

LEITH LINKS COMMUNITY COUNCIL

**Meeting of Leith Links Community Council, held at Shore Room, Leith Community Centre, New Kirkgate
Monday 27 June 2016 at 7pm**

Present: Jim Scanlon Chair, Councillor Chas Booth, Councillor Gordon Munro, Councillor Adam McVey, Rob Munn, Sgt. Andrew Johnson (Police Scotland, Leith Community Sgt.), Kate Brown, Senga Bethune, Gail Clapton, Adrian Graham, Linda Hutton, Sally Millar, Michael Traill, Kay Goodall.

In attendance:

Rhona Innes: Another Way, SACRO

Linda Smith: NHS Lothian Harm Reduction Team

1. Welcome: Chair welcomed everyone to the meeting and introduced Rhona and Linda who had been invited to speak about their work with street sex workers in Leith Links.

Litter

Chair extended especial thanks to the Powderhall street cleaning team of only five workers who carried out the clean-up after the Hibs parade to Leith Links. They picked up 1.6 tons of rubbish across from Leith Primary School alone (measurable because the cleansing truck is weighed before and after each journey). Chair added that he was appalled by this behaviour by fans who love Hibs and allegedly love Leith.

2. Apologies: Angus Miller, Phil Attridge, Deidre Brock MP, Ben Macpherson MSP

3. Minutes of last meeting on 25 April 2016 (the May meeting having been the AGM): Proposed by Senga; seconded by Michael.

Available at <https://leithlinkscouncil.wordpress.com/>

4. Police Report: Sgt. Johnson provided some key statistics for the whole Leith Ward (13) for April to May 2016.

Crime statistics

There had been a 6.5% reduction in crime overall compared to the same period last year. (14.6% reduction compared to the five-year average)

Housebreakings: 23, of which 9 were domestic and 13 were business

Assaults: 44 minor and 6 serious

Thefts of motor vehicles: 1 theft and 1 attempt

Racially aggravated offences: 1

Motorbike theft

There had been an increase in thefts of tourists' high-powered motorbikes in the area of guesthouses around the Links (4 in the last 4 weeks). These were being hotwired and stolen by youths actively looking for bikes not properly secured. The bikes were usually later recovered by police. Police are responding to this by handing out crime prevention posters on security measures to local guest houses etc.

Underage drinking

A new initiative will take place at the start of the school summer holidays, tackling proxy purchase of alcohol. This is funded by the Scottish Alcohol Partnership, including the Scottish Greengrocers Association, and will target adults purchasing alcohol for children during the school holiday period. Two police officers will be dedicated over the weekend period during the holidays specifically to tackle adults buying alcohol for children. An information pack is being distributed to retailers on main thoroughfares and an advert will be placed on the electronic billboard on Leith Walk emphasising that it is an offence to buy children alcohol.

Leith police carried out a precursor plain-clothes exercise and charged one shop with selling alcohol to a 14-year-old last weekend. In such cases, both the salesperson and the owner are charged, even if the owner was not on the premises. This is reported to the Licensing Board. Cllr. Booth added that the police apply for a review of the licence and every case is considered on its merits. Whether there is a criminal conviction depends on the strength of evidence. Cllr. Munro noted that it is very useful for the licensing board if Police Scotland officers contribute local experience and knowledge, which may be more up-to-date than that of the elected representative.

Sgt. Johnson observed that underage drinking does not appear to be as big an issue now as it was in the past, and that they have not found evidence, while out on active patrol, of youths public drinking. They previously had a Youth Action Team dealing with this. Cllr. Munro observed that he had been involved with a [Leithers Don't Litter](#) clean-up recently and that they had found a great number of bottles of Buckfast, on the industrial estate near Coalie Park, the debris suggesting that the drinkers were clearly youth who had easy access at the side near the Roseleaf.

