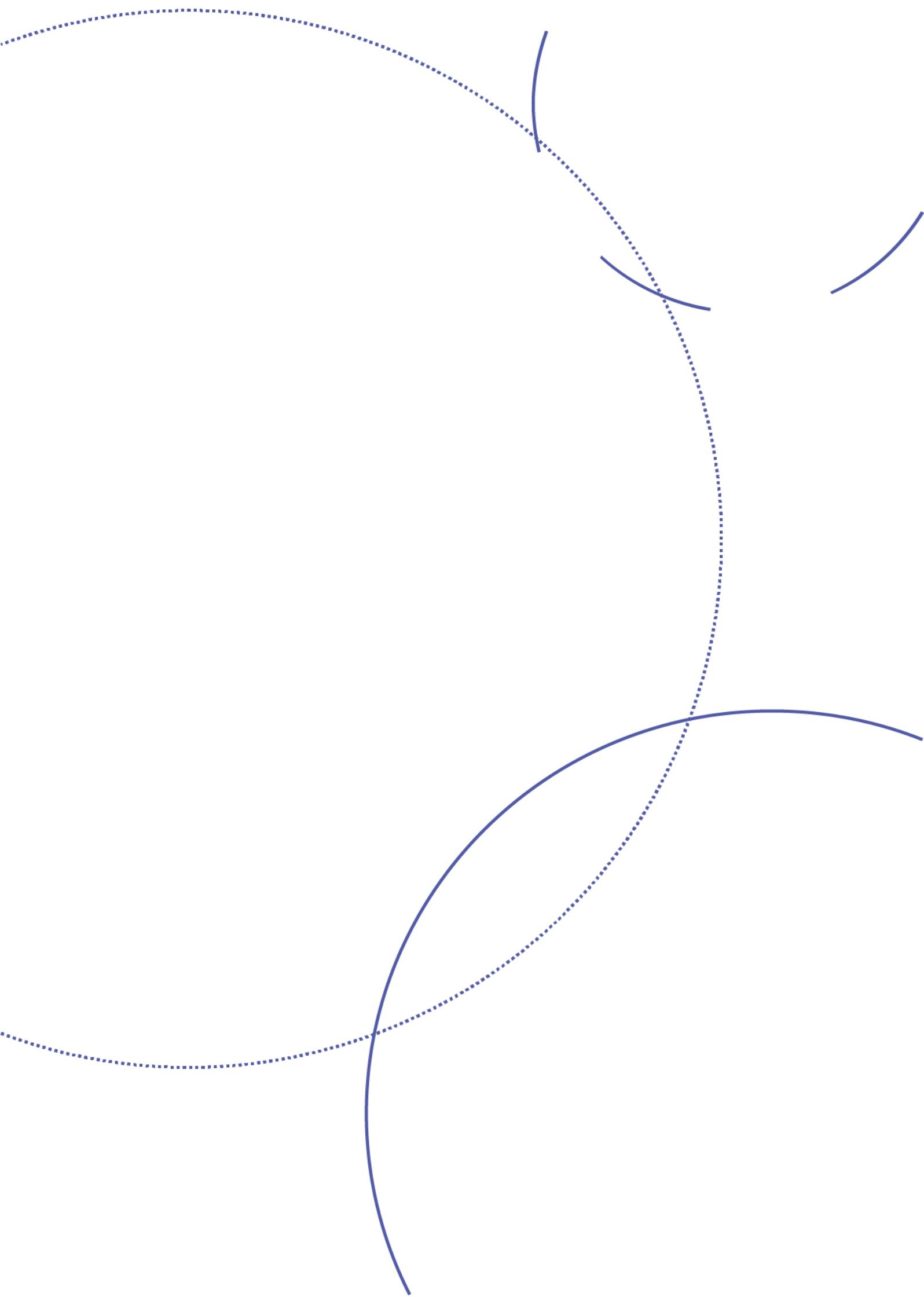


Annual Report 2022 - 2023

August 2023







HM Inspectorate of Constabulary in Scotland

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).¹

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.

¹ Chapter 11, Police and Fire Reform (Scotland) Act 2012.



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. Our improved custody inspections along with Healthcare Improvement Scotland are designed to provide even greater understanding of custody, health care provided and opportunities to improve outcomes for those who have been arrested.

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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Introduction by HM Chief Inspector of Constabulary in Scotland

State of policing 2022-23

This has been a difficult year for policing in Scotland, with challenges involving budget, culture, public expectation and staffing disruption all playing their part in a troubled 12 months. The Covid-19 pandemic has had a significant impact on all public services and there are backlogs in many aspects of service delivery, as well as a noticeable rise in the impact of dealing with those in mental health crisis.

