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HM INSPECTORATE OF CONSTABULARY IN SCOTLAND

# Annual Report 2018-19

June 2019

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Improving Policing Across Scotland



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# HM Inspectorate of Constabulary in Scotland

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HM Inspectorate of Constabulary in Scotland (HMICS) is established under the Police and Fire Reform (Scotland) Act 2012 and has wide ranging powers to look into the 'state, effectiveness and efficiency' of both the Police Service of Scotland (Police Scotland) and the Scottish Police Authority (SPA).<sup>1</sup>

We have a statutory duty to inquire into the arrangements made by the Chief Constable and the SPA to meet their obligations in terms of best value and continuous improvement. If necessary, we can be directed by Scottish Ministers to look into anything relating to the SPA or Police Scotland as they consider appropriate. We also have an established role in providing professional advice and guidance on policing in Scotland.

- Our powers allow us to do anything we consider necessary or expedient for the purposes of, or in connection with, the carrying out of our functions
- The SPA and the Chief Constable must provide us with such assistance and co-operation as we may require to enable us to carry out our functions
- When we publish a report, the SPA and the Chief Constable must also consider what we have found and take such measures, if any, as they think fit
- Where our report identifies that the SPA or Police Scotland is not efficient or effective (or best value not secured), or will, unless remedial measures are taken, cease to be efficient or effective, Scottish Ministers may direct the SPA to take such measures as may be required. The SPA must comply with any direction given
- Where we make recommendations, we will follow them up and report publicly on progress
- We will identify good practice that can be applied across Scotland
- We work with other inspectorates and agencies across the public sector and co-ordinate our activities to reduce the burden of inspection and avoid unnecessary duplication
- We aim to add value and strengthen public confidence in Scottish policing and will do this through independent scrutiny and objective, evidence-led reporting about what we find.

Our approach is to support Police Scotland and the SPA to deliver services that are high quality, continually improving, effective and responsive to local needs.

We are a member of the UK's National Preventive Mechanism (NPM), a group of organisations which independently monitor places of detention, including police custody, under the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

**This Annual Report is produced under Section 82(3) of the Police and Fire Reform (Scotland) Act 2012 and presented to Scottish Ministers for laying before the Scottish Parliament.**

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<sup>1</sup> Chapter 11, Police and Fire Reform (Scotland) Act 2012.



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# Introduction by HM Chief Inspector of Constabulary in Scotland

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This report outlines how Her Majesty's Inspectorate of Constabulary in Scotland (HMICS) has carried out its statutory function for the period 1 April 2018 to 31 March 2019. It is my intention to ensure that from now on, these annual reports are produced as soon as practicable at the conclusion of each scrutiny year.

It has been another productive year for HMICS, having published five significant inspection reports and three progress reviews. We also continued to work with our main scrutiny partner, the Care Inspectorate, on joint inspections of services for children and young people, adults in need of care and protection, and community justice.

I am very conscious of the work inspections generate for Police Scotland and the Scottish Police Authority, and strive to ensure that HMICS focuses on the right areas to highlight and share good practice as well as to identify areas for improvement in policing.

An extensive consultation exercise informed the priorities in our 2018-19 Scrutiny Plan and I am pleased to say we were able to fulfil the commitments contained in that plan, published in April 2018 and refreshed in November 2018.<sup>2</sup>

The inspection framework we use was refreshed at the start of the scrutiny year, having been reviewed and endorsed by Quality Scotland.<sup>3</sup>

This annual report summarises all of our inspection activity undertaken throughout 2018-19, however I would pick out some areas for specific comment.

The progress report we published in May 2018 on Police Scotland's handling of calls was the culmination of extensive inspection activity, going back to 2015 when the then Cabinet Secretary for Justice directed an independent review following the tragic incident on the M9. Significant change and improvement followed, and in the May 2018 report, I was able to close all the recommendations from our previous reviews. A number of new recommendations were made to help make sure that Police Scotland and the Scottish Police Authority continued to achieve improvements in this crucial area of policing.

HMICS maintains a keen interest in the way in which Police Scotland manages demand from the first point of contact by a member of the public, and sees the introduction of the Contact Assessment Model as an extension of the work carried out previously on call handling. I support the concept of the Contact Assessment Model to understand the needs of the caller and provide the most appropriate response to meet those needs, which may result in the call being directed to a partner agency to provide assistance. I would guard against seeing the Contact Assessment Model as a means to reduce demand and thereby reduce police resources.

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<sup>2</sup> HMICS, [Scrutiny Plan 2018-19](#).

<sup>3</sup> HMICS, [Inspection Framework 2018](#).



The HMICS assessment of Police Scotland's response to a breach of home detention curfew was directed by the Cabinet Secretary for Justice following the sentencing of an individual for murder, committed when the individual was unlawfully at large having breached the terms of his home detention curfew. Published in October 2018, our review identified shortcomings in the police response, as well as raising wider issues about how home detention curfew is used. It is clear there was a lack of research into the effectiveness of home detention curfew as a means of preparing individuals for release and reintegration into the community and the impact on re-offending rates. A six month progress review has since been carried out, which shows a dramatic reduction in the volume of releases under home detention curfew. This raises questions about the risk assessment element of decision making by the Scottish Prison Service in respect of home detention curfew.

