



HM INSPECTORATE OF CONSTABULARY IN SCOTLAND

Annual Report 2016-17



Improving Policing Across Scotland





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HM Inspectorate of Constabulary in Scotland

HM Inspectorate for 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.

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.

HMICS is a member of the UK's National Preventive Mechanism (NPM), a group of organisations designated under the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) to monitor places of detention and report on the treatment of and conditions for detainees. As a member of the NPM, HMICS carries out regular inspections of police custody in Scotland and publishes reports identifying good practice and making recommendations for improvement.

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

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



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Assessment of policing in Scotland

I am pleased to present my fourth annual report as Her Majesty's Chief Inspector of Constabulary in Scotland. This provides an update on how Her Majesty's Inspectorate of Constabulary in Scotland (HMICS) has carried out its statutory function for the period of 1 April 2016 to 31 March 2017 and details its activity since my previous Annual Report, which was published on 22 December 2016.



My report highlights how HMICS continues to meet the scrutiny challenges of an ever-changing policing landscape and deliver against the Scrutiny Plan.² In addition to reporting on HMICS activity in the past year, I have offered an assessment of policing in Scotland and commented on the performance of Police Scotland and the Scottish Police Authority (SPA) during 2016-17.

Operational performance remains strong for the fourth year of the single service, with officers and police staff at all levels committed to providing a good service to communities across Scotland. Users of policing remain positive about their experience, with 81% stating their confidence in the service was high or very high, and 87% indicating that they had been treated fairly and with respect by Police Scotland.³

Crime across Scotland remains at its lowest levels since 1974,⁴ with a further 3% reduction in reported crime in 2016-17. While there have been sustained reductions in most crime types, there was a 5% increase in reported sexual crimes in 2016-17. Around a fifth of the recorded sexual crimes in 2016-17 included the use of the internet, often involving younger victims. Non-sexual crimes of violence increased for the second consecutive year, this time by 6%. While any increase in violent crime is unwelcome, overall it has fallen by 55% since 2003 and still represents one of the lowest levels since 1974. Crimes of dishonesty fell by 2% in 2016-17, continuing the downward trend since 1991.

Although these long-term reductions in crime are to be welcomed, the nature of crime has changed, with increasingly more offences being committed or facilitated by the internet. Experimental statistics resulting from the introduction of new questions to the Crime Survey for England and Wales indicated a significant additional volume of fraud and computer misuse crime, alongside the previous measure of crime from the survey.⁵ These statistics are likely to mirror the actual level of fraud and computer misuse in Scotland and raise important issues around the nature and extent of crime being experienced by communities, as well as the current arrangements for reporting and recording them. Improvements in the policing response to victims of cybercrime and enhanced recording practices will inevitably impact on the historic reductions in reported crime.

Last year I commented on the changing nature of policing and the proportion of demand that is non-crime related. This trend continued through 2016-17 with an increase in the total number of incidents recorded. Vulnerability and dealing with people in mental health crisis continues to impact on local policing and Police Scotland is working actively with health service partners to address this. The refreshed Scottish Government *Justice Vision and Priorities*⁶ includes a commitment to health and wellbeing and a new board has been established that brings together strategic leaders from both justice and health to co-ordinate the much-needed development of new collaborative approaches.

² HMICS, [Scrutiny Plan 2017-18](#).

³ Police Scotland, [Management Information Force Report: Quarter 4 2016/17](#).

⁴ Scottish Government, [Recorded Crime in Scotland, 2016-17](#).

⁵ Office of National Statistics - [Crime in England and Wales: Bulletin Tables](#) - The CSEW estimated that there were 10.8 million incidents of crime in the latest survey year (to end June 2017), comprising 5.8 million traditional crimes (violence crime and household crime etc) and 4.9 million fraud and computer misuse offences,

⁶ Scottish Government, [Justice in Scotland: Vision and Priorities](#) (July 2017).



In March 2017, HMICS published a Strategic Overview⁷ of the forensic medical services provided to the victims of sexual crime and a Joint Ministerial Taskforce was established to take forward our recommendations. This approach highlights the importance of driving improvement through the needs of individuals and not organisational silos.