Policing in Scotland is not insulated from events elsewhere and during the past year there have been continued challenges to the legitimacy of policing from many angles. The publication of reports by Dame Louise Casey about the Metropolitan Police ([The Baroness Casey Review](#)), the review of the murders committed by Stephen Port ([Met Police's failure to stop Stephen Port murders could happen again, inspectorate finds - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services](#)), the ongoing challenges of the Daniel Morgan investigation ([An inspection of the Metropolitan Police Service's counter-corruption arrangements and other matters related to the Daniel Morgan Independent Panel - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services](#)) and HMICFRS reports into police effectiveness, legitimacy and leadership (as well as the competence of forces at enacting their own policies and practices on vetting) have undermined every police body across England and Wales, and have also impacted on the trust and confidence felt in policing in Scotland.

In May 2023 (as this report was being prepared), Chief Constable Sir Iain Livingstone stated in a speech to an SPA meeting that Police Scotland was institutionally racist and discriminatory.² His statement made clear that this did not mean that police officers and police staff were generally racist and sexist, but that the policies and procedures were the issue.

² GOV.UK, [The Stephen Lawrence Inquiry](#), Report by Lord McPherson and the investigation undertaken by Lord Scarman into the Brixton riots in the early 1980s both highlighted the institutional aspects of such failings. Lord McPherson stated that:

"The term institutional racism should be understood to refer to the way the institution or the organisation may systematically or repeatedly treat, or tend to treat, people differentially because of their race. So, in effect, we are not talking about the individuals within the service who may be unconscious as to the nature of what they are doing, but it is the net effect of what they do". (Part 2, Day 2, p 209)



When someone within the organisation exhibits discrimination, they are subject to investigation and appropriate sanction. However, as this process takes place behind closed doors and without publicity, Police Scotland is limited in its ability to show how seriously it takes this problem and the outcomes that result from it. There are processes in place to address misconduct and, where individuals do not meet the standards expected of them, this may result in the removal of that person's right to work as an officer or staff member. This approach is considered to be compatible with equality legislation and has been tested in court and other tribunals.

HMICS will always maintain an independent outlook and challenge where necessary. We have been involved in inspecting policing in Scotland since 1857 and have a long history of inspection and improvement work across policing and the SPA.

In 1999, shortly after the publication of the McPherson report, we commissioned the first inspection of police race relations in Scotland, "Without Prejudice". Those recommendations and the follow-up report ("Pride and Prejudice") shaped the way the then eight Scottish forces responded to improve training, leadership development and accessibility of services, and to achieve an understanding of the needs of black and minority ethnic communities. Since then, much has been done to improve organisational capability in delivering service to meet the needs of these communities and for staff from these communities within the organisation itself. However, we recognise that more needs to be done and have made recommendations in this area in recent reports on training and development, and hate crime.

A series of headline stories this year has highlighted dissatisfaction from former force employees. While many of these cases have gone through due process (including tribunals, court cases, conduct and grievance processes) – often at significant cost – many complainants remain dissatisfied and continue to challenge the legitimacy of these processes through media channels.

Police Scotland states it has taken steps to learn from these cases. It feeds any learning into ongoing development work (including the "Policing Together" workstream) and is clearly committed to equality, diversity and respect, both for those who work for them and for those they serve. However, since many of these issues crop up again, I am concerned that the lessons from tribunals and other hearings are not being absorbed and acted upon.



Many of the criticisms made are being addressed and, to this end, I would be keen to see Police Scotland being more proactive in describing its work on the Policing Together strategy, the violence against women and girls (VAWG) strategy and the wider “Your Voice Matters” survey work. This would give communities (and Police’s Scotland’s own workforce) the chance to see the evidence base that shows institutional discrimination and the significant steps being taken to improve and address these issues. There is real progress, but it needs to be communicated regularly, identifying those senior leaders who are responsible for these workstreams to add an element of visibility and authenticity to the work.

Our scrutiny plan, which we published in April 2022, is the guide to our activity over the last year. Much of the focus of this work was based on evidence of the issues facing Police Scotland, feedback from stakeholders, and our own assessment of what partners in other jurisdictions have been inspecting and finding. To this end, in early 2023 we began work to inspect organisational culture and vetting in Police Scotland. This is progressing well and will deliver a suite of recommendations intended to improve the culture and trust in the workforce – both for communities and for those who serve as staff or officers.