Antisocial behaviour in Teague Development, Salamander Street/ Place

Senga asked if the problem of Eastern Europeans camping out in Teague's site had been dealt with. There had been concerns about five weeks ago, particularly from the school next door, about noise travelling into the school playground, fires, drinking, etc..

Action: Sgt. Johnson will check whether this has been dealt with.

Street sex work: statistics

Chair asked if figures were available on the number of calls made relating to prostitution.

Sgt. Johnson provided the following details:

April: 8 incidents were recorded: 2 generated by calls from the public and 6 generated by proactive policing. Of those, in one case the area was searched with no trace, 2 people were given street warnings and moved on, and 1 person was issued a warning for suspected kerb crawling.

May: 9 calls were made by the public and 3 police-generated. 7 people were searched for but not tracked down; 1 kerb crawler was cautioned; 2 formal cautions; 2 warnings.

June: 18 calls made by the public. 4 street workers were charged with a loitering or a soliciting offence. 1 kerb crawler was charged and reported. 10 warnings were issued.

Street sex work: the legal position

An explanation was requested of the difference between a 'street warning' and a 'caution'. Sgt. Johnson responded that a caution can be given only when there is sufficient evidence of a crime (such as loitering for the purposes of prostitution). Warnings are issued when there is insufficient evidence of the commission of any offence.

As regards the sex workers themselves, Section 46 of the Civic Government (Scotland) Act 1982 requires that before they can be charged the person must be a 'known prostitute' and so it is a prerequisite that they must already have been cautioned twice. Until that point, cautioning is the only option. The caution is recorded on the system, and the evidence required to caution is the same as the evidence required to convict: the prosecution must provide sufficient evidence to support each of the first two cautions when the case comes to court.

As regards kerb crawlers, suspects cannot now be interviewed unless they have access to a solicitor. Officers do regularly stop people and ask them to account for why they are driving around. However it relies on luck to spot them actually approaching a woman and engaging in conversation, and even then they may say that they were merely asking for directions.

Street sex work: police investigations

Senga asked whether the police were actively investigating. Sgt. Johnson replied that the street warnings are police-generated outcomes from police driving around and spotting suspected incidents (but with insufficient evidence to caution or charge).

Senga also asked whether officers were following up on calls from residents, as she herself had reported witnessing abuse and kerb crawling, but had had no follow up from police. Sgt. Johnson responded that Inspector Carson had made it clear that if there is a call from a member of the public regarding a sex worker or a kerb crawler, an officer is to contact the person making the complaint. Senga replied that she had yet to be interviewed and give a statement, following her complaints, so she disagreed that all calls were followed up. Gail added that she was very disappointed in the police response; she was aware that police do patrol, but also knew that the most aggressive sex worker that she regularly encounters simply avoids those nights.

Action: Sgt. Johnson said that he would check that all procedures were being properly followed.

Chair offered to accompany two officers in plain clothes to show the extent of the problem. He appreciated that the sex worker problem is not easy to solve but believed that it was necessary to dry up the source of their income by taking more action against kerb crawlers. He had been emailing registration numbers to the police (this had resulted in one conviction for drink-driving).

Michael asked why police had to 'start from scratch' to catch people in the act each time. This problem has been ongoing / recurring for many years, so police should already have intelligence as to who the regular sex workers are. Also, while recognising that corroboration is required, why is the evidence from multiple witnesses and /or evidence gathered over a period of time not enough to lead to a caution or charge? Sgt. Johnson said that Police Scotland policy is to proactively target kerb crawlers rather than sex workers: the sex workers can be witnesses when a kerb crawler is charged. All crimes are investigated, but the focus of the police is to use the Prostitution (Public Places) (Scotland) Act 2007 to protect abused women or residents who are being placed in fear or alarm.

Senga responded that by not targeting the sex workers, the police were failing to see the abuse they suffered. For example, one woman is regularly subjected to violent attacks by her pimp. If cautioned and charged, she might be able to get help. Chair said that Inspector Carson was looking into whether the CCTV in the St. Michael's House car park could be a source of evidence.

