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HM INSPECTORATE OF CONSTABULARY IN SCOTLAND

# Annual Report 2019-2020

October 2020

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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 2019 to 31 March 2020. I continue to endeavour to report as soon as practicable at the conclusion of each scrutiny year, albeit this year's report has been delayed due to the impact of COVID-19 on priorities.

It was in early March 2020 that the World Health Organisation declared the new coronavirus (COVID-19) a pandemic. The situation developed rapidly, and by 23 March 2020, the country was effectively in lockdown, with citizens generally confined to their homes in an effort to contain the spread of the virus. The impact on all of our professional and family lives, was immediate and far reaching.

This was a public health emergency, with legislation brought in to give the police new powers to enforce the restrictive measures aimed at saving lives. Over the summer, the country began to ease restrictions, however the virus was still in circulation. A recent increase in cases has meant the reintroduction of some measures to reduce the spread of infection.

From the outset it was clear that having one police service for Scotland helped to ensure that the leadership direction and policy were consistent across the country. Police Scotland's public messages placed a strong emphasis on common sense, empathy, and everyone pulling together for the greater good.

I recognised the urgent and vital nature of the work being carried out by Police Scotland officers and staff to support the public health response to the pandemic, and suspended all routine inspection activity in mid-March. All serving police officers on secondment to HMICS were returned to Police Scotland to help with the national response to the crisis.

The Chief Constable and the senior leadership team of Police Scotland have repeatedly emphasised the service's commitment to upholding the fundamental principles of policing by consent and police legitimacy, which are vital to maintaining public confidence.

In this context, the Chief Constable identified the need for independent scrutiny of the police use of new powers and asked John Scott QC to chair an independent review, which was announced on 9 April 2020. To support the review, an Independent Advisory Group was established, which reports to the Scottish Police Authority (SPA).

I am a member of the Independent Advisory Group (IAG), and have been impressed by the range of interests represented by the group, and by Police Scotland's commitment to it. Through discussion at the frequent meetings, initially twice a week, members of the IAG were able to give feedback direct to senior police officers about how different communities were experiencing policing during this difficult time.

As part of the work to scrutinise the police use of the new temporary powers, HMICS carried out a series of interviews with police officers and staff at the beginning of June 2020. They reported that the overwhelming majority of the public were complying willingly with the restrictions. Police officers and staff felt Police Scotland had done as well as it could to communicate the new legislation and train staff at pace. We were impressed by the positive attitude of the police officers and staff we spoke to, who did not have the option to work from home or remotely, but were continuing to serve their communities during a pandemic.



In terms of governance, the SPA's Vice Chair made an early decision not to introduce any additional oversight or scrutiny arrangements in recognition of the demands placed on Police Scotland. This has proved to be a pragmatic and sensible approach, with proportionate levels of scrutiny being applied to Police Scotland through established procedures.

Turning to the general work of HMICS, we have largely fulfilled the commitments made in our 2019-2020 Scrutiny Plan, published in April 2019, and refreshed in November 2019.<sup>2</sup> Two thematic inspections: Training and Development, and Hate Crime, were paused when the implications of COVID-19 became apparent. The start of a third inspection, the Crime Audit 2020, was also delayed.

During 2019-2020, HMICS published six significant inspection reports, two progress reviews, and contributed to a joint inspection with colleagues from HMICFRS (England and Wales). We also continued to work with the Care Inspectorate on joint inspections of services for children and young people, adults in need of care and protection, and community justice.

This annual report summarises all of our inspection activity carried out during 2019-2020, however I would like to highlight some areas for specific comment here.

During the year, we devoted considerable time to inspecting the arrangements for detainees coming into police custody, both the physical conditions in custody centres in Greater Glasgow division, and the strategic direction of the custody function within Police Scotland. The statutory responsibility for delivering healthcare to those detained in police custody lies with the National Health Service (NHS Scotland).

We know from our inspections that arrangements differ significantly across the country, and believe there is a pressing need to scrutinise the availability and quality of health services delivered in police custody suites to detainees. Since 2016, HMICS has been involved in discussions with Healthcare Improvement Scotland, however it is disappointing that Healthcare Improvement Scotland has still not been able to participate in joint inspections with us.


This means that the quality of healthcare for members of the public who come into police custody, often with pre-existing health challenges in the form of alcohol or drug dependency and mental health, has not been subject to scrutiny since NHS Scotland took over responsibility in 2013.