The thematic review of Police Scotland's approach to the development and operational delivery of the annual police plan, published in December 2018, looked at how the service identifies its priorities. We found that effective operational policing on a day to day basis was being delivered but there was an opportunity to improve consistency of approach by adopting a national model for intelligence gathering and analysis, capable of adapting to local needs. To do so, the capability and capacity of analytical support within Police Scotland requires urgent review.

There is evidence of real commitment from the Scottish Government and National Health Service to achieve improvements in the provision of forensic medical services to victims of rape and sexual crime, which we highlight in our progress review published in December 2018. That said, since the publication of our original review in March 2017, the quality of response continues to vary considerably depending where and when victims need to access a medical examination having experienced rape.

The local policing inspection of Greater Glasgow division was the largest that HMICS has undertaken since the introduction of Police Scotland in terms of numbers of officers and staff and scale of demand. There are over 2650 officers and staff working in the division (larger than 29 out of 43 police forces in England and Wales), dealing with over 300,000 calls and 900 events annually. We found the leadership to be strong and that the structure worked well. Partners, significantly local authorities, were positive about joint working and relationships. That said, officers on the frontline and those in public protection roles reported feeling under real pressure. Our report emphasised the need for demand analysis to inform resourcing decisions.

Throughout 2018-19, HMICS has provided briefings to the Scottish Police Authority on workforce planning and the transformation portfolio. These are based on commitments made at the launch of the Serving a Changing Scotland 10 year strategy in 2017. Since then, various changes have taken place, not least the operational impact and contingency planning relating to the United Kingdom's exit from the European Union. I have queried if those commitments, in particular the planned reduction of police officer numbers, remain realistic.

In June 2018, the Cabinet Secretary for Justice announced that the Rt Hon Dame Elish Angiolini DBE QC had been commissioned to lead an Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing in Scotland. I welcomed the independent review and was pleased to be consulted and provide my views.

Moving on to wider consideration of the state of policing in Scotland in 2018-19, I would build on the positive comments I made in the introduction to the 2017-18 Report.<sup>4</sup>

During 2018, seven new members were recruited to the Board of the Scottish Police Authority, and there is no question that the Board is now equipped with significant experience and expertise from a wide range of professional backgrounds. Changes to the roles and responsibilities of Board members and to the Committee structure, were welcome developments over the year.

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<sup>4</sup> HMICS, [Annual Report 2017-18](#).



I am aware that the Chair of the Authority, having devoted considerable effort into stabilising and building the senior leadership team of Police Scotland and to enhancing the membership of the SPA Board, is now focusing on the development of the SPA's corporate function. This is an area that HMICS identified as a priority in our review in June 2017, and which we will revisit during the thematic inspection of the SPA.<sup>5</sup>

The Scottish Police Authority's Succession Planning and Appointments Committee introduced in 2018 added value from the outset by approving the process for recruitment of chief officers, and is now turning to discussions on senior leadership development.

Having been present as an advisor during all stages of selection for three Assistant Chief Constables and two Deputy Chief Constables in June 2018, the appointment of the Chief Constable in August 2018, and more recently the appointment of a Deputy Chief Constable and two Assistant Chief Constables in May 2019, I can confirm the process was fair and robust. The Chair of the Scottish Police Authority chaired all of the recruitment panels personally, involving different members of the Board and an impressive range of independent panel members bringing other perspectives on strategic leadership.

Whilst there has been movement in the chief officer team through retirements and promotions, the prevailing mood of the Police Scotland leadership is one of stability and capability. On appointment, the Chief Constable declared his main area of focus would be delivering effective operational policing and this clarity of purpose is shared by the senior leadership team of Police Scotland, and welcomed by the workforce at large.

Over the year 2018-19, just under 2.5 million calls were made to Police Scotland, which is a slight decrease compared with 2017-18.<sup>6</sup>

More than 1.7 million incidents were reported to Police Scotland, which is similar to the volume of reports during the year before.

The number of crimes recorded (Groups 1-5) was 246,480, which is a slight reduction compared to the five-year mean. The detection rate was 50.9%, which is an increase from the previous year.

Police officers also responded to 49,462 missing person incidents during 2018-19, a slight decrease from the previous year. Over 6800 events were recorded on the Police Scotland events and operations calendar.

Recorded crime represents only 22% of the overall incident demand. Wider demand can include incidents of anti-social behaviour, neighbour disputes, and road traffic matters which may or may not result in a crime report. It is not accurate to conclude that the bulk of incident demand (roughly 80%) that does not generate a crime report is not crime related, nor that it relates to mental health concerns or vulnerability.

The majority of reported crime relates to crimes of dishonesty (over 46%). Over 5% of reported crime is sexual crime. Sexual crime continues to rise, 8.5% on previous year, and over 28% increase on the five-year mean. About 3% of crime relates to violence. There has been a slight increase in crimes of violence (Group 1 crime, which does not include common assault).

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<sup>5</sup> HMICS, [Thematic Inspection of the Scottish Police Authority – Terms of Reference](#), March 2019.

<sup>6</sup> Unless otherwise stated, figures are based on Police Scotland [Management Information Force Report: Quarter 4 2018/19](#). This is live data and may be subject to change over time as operational circumstances change e.g. investigations develop.