Police Scotland and the SPA engage well with inspection teams and have shown significant effort and commitment in delivering the recommendations we make. The introduction of the requirement for self-evaluation in the last year has yet to settle, but we have already seen a greater awareness from Police Scotland about areas for improvement prior to the arrival of the fieldwork part of the inspection process. We thank the single points of contact (who facilitate the development of these self-evaluations) for their dedication in pulling all of the strands together and ensuring that quality is improving and that the senior leadership are aware of the information provided to HMICS.



A key element in many inspections in the past year (and previously), is the need to provide continuous professional development. Officers and staff are often not trained or updated on a regular basis other than the provision of an online “Moodle” package. While these packages have their place, there are many issues that require a much stronger face-to-face interaction, leading to debate and discussion among the attendees and the facilitators. Indeed, the importance of training being developed with the benefit of people with lived experience is another strong theme that has been emerging from much of our work recently. In recent inspections we have suggested that this is needed in areas including:

- domestic abuse
- hate crime
- diversion from prosecution and the effective delivery of Standard Prosecution reports
- equality and diversity

Since the Policing Together strategy will require challenging conversations across the organisation, we would hope that these can be facilitated face to face, encouraging the kind of honest discussions that acknowledge the challenges involved.

One such innovative approach to training is that developed by Inspector Jenni Stuart: the “[Inclusion Moments](#)” are short, face-to-face discussion sessions, run in teams or departments, where challenging issues are discussed. The work done by Inspector Stuart (and the recognition by the College of Policing) is a fine example of Police Scotland developing a capability and sharing this with the rest of policing, for the greater good.

Our current work plan includes inspections of organisational culture (including vetting), the demand on policing from mental health, and healthcare in custody. This work, which will report later in the year, involves significant on-site interviews and fieldwork, engagement with partner and stakeholder bodies, and developing an understanding of the demands and challenges of these issues across Scotland and the resources available to address them. We also work collaboratively with Healthcare Improvement Scotland and the Care Inspectorate to jointly deliver inspections on children at risk of harm, adult support and protection, and healthcare in custody. The commitment to these joint scrutiny agreements allows partners to understand the whole system and its effectiveness and efficiency.



In May 2022, an issue emerged where a number of drug driving case samples had not been examined in time to meet the statutory time limit to allow prosecution. HMICS was invited by the SPA to conduct an assurance review of the forensics toxicology provision. This work was not within our original scope of scrutiny work for 2022-23, but we agreed an approach that resulted in the SPA funding this piece of work. I am grateful to the Chief Executive and her team in facilitating this, and to the officers and staff of Police Scotland and the SPA forensic service for their openness and candour in facilitating this inspection. We published in April 2023, with 25 recommendations, including making suggestions to bodies outwith our defined remit. I am firmly of the belief that the whole system approach to the dangers of drug driving needs to be considered, with wider education and prevention messages at the heart of all activity in this space. The SPA has welcomed and accepted the recommendations and is currently developing an action plan. I also believe that this inspection would have benefited from the inclusion of HM Inspectorate of Prosecution Services – working in partnership with other inspectorates provides a holistic view and this would have enabled an understanding of the processes from roadside stop to conviction, and the challenges at all stages along the route.

The quarterly performance report presented to the SPA in June 2023 describes the full year's performance (not official statistics) and shows continued challenges in a number of areas, most notably significant rises in reported frauds in Scotland, which has increased by 107 per cent (8,719 crimes) from 2017/18 to 2022/23. In 2022/23, 16,879 crimes of fraud were reported in Scotland, which equates to an average of 46 cases per day. ([Police Scotland Performance report June 2023](#))

Overall, recorded crime in Scotland is down on last year and below the five-year mean. During 2022/23, the number of crimes decreased by 0.2 per cent (1,151 crimes) compared with the previous year and by 4.7 per cent (22,914.6 crimes) compared with the five-year mean. Group 1 (violent crimes) and group 3 (crime of dishonesty) were the only crime groups to show increases against last year, up 2.4 per cent (243 crimes) and 13.3 per cent (12,110 crimes) respectively.



There were 48 homicides (crimes of murder or culpable homicide (common law)) recorded in Scotland during 2022/23, comprising 47 murders and one crime of culpable homicide (common law). This was five fewer homicides than last year and 13.4 fewer than the five-year average. This year's figure is the lowest number of homicides in any year since the introduction of modern crime recording standards in the 1970s. This sustained reduction in homicides since the mid-2000s is testament to many factors, but the public health approach taken in Scotland to address violence should be recognised as a significant factor. Reducing inequality and poverty in communities would sustain and potentially enhance this position.