I have previously reported that the first three years of police reform concentrated on consolidation and delivering operational stability. Whilst this was legitimate and reduced risk in implementing the initial phase of police reform, I have been clear that Police Scotland and the SPA needed to embark upon a transformative phase. A major milestone since my last Annual Report has been the jointly produced 10-year strategy for policing in Scotland – *Policing 2026*.⁸ I welcome the publication of this strategy, which was developed through meaningful engagement with stakeholders and communities across Scotland and, for the first time, sets a long term strategic direction to strengthen operational and financial sustainability.

However, to be successful, *Policing 2026* must be underpinned by a professionally managed implementation plan. There is also a need for a financial strategy that accurately identifies the level of investment required to transform policing and achieve the longer-term savings. Police Scotland has recruited senior police staff with professional experience in managing change and has been gradually building its capability and capacity to manage the delivery of *Policing 2026*. I support this investment and acknowledge that the time taken for the staff to be recruited and establish themselves has inevitably resulted in delays in developing the detailed programme.

Police Scotland presented an initial three-year Implementation Plan⁹ to the SPA in December 2017. I welcome the publication of this plan, although accept it remains a work in progress and will require further development to provide the level of detail needed by Police Scotland and the SPA to scrutinise delivery. The plan is also weak on financial information and the costs associated with delivering change. Police Scotland recognises this and is committed to providing an updated version in March 2018, alongside a more detailed financial plan.

I previously reported that the SPA and Police Scotland had taken a narrow approach to the scrutiny of major change and recommended their programme governance be strengthened. While Police Scotland has recently established new internal governance structures for managing *Policing 2026*, there has been little or no progress within the SPA. I am aware that this will be addressed by the new Chair and that there is a commitment to establish effective governance structures, which will both support delivery and allow for the public scrutiny of major change.

In addition to the major change planned under *Policing 2026*, there is a requirement to deliver the transfer of railway policing in Scotland from British Transport Police to Police Scotland. HMICS has recently published a strategic overview report,¹⁰ which identifies issues that need to be addressed to ensure the transfer is successfully delivered and meets the needs of the travelling public. Following advice from HMICS, the SPA has included the transfer as part of the wider portfolio of change being managed by Police Scotland under *Policing 2026*. The SPA will provide opportunities for the public scrutiny of the transfer and I would encourage greater transparency over the benefits, dis-benefits, risks and costs.

In terms of sustainability, major financial challenges persist. Audit Scotland recently published its 2016-17 audit of the SPA¹¹ and noted this was the first year in the short history of the SPA that the auditor did not make a modified opinion on the accounts. Although the report welcomed progress in terms of financial management, it identified instances of poor governance and the poor use of public money, which was considered unacceptable.

⁷ HMICS, [Strategic Overview of Provision of Forensic Medical Services to Victims of Sexual Crime](#) (March 2017).

⁸ Police Scotland, [Policing 2026: Our 10 year strategy for policing in Scotland](#) (2017).

⁹ Police Scotland, [Serving a Changing Scotland, Creating capacity to improve – Implementation Plan 2017-2020](#).

¹⁰ HMICS, [Strategic overview of British Transport Police in Scotland including the proposed transfer to Police Scotland](#) (published December 2017).

¹¹ Audit Scotland, [The 2016/17 audit of the Scottish Police Authority](#) (December 2017).



The report showed that the policing budget in 2016-17 was overspent by £16.9m (1.6% of the total budget), with overspends in both revenue and capital. The overspend would have been larger had the SPA not received a payment of £13.6m as part of a negotiated settlement from the termination of an ICT programme. Audit Scotland previously had been critical of the limited publicly available detail about what the 2016-17 budget allocation would deliver, although noted that the process for setting the 2017-18 budget was more transparent, comprehensive and provided frank commentary on the scale of the financial challenge with a forecast deficit of £47.2m.

Notably, the SPA has made progress in developing its long-term financial strategy and in September 2017, considered three-year and 10-year financial strategies.¹² It plans to consider more detailed financial strategies in March 2018. Audit Scotland has recognised these strategies are an important first step and provide essential context and understanding for the organisation's future financial sustainability and delivery of *Policing 2026*. These financial strategies need to be underpinned by corporate strategies for fleet, estates, ICT and workforce, which are all at different stages of development.