During 2018-19, there were 36,307 incidents of stop and search. Almost 39% of these searches were positive, which indicates effective use of search powers. HMICS published reports on the use of stop and search in 2015 and 2017 and has been an active member of the Independent Advisory Group on Stop and Search (IAGSS) that recommended the introduction of the Code of Practice and the removal of non-statutory searches. The IAGSS published its Twelve Month Report in June.<sup>7</sup>

Whilst it is not possible to make direct comparisons with the use of stop and search in the early years of Police Scotland, not least due to the large portion of non-statutory searches, there is no doubt there has been a sharp decline since 2015. In the first year of the national police service (2013) over 642,000 incidents of stop and search were recorded.

Over the past year there has been significant public concern about levels of violent crime, specifically knife crime, elsewhere in the United Kingdom. I would point to the history in Scotland and caution against making simplistic assumptions about the impact of stop and search alone on prevalence of crime.

Police Scotland carries out regular User Satisfaction Surveys and during 2018-19 asked 15,398 people who reported a crime or incident about their experience. Of those surveyed 81% were satisfied with the way in which their incident was handled, with the same number expressing a high or very high level of confidence in Police Scotland.

The latest Scottish Crime and Justice Survey<sup>8</sup> was published 26 March 2019 (relates to 2017-18), and estimated 602,000 crimes experienced by adults, down 42% since 2008-09 and 16% since 2016-17.

The survey estimated that 35% of crime is reported to the police, which remains unchanged since 2008-09. The majority of adults (57%) said police were doing a good or excellent job in their local area, which is the same as in 2016-17, but down from 61% in 2012-13. A majority were very or fairly confident in the ability of local police across a range of effectiveness measures.

Whilst delivering effective operational policing is the top priority for Police Scotland, the chief officer team understands the importance of key enablers, including finance, ICT, demand analysis and workforce planning, as well as the need for a performance framework to understand and be able to show the impact of Police Scotland's efforts.

In the introduction to the December report, I said I would return to the issues of budget; workforce planning; ICT; demand, and performance.

**Budget:** It was positive that the SPA approved a three year financial plan and 10 year financial strategy in May 2018. The financial plan was revised in November 2018, when a capital expenditure plan was produced based on £99.3 million capital budget, including the impact of the full Digital, Data and ICT business case. The proposed SPA capital budget allocation for 2019-20 was £43.1 million, which meant that some capital bids, for example for Custody, Productions, and Estates transformation, could not be met. Other elements, such as Mobility and Core Operating Solutions, were prioritised. It is clear that without the necessary funding, there is a risk to the overall delivery of benefits envisaged in the ten year Serving a Changing Scotland strategy.<sup>9</sup>

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<sup>7</sup> Scottish Government, [Stop and Search code of practice: twelve month review by independent advisory group](#), 13 June 2019.

<sup>8</sup> Scottish Government, [Scottish Crime and Justice Survey 2017-2018: main findings](#), 26 March 2019.

<sup>9</sup> SPA, [Board Meeting](#), 28 March 2019.





**Workforce planning:** Since my previous report in December 2018, Police Scotland has produced a Strategic Workforce Planning Framework, which was presented to the SPA Board in May 2019. The framework is an important step towards helping Police Scotland achieve the right balance of police officers and police staff with specialist skills to match demand, however Police Scotland has still not produced a strategic workforce plan. Given the enhanced information now available about demand (see below), I would expect to see the pace of progress increase and a plan delivered in the very near future.

**ICT:** I continue to believe that the full benefits of police reform, and the delivery of change included in the ten year Serving a Changing Scotland Strategy, cannot be realised without national ICT solutions. It was positive that the outline business case for investment in Police Scotland's Digital, Data and ICT (DDICT) Strategy was approved in September 2018. The budget allocation for 2019-20 does not include funding to deliver the full strategy, meaning that the benefits and savings expected from DDICT will be delayed.

**Demand:** There has been significant progress in this area. The Demand, Productivity and Performance programme has now been closed and a Demand and Productivity Unit introduced as part of the mainstream business. The Unit has established a data repository with information on abstractions, events, population and the impact of vulnerability and deprivation. This represents a significant improvement for Police Scotland in the way that it collates, understands and uses demand data. I welcome this development and look forward to seeing how Police Scotland uses the information to inform decision making, particularly in relation to workforce planning and the allocation and deployment of officers and staff to best meet the needs of communities across the country.

**Performance:** A new performance framework based on outcomes was introduced for the start of the new performance year on 1 April 2019. There are five strategic outcomes: public safety and wellbeing; needs of local communities; confidence in policing; positive working environment, and sustainable and adaptable service. The new framework is a positive step towards showing the impact of policing activity and I look forward to seeing the first performance report using the new framework. The need for Police Scotland to understand the impact of its activity was highlighted in the report on the Annual Police Plan (December 2018) as well as the report on local policing in G division (March 2019).

The Scottish Parliament's Justice Committee published its report on the post-legislative scrutiny of Police and Fire Reform (Scotland) Act 2012 at the end of March 2019.<sup>10</sup> The report concludes that police reform has led to greater consistency of service across Scotland, more equal access to specialist services and delivered benefits to victims of crime such as domestic and sexual abuse. The Committee welcomed the changes being made by the Scottish Police Authority to address leadership, governance and accountability concerns, and recommended that HMICS evaluates those reforms to avoid a repeat of previous issues. The ongoing HMICS inspection of the SPA will address this recommendation.