We worked with colleagues at HMICFRS on an inspection of the selection and development of chief officers. One of the recommendations was aimed at ensuring police forces in England and Wales benefitted from having leaders with experience from other police forces, which is particularly relevant for smaller police forces. To be clear, this does not apply to Police Scotland, where the size and scale of the organisation mean officers can gain diverse experience as they progress through the ranks, potentially to become Chief Constable. Eligibility for appointment as Chief Constable of Police Scotland should be determined solely by Scottish Ministers and the Scottish Police Authority (SPA).

Our thematic inspection of the SPA reported some real progress, however also highlighted challenges. I believe the Police and Fire Reform (Scotland) Act 2012 established the right model of centralised governance of police by an independent police authority, and the functions of the SPA as set out in the legislation, are sound. The difficulty has been in the interpretation and implementation of the Act. I am pleased that there is now a real focus on addressing the issues previously raised by various bodies, including HMICS.

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<sup>2</sup> HMICS, [Scrutiny Plan 2019-20](#).



The strategic review of Police Scotland's response to online child sexual abuse highlighted the challenges to establishing the true nature and extent of this form of crime. The way in which reports of crime are recorded makes it difficult for police to understand the actual level of offending online, which is one of the reasons we are looking specifically at the use of "cyber markers" in our Crime Audit 2020.

We continued to monitor Police Scotland's workforce planning and transformation portfolio. HMICS has always said that the number of police officers is not a meaningful measurement to assess the quality of policing being delivered to communities. It is vital for Police Scotland and the SPA to understand the demand for policing so that the service can be designed to meet that demand in the most effective and efficient way through a balanced workforce comprising police officers and support staff.

Whilst I made positive comment in last year's annual report about the work of the Demand and Productivity Unit, it is disappointing that little progress has been made with using demand information to inform decisions about the allocation and deployment of police officers and staff to best meet the needs of communities across the country. There has been a lot of work on the development of a Strategic Workforce Plan, the framework for which was approved in May 2019, however this should not be seen as an end in itself. The project to produce the Strategic Workforce Plan is set to deliver in November 2020.

Turning to the wider consideration of the state of policing in Scotland in 2019-2020, I would offer the following comments.

The Scottish Police Authority had a challenging year in terms of its leadership, with the previous Chief Executive going on extended sick leave in May 2019, before resigning in September 2019. The interim Chief Executive took up post in late September 2019. The previous Chair of the SPA resigned in early December 2019 and the Vice Chair stepped in to provide leadership on a temporary basis. The combination of the Vice Chair and the interim Chief Executive is a good one, bringing stability and calm to the organisation.

There has been minimal change in membership of the SPA Board, which has helped to provide continuity. The Vice Chair gives individual members opportunities to use their considerable knowledge and experience, which is most apparent at the public meetings of the Board when he invites them to lead on areas of questioning. SPA staff are engaged and there has been good progress with SPA 2020 programme of organisational design and development.

Police Scotland has had a year of stability and continuity at the most senior levels, with members of the executive remaining largely the same as last year. One new Deputy Chief Constable and two new Assistant Chief Constables were appointed during 2019-2020. There is strength and depth of experience at the top of Police Scotland, which has been evident in the response to the public health emergency.

Scotland is generally safer than it was 10 years ago. The Scottish Crime and Justice Survey 2018-19<sup>3</sup> shows significant reductions in crime since 2008-9. Overall crime has dropped by 20% since 2016-17. The survey estimates that police know about 36% of crime experienced in 2018-19, which is similar to previous years. Most adults (78%) said they felt very or fairly safe walking alone in their local area after dark, which is a slight increase on last year. This figure was 66% in 2008-9. In the survey, 56% of adults said police in their local area were doing an excellent or good job.

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<sup>3</sup> Scottish Government, [Scottish Crime and Justice Survey 2018/2019](#).



Police Scotland uses a market research agency to conduct regular surveys. Each month a random sample of people who contacted the police to report an incident or crime are asked about their experience. In 2019-20, over 90% of respondents were satisfied or very satisfied with attending officers (similar to 2018-19). General satisfaction levels ranged between 81% and 86%, mostly higher each month than the previous year.

Police Scotland's management information for 2019-2020 shows that overall call demand increased by 5% compared with the previous year. Police Scotland received 2,585,110 calls, up from 2,463,827 in 2018-2019. Recorded crime rose by 0.9%, from 492,626 to 497,071. The detection rate is down slightly (0.2%) on the previous year, to 67.2%.