At a time of shrinking budgets and reducing workforce, the service delivered can often be at risk. Public confidence in the police has seen a slight decline and the interesting narrative from comments made shows a correlation between police visibility and public confidence in the service. Since this is unlikely to change, PS should communicate clearly how this will influence service design principles.

User experience surveys from those who have contacted and engaged with policing show continued satisfaction with the quality of contact, understanding and response, but poorer levels of satisfaction when asked about being kept informed by the police on case progress. Overall satisfaction levels of 70 per cent is an acceptable standard, but improvements should be made to update those who have reported crimes on the progress of their case. This was highlighted in our domestic abuse inspection, where individuals reported repeatedly trying to contact reporting officers to receive an update on their case.

The performance report also highlights the significant demand from people reported as missing to the police. Almost 18,000 people were reported missing last year, approximately 50 reports per day. Of these reports, 10 per cent are reported missing from health locations and 18 per cent from local authority young person units. A significant number (5,511) have a marker on their record showing a mental health issue. The demand from missing persons inquiries is equivalent to 909 full-time officers per year. This significant demand will be subject to inspection in the 2023-24 reporting year.



In conclusion, my assessment is that Police Scotland and the SPA have worked hard to continue to serve communities during a difficult and challenging year. The Police and Fire Reform (Scotland) Act 2012 describes the purpose of policing and includes a specific commitment to improving the wellbeing of people and places, which Police Scotland has certainly demonstrated through its contribution to the response and recovery from a public health crisis.

There is evidence that the SPA is taking its best value duty seriously, with reports to the Audit, Risk and Assurance Committee on this issue and a commitment to another full best value self-evaluation later this year, which is welcomed. Its annual assurance report also demonstrates good coverage across the SPA's four-line assurance model, which appears to be an improvement on the previous position. The SPA has commented in its business plans that it will seek further assurance from Police Scotland on its commitment to best value and how it will be displayed.

The Police Scotland approach to best value is less cohesive. There are some pockets of good continuous improvement, some elements of self-evaluation and evidence of reinvigoration of improvement tools such as European Foundation for Quality Management (EFQM) Excellence Model. However, this is not established as a cross-cutting methodology used to ensure best value within the organisation.

I am grateful to all those who participated in our inspection activity over the course of 2022-23 and to my own team at HMICS which has shown flexibility and tenacity in carrying out independent scrutiny throughout the year, with the aim of improving policing for the benefit of the public.

Of course, this year will also be remembered for the passing of Her Majesty Queen Elizabeth. The role played by Police Scotland in Operation Unicorn (the plan setting out arrangements following the Queen's death) was superbly delivered, with the many years of planning and preparation between the Royal Household, Lyon Court, government, councils and Police Scotland clear to see in the accuracy and attention to detail of every officer, member of staff and partner agency.



During the preparation of this report, the next Chief Constable of Police Scotland was announced, with Chief Constable Jo Farrell moving from Durham Constabulary to Police Scotland later this year. I congratulate her on her appointment and wish her well with the challenges that face her and the service in the coming months and years.

The tenure of Sir Iain Livingstone as Chief Constable of Police Scotland started at a time of turmoil and uncertainty. He has spent the last six years ensuring that Police Scotland is an outstanding operational organisation able to deal with everything from community issues, through major and complex crimes, to political challenges and major events. The service is recognised by many as world-leading in this regard. His departure will see a change in leadership, style and tone, but his legacy is one to be proud of. In over 30 years of policing, he has helped to establish an organisation that values its staff and strives to make the communities of Scotland safer, by delivering a service founded on integrity, fairness and respect for human rights. I wish him a long, healthy and happy retirement.