Policing 2026 makes a clear commitment towards developing a diverse workforce. I have consistently reported on the reduction in skilled police staff and the increased use of police officers in corporate functions and in other settings. I welcome the development of a workforce strategy that articulates the optimum balance of both officers and police staff needed to meet the demands of modern policing. However, this will require Police Scotland to better understand the demand for policing across Scotland to more accurately inform future decisions about deployment. It is important that Police Scotland has sufficient flexibility to work with the SPA to agree officer and police staff numbers. They should not be constrained by a political focus on officer numbers.

In my previous annual report, I was critical of the SPA decision to hold committee meetings in private and later committed to carry out my first statutory inspection of the authority. Following concerns raised by the Scottish Parliament Public Audit and Post-Legislative Scrutiny Committee and the Justice Sub-Committee on Policing, I was requested by the Cabinet Secretary for Justice to bring forward those aspects of my inspection which related to issues of transparency and accountability.

I published my inspection report¹³ in June 2017, making 11 recommendations for improvement, including a recommendation that committees revert to public meetings. I observed that effective scrutiny of policing in Scotland is essential in maintaining both legitimacy and public confidence. Although there had been positive improvements under the Chair, I considered that the parliamentary scrutiny and media concerns over openness and transparency had weakened public confidence in the SPA and detracted from its ability to perform its statutory function.

My inspection identified shortcomings in the capacity of the Chief Executive and senior managers to provide the level of expert advice and support needed by the Board. I also found dysfunction in the relationship between the Chair and Chief Executive, and identified challenges for the Chief Executive and his senior management team in managing long-term secondments and absences. I believed these were impacting on the effectiveness and efficiency of the SPA to perform its statutory function. In June 2017, the Cabinet Secretary for Justice announced an independent review of the SPA executive structures. This review is scheduled to report early in 2018 and should contribute to the necessary improvement.

In June 2017, the Chair of the SPA announced that he would step down, although he remained in post until December 2017 to allow for the appointment of his successor. In December 2017, the Chief Executive accepted early retirement from the SPA and has been replaced by an interim Chief Officer.

¹² SPA, [3 Year Financial Plan](#) and [10 Year Financial Strategy](#) (Draft).

¹³ HMICS, [Thematic Inspection of the Scottish Police Authority – Phase 1 Review of Openness and Transparency](#) (June 2017).



I welcome both new appointments and have been encouraged by their leadership and early commitment to work more collaboratively and drive improvement at pace. Professor Susan Deacon, as the new Chair, has made public statements around her passion for openness and transparency and the need for the SPA to 'turn outwards'.¹⁴ She has highlighted the need to get the right people, the right relationships and the right trust and confidence in place. Importantly, she has signalled her intention to work with the public, listen to police officers and police staff, and engage with their concerns as effectively as possible. While the Chair will be focusing on turning the SPA outwards, the Interim Chief Officer has been tasked with looking inwards to strengthen the capability, capacity and the systems, practices and culture within the SPA. HMICS will support this work and draw on our on-going scrutiny to identify improvement and provide expertise to deliver the necessary change.

I believe it is essential for the success of policing in Scotland that the SPA can quickly establish itself as a competent, credible and collaborative organisation that can both support and challenge Police Scotland. There is a critical leadership role for the new Chair to speak authoritatively on policing and build a wider understanding and shared commitment among the Scottish public, policy makers and stakeholders about what the future of policing can look like.

Leadership within Police Scotland is also critical to the success of policing and the recent complaints and investigations into the conduct of chief officers have drawn considerable political and media comment. It is important for public confidence in policing that all complaints against senior officers are robustly and independently investigated. Legal processes must be able to progress in a manner that is proportionate and protects all parties from unwarranted media speculation. However, there are lessons to be learned over the recent handling of chief officer complaints, especially around the timing of public announcements when complaints are referred for investigation.

Whilst I fully accept the legitimate media interest in reporting on alleged misconduct of chief officers, it cannot be in the public interest for the detail of these complaints to be played out so publicly, whilst they are still being actively investigated. Media coverage fuelled by speculation and ill-informed commentary not only has the potential to affect adversely the confidence of the public in policing, but has a significant impact on the lives and families of those who have come forward to make complaints, those who are subject to complaints and others who may be potential witnesses. I am concerned that the premature publicity around investigations may discourage those who wish to raise genuine complaints. The sustained media attention on senior police officers in Scotland may equally discourage quality individuals from coming forward in the future to take on these crucial leadership roles.