2019 saw the publication of the highest number of drug related deaths since records began in 1996 with a total of 1187 deaths in Scotland. Police Scotland is developing proposals to allow police officers to carry Naloxone, emergency medication that can be administered by a nasal spray and reverses the effects of an opioid overdose. I welcome this approach by Police Scotland, and support its efforts to intervene and save lives of highly vulnerable people. We will be checking on progress with this work later in 2020-2021.

Issues of diversity and equality are important at any time, but have been amplified in recent months by the varying degrees of impact of COVID-19 on different groups, and by protests around the world about racism in society. In our next phase of inspection of Training and Development, we will be looking specifically at the recruitment, retention, development and promotion of under-represented groups.

Financial pressure remained throughout 2019-20. About 87% of SPA's budget is spent on pay costs, and the revenue budget was set with a deficit of £41.6m to maintain officer numbers at or above 17234. Plans in 2018-2019 and 2019-2020 to gradually reduce officer numbers in an effort to balance the budget were derailed by operational decisions relating to the anticipated impact of Brexit, delivery of the United Nations Climate Change Conference (COP26) originally planned for November 2020, and now the response to COVID-19.

The SPA has continued to make the case to Scottish Government for more funding, as well as encouraging Police Scotland to make more progress with its transformational change programme. In March 2020, the 2020-2021 budget was agreed by SPA. Total funding from the Scottish Government was set at £1,222 million, with a £44m deficit. The SPA agreed revenue allocation of £1,142.6m to Police Scotland, £34.2m to SPA Forensic Services, and £4.5m to SPA corporate.

Looking ahead, there are significant operational challenges for Police Scotland in 2020-2021. The contingency planning for Brexit remains a priority, the 2020 UEFA European Football Championship (Euro 2020) and work in preparation for COP26, now planned for November 2021, is underway, all at the same time as policing the restrictions imposed to limit the spread of COVID-19.

This context makes it all the more important for Police Scotland to equip itself with reliable and accessible information on current and future demand, assets and resources, to inform the strategic direction of the service.

HMICS is aware of adjustments that Police Scotland has made in response to the pandemic, and we will be assessing whether these represent more effective and efficient ways of working. We recently published a joint report with HM Inspectorate of Prosecutions on the emergency criminal justice provisions, including the use of electronic signatures and transmission of documents, and virtual courts.





The national roll out of the Contact Assessment Model (CAM) was accelerated in order to manage the physical deployment of officers to incidents. HMICS plans to review the working practices that have been introduced, and maintains a clear position that the CAM is about enabling the delivery of the most appropriate and proportionate outcome for every caller, and not a demand reduction tool.

In all of our inspection activity we continue to be impressed by the dedication, commitment and hard work of police officers and staff, never more so than during this time of public health crisis and transition.

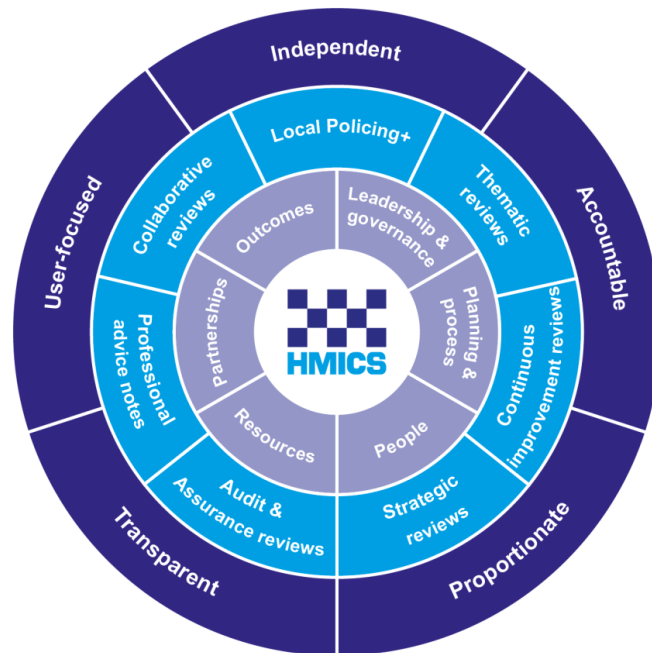
I would like to conclude by thanking all those who contributed to our inspections over the course of 2019-2020, in particular Police Scotland and the Scottish Police Authority, and to thank the team at HMICS for all of their hard work. We look forward to another year of helping improve policing for the benefit of the public.

**Gill Imery QPM**

HM Chief Inspector of Constabulary in Scotland  
October 2020



## 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>4</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. Our strategy is currently being revised to take us beyond 2020 and will be published and reviewed annually to ensure our objectives are supporting us to fulfil our purpose of improving policing across Scotland.