Craig Naylor

His Majesty's Chief Inspector of Constabulary in Scotland

August 2023

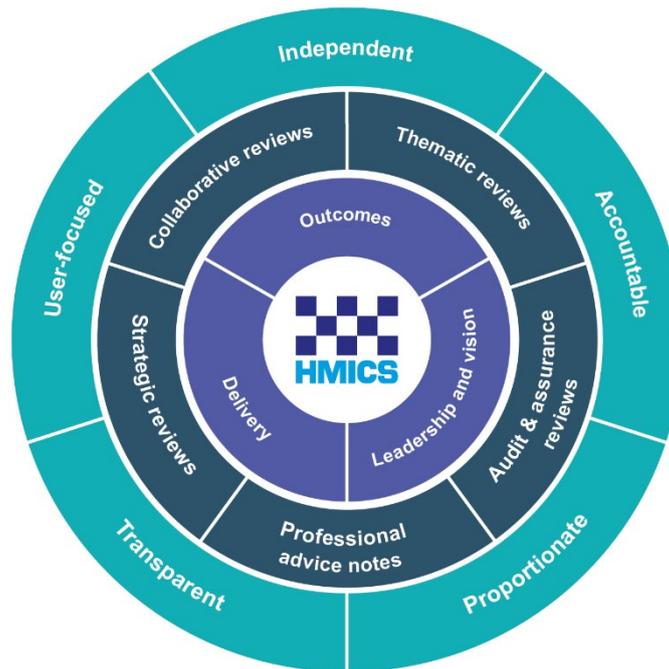


HMICS's vision, purpose, objectives and values – our plan on a page





Approach to scrutiny



We conduct our business in accordance with our values, acting independently and proportionately, focusing on how the needs of the public are served by Police Scotland, its stakeholders and the partners with whom it works. We work in an open and transparent way, and are fully accountable for what we do. We make efforts to work with cross-sector scrutiny partners and take account of the Crerar report from 2007.

Our inspection framework

Our inspection framework is based on the 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.

During 2021, we carried out a review of our corporate plan and inspection framework, together with our methodologies, governance and joint working with other public and scrutiny bodies. Our corporate plan, covering the period 2021-24 was published in February 2022, setting out our strategic objectives and outcomes. During the course of our review, we conducted extensive consultation to inform our scrutiny plan which, for the first time, spanned three years (from 2022-25). This resulted in an improvement plan that will be the focus of our inspection team over the period to 2025 and will be subject to regular reviews to ensure that the plan is meeting the risks and challenges faced in Scotland.



Scrutiny Plan 2022-25

Our scrutiny plan sets out how HMICS aims to meet its statutory purpose to inquire into the state, efficiency and effectiveness of both Police Scotland and the SPA. It was published in terms of Section 75 of the Police and Fire Reform (Scotland) Act 2012 and sets out our scrutiny priorities from April 2022 to March 2025.

This plan is designed to provide a forward look for planning purposes for Police Scotland and the SPA and will be kept under review during the three-year period to ensure that any new and emerging issues can be addressed appropriately. Our approach is to support Police Scotland and the SPA to deliver high-quality, effective services that are continually improving, effective, responsive to local needs and providing best value.