Despite the current situation with chief officer complaints, I agree with the view of the Scottish Police Federation that there is currently no crisis in policing. I believe Police Scotland is well-served by the many senior officers, team leaders and support staff managers who provide essential day-to-day leadership across the country. Our on-going scrutiny of Police Scotland has consistently shown that police officers and police staff at all levels remain committed to delivering policing to our communities. I also welcome the action taken by the SPA to bolster the current Police Scotland chief officer team with two temporary assistant chief constables. This will strengthen operational resilience and, importantly, provide additional capacity within the team to progress the transformation needed to deliver sustainable policing.

¹⁴ SPA, [Chair speaks to International Policing Conference](#), 14 December 2017.



As I have previously reported, effective localism and genuine engagement with communities remain fundamental to the success of Scottish policing. Our inspection activity and engagement with COSLA and local authorities across Scotland shows that relationships with local commanders are strong and that the recent changes in community planning and community empowerment are providing opportunities to streamline local scrutiny. The *Policing 2026* strategy makes a clear commitment for Police Scotland to strengthen approaches to community engagement and participation, ensuring that local services are effectively planned in partnership with communities. I welcome this commitment and the inclusion of the *Local Approaches to Policing* as a major programme of change.

Our scrutiny activities from 2016-17 are detailed within this report and include inspections into local policing, counter corruption, call handling, counter terrorism and stop and search. We also completed our second major audit of crime recording and looked at the forensic medical services provided to the victims of sexual abuse. We continued our joint inspections with the Care Inspectorate into services for children and young people. As part of our membership of the National Preventive Mechanism (NPM),¹⁵ we inspected several police custody facilities. Since April 2017, we also published reports into the openness and transparency of the SPA, forensic services and released a progress update on our joint inspection of multi-agency public protection arrangements.

In November 2017, I announced my intention to retire as HM Chief Inspector of Constabulary in Scotland and this will be my last annual report. I have been immensely proud to have led HMICS for over four years and to have been so well supported by a dedicated and professional team who have all worked extremely hard to deliver against a demanding Scrutiny Programme. We have all endeavoured to improve policing across Scotland and collectively re-established HMICS as a key scrutiny body in the new policing landscape.

I would also like to acknowledge the support from the many stakeholders in policing with whom I have worked over the years and their commitment to supporting our work. I am particularly grateful for the productive relationships and honest insight provided by the Scottish Police Federation, Association of Scottish Police Superintendents and Unison.

After 33 years in policing, I believe the time is now right for me to move on to new professional challenges and I will leave office on 31 March 2018. During my remaining time in post, I am keen to focus on supporting the new Chair and Interim Chief Officer of the SPA and the executive team of Police Scotland in addressing current priorities.

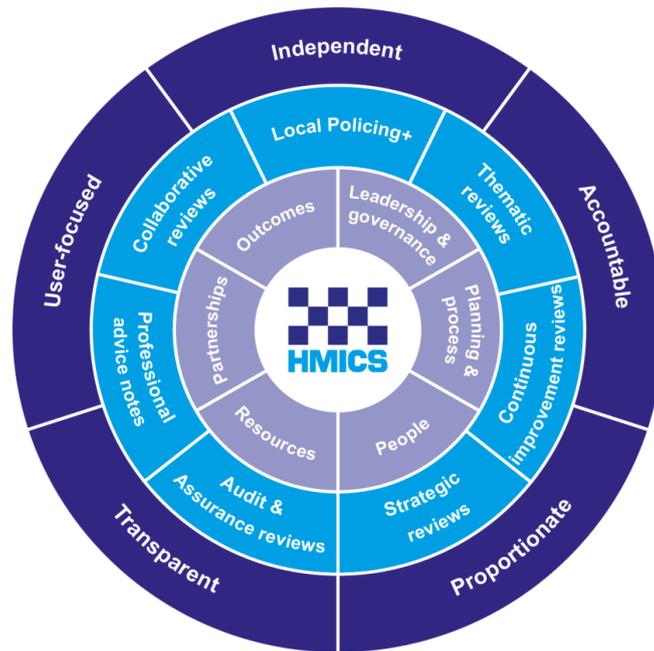
Derek Penman QPM

HM Chief Inspector of Constabulary in Scotland
December 2017

¹⁵ For more information, see the HMICS website at [National Preventative Mechanism](#).