Cllr. Gordon Munro asked whether there had been a change in policies or strategies in the Edinburgh area. Sgt. Johnson said that the policy has recently been reviewed and the standard operating procedure is changing: the new policy document can be found at <http://www.scotland.police.uk/assets/pdf/151934/151938/prostitution-policy?view=Standard>

Gail added that she had lived in the area for 20 years and that both men and women are troubled continually: men accosted as potential buyers and women being mistaken for sellers. Senga said that there are at least 6 new women working. A few local residents, having taken legal advice on how to do this without lawbreaking, are considering publicly releasing photo and video evidence (e.g. a film of a council-marked van which had been witnessed picked up a sex worker, spending 12 minutes parked at a nearby industrial site, then returning the woman). Sgt. Johnson advised against release and asked that the video be sent to police for investigation.

Cllr. Adam McVey commented that he understood that police action was being taken but that he was frustrated by the legal loopholes. He asked whether there were CCTV or other options that might enable convictions of kerb crawlers, to get the message out that Leith was not a place to carry out kerb crawling. His question to police was how the Community Council and residents could help facilitate that process. He felt that in the last 4 years, although there had been progress and police had taken it seriously and put in more resources, the problem is still how to get over the evidential barrier. However others at the meeting disagreed about 'progress' - the problem has actually increased again recently.

Chair and Adrian added that another problem is that locations change: the problem has moved away from Baltic Street to Salamander Court and Links Gardens. And it is not always the same women: it seems that groups of East European women appear in the area, then disappear again, almost as though they are being 'bussed in'. Worryingly, it even looks like some of the 'established' women are mentoring or 'training' new arrivals.

Cllr. Chas Booth asked that the police come and speak to the Community Council to clarify whether the high standard of proof required was the problem, whether the legislation was inadequate, or whether the problem was lack of priority and resources. He observed that given the significant contribution of £2.6 million to the police, that that resource should be used for a preventive strategy.

Hate crime after the EU referendum

Chair said that he had received anecdotal reports of hate crimes and incidents since the EU referendum the week before. Were the police aware of any incidents? Sgt. Johnson replied that there were no reports or anecdotal evidence of any increase linked to the referendum over the weekend.

5. Presentation from Rhona Innes, SACRO, and Linda Smith, NHS Lothian Harm Reduction Team: Rhona began by explaining that their ultimate goal is not having women working on the street, where they are at very high risk. Her team's role is to offer support. Linda is a nurse working for the NHS Lothian Harm Reduction Team. Part of her team's remit is work with street-based sex workers. They work as a mobile team, at night, using a van that provides essential services for the women.

Access to the car park where many offences take place

Linda said that the women know where the support van is and what services are on offer. Unfortunately however, many women don't come. She thought they might get more contact if the van could access the car park that many workers use. The meeting felt that residents would object strongly to that. Residents had been very angry with a previous support team, ScotPep, who - far from

discouraging - appeared to actively support and facilitate the women's street sex work. Rhona replied that this was definitely not something that the NHS team did and that they were not associated with ScotPep.

Services provided

Senga said that she felt strongly that NHS staff waiting in the van was not really actively addressing the main issues, but simply facilitating continuation of the situation. The women are certainly at great risk. She herself had had to get help for a 16-year-old sex worker. Other women find it difficult to leave abusive partners and need to be empowered. She added that not all sex workers were as vulnerable: some are very aggressive towards residents who are regularly suffering from abusive anti-social behaviour.

Sally asked Linda and Rhona to explain further how their teams work. They offer many services: needle exchange on a Wednesday night down Salamander Street, psycho-social counselling, condoms, a women's clinic for sexual health checks, blood tests, opiate reversal, and treatment for mental health, addiction and trauma. They are not allowed to follow women with the van, and hence it has to stay in a set place, with women actively coming to seek services. It can take a very long time to build up trust. Rhona's team's role is to cover all sex work including saunas. The services offered are similar and also included housing advice: the approach is person-centred.