<sup>4</sup> HMICS, [Corporate Strategy 2017-20](#).

## Our Inspection Framework<sup>5</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 2019-2020<sup>6</sup>

Our Scrutiny Plan for 2019-2020 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 2019 until March 2020.

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 2019-2020, 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 2019-20.<sup>7</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>5</sup> HMICS, [Inspection Framework](#), May 2018

<sup>6</sup> HMICS, [Scrutiny Plan 2019-20](#), April & November 2019.

<sup>7</sup> Audit Scotland, [National scrutiny plan 2019/20](#), September 2019.



## 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 2019-20

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### Local Policing+ Inspection of the Resourcing of Events<sup>8</sup>

The inspection was carried out alongside the wider inspection of local policing in Greater Glasgow Division conducted in 2018 under the HMICS Local Policing+ Inspection Programme. A report of our inspection of local policing in Greater Glasgow was published in March 2019.<sup>9</sup>

The aim of 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. The subject of events resourcing was raised as an issue by officers and staff in previous inspections. Divisional Commanders from across Scotland also identified it as a concern when we carried out engagement interviews in December 2017.

Since the establishment of Police Scotland in 2013, inconsistencies in approach to resourcing events have persisted. HMICS recognises that structures, processes and policies relating to event planning in Police Scotland continue to evolve. We were impressed by the commitment of officers and staff to achieve improvements.

The inspection found Police Scotland has a proven track record for delivering safe events, with over 6,600 events recorded on the events and operations calendar in 2018. Whilst the events are delivered safely, it was less clear what impact the resourcing of events has on the effective delivery of other aspects of policing in local divisions.

There were fifteen recommendations in this report and since publication of this report in May 2019, Police Scotland has implemented three with the rest remaining part of ongoing improvement.

### Strategic review - Independent assessment of Police Scotland's response to a breach of Home Detention Curfew – progress review<sup>10</sup>

In October 2018, the Scottish Government published the HMICS Strategic review of Police Scotland's response to a breach of Home Detention Curfew (HDC).<sup>11</sup> It contained sixteen recommendations covering operational processes and the strategic direction and national guidance on the future management of offenders in Scotland

On 13 November 2018, the Cabinet Secretary for Justice wrote to HMICS and HMIPS<sup>12</sup> requesting a six month progress review on the recommendations. This progress review was undertaken by HMICS and published on 30 May 2019.

We found that following the publication of our original review (2018) a Strategic Oversight Group (SOG) comprising senior police officers, senior prison staff and partners from the wider criminal justice sector was established to progress the recommendations. It was clear from our progress review that both organisations treated the HDC recommendations as a priority.

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<sup>8</sup> HMICS, [Local Policing+ Inspection of the Resourcing of Events](#), May 2019.

<sup>9</sup> HMICS, [Local Policing+ Inspection of Greater Glasgow Division](#), March 2019.

<sup>10</sup> HMICS, [Independent Assessment of Police Scotland's Response to a Breach of Home Detention Curfew - Progress Review](#), May 2019.

<sup>11</sup> HMICS, [HMICS Independent Assessment of Police Scotland's Response to a Breach of Home Detention Curfew](#), October 2018.

<sup>12</sup> The Cabinet Secretary for Justice wrote in similar terms to Her Majesty's Inspectorate of Prisons in Scotland (HMIPS) to carry out an independent assessment of the processes that the Scottish Prison Service (SPS) operates when considering applications for Home Detention Curfew and to undertake a six month progress review on recommendations made.



We tested the revised communication processes between Police Scotland and the Scottish Prison Service and found evidence of improved communication between both organisations complemented by the introduction of a Police Scotland single point of contact.

We found evidence of improvements in the recording of police enquiries carried out to trace individuals who are in breach of HDC requirements and improvements in both supervisory and senior divisional management oversight of those enquiries.

In our original review (2018), we recommended that Scottish Government in consultation with criminal justice partners and key stakeholders should consider development of national policy on risk factors that assesses the eligibility and suitability of an offender for release on HDC. We also recommended that in special cases there should be a presumption of refusal unless there were robust qualifying reasons to support HDC.

HMICS welcomes the developments in the risk assessment process and guidance by the Home Detention Curfew Guidance and Governance Group and the Risk Management Authority (RMA) which are key to making an informed decision in line with the key principles of HDC which are to protect the public, prevent reoffending and secure successful reintegration into the community. Having a robust risk assessment process removes the presumption of refusal a position HMICS communicated to the Cabinet Secretary for Justice in April 2020.<sup>13</sup>

We found that Police Scotland and the Scottish Government have made good progress with the delivery of the 16 recommendations and determined that eight of our recommendations have been fully met and are closed with work ongoing with the remaining recommendations.