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 recently published Corporate Strategy 2017-20¹⁶ sets out our purpose, values, approach and key objectives for the next three years 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
- We add value and strengthen public confidence
- We work collaboratively with others to share expertise and scrutinise areas of shared interest
- We are committed to our own continuous improvement.

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

Our Inspection Framework

In the 2016-17 scrutiny year we began a review of the HMICS Inspection Framework. 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. The review has allowed HMICS an opportunity to reflect on our experience of inspection and to consider changes in the wider context of inspection and self-evaluation. An updated inspection framework will be published on our website during the 2017-18 scrutiny year.

¹⁶ HMICS, [Corporate Strategy 2017-20](#).

Scrutiny activity

We conducted a range of scrutiny activity to assess the state, effectiveness and efficiency of Police Scotland and the SPA throughout 2016-17. We continued to use Thematic Reviews to examine cross-cutting issues, specifically with the Strategic Overview of Provision of Forensic Medical Services to Victims of Sexual Crime.

We carried out assurance reviews to scrutinise a number of areas in more detail, including a review of the Police Scotland Counter Corruption Unit and follow up reviews of call handling and stop and search. Our Crime Audit 2016 was conducted to provide assurance around accurate and ethical crime recording.

We continued with our programme of Local Policing+ inspections with an inspection of Dumfries and Galloway Division, which included an assessment of the management of cross-boundary crime.

We also carried out an inspection of the custody centres at Aikenhead Road and London Road, Glasgow to provide assurance about the delivery of custody at both centres and to assist Police Scotland's Criminal Justice Services Division in developing its own, internal audit processes. As a member of the UK National Preventive Mechanism (NPM), this contributed 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).

Further details about all our scrutiny activity in 2016-17 are outlined below.

Partnership working

During 2016-17, HMICS worked closely with our partners, including the Scottish Government, the Police Investigations and Review Commissioner (PIRC), the Scottish Institute for Policing Research (SIPR) and other academics.

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 Audit Scotland, is a forum for HMICS and other scrutiny bodies to discuss key strategic scrutiny developments and identify opportunities for aligning assessment frameworks and methodologies. Through this network, HMICS identified a number opportunities for joint scrutiny activity, for example custody inspections with Healthcare Improvement Scotland, joint inspections of children's services with the Care Inspectorate and work on mental health with the Inspectorate of Prosecution in Scotland.



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 did this during the 2016-17 scrutiny year in our Independent Assurance Review Police Scotland – Counter Corruption Unit through a focus group with police officers who had been subject to CCU investigations.

In undertaking our Strategic Overview of Provision of Forensic Medical Services to Victims of Sexual Crime, we gained the perspective of service users through access to the anonymised feedback collated by Rape Crisis Scotland, views of Police Scotland's Sexual Offences Liaison Officers, experiences of those who attended Archway Sexual Assault Referral Centre and through feedback from organisations who support children and young people.

For the first time during our Local Policing+ Inspection Programme Inspection of Dumfries and Galloway Division, we used a public consultation exercise in an attempt to obtain a service user perspective of policing in Dumfries and Galloway. Details were circulated via local media and to key stakeholders inviting individuals to complete the on-line survey. There were 270 responses, representing less than 0.2% of the population of Dumfries and Galloway, highlighting the challenges in reaching a wide audience for the purpose of consultation. Police Scotland has sought to develop and improve its consultation processes to ensure as wide an audience as possible has the opportunity to contribute to local priority setting. Its approach has included establishing an Annual Police Plan Co-ordination Group and the introduction of a new public consultation model.

Scrutiny activity during 2016-17

Our scrutiny activity is not restricted to the reporting period (April 2016 to March 2017) with fieldwork, assessment and analysis of our findings and quality assurance of our reports often transcending this period. Furthermore, we comply with the requirements of the Police and Fire Reform (Scotland) Act 2012 and lay our reports before the Scottish Parliament and strive to do so outwith the period of recess.