The Justice Committee recognised the dedication, commitment and hard work of police officers and staff during a period of significant change. In all of our inspection activity, we continue to be impressed by the determination of officers and staff to delivering an effective policing service to the communities they serve.

I would like to conclude by thanking the team at HMICS for their work over the course of 2018-19 and look forward to another year of helping improve policing for the benefit of the public.

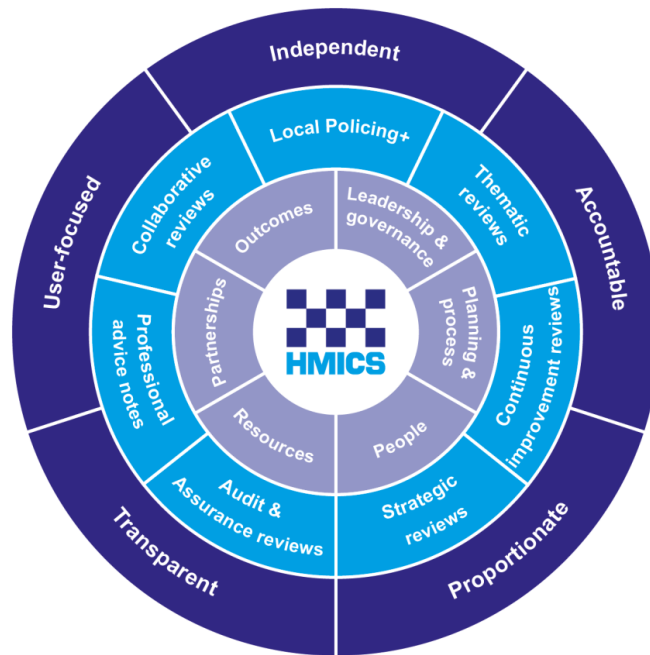
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HM Chief Inspector of Constabulary in Scotland  
June 2019

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<sup>10</sup> Scottish Parliament, [Post-legislative scrutiny of the Police and Fire Reform \(Scotland\) Act 2012](#), 25 March 2019.



# Approach to scrutiny



HMICS continues to conduct our business in accordance with our values, acting independently, proportionately and in a way which is focused on the needs of service users. We work in an open and transparent way, and we are fully accountable for what we do.

## Our objectives

Our Corporate Strategy 2017-20<sup>11</sup> sets out our purpose, values, approach and key objectives through to 2020 to build on 160 years of history as a credible, competent and collaborative inspectorate that adds value and strengthens public confidence in Scottish policing. Our key objectives for the next three years are as follows:

- We carry out informed, evidence-led inspections, looking beyond the boundaries of Scotland to identify scrutiny approaches and good practice that could be adopted
- We add value and strengthen public confidence and intensively debrief in scrutiny activity, seeking feedback from those we scrutinise, partners and others in order to enhance our processes and approach
- We work collaboratively with others to share expertise and scrutinise areas of shared interest, regularly engaging with other public bodies and providing support to joint inspections
- We are committed to our own continuous improvements by for example reviewing our inspection framework and our policies and procedures, as well as investing in our workforce.

By setting out these key objectives, it will help us to keep on track with what we want to achieve and how we are going to achieve it. We will review our strategy annually to ensure our objectives are supporting us to fulfil our purpose of improving policing across Scotland.

<sup>11</sup> HMICS, [Corporate Strategy 2017-20](#).

## Our Inspection Framework<sup>12</sup>

HMICS has an Inspection Framework, which is based on the European Foundation for Quality Management (EFQM) Excellence Model and Best Value characteristics. The purpose of the framework is to support lead and associate inspectors to take a common and objective approach to assessing policing in Scotland. The framework can be used in its entirety, or selected and adapted so that the key themes and sub-elements reflect the purpose of the inspection to be undertaken.

We first published our Inspection Framework in 2014 and have since applied it to a wide range of policing activity. In light of this experience of its use, we reviewed and revised the framework to ensure it continues to meet our needs. Our revised framework was published in May 2018.

## Scrutiny Plan 2018-19<sup>13</sup>

Our Scrutiny Plan for 2018-19 set out how HM Inspectorate of Constabulary in Scotland (HMICS) aimed to meet its statutory purpose to inquire into the state, efficiency and effectiveness of both the Police Service of Scotland (Police Scotland) and the SPA. It was published in terms of Section 75 of the Police and Fire Reform (Scotland) Act 2012 and set out our scrutiny priorities from April 2018 until March 2019.

This plan is kept under review and changes were made over the course of the year. We consulted with a wide range of people interested in policing to arrive at the plan and prior to making revisions. Our approach is to support Police Scotland and the Scottish Police Authority to deliver services that are high quality, continually improving, effective and responsive to local needs.

## Partnership working

During 2018-19, HMICS continued to work closely with our partners. We continued in our role as a member of the Strategic Scrutiny Group (SSG) along with Scotland's main public sector scrutiny bodies: the Accounts Commission; Audit Scotland; Education Scotland; the Care Inspectorate; Healthcare Improvement Scotland; Her Majesty's Fire Service Inspectorate; Her Majesty's Inspectorate of Prisons; the Inspectorate of Prosecution in Scotland and the Scottish Housing Regulator.