## **Inspection of the strategic arrangements for the delivery of police custody<sup>14</sup>**

The aim of this inspection, published in June 2019, was to assess the strategic arrangements for the delivery of police custody in Scotland. Police custody is a high risk area of policing business and, as such, has already been subject to considerable scrutiny by HMICS since Police Scotland was established. Since 2013, HMICS has published seven police custody inspection reports. While the majority of our previous inspections focused on the treatment and conditions for detainees, this inspection focused on Police Scotland's strategic arrangements for the delivery of police custody. This included an assessment of leadership and governance of custody, planning and process, people, resources, and partnership working.

HMICS commended the progress made by Police Scotland since 2013, all of which have required significant time, effort and commitment on the part of its staff. However we noted that further progress had been hampered in part by the under-resourcing of custody.

In the report, we noted many positive developments, including the recruitment of custody staff which has allowed Police Scotland to reduce its dependence on backfill provided by local police officers to deliver its custody service. We also acknowledged the extensive efforts to involve statutory and voluntary sector partners in promoting better outcomes for detainees and communities.

However a consistent theme of lack of capital investment in the custody estate continued to impede efforts to deliver as efficient and effective a custody service as possible. The maintenance of a safe, secure and fit for purpose estate is essential to a modern police custody environment.

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<sup>13</sup> [Correspondence from Cabinet Secretary for Justice to Justice Committee Convenor](#), 10 April 2020.

<sup>14</sup> HMICS, [Inspection of the Strategic Arrangements for the Delivery of Police Custody](#), June 2019.



During our inspection, we reviewed outstanding custody recommendations and closed 11 recommendations and 18 improvement actions. We also drew on evidence gathered during our inspection of custody centres across Scotland in 2018<sup>15</sup> and our inspection of custody centres located in Greater Glasgow Division in January 2019,<sup>16</sup> particularly our discussions with frontline personnel.

### **Inspection of custody centres in Greater Glasgow Division<sup>17</sup>**

The aim of this inspection, published in June 2019 was to assess the treatment of and condition for those detained in police custody located in Greater Glasgow Division. The inspection was linked to our review of local policing published in March 2019.<sup>18</sup>

Our inspections of the four primary custody centres located in Greater Glasgow Division were unannounced and took place in January 2019. In advance of our visits, we analysed a sample of custody records relating to 75 detainees. During our visits, we assessed the physical environment, interviewed detainees, custody staff and other professionals working in the custody centre (such as nurses) and observed key processes.

This inspection found areas of improvement in the physical conditions of one of the custody centres and overall the care provided to detainees by custody staff was found to be of a professional respectful standard. The main areas of focus involved the recording of relevant information that can assist with a detainee's ongoing care or indeed upon onward transfer within the criminal justice system. The care provided in relation to medical or mental health assessment was observed however an effective assessment of the quality of healthcare being delivered to detainees cannot be achieved without the support of colleagues from Healthcare Improvement Scotland (HIS). Healthcare in police custody is the responsibility of NHS Scotland, however HIS has not yet been able to commit to carrying out joint inspections with HMICS.

There were five recommendations made in this report.

### **Assurance Review of progress on recommendations from 'An Independent Review of Football Policing in Scotland'<sup>19</sup>**

The 2018-2019 football season witnessed several high profile adverse incidents, including crowd density concerns at a Celtic versus Rangers match in September 2018. Although no serious injuries arose, Celtic FC commissioned a sports event safety management company to carry out an independent review. The review found that communications during the progress of the incident could have been improved, with stewards and police not obviously visible to supporters due to the density of the crowd.

The UEFA European Championships, which were due to take place in 2020 (now postponed until 2021), will see Hampden Park stadium in Glasgow host four matches. In advance of this, Police Scotland asked the National Police Chiefs' Council football policing lead to conduct an independent peer review of football policing in Scotland. In March 2019 the review report 'An Independent Review of Football Policing in Scotland'<sup>20</sup> was published and contained a total of 18 recommendations, 16 of which referred solely to Police Scotland and sat appropriately across local and national government.

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<sup>15</sup> HMICS, [Inspection of Custody Centres Across Scotland](#), October 2018.

<sup>16</sup> HMICS, [Inspection of Custody Centres in Greater Glasgow Division](#), June 2019.