Between 1 April 2016 and 31 March 2017, we published seven scrutiny reports (see Table A). During this same period, we commenced the following scrutiny activities (see Table B). Reports will be published following completion and reported upon in the 2017-18 annual report.

A synopsis of the seven reports published this year is outlined below.

Table A: Scrutiny reports published between 1 April 2016 and 31 March 2017

Local Policing+ Inspection Programme Inspection of Dumfries and Galloway Division	17 May 2016
Independent Assurance Review – Police Scotland Counter Corruption Unit	27 June 2016
Inspection of custody centres at Aikenhead Road and London Road, Glasgow	19 July 2016
Crime Audit 2016	21 September 2016
Independent Assurance Review Police Scotland – Call Handling: Update Report	24 January 2017
Audit and Assurance Review of Stop and Search: Phase 2	22 February 2017
Strategic Overview of Provision of Forensic Medical Services to Victims of Sexual Crime	30 March 2017

The following summarises the aims and outcomes of this scrutiny activity:

Local Policing+ Inspection Programme Inspection of Dumfries and Galloway Division

Published: 17 May 2016

Summary:

This inspection was the fourth in our Local Policing+ Inspection Programme and was aimed at assessing the state, effectiveness and efficiency of local policing in Dumfries and Galloway Division. During our inspection, we also examined in greater detail the division's management of cross-boundary crime.

Our report contained four recommendations but overall we found that police officers and staff in Dumfries and Galloway had a strong sense of local identity and work hard to provide an efficient and effective service to their communities. We also established that crime rates in the division were among the lowest in Scotland, while detections were the highest in the country. The division had a good approach to partnership working and developed local solutions to address a wide range of issues. In particular, we welcomed their approach to school-based initiatives.

During our inspection of each local policing division, we also review custody facilities as part of our on-going role in the National Preventive Mechanism to assess the treatment and conditions for those detained. We carried out unannounced inspections at the main custody centres in Dumfries and Stranraer, while another eight ancillary custody facilities were also visited.



We found that the custody centres were well managed and the detainees commented positively on their treatment. We made three recommendations relating to monitoring the length of time immigration detainees spend in police custody and the future of some of the ancillary custody facilities.

Due to the extensive rural nature of the division, its boundaries with England and Northern Ireland, and the major road networks which pass through it, we also looked in greater detail at how the division manages cross boundary crime. We concluded that there were established and effective relationships within Police Scotland, and with other UK forces and partner agencies. There was also evidence of the effective management of intelligence and co-ordinated preventive activity, and with some notable successes in terms of enforcement activity.

Our report can be accessed on our [website](#)

Independent Assurance Review – Police Scotland Counter Corruption Unit

Published: 27 June 2016

Summary:

The assurance review of Police Scotland's Counter Corruption Unit (published 27 June 2016) attracted significant media, public and political interest. In response, a summary of the assurance review was provided in the 2015-16 annual report. The full report can be accessed via the HMICS website.

This review was requested by the SPA in response to a finding by the Interception of Communications Commissioner's Office (IOCCO) that there had been contraventions of the Acquisition and Disclosure of Communications Data, Code of Practice 2015 in respect of five applications for communications data submitted by Police Scotland. Essentially, these related to one investigation being undertaken by Police Scotland's Counter Corruption Unit (CCU). Although our review did not re-examine this finding by the Commissioner, we took the opportunity to examine the wider investigation conducted by the CCU into the circumstances which initially gave rise to these applications. The intention behind our review was to independently determine the facts and to identify practical lessons that will assist in improving police counter corruption practices in Scotland.

It is important to recognise that corruption within UK policing is rare and while it is clear that the majority of police officers and members of police staff are professional, and that corruption is not widespread in the police service, there remains a small but pernicious element whose corrupt actions have a negative effect on public confidence. We recognise the legitimate need for Police Scotland to protect itself, its people and its information against the risk from corruption. However, in order to maintain public confidence in policing, the tactics employed for counter corruption must be lawful, proportionate and necessary. They must also be subject to effective oversight.