Statistics on successful exit

Rhona said that they work with a lot of vulnerable women and have supported many to successfully exit prostitution. Senga asked for statistics on successful exit. Rhona replied that they had helped 11 women to fully exit prostitution, and 23 to decrease their involvement.

Senga asked how many of these were street workers and Chair asked how many were in this area. Michael asked if there had been any mapping. Rhona replied that a scoping exercise is being planned.

Whether help merely assists women to stay on the streets

Chair said that he had seen another team just giving the women coffee, and questioned whether this could really amount to support to exit prostitution. Senga questioned whether the money was being spent wisely and asked whether the support team told women that they were a risk to themselves and to residents. She said that it was not the oldest profession but the oldest form of abuse, and that this type of support was facilitating it. Rhona emphasised that their role was not to condone abuse.

Evidence-gathering

The Chair and others asked what would amount to sufficient evidence of the commission of a crime, beyond a statement. Sgt. Johnson said that two pieces of evidence were required, and that witness evidence could count towards this, but that the sex worker might say that she was looking for directions, or waiting for a friend or something similar. Michael asked if evidence of a pattern of behaviour, such as two or more separate men approaching a woman on one night, might count. Sgt. Johnson said that it could, but only if it took place on the same night, because it must be at a specific place and time.

Co-ordination with other services

Michael commented that the Community Council's questions and comments might seem harsh but this was because they were concerned both for the community and for the women. He felt that the NHS teams were doing a good job but that something was lacking. He asked what co-ordination took place with other agencies such as statutory services, police and City of Edinburgh Council. Rhona replied that their organisations plus Bethany, Streetlights, Streetwork, the Salvation Army and the police meet every 8 weeks. The agenda is to discuss what works well to help women to exit and act collaboratively to protect their safety. Senga observed that with all the organisations involved, a high level of resources is directed to the street workers whereas the residents are unsupported.

Action: Rhona will find out how many women are known to work in Salamander Street and Leith Links.

Interaction with the sex workers

Chair asked if the NHS team could leave their vans and talk to the women. Linda replied that they needed to be concerned for their own health and safety and that a lot of services need to be delivered are offered through the van such as opiate reversal and blood tests, but that it might be possible to go out in a car and invite women to visit the van.

Linda H asked if a lot of women came to them for help. Linda S replied that it can take time and may require a few attempts; women also disappear after a time, so unfortunately it is a revolving door. Rhona said that on average it takes a woman 7 attempts to exit fully.

Co-ordination with decision-makers

Cllr. Chas Booth asked how the Community Council and the residents could help more. Michael referred to the Community Improvement Partnerships (CIP) model and wondered if maybe a subcommittee on street prostitution could bring together enforcement and support. The value of this is that the people who sit in the CIP are in control of budgets and allocation of resources.

Salvation Army

Senga asked Rhona and Linda whether the religious nature of the Salvation Army might deter women from using their service. Rhona replied that because of the nature of the work, the religious element was very much toned down and did not undermine the Salvation Army's impact.

Maintaining coverage throughout the week, building trust

Linda informed the meeting that the Salvation Army go out regularly on Sunday nights and Streetwork on Tuesdays and Thursdays. NHS and SACRO do Mondays and Wednesdays. Chair pointed out that this meant all nights were covered except Fridays and Saturdays – the 'busiest' times! Linda confirmed this and added that they would love to provide a nightly service to cover the entire week but that the problem was resources / staffing. Linda H and Michael questioned whether it was useful to have so many different people, who could not all be familiar faces, out working with the women, when the aim was to build trust.

Thanks

Adrian thanked Rhona and Linda for all that they do, saying that it is very much appreciated, and the meeting broke into a round of applause for them. The Chair reiterated the CC's thanks and appreciation for their attendance and presentation. Michael added, to general agreement, that it was one of the most useful and in-depth discussions the Community Council had had in a long time. Linda thanked the Community Council for inviting her and Rhona.