The SSG, which is chaired by the Accounts Commission, is a forum for HMICS and other scrutiny bodies to discuss key strategic scrutiny developments and identify opportunities for aligning assessment frameworks and methodologies. Members of the SSG jointly prepared The National Scrutiny Plan for local government 2018-19.<sup>14</sup>

As a member of the UK National Preventive Mechanism (NPM), HMICS continued to contribute to the United Kingdom's response to its international obligations under the UN Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

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<sup>12</sup> HMICS, [Inspection Framework](#), May 2018.

<sup>13</sup> HMICS, [Scrutiny Plan 2018-19](#), April & November 2018.

<sup>14</sup> Audit Scotland, [National scrutiny plan 2018/19](#), April 2018.



## User perspective

In accordance with our commitment to conduct our scrutiny activity in a way that is user focused, throughout our scrutiny process we aim to gain user perspectives from key stakeholders, including staff associations and relevant partners.

We now conduct public consultation exercises in the course of our local policing inspections to obtain a service user perspective of the policing they receive. In our inspection of local policing in Greater Glasgow in 2018-19, almost 800 members of the public responded to our questionnaire seeking views about policing in their area. Their comments were used to inform our inspection.

Wherever possible we seek to assess the user perspective from those who have experienced it first-hand. In the course of our Inspection of Custody Centres across Scotland, for example, we spoke to detainees, doctors, solicitors and independent custody visitors who have had direct experience of Police Scotland's delivery of custody to secure the widest possible user perspective.



## Scrutiny activity during 2018-19

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### Call Handling Update Report<sup>15</sup>

This aim of this report, published in May 2018, was to provide an update on the progress made by Police Scotland and the Scottish Police Authority in response to the original HMICS Independent Assurance Review of Police Scotland's Call Handling, published in 2015.<sup>16</sup>

The background to the original assurance review, the objectives and methodology, were outlined within the Terms of Reference which were published on 22 July 2015. We provided Scottish Ministers with both interim and final reports in September and November 2015 respectively and made 30 recommendations for improvement which were fully accepted by Police Scotland and the SPA.

The assurance review was directed by the then Cabinet Secretary for Justice following the deaths of John Yuill and Lamara Bell and sat alongside the independent investigation directed by the Lord Advocate and conducted by the Police Investigations and Review Commissioner (PIRC) into that specific incident.

Following the publication of the Final Report, the Cabinet Secretary provided an update to the Scottish Parliament followed by a letter requesting that HMICS continues to undertake a programme of ongoing assurance work. This involved monitoring progress and risk levels within Police Scotland's call handling function and making unannounced visits to call handling facilities. This resulted in the publication of an update report in January 2017 which highlighted good progress against the recommendations with 16 recommendations closed, 12 partially discharged and only two recommendations outstanding.

HMICS assurance activity continued over the following year to assess progress against the remaining recommendations and to monitor the continuing implementation of the change programme.

Our update report closed all remaining recommendations and made a number of new recommendations to ensure that key areas of development and risk continue to be addressed by the SPA and Police Scotland. These recommendations were primarily for the attention of Police Scotland as a whole and not specific to C3 Division, which has continued with its ongoing improvement approach.

There were eight recommendations made in this report

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<sup>15</sup> HMICS, [Independent Assurance Review - Police Scotland Call Handling: Update Report](#), May 2018.

<sup>16</sup> HMICS, [Independent Assurance Review Police Scotland - Call Handling: Final Report](#), November 2015.



## Assurance Review of Police Scotland's Counter Corruption Unit (2016) Progress Review<sup>17</sup>

The aim of this progress review, published in September 2018, was to establish progress against the recommendations made in our Independent Assurance Review of Police Scotland's Counter Corruption Unit (CCU),<sup>18</sup> published on 27 June 2016. The assurance review made 39 recommendations covering various aspects of CCU activity, processes and governance.

Corruption remains a key enabler to organised crime groups and there is an acknowledged and legitimate need for Police Scotland to protect its people and information against the threat from corruption. However, it is vital that the tactics employed to counter such corruption are lawful, necessary and proportionate and they must also be subject to appropriate oversight.

Since publication of our assurance review, Police Scotland has taken comprehensive steps to address the recommendations ensuring that anti-corruption practices which are considered in terms of the regulatory framework are proportionate, necessary and are subject of appropriate governance and oversight.

HMICS is reassured by the progress review that the restructured Anti Corruption Unit (ACU), (formerly known as the Counter Corruption Unit) is now refocused and more importantly, its working practices no longer reflect those reported on by HMICS in 2016.

The outstanding recommendations remain valid and if completed have the potential to further strengthen and improve Police Scotland's approach to countering police corruption. Notwithstanding that each recommendation can stand on its own merit, collectively the recommendations relate primarily to ACU internal operating processes that are necessary to undertake effective pro-active anti-corruption investigations. HMICS suggests that the remaining recommendations are owned and progressed as business as usual by the Head of the ACU.

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<sup>17</sup> HMICS, [Assurance Review of Police Scotland's Counter Corruption Unit \(2016\) Progress Review](#), September 2018.

<sup>18</sup> HMICS, [Independent Assurance Review Police Scotland - Counter Corruption Unit](#), June 2016.

## Inspection of custody centres across Scotland<sup>19</sup>

The aim of this inspection, published in October 2018, was to assess the treatment and conditions for those detained in police custody centres across Scotland. We inspected 17 custody centres and assessed what progress had been made in achieving positive outcomes, adhering to national policy and processes, and implementing previous HMICS recommendations.