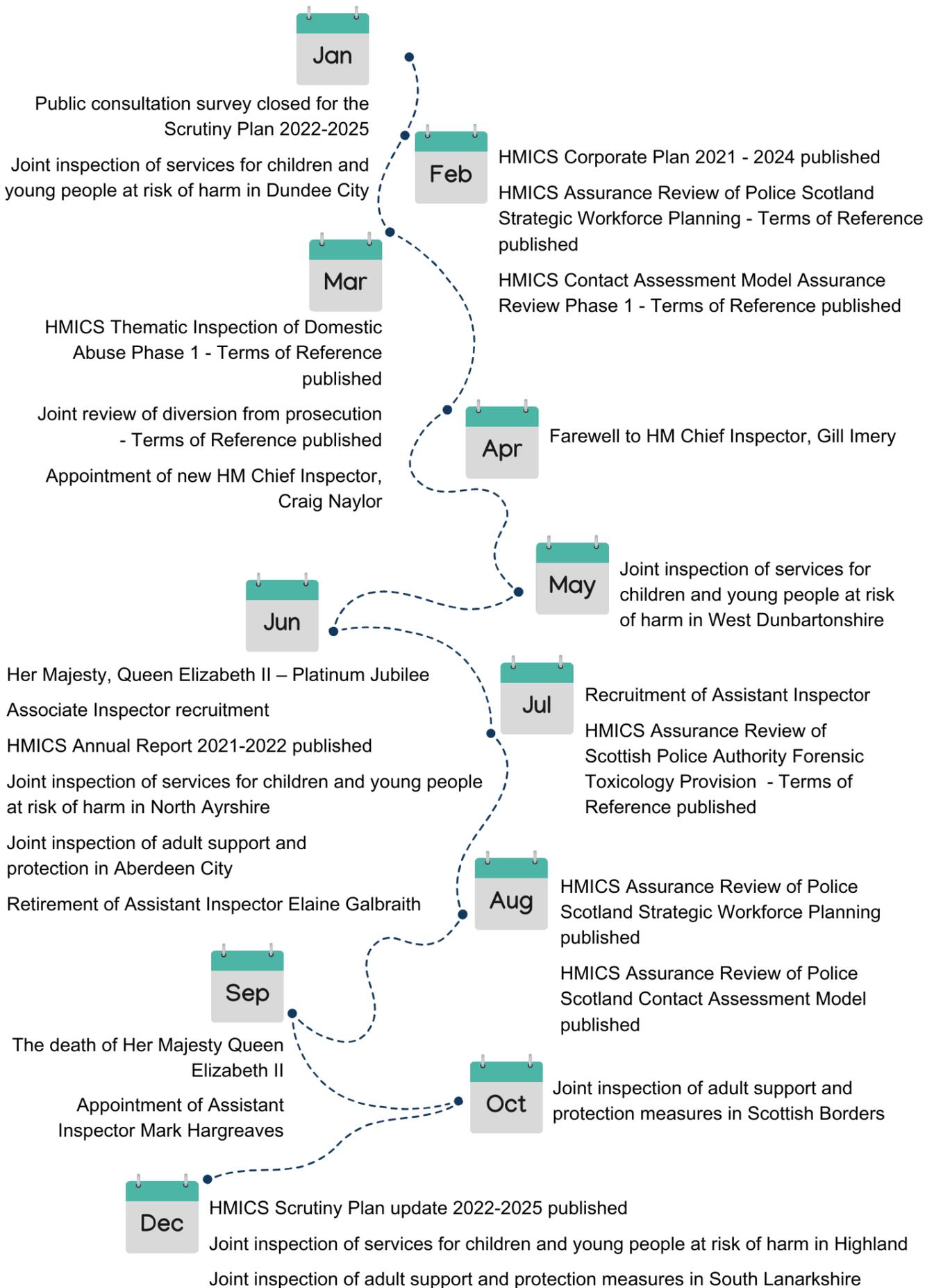
Partnership working

During 2022-23, we continued to work closely with our partners in our role as a member of the Strategic Scrutiny Group (SSG). The SSG is to be replaced by the Strategic Public Sector Scrutiny Network (SPSSN), which will continue to promote collaboration and identify shared risks, priorities and learning among Scotland's main public sector scrutiny bodies, to hold public bodies to account and support improvement in the effectiveness, efficiency and impact of public services for the people of Scotland. Scrutiny bodies involved include the Accounts Commission; Audit Scotland; Education Scotland; the Care Inspectorate; Healthcare Improvement Scotland; His Majesty's Fire Service Inspectorate; His Majesty's Inspectorate of Prisons; His Majesty's Inspectorate of Prosecution in Scotland and the Scottish Housing Regulator.

As a member of the UK NPM, we continued to contribute to the UK'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).



A year in the life of HMICS





Scrutiny activity during 2022-23

HMICS Assurance Review of Police Scotland Strategic Workforce Planning

The aim of this review was to assess the state, efficiency and effectiveness of the strategic workforce planning (SWP) process within Police Scotland.

We examined Police Scotland's approach under four headings:

- Appropriateness of the overall approach and methodology used in the development of the SWP (and supporting divisional and workstream plans) and the resulting quality of the plans
- Alignment of the SWP within the overall strategic planning framework and governance
- Application and examination of how the SWP is used to support strategic tasking and co-ordination, medium to longer term resource planning, and operational change programme/projects, maintaining the required level of operational policing capacity with the right skills mix to cope with demand on policing
- Anticipation and consideration of how well the SWP reflects projections for demand on policing services in the future in terms of securing a sustainable policing model.

We identified some fundamental cultural and strategic issues that must be addressed to fully embrace the principles of workforce planning and deliver a sustainable policing model for the future. One of these is to set aside the commitment to maintain police officer numbers at 17,234 (or any other arbitrary number), which HMICS does not believe is supported by evidence.

Effective SWP will allow Police Scotland to deliver a policing service within a defined budget, prioritise resources to meet current and predicted service demand and expectations, and address a level of ad hoc pressure and demand.

We also recommended that Police Scotland establish a clear model and plan for a future-focused target operating model, with the Force Executive giving greater clarity on workforce objectives, design principles and parameters for future service design.



HMICS welcomes the further development of the SWP approach and recognises the challenges Police Scotland faced in the production of its initial plan. We are assured that the service is committed to progressing, taking on board learning from its own processes and this review.

HMICS Assurance Review of Police Scotland Contact Assessment Model

The aim of this review was to assess how effectively the Contact Assessment Model (CAM) is delivering against the strategic benefits identified by Police Scotland in the initial business case.

This assurance review focused on the operational impact of CAM and identified areas for improvement as the service continues to progress with modernising contact and engagement.

Call handling is the primary means for the public and partner organisations to engage with Police Scotland and is a critically important aspect of policing. No other operational area of policing has received such sustained levels of scrutiny from HMICS; since 2015 we have published five reports, containing 38 recommendations.