<sup>17</sup> HMICS, [Inspection of Custody Centres in Greater Glasgow Division](#), June 2019.

<sup>18</sup> HMICS, [Local Policing+ Inspection Programme Inspection of Greater Glasgow Division](#), March 2019.

<sup>19</sup> HMICS, [Assurance Review of Progress on Recommendations from 'An Independent Review of Football Policing in Scotland'](#), August 2019.

<sup>20</sup> [An Independent Review of Football Policing in Scotland](#), March 2019.





The aim of the HMICS progress review, published in August 2019, was to provide an independent assessment of the progress made in relation to the recommendations.

Police Scotland has made progress towards delivery of the 16 recommendations. Of those, 12 recommendations are assessed by HMICS as having been fully discharged, meaning that the recommendations have been implemented in line with the policy intentions from the Independent Review. The remaining four recommendations are considered as being partially discharged. This means that good progress has been made by Police Scotland to implement the policy intention behind each specific recommendation over a relatively short time frame, but that work is still ongoing as part of a process of continuous improvement.

HMICS concluded that satisfactory progress had been made by Police Scotland, and the public should have confidence in the ability of Police Scotland to deliver high profile events, including football matches.

### **Leading Lights-An inspection of the police service's arrangements for the selection and development of chief officers<sup>21</sup>**

The aim of this joint HMICFRS/HMICS inspection was to assess how well UK policing selects and develops candidates for chief officer roles. The inspection arose partly due to concerns about the declining number of candidates for chief officer posts and the short length of time spent in those posts.

Evidence emerged of inconsistencies in the levels of support police forces provide to applicants for the Senior Police National Assessment Centre, which must be passed to access the Strategic Command Course. There was also concern about parochialism at the most senior levels in policing, and one of recommendations was aimed at ensuring chief officers served in more than one police force.

This recommendation does not apply to Scotland, where the size and scale of Police Scotland mean police officers can gain sufficient diversity of experience as they progress through the ranks. Eligibility for appointment as Chief Constable of Police Scotland is determined solely by Scottish Ministers and the Scottish Police Authority (SPA).

There were nine recommendations made in this report, which was published in September 2019.

### **Thematic Inspection of the Scottish Police Authority<sup>22</sup>**

The aim of this inspection, published in September 2019, was to assess the effectiveness and efficiency of the Scottish Police Authority in terms of fulfilling its core role. It scrutinised how the Scottish Police Authority was meeting its statutory obligations under the Police and Fire Reform (Scotland) Act 2012 and as a public body. The inspection examined issues relating to the SPA in terms of its role, responsibilities and relationships with Police Scotland, Scottish Government, Scottish Parliament and the separation of politics from policing. The inspection also included a comparative overview of different police governance models in other jurisdictions.

We found consensus from key post holders in the Scottish Police Authority, Police Scotland, Scottish Government, and other stakeholders that the Police and Fire Reform (Scotland) Act 2012 establishes the right model of centralised governance of police by an independent police authority, and that the functions of the SPA are sound.

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<sup>21</sup> HMICS, [Leading Lights - An Inspection of the Police Service's Arrangements for the Selection and Development of Chief Officers](#), September 2019.

<sup>22</sup> HMICS, [Thematic Inspection of the Scottish Police Authority](#), September 2019.





HMICS found evidence of genuine progress at the Scottish Police Authority over the previous 18 - 24 months. The appointment of experienced and talented individuals to both the Police Scotland senior leadership team and to the SPA Board, was a significant achievement. A new governance framework with a focus on transparency and accountability was put in place in May 2018 and is now being reviewed to address a number of areas for improvement and reflect the ever-changing policing landscape.

The key issue identified however was is in the interpretation and implementation of the Act, this continues to be an area of concern for HMICS which impacts directly on fulfilling the core statutory role of the SPA. At the time of the inspection, there had been three different Chairs of the SPA, each of whom had a different view about how the organisation should fulfil its statutory functions, leading to confusion about how the SPA should fulfil its governance role, and a general lack of public understanding. A recurring theme, particularly shown in the case studies offered in the report, is the limited ability of the SPA Board to recognise issues of significant public interest and effectively to hold Police Scotland to account for decisions that impact on communities.

HMICS was particularly concerned regarding the uncertainty for staff at the SPA given the delays to reviewing the structure of the organisation.

The report highlighted our consistent concern regarding SPA Forensic Services and the inherent conflict of interests presented by the SPA being both a service provider to and a scrutiny body of Police Scotland. Similarly we raised concerns regarding the Independent Custody Visiting Scheme. Ultimately the overall view was that the SPA still requires to fully demonstrate the value it adds to policing in Scotland through its statutory role and relationships. There were 14 recommendations from the report.