Our inspections of police custody contribute to the United Kingdom's response to its international obligations under the Optional Protocol to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). OPCAT requires that all places of detention are visited regularly by a National Preventive Mechanism (NPM), an independent body or group of bodies which monitor the treatment of and conditions for detainees. HMICS is one of several bodies making up the NPM in the UK.

Our inspections of each of the 17 custody centres were unannounced and took place in May and June 2018. Across the custody centres we inspected, we found that staff were committed to providing a good standard of care for those held in police custody, many of whom were vulnerable and with significant health care needs. Our findings were underpinned by three key themes which present challenges in delivering a custody service that best meets the needs of today's detainee population:

- the quality of the custody estate varies significantly and, in some areas, hampers the effective and efficient management of detainees,
- there continues to be unnecessarily inconsistent practice in custody centres across Scotland and
- due to the vulnerability and health care needs of many people in custody, it is arguable that other services, such as health, social care and addiction services, would be better placed to meet the needs of detainees rather than the police.

There were seven recommendations made in this report.

## Independent assessment of Police Scotland's response to a breach of Home Detention Curfew<sup>20</sup>

This assessment, published in October 2018, was directed by the Cabinet Secretary for Justice following the sentencing of an individual for murder, a crime committed while he was 'unlawfully at large' having breached the terms of his home detention curfew.

The report was presented in **two** parts.

**Part one** was a case study which comprised a review and assessment of the circumstances relating to the breach of the home detention curfew licence conditions by the offender and Police Scotland's response.

This case study identified that Police Scotland was unable to demonstrate that a professional level of enquiry had been conducted to trace the individual whilst he had been unlawfully at large prior to the murder occurring.

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<sup>19</sup> HMICS, [HMICS Inspection of custody centres across Scotland](#), October 2018.

<sup>20</sup> HMICS, [HMICS Independent assessment of Police Scotland's response to a breach of Home Detention Curfew \(HDC\)](#), October 2018.



**Part two** was a proportionate and risk-based review of Police Scotland's response to apprehending individuals following revocation of their home detention curfew licences. We engaged with police officers and members of police staff across eight local police divisions who have day to day responsibility for the administration, management and execution of criminal justice warrants including revocation of home detention curfew licences.

The review identified significant inconsistencies between data held by Police Scotland relating to the 'unlawfully at large' status of some individual offenders who had been released on home detention curfew and data held by the Scottish Prison Service.

The report made a number of recommendations intended to improve police operational processes where an individual had breached their home detention curfew and had been recalled by the Scottish Prison Service. The report also made a number of wider strategic recommendations for the Scottish Government relating to the policy on risk assessment of those considered eligible for release under home detention curfew, changes to legislation, and cross-border provisions.

There were 16 recommendations made in this report.

We were asked by the Cabinet Secretary to carry out a six month progress review of the recommendations made in the report and the findings of this progress review were published in May 2019.<sup>21</sup> This review will be included in the HMICS 2019-20 Annual Report

## **Progress Review of Provision of Forensic Medical Services to Victims of Sexual Crime<sup>22</sup>**

The aim of this progress review, published in December 2018, was to measure progress against the recommendations made in our Strategic Overview of Provision of Forensic Medical Services to Victims of Sexual Crime.<sup>23</sup>

That report published in March 2017 made 10 recommendations and outlined 31 key findings relating to various integral elements of service delivery in respect of the provision of forensic medical examinations to victims of sexual offences. HMICS acknowledged the complexities, interdependencies and timescales associated with some of the recommendations.

Significant progress has been made in the form of the establishment of a national Taskforce, chaired by the Chief Medical Officer for Scotland, which is evidence of the Scottish Government's commitment to support and drive the necessary change. The Taskforce published its high-level work plan in October 2017. The plan showed the priorities grouped under five areas: leadership and governance; workforce and training; design and delivery of services; clinical pathways and quality improvement.

We also welcomed the new national standards for forensic medical services, published in December 2017, and the fact that the Programme for Government included commitments to legislative change. The financial support from the Scottish Government, amounting to £8.5 million over the next three years, was also highlighted.

The review commended the energy, enthusiasm and dedication of the professionals involved in the Taskforce and many more who are responsible for delivering the services to victims of sexual crime.

That said, at the time of the progress review, all ten recommendations remained open and work in progress.

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<sup>21</sup> HMICS, [Independent assessment of Police Scotland's response to a breach of Home Detention Curfew - progress review](#), May 2019.

<sup>22</sup> HMICS, [HMICS Progress Review of Provision of Forensic Medical Services to Victims of Sexual Crime](#), December 2018.

<sup>23</sup> HMICS, [Strategic Overview of Provision of Forensic Medical Services to Victims of Sexual Crime](#), March 2017.





## Thematic Review of Police Scotland's approach to the development and operational delivery of the Annual Police Plan (2018-19)<sup>24</sup>

The aim of this review was to examine how effective the arrangements were for establishing the national policing priorities in, and operational delivery of, the Annual Police Plan 2018-19. Published in December 2018, the report also aimed to comment on the contribution the plan had towards improving the safety and wellbeing of people, places and communities in Scotland and how effective the alignment of the Annual Police Plan was with the Serving a Changing Scotland 10 year strategy.<sup>25</sup>

During our inspection, the Scottish Police Authority and Police Scotland implemented a new strategic planning framework, and were developing their approach to a revised analytical and performance management framework.