6. Treasurer/Secretary Report: Nothing new to report. A business meeting will be held in July to discuss actions in preparation for the September CC elections.

7. Gym Equipment

Outdoor gym equipment

There are 8 spots in Edinburgh (and many elsewhere) that have outdoor gym equipment, and all agreed that that this would be valuable on Leith Links. Michael has discussed this with Edinburgh & Lothians Greenspace Trust (ELGT), who have experience delivering them and who offered to act on Leith Links' behalf after the summer. The cost of each piece of equipment is around £1500, plus fitting / installation, so the total expense would probably be around £35,000. ELGT could take charge and apply for funding. Cllr. Chas Booth observed that other bodies such as Greener Leith and the Friends of the Water of Leith Basin had sought to collaborate on something similar in the past, but without success so far.

Exercise trails

Michael had also spoken with a graphic designer regarding possible signage, and with trainer Tracy Griffin, about designing an outdoor fitness and exercise trail on Restalrig Railway Path. This could be relatively affordable. The Chair mentioned that he had seen something similar near Lisbon, with a different set of suggested exercises, with illustrations and explanations, at each stop. Adrian suggested that might be something Sustrans would support as the path is part of the cycle network.

Action: Michael will continue to pursue this and report back.

8. Planning

Teague Homes application for development at Salamander Street / Place

The Chair had no update at present. The Teague application will probably be going to the Planning Committee at the end of June/July.

The CEC Planning website has been down, so no update on any other possible applications.

Assembly St setts

It seems that these are not going back down until the development work is finished.

9. Seafield smell update: The recent very strong 'burning rubber' smell emanating from Seafield has now gone. Chair explained to the meeting that it had taken some time to identify the source. The intermittent nature of the problem, along with factors such as wind direction changes had confused efforts to trace its source, but the Scottish Environment Protection Agency (SEPA) had now confirmed that the problem has been isolated to overheating in hydrolysing machinery at the Seafield Waste Water Treatment Works. City of Edinburgh Council (CEC) has issued a notice to fix within two weeks and it appears to have been dealt with. If not, the next step should be an Enforcement Notice. Locals should continue to phone in to complain if the smell recurs. Cllr. Adam McVey added that CEC is seeking another stakeholder meeting in the summer.

9. Open Floor

Licensing

Cllr. Chas Booth told the meeting that the Licensing Board had met earlier in the day. He had moved to reject two applications to sell alcohol: one by RS McColl in New Kirkgate, and one by the Co-op to open a new store in Dock Place. Both however were approved by 5 votes to 2.

Members of the local community had objected to the Coop application to sell alcohol, but unfortunately the objections had somehow gone to Planning Committee but not to Licensing. In fact, the Coop does not need Planning permission and has already won Change of Use and Historic Building consent.

It is difficult for the community to object to Licensing applications, as these are not made known to the public. Cllr. Booth pointed out that Licensing Boards are separate from the City of Edinburgh Council. Cllr. McVey added that unlike with Planning, there is no list made available in advance, and that neighbour notifications are only issued to those within 7 metres of the premises. Michael asked if a clerk could issue a public list even though it is not a legal requirement. Cllr. Booth said that he had sought this in the past, but had been turned down. He thought there was little prospect while the current Licensing Board remained in place. He emphasised that the Community Council should focus on engaging with candidates when the Licensing Board is constituted at the next City of Edinburgh Council elections. Michael thanked him for his efforts.

Citadel Arts Group

Adrian offered congratulations and thanks on behalf of the meeting to Kate Brown and her team for the popular and successful plays put on in Leith recently.

Duncan Place Resource Centre

Michael said that it was good to see work starting on the new extension to Duncan Place Resource Centre. Concerns had been raised regarding dust and air quality: these have however all been addressed by the project team.

Meeting ended at 9.10pm.

Date of Next Meeting: 29 August 2016, 7pm.