## **Review of the early implementation of the Contact Assessment Model<sup>23</sup>**

The aim of this review, published in October 2019, was to assess the early implementation of the Contact Assessment Model (CAM) and provide feedback on its operation to Police Scotland.

Our review was not a full inspection of CAM, but rather an early assessment of Phase 1 of its implementation in the pilot areas of Dumfries and Galloway and Lanarkshire Divisions. The review was carried out within three months of CAM commencing and we found that the vast majority of people who contact the police receive an effective service. Their call is dealt with professionally and an appropriate response is provided. Under CAM, we consider that a better quality assessment of their individual circumstances is carried out and this assessment is more likely to result in a policing response that best meets their needs and which is delivered timeously.

Whilst the findings were mainly positive, areas for improvement and opportunities to help maximise the success of CAM were also identified. All findings were communicated to Police Scotland and to the Scottish Police Authority (SPA) CAM Oversight Group. Findings from our review have now been dealt with through an action plan, the progress of which has been monitored by the SPA CAM Oversight Group.

As part of the response to the COVID-19 pandemic, Police Scotland accelerated the national roll out of CAM in order to ensure a consistent approach towards the management of calls from the public. Additionally, in order to supplement the local policing appointments scheme, which previously comprised exclusively of face to face appointments, the force also introduced telephone diary appointments that now provide the public with an alternative means by which to engage with the police. As stated in our recently published Scrutiny Plan 2020-2021,<sup>24</sup> HMICS will carry out a thematic review of the Contact Assessment Model between January and March 2021. This review will focus on the working practices that have been introduced during this time, and include an assessment of the efficiency and effectiveness of these measures.

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<sup>23</sup> HMICS, [Review of the Early Implementation of the Contact Assessment Model](#), October 2019.

<sup>24</sup> HMICS, [Annual Scrutiny Plan 2020-21](#), August 2020.

## Strategic Review of Police Scotland's response to online child sexual abuse<sup>25</sup>

The aim of this review, published in February 2020, was to provide a strategic overview of Police Scotland's response to online child sexual abuse, which will raise public awareness of the issues and enhance the understanding of policy makers and practitioners. It will highlight any areas of good practice as well as those in need of improvement, and potentially act as a catalyst for further scrutiny of related areas of policing.

Online offending in the form of taking, distributing or viewing indecent images of children, online grooming, inciting children to commit sexual acts online and live streaming of sexual abuse, is child sexual abuse. The review found there are real challenges to capturing the true nature and extent of online child sexual abuse, which are not unique to Police Scotland. The way in which reports of crime are recorded makes it difficult for police to understand the actual level of offending online, however it is accepted that online offending has increased significantly in recent years and continues to grow exponentially.

The Police Scotland response spans a number of business areas including the Specialist Crime Division departments of Public Protection; Intelligence; Special Operations; Digital Forensics; Cybercrime, and Safer Communities, as well as uniform and detective resources in local policing divisions. Public Protection is the correct professional function to lead the response, yet has the least resources.

The review found there was no dedicated analytical capability nor centralised intelligence assessment capability directed at online child sexual abuse. The lack of qualitative analytical and intelligence assessment hampers the force's ability to identify future trends and developments, to formulate proactive responses, and to task specialist resources. Specialist support functions should refocus on those that are most in need of protection rather than their traditional focus on drugs and firearms.

There were ten recommendations made in this report. Police Scotland has produced an action plan to address the issues identified by the review. Given the importance of this area of policing, HMICS has included a commitment to conduct a progress review in our Scrutiny Plan 2020-2021.<sup>26</sup>

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<sup>25</sup> HMICS, [Strategic Review of Police Scotland's Response to Online Child Sexual Abuse](#), February 2020.

<sup>26</sup> HMICS, [Annual Scrutiny Plan 2020-21](#), August 2020.

## Joint Scrutiny Activity

### Inspections of Services for Children and Young People

During 2019-2020, HMICS continued to work in partnership with the Care Inspectorate and other scrutiny partners in the delivery of joint inspections of services for children and young people across Scotland. An HMICS associate inspector has been dedicated to each inspection of services for children and young people published by the Care Inspectorate this year relating the following local authority areas: Fife,<sup>27</sup> Edinburgh,<sup>28</sup> Aberdeen,<sup>29</sup> Stirling,<sup>30</sup> and Orkney.<sup>31</sup>

This scrutiny activity was suspended in March 2020 due COVID-19 which had a direct impact on working arrangements and inspections methodology. Plans are in development to recommence this work in line with public health guidance.