We found that the main elements of the strategic assessment, priority setting, planning and delivery are in place and deliver effective policing on day to day basis. However, as with many of our findings elsewhere in policing, there remained a lack of clarity and consistency of approach across the country.

We believe that our findings will assist the service to establish a clear Scottish policing model to provide a national framework for intelligence gathering, analysis, planning and performance, with flexibility to meet varying local contexts.

We recommended an immediate review of analytical capacity and capability, and we recommended that intelligence analysts are aligned to specialist crime division and performance analysts remain part of the strategy function.

We also made specific comment on the extent to which equity of access to specialist resources had been achieved. Inconsistent recording of resource allocation and limited transparency or assurance around the impact or effectiveness of deployment of specialist and national support, means that Police Scotland faces challenges when seeking to demonstrate the value of the work being delivered to communities across the country.

More fundamentally, HMICS found a lack of clear definition of outcomes and associated measures across many areas of policing making assessment of delivery and results challenging, particularly where the delivery of outcomes is shared with partners. At the time of our inspection, we found no explicit alignment between the Annual Police Plan and the six objectives outlined in the the Serving a Changing Scotland 10 year strategy which contributed to the challenges faced in developing a supporting performance framework.

The consequent lack of progress in developing a revised performance framework had been deemed a major leadership and governance shortcoming for both the SPA and Police Scotland, however, a revised framework has since been agreed.

There were 12 recommendations made in this report.

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<sup>24</sup> HMICS, [Thematic Review of Police Scotland's approach to the development and operational delivery of the Annual Police Plan \(2018-19\)](#), December 2018.

<sup>25</sup> Police Scotland, [Policing 2026: Serving a Changing Scotland](#), February 2017.



## Local Policing+ Inspection Programme Inspection of Greater Glasgow Division<sup>26</sup>

Greater Glasgow Division was the seventh division to be inspected under our Local Policing+ inspection programme. The Local Policing inspections assess the state, efficiency and effectiveness of local policing divisions and highlight examples of effective practice, areas for improvement, emerging issues and new developments within the division.

Published in March 2019, our inspection highlighted that Greater Glasgow Division has many positive aspects. In particular, the senior management team has empowered area commanders to take ownership of their commands, which has enabled them to have a grasp and understanding of local needs and to apply local solutions. Willingness and enthusiasm for change and improvement was apparent among senior managers and evidence was provided to demonstrate strong partnership working. That said, we found evidence of significant pressure on uniform frontline officers and staff, as well as those working in public protection roles and we repeated our view that the division as well as Police Scotland need to do more to understand their demand and distribute resources accordingly. In particular the demand surrounding mental health and the impact on front line policing should be determined.

There were 11 recommendations made in this report. Many of our findings relate to policing across Scotland and are issues for Police Scotland as well as the division.

As part of the policing plus element of this inspection, the resourcing of events was also scrutinized. This inspection was to assess the efficiency and effectiveness of the way in which Police Scotland resources events, by examining how the process works in Greater Glasgow Division. It was published in May 2019<sup>27</sup> and will be included in the HMICS 2019-20 Annual Report.

## Ongoing assurance of 2026 Transformation Programme and Workforce Commitments

As a result of the Cabinet Secretary for Justice's request for assurance around operational capacity, HMICS has provided scrutiny and assurance around the workforce commitments made by the SPA and Police Scotland as part of their strategic policing plan, ten and three year financial plans and annual budget.

HMICS wrote to the Chair of the SPA in April 2018 to notify that it would provide quarterly assurance briefings for at least the next year. The primary audience for these assurance briefings is the SPA Board and their purpose is to provide an overview of progress and associated impact on operational capacity.

HMICS also provided an assurance briefing to the SPA regarding the structure, approach and progress on the Serving a Changing Scotland transformation programme in June 2018. We have since combined our assurance briefings on Serving a Changing Scotland and workforce commitments. Subsequent briefings have been delivered in August 2018, November 2018, February 2019 and May 2019.

HMICS has made a number of improvement recommendations as part of this ongoing work.

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<sup>26</sup> HMICS, [Local Policing+ Inspection Programme Inspection of Greater Glasgow Division](#), March 2019.

<sup>27</sup> HMICS, [Local Policing+ Inspection of the Resourcing of Events](#), May 2019.

## Joint Scrutiny Activity

### Inspections of Services for Children and Young People

During 2018-19, HMICS continued to work in partnership with the Care Inspectorate in the delivery of joint inspections of services for children and young people across Scotland.

In 2017, Scottish Ministers asked the Care Inspectorate to work with scrutiny partners to develop a revised model of inspection with an increased focus on vulnerable children and young people. HMICS worked alongside the Care Inspectorate, Healthcare Improvement Scotland and Education Scotland to develop the new methodology.

From April 2018, HMICS associate inspectors have worked with the Care Inspectorate and other partners to deliver the revised programme of inspection of services provided by community planning partnerships for children, young people and families.

### Adult Support and Protection

Similar to the arrangements for children and young people, HMICS has worked closely with the Care Inspectorate on joint inspections of adult support and protection partnerships. In 2017-18, HMICS associates worked as part of joint teams to inspect six partnership arrangements for adult support and protection. The findings were published in June 2018. Since then, Scottish Ministers have expressed a desire for the other 26 partnerships to be subject to some level of scrutiny. It is intended that this phased programme of work will commence in the 2019-20 scrutiny year with a maximum duration of 24 months.