During this time, Police Scotland has made considerable progress in the area of contact, command and control. The findings of this review were positive and endorsed the concept and ambition of CAM.

We found there has been a significant change to the manner in which Police Scotland responds to calls from the public and partner agencies, moving from a model based on policy-driven responses to an individual assessment of threat, harm, risk, investigation, vulnerability and engagement for each caller.

The potential benefits CAM hoped to deliver were adversely affected by the pandemic. This review contained eight recommendations and identified areas for improvement. It will assist Police Scotland as it looks to build on what has been accomplished by CAM and to provide a wider range of options for members of the public and partner organisations to contact and engage with the service.



This assurance review was one of the first in which HMICS introduced a self-evaluation process before the inspection team embarked on fieldwork. This new approach encourages continuous improvement and has been of benefit in ensuring inspection activity adds value.

HMICS Thematic Inspection of Domestic Abuse Phase 1

The aim of phase I of the domestic abuse inspection was to assess the state, efficiency and effectiveness of Police Scotland's response to domestic abuse, with a focus on the user experience of victims.

The review focused on the experience of victims reporting domestic abuse, through the investigative processes and up to the conclusion of the police investigation. Wider criminal justice issues impacting victims of domestic abuse, including the effect of court backlogs, will be assessed in due course.

The review contained 14 recommendations and identified areas for development to improve the service delivered to victims of domestic abuse.

HMICS Assurance Review of Scottish Police Authority Forensic Toxicology Provision

This assurance review of the SPA's Forensic Services Toxicology Section followed disclosure that drug driving cases had been marked as 'no proceedings' by the Crown Office and Procurator Fiscal Service. This was mainly due to the SPA Forensic Services Toxicology Section failing to analyse and report blood samples within appropriate timescales.

The review focused on the end-to-end processes, from roadside to court, for drug driving. It provided an overview of the issues leading to the drug driving cases that were unable to be prosecuted, with an assessment of the effectiveness surrounding the processes in place for obtaining, analysing and reporting drug driving blood samples to support criminal proceedings.

The report contained 25 recommendations and identified areas for development to improve the provision of service in relation to drug driving. Plans are currently being undertaken to create an action plan for improvement activity (expected to be available in July 2023).



Joint scrutiny activity

Joint inspections of adult support and protection services

These joint inspections, led by the Care Inspectorate in collaboration with HMICS and Healthcare Improvement Scotland, form part of a national inspection programme that seeks to focus on whether adults at risk of harm within a specific geographic partnership area are safe, protected and supported.

This phase of the programme has been in place since 2020 and, following the completion of the final partnership areas in June 2023, will provide a comprehensive assessment of the effectiveness and efficiency of adult support and protection services in Scotland. During the HMICS reporting period, 12 further inspections were completed and published on the [Care Inspectorate website](#)

Key areas of focus have emerged during the programme, and scrutiny partners worked together to produce an [interim overview report](#) based on the completed inspections to ensure thematic areas for development and good practice was identified.

This phase of the programme is scheduled to be completed by July 2023, when findings from the 26 partnership inspections (including a thematic report from 2017-18) will inform a final overview report to the Scottish Government. This will identify further areas of scrutiny to maintain our commitment to improving joint services to adults in Scotland, to be taken forward in conjunction with key scrutiny partners.

Joint inspection of services for children and young people at risk of harm

The remit of these joint inspections is to consider the effectiveness of services for children and young people (up to the age of 18) at risk of harm. The inspections look at the differences community planning partnerships are making to the lives of children and young people at risk of harm, and their families.

These inspections are led by the Care Inspectorate alongside inspectors from HMICS, Healthcare Improvement Scotland and Education Scotland. Teams also include inspection volunteers, who are young people with direct experience of care or child protection services.



The inspections cover specific geographical areas (like the adult support and protection inspections) and perform a key role in supporting services for children and young people. The five partnership areas inspected in the current reporting period are published on the [Care Inspectorate website](#).

We have a long-term commitment in this crucial area and will continue to work with our scrutiny partners and those responsible for the provision of services to support children and young people at risk of harm, to ensure the highest possible standard of service is delivered and maintained.

Joint national baseline review of healthcare provision within police custody centres in Scotland

The aim of this joint review was to determine the existing provision of healthcare services to people detained within police custody centres across Scotland to help inform our planning of future joint inspections of police custody centres by HMICS and Healthcare Improvement Scotland.

The report outlined examples of good practice that we found during our review and made recommendations relating to the planning and delivery of healthcare where we believe improvements could be made. The development of a framework through which we will jointly inspect custody centres, will provide an opportunity for service provision to be inspected against a common standard to help improve health and care outcomes for detainees. The review contained seven recommendations aimed at improving healthcare provision and achieving better outcomes for people in police custody.

