would ask the delegates to stay in the room once we formally close the conference off which I'm now about to do.

First of all, I want to say thank you very much to all our guests who have been with us for a couple of days. All our colleagues from the NEC, our honorary life members, Police Federation and employer who attend conference every year. It's always a pleasure to have you with us throughout the conference. I think the feedback we've had from all of you is that you've thoroughly enjoyed the new venue and I think that's

the same for the delegates and the SNC themselves. It's never easy to organise a conference for the first time in a new venue. I think the hotel have done a terrific job in dealing with what it is that we ask of them when we bring a conference to their hotel. The staff, who have never dealt with us before, have done a fantastic job in looking after us. But, as ever, Kathryn and Lorraine are very, very experienced in doing this now so it's something that they get right every single time, every single year. But it's the same for them, it's a new venue, there are always things that come up that are new and different. Again, we've had a fantastic conference, brilliantly organised by the two of them and since word got out Kathryn has done that on top of organising a wedding which takes place in four weeks' time as well. So, without piling any more pressure on herself she's been dealing with both of those things while organising Conference as well. So I don't think it's got in the road, we've had a terrific conference in terms of the infrastructure and the background and what's taken place.

But I also think, and I said when I opened Conference yesterday, that I hope we get back to the kind of dialogue and the relationship and interaction that we're used to having here in Scotland. I think that's exactly what we've had – we've had two days of good, honest debate. I think there's a coming together between ourselves and the branches and I hope that we can extend that out to the membership from here on in. There is no question from even the debates that we're hearing today that the stuff that came up in the panel debate yesterday, that we're not short of issues that we need to tackle and issues that we need to deal with on behalf of the membership – the overcrowding and the violence and the sick absence levels are all a concern...

PHIL FAIRLIE – SCOTTISH NATIONAL CHAIRMAN: ...

daily pressures on our membership. So I hope some of what we heard yesterday from the panel gives us reassurance that we are working together to try and tackle some of that but it's helpful to know that while we're doing that, we're doing that together, that the branches and the National Committee are working hand-in-hand in achieving that. So thank you very much for everybody's contribution to Conference, I've thoroughly enjoyed the couple of days. The arrangements for tonight are that at half past six there is a gin tasting downstairs, I don't know if any of you have been down to have a look at it yet, it's absolutely

fantastic. Be gentle when you're down there, lots of glass and chrome and brass and stuff. So have a couple of gins and get out of the place if it's starting to affect you because they give you decent sized measures, I can assure you. And ending at half past seven. On behalf of the SNC and Conference I would just like to finish off by presenting Kathryn and Lorraine with some flowers for what I think has been a very, very successful few days and it doesn't take just a few days to make that happen. So I'll ask Kathryn and Lorraine to come forward and receive flowers on behalf of the SNC.

<Applause>

Okay, thank you very much. Conference is closed. I'll ask the delegates just to hang around for five minutes so David Melrose comes up and has a few words with you.

<End of Conference>