



## HM Inspectorate of Constabulary in Scotland

Improving Policing across Scotland

**Written submission from Her Majesty's Inspectorate of Constabulary in Scotland to the Scottish Parliament's Justice Sub-Committee on Policing**

### Evidence session on Police Scotland's use of remote piloted aircraft systems, also known as drones, and body worn video cameras, 18 January 2021

Thank you for the opportunity to provide views to inform the evidence session. HMICS is supportive of technological advances that will allow more effective and efficient operational policing to be delivered. I would, however, expect an appropriate consultation and engagement strategy, along with impact assessments relating to -

- Equality and human rights;
- Data protection;
- Privacy and ethical issues; and
- Community impact

to have been undertaken prior to the roll out and use of such technology.

I am represented on the newly formed Scottish Government Independent Advisory Group on emerging technologies in policing, and am reassured by the establishment of this group. This will provide a framework to consider the potential impact emerging technologies or analytical techniques could have on Police Scotland's detection and prevention of crime, and whether there may be associated impacts on an individual's human rights. The group will also determine whether the legal and ethical frameworks currently used by Police Scotland are sufficiently robust to allow for the proportionate and justifiable deployment of such technologies or techniques.

HMICS would also expect effective governance of Police Scotland's use of emerging technologies to be exerted by the Scottish Police Authority. In our Thematic Inspection of the Scottish Police Authority<sup>1</sup>, we highlighted the lack of clarity as to the continuing role and remit of the Justice Sub-Committee on Policing, which some consider to be duplicating, or compensating for shortcomings in, the scrutiny role of the Scottish Police Authority, and often focusing on operational matters.

Recommendations 8 and 11 of the Scottish Police Authority report state:

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<sup>1</sup> [HMICS Thematic Inspection of the Scottish Police Authority](#), September 2019

- The Scottish Police Authority executive team should develop proposals for effective governance of change and transformation, bringing forward proposals as a matter of urgency.
- The Scottish Police Authority requires to set out in detail how it will exercise its duty to hold the Chief Constable to account through its system of governance.

Recommendation 8 has been discharged while recommendation 11 remains outstanding.

Turning to the specific issues of remote piloted aircraft systems and body worn video, HMICS has not undertaken inspection activity on either topic, although in 2012 an 'Effective Practice Assessment'<sup>2</sup> was carried out in relation to body worn video.

Body worn video has been in use in different parts of the country to varying degrees for some considerable time. The 2012 HMICS 'Effective Practice Assessment' was carried out within the Strathclyde Police and Grampian Police areas, where body worn video had been deployed to target anti-social behaviour. This assessment highlighted how this technology had increased early guilty pleas, increased public reassurance and contributed to reducing crime. Body worn video has been deployed routinely in the North East of Scotland since, but less so in other parts of the country. HMICS would expect the learning from the deployment of body worn video in the North East of Scotland to inform any expansion of its use throughout Scotland.

The Dame Elish Angiolini Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing<sup>3</sup> highlighted a number of benefits of body worn video, notably that it would provide greater transparency and allow complaints to be dealt with in an accelerated manner. The report recommended:

- Police Scotland should accelerate its plans to expand the use of body-worn video technology.

In our Joint Inspection of Emergency Criminal Justice Provisions<sup>4</sup>, carried out earlier this year with HM Inspectorate of Prosecution in Scotland, we highlighted the need for investment in supporting technology across the criminal justice system. Whilst this related to the running of summary trials, the impact of an expanded roll-out of body worn video on criminal justice partners would need to be considered. In particular the ability of criminal justice partners to accept what would be a considerable increase in digital evidence would require to be assessed and it is likely that investment in the wider criminal justice system would be required.

I am aware that concern has been expressed regarding the parameters of use of remote piloted aircraft systems. HMICS see the introduction of this technology as an expansion to the capacity of the force air support unit. It is my view that the operational benefits of this technology are considerable. If it is to be used to its maximum benefit, the operational decision of the Chief Constable to deploy it should not be fettered. There are governance arrangements in place for police air operations, most notably through the Civil Aviation Authority. As stated above, HMICS would also expect the governance arrangements of the Scottish Police Authority to hold the Chief Constable to account in relation to deployment of remote piloted aircraft systems, ensuring such deployments are legitimate, justifiable, proportionate and in line with all legislative requirements that relate to the policing purpose.

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<sup>2</sup> [HMICS Body Worn Video Effective Practice Assessment](#), April 2012

<sup>3</sup> [Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing](#), November 2020

<sup>4</sup> [HMICS Joint inspection of emergency criminal justice provisions](#), September 2020

Thank you for the opportunity to comment ahead of the evidence session. HMICS looks forward to being involved in providing independent assurance on these matters in due course, however I trust these comments are useful in advance of the evidence session on 18 January 2021.

Gill Imery QPM  
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HMICS

7 January 2021