### MAPPA

HMICS has worked with the Care Inspectorate on the Multi-agency Public Protection Arrangements (offender management) and published a joint inspection report in 2015 and a follow up progress report in 2017. Some recommendations remain outstanding and HMICS continues to monitor progress with colleagues from the Care Inspectorate through attendance at the National Strategy Group.



## Community Justice

In 2018-19, the Care Inspectorate established a team to lead scrutiny work on community justice and criminal justice social work.

The Scottish Government, in discussion with the Care Inspectorate, decided that the new arrangements for community justice were a priority for scrutiny, having had one transition year and one full year since implementation.

HMICS is a member of the High Level Advisory Group for Justice, which was established in July 2018 and is working with the Care Inspectorate to deliver this inspection activity. The first phase of inspection consists of supported and validated self-evaluation of community justice in Scotland in order that areas take stock of their progress and Scottish Government, Community Justice Scotland and scrutiny bodies gain an understanding of where the strengths and challenges lie.

## Counter terrorism

HMICS continued to work with HMICFRS to inspect the police response to certain national security threats. As a result of the nature of this work and for security reasons the resulting inspection reports cannot be published in the same way as other inspection reports.

Our reports are published on our [website](#) and report publication and other news is notified via our Twitter account. Go to: <https://twitter.com/HMICS> or [@HMICS](#)



## Assessing the outcomes from our activities

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HMICS activity is aligned to the values detailed within the Scottish Government's National Performance Framework namely; we are a society which treats all our people with kindness, dignity and compassion, respects the rule of law and acts in an open and transparent way.

Our activity seeks to support the achievement of the national outcomes, in particular;

- We live in communities that are inclusive, empowered, resilient and safe,
- We grow up loved, safe and respected so that we realise our full potential and
- We respect, protect and fulfil human rights and live free from discrimination.

The purpose of our work is to add value and support continuous improvement in the delivery of policing in Scotland. Where relevant, we will make recommendations to Police Scotland and the SPA that aim to improve policing. Through engagement these recommendations are regularly reviewed and will benchmark change.

Our inspection work does not end with the publication of our reports, we will often undertake follow-up work to assess progress, in addition to this we will also identify good practice that can be rolled out across Scotland.

We can inspect other UK police services that operate in Scotland and are members of the **National Preventive Mechanism**, inspecting police custody centres to monitor the treatment and conditions for detainees.

## Facts and figures

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### HMICS staffing model

The position of HM Chief Inspector of Constabulary in Scotland (HMCIC) is held by Mrs Gillian Imery QPM who leads the following team:

Assistant Inspector of Constabulary	Roddy Irvine
Lead Inspector	Laura Paton
Lead Inspector	Tracey Robinson
Lead Inspector	Stephen Whitelock (until January 2019)
Lead Inspector	Tina Yule
Support Inspector	Iain McPhail
Support Inspector	Steven Tidy
Scrutiny Programme Co-ordinator	Rhona Ford
Research and Inspection Support Officer	Joanna Gardner
Office Manager	Susan Archibald
Inspection Support Officer	Susan Campbell Duncan

Further details about our team can be found on the 'Meet Our Team' section of our website.<sup>28</sup>

Throughout 2018-19, we continued to strengthen our capacity for inspection and continued to engage the services of Associate Inspectors from a range of backgrounds including policing, local government and academia. These inspectors provide specialist skills and experience to augment our inspection teams as required.

### HMICS budget 2018-19

HMICS is funded entirely by the Scottish Government in respect of staff, accommodation, equipment and other expenses. Our budget for 2018-19 was £1,087,000.

Our total expenditure for 2018-19 was £1,077,448, an underspend of £9,552.

Our expenditure represents £957,549 staff costs and £119,899 operating costs.

### HMCICS expenses

The total expenses incurred and claimed by HM Chief Inspector of Constabulary in Scotland in the financial year 2018-19 was £1740.65.

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<sup>28</sup> HMICS, [Meet Our Team](#).



## Awards and commendations 2018-19

The honours and awards conferred each year on police officers, police staff and special constabulary are a reflection of the service's commitment to the people of Scotland. In the fiscal year 2018-19, Her Majesty bestowed the following honours on members of the service in recognition of their exceptional service:

### Queen's Birthday Honours 2018

#### QPM

- Craig Rankine – Inspector
- Suzie Mertes – Superintendent

### Queen's Birthday Honours 2019

#### QPM

- Sara Buchanan – Detective Superintendent
- Nelson Telfer – Assistant Chief Constable
- Liam Fitzpatrick – Police Constable

### New Year's Honours 2019

#### MBE

- Rosemary Wright – Police Scotland – For service to mental health issues
- Craig Rankine – Police Scotland – Services to Law and Order

#### BEM

- Robert Arthur McInnes – Community Police Officer – for services to Law and Order in Falkirk



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### **About Her Majesty's Inspectorate of Constabulary in Scotland**

HMICS operates independently of Police Scotland, the Scottish Police Authority and the Scottish Government. Under the Police and Fire Reform (Scotland) Act 2012, our role is to review the state, effectiveness and efficiency of Police Scotland and the Scottish Police Authority. We support improvement in policing by carrying out inspections, making recommendations and highlighting effective practice.

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