### Adult Support and Protection

HMICS has worked closely with the Care Inspectorate and other stakeholders on the development of 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 July 2018.<sup>32</sup> Scottish Ministers expressed a desire for the other 26 partnerships to be subject to some level of scrutiny and a phased programme of work was scheduled to take place over 24 months and commenced in February 2020. This programme was suspended in March 2020 however HMICS Inspectors have been collaborating with stakeholders in the development of an augmented approach that will enable the programme to recommence.

### Community Justice

In 2019-2020, the Care Inspectorate team established the previous year continued to concentrate on scrutinising 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.

HMICS has worked with the Care Inspectorate to deliver this inspection activity. The first phase of inspection consisted 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. In 2019-2020, supported and validated self-evaluation of community justice was carried out in the following local authorities: Clackmannanshire,<sup>33</sup> Ayrshire,<sup>34</sup> Shetland,<sup>35</sup> and East Lothian.<sup>36</sup>

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<sup>27</sup> Care Inspectorate, [Report of a Joint Inspection of Services for Children and Young People in Need of Care and Protection in Fife](#), April 2019.

<sup>28</sup> Care Inspectorate, [Report of a Joint Inspection of Services for Children and Young People in Need of Care and Protection in the City of Edinburgh](#), June 2019.

<sup>29</sup> Care Inspectorate, [Report of a Joint Inspection of Services for Children and Young People in Need of Care and Protection in Aberdeen City](#), September 2019.

<sup>30</sup> Care Inspectorate, [Report of a Joint Inspection of Services for Children and Young People in Need of Care and Protection in Stirling](#), October 2019.

<sup>31</sup> Care Inspectorate, [Report of a Joint Inspection of Services for Children and Young People in Need of Care and Protection in Orkney](#), February 2020.

<sup>32</sup> Care Inspectorate and HMICS, [Joint Inspection of Adult Support and Protection in these partnerships North Ayrshire, Highland, Dundee City, Aberdeenshire, East Dunbartonshire and Midlothian](#), July 2018.

<sup>33</sup> Care Inspectorate, [Supported and Validated Self-Evaluation of Community Justice in Clackmannanshire](#), April 2019.

<sup>34</sup> Care Inspectorate, [Supported and Validated Self-Evaluation of Community Justice in Ayrshire](#), April 2019.

<sup>35</sup> Care Inspectorate, [Supported and Validated Self-Evaluation of Community Justice in Shetland](#), December 2019.

<sup>36</sup> Care Inspectorate, [Supported and Validated Self-Evaluation of Community Justice in East Lothian](#), March 2020.



## 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](https://twitter.com/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	Elaine Galbraith
Lead Inspector	Ray Jones
Lead Inspector	Dawn Lewington
Lead Inspector	Brian McNulty
Lead Inspector	Martin MacKay
Lead Inspector	Tina Yule
Support Inspectors	Graham Smith Pam Colvin
Business Manager	Rhona Ford
Research and Inspection Support Manager	Joanna Gardner

Further details about our team can be found on the 'Meet Our Team' section of our website.<sup>37</sup>

Throughout 2019-2020, 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 2019-2020

HMICS is funded entirely by the Scottish Government in respect of staff, accommodation, equipment and other expenses. Our budget for 2019-2020 was £1,060,000.

Our total expenditure for 2019-2020 was £1,081,917, which shows an overspend of £21,917. The figure included an erroneous charge of £31,995 for IT equipment which was unable to be recovered within the 2019-2020 financial year, but has since been corrected. Without that invoice, our budget for 2019-2020 was underspent by £10,078.

Our expenditure represents £900,000 staff costs and £160,000 operating costs.

### HMCICS expenses

The total expenses incurred and claimed by HM Chief Inspector of Constabulary in Scotland in the financial year 2019-2020 was £2154.60.

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<sup>37</sup> HMICS, [Meet Our Team](#).



## Awards and commendations 2019-2020

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 2019

#### QPM

- Brian McNulty – Chief Superintendent
- Gail Johnston – Detective Superintendent

### New Year's Honours 2020

#### QPM

- Gillian MacDonald – Assistant Chief Constable
- Gerry McLean – Detective Chief Superintendent

#### MBE

- Robert Fowler – Police Scotland - Services to Law and Order

#### BEM

- Graham Miller – Police Scotland - Services to Law and Order



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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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