The first joint inspection was published in April 2023 in the [Lanarkshire](#) area. This was the first inspection to use the new joint methodology and provided recommendations to both Police Scotland and NHS service providers.



Joint review of diversion from prosecution

The aim of this review was to assess the operation and impact of diversion from prosecution in Scotland. It sought to provide an overview of diversion practice from a policing, prosecution and justice social work perspective, highlighting what was working well and exploring any barriers to the more effective use of diversion.

To reflect the importance of partnership working in this area of community justice, it was carried out jointly by HM Inspectorate of Prosecution in Scotland (IPS), HMICS, the Care Inspectorate (CI) and HM Inspectorate of Prisons for Scotland (HMIPS).

It highlighted that diversion from prosecution, designed to address the underlying causes of offending behaviour, was well established as an effective intervention for those aged under 18, but that more could be done to promote confidence in its use for adults.

There was scope for improvement in how diversion from prosecution operates and the report contained 34 recommendations. These are intended to support the diversion partner agencies to continue to plan and deliver diversion services more effectively, to manage diversion efficiently across agencies, and to maximise diversion while maintaining confidence in its use as an appropriate response to offending behaviour.



Assessing the outcomes from our activities

HMICS activity is aligned to those values detailed within the Scottish Government's National Performance Framework, namely: we are a society that 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 live in communities that are creative and their vibrant and diverse cultures are expressed and enjoyed widely
- We grow up loved, safe and respected so that we realise our full potential
- 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 carry out follow-up work to assess evidential requirements and monitor the progress of recommendations through regular liaison with Police Scotland and SPA. We also identify good practice that can be rolled out across Scotland.

Throughout 2022/23, Police Scotland and the SPA carried out a significant amount of work to address outstanding recommendations, some of which were made a long time ago. In total, we agreed to discharge 42 recommendations from inspections completed between 2015 and 2021. In the course of our inspections during 2022/23, we made a further 45 recommendations to Police Scotland, the SPA and Scottish Government, some individual, others joint.



At the end of March 2023, 84 recommendations were outstanding. These go back as far as 2015 (including Scottish Government proposals to address issues on multi-agency protection arrangements (MAPPA)), with the SPA having one recommendation outstanding from 2017 (on forensics services) and Police Scotland one from February 2018 (from the strategic review of undercover policing).

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. This year saw the first NPM conference since the pandemic. Members met and considered future work plans and how to work more collaboratively across public sector scrutiny bodies.

HMICS website

In our 2021-22 improvement programme, we identified the HMICS website as an area for improvement – not simply to update the available information, but to present a more transparent view of the work we do and to offer the reader a new, interactive experience when visiting the site. This development is about to get underway and we hope to launch our new offering in the second half of 2023.



Facts and figures

HMICS staffing model 2022-23

The position of HM Chief Inspector of Constabulary in Scotland (HMCIC) is held by Craig Naylor who leads the following team:

Assistant Inspector of Constabulary	Mark Hargreaves
Lead Inspector	Tina Yule
Lead Inspector	Brian McNulty
Lead Inspector	Ray Jones
Lead Inspector	Jill Harper
Lead Inspector	Maggie Pettigrew
Support Inspectors	Trisha Clark Martin Mccole
Improvement and Scrutiny Programme Co-ordinator	Rhona Ford
Research and Design Manager	Joanna Gardner
Business Support Manager	Keri-Anne Balfour

Further details about our team can be found on the [‘Meet Our Team’](#) section of our website.

Throughout 2022-23, we continued to strengthen our capacity for inspection and 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 2022-23

HMICS is funded entirely by the Scottish Government in respect of staff, accommodation, equipment and other expenses.

Our budget for 2022-23 was £1,060,000. In addition, we received a credit of £200,000 for project work, together with £89,000 (reimbursed by the Care Inspectorate) for our contribution to the adult support and protection inspection programme. Therefore, our available budget for 2022-23 was £1,349,000.



Our spend for the year was £1,393,088, which represents an overspend of £44,088 (due to additional inspection costs and unforeseen legal fees). We have since had £36,000 reimbursed by the SPA to cover some of the costs incurred by an additional inspection not included within our scrutiny plan.

HMCICS expenses 2022-23

The total expenses incurred and claimed by HM Chief Inspector of Constabulary in Scotland in the financial year 2022-23 was £4,307. These costs were incurred due to the increased need to travel as COVID-19 restrictions lifted.



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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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