Our report was in two parts:

- Part one – A case study comprising a detailed review and assessment of the initial referral to the CCU relative to the alleged disclosure of sensitive information to a journalist. This included the subsequent investigation into the circumstances which gave rise to the applications for communications data that were found by IOCCO to have contravened the statutory Code of Practice (2015).
- Part two – Using our Inspection Framework, we conducted a thorough Assurance Review, testing the operational practice of the CCU and compliance with relevant legislation, codes of practice, policies, procedures and recognised best practice.



Our report contained 39 recommendations and, as a consequence of our review, Police Scotland was asked to create an action plan in order that the recommendations could be taken forward. Following publication of our review, two separate groups were formed. The first is a Counter Corruption Unit Steering Group chaired by the Deputy Chief Constable, Crime and Operational Support, Police Scotland and the second is a Counter Corruption Unit Reference Group chaired by a member of the SPA. Both groups have a remit to oversee implementation of all recommendations. HMICS is represented at both groups and implementation of all 39 recommendations remains work in progress, which will be monitored by HMICS and formally reported upon.

Our report can be accessed on our [website](#)

Inspection of custody centres at Aikenhead Road and London Road, Glasgow

Published: 19 July 2016

Summary:

The aim of this inspection was to assess the treatment of and conditions for those detained in police custody centres located at Aikenhead Road and London Road in Glasgow. This inspection was in addition to our regular programme of custody inspections and took place at the request of Police Scotland. While the principal aim of the inspection was to provide assurance about the delivery of custody at both centres, the secondary aim was to assist Police Scotland's Criminal Justice Services Division in developing its own, internal audit processes.

Our inspections of police custody contribute to the United Kingdom's response to its international obligations under the Optional Protocol to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

The inspections of both Aikenhead Road and London Road custody centres were unannounced. During our visits, we assessed the physical environment, interviewed detainees, custody staff and other professionals working in the custody centre (such as nurses), observed key processes and reviewed a sample of custody records.

We made three recommendations in our report but overall, we found that staff working at Aikenhead Road and London Road custody centres were professional and respectful, and the detainees we spoke to were generally satisfied with how they were treated. There were generally good handovers between sergeants working in custody, with good briefing of incoming teams on the history and needs of individual detainees at London Road in particular.

We found that the cells at Aikenhead Road in particular were dirty and were in need of an urgent deep clean which was carried out by Police Scotland. It was not always clear why a detainee had been assessed as low or high risk, nor was the rationale for the subsequent care plans always apparent. While there was still scope for improvement, the quality and recording of risk assessments was better at London Road. Where detainees were assessed as high risk, the default care plan at both centres appeared to be constant observations via CCTV and 60-minute rousing. There was little or no use of 15 or 30-minute checks, contrary to practice in other custody centres we have visited. This was a resource intensive approach to care planning.

At London Road, good use was made of pre-release risk assessments for those detained for sexual offences. Male and female detainees were held on mixed cell corridors and we had some concern about constant observations being carried out by staff of the opposite gender from the detainee.



Some recommendations and improvement actions made in respect of one particular custody centre will be relevant to some or all other custody centres in Scotland. Police Scotland should ensure that learning from each inspection, including from any good practice highlighted, is considered across the entire custody estate.

Our report can be accessed on our [website](#)

Crime Audit 2016

Published: 21 September 2016

Summary:

The Crime Audit 2016 was the second major audit of Police Scotland's crime recording carried out by HMICS following a similar audit in 2014. In this particular audit, we examined over 6,000 incidents and over 5,000 crimes. Ultimately, we made 15 recommendations and three improvement actions for Police Scotland and the Scottish Crime Recording Board. We found that overall, the quality of crime recording in Scotland is good but new and emerging threats are increasing and changing demands on policing.

The results of our audit build on the already positive results from the audit carried out in 2014. They provide assurance to communities across Scotland that they can have confidence in crime recording, with an overall figure of almost 93% of incidents being closed correctly and 95% of crime being counted and classified correctly.

We found effective leadership and governance arrangements in place for the management of ethical and accurate crime recording within Police Scotland. External governance arrangements have developed significantly since 2014 with the Scottish Government taking a proactive role through the Scottish Crime Recording Board.

While our audit shows that crime recording practice is improving, it also provides evidence that Police Scotland should focus on managing demand, creating capacity and re-investing that capacity into prevention and responding to new and emerging challenges.

Our report highlights the need to further develop the policing response to emerging threats such as online sexual harm and fraud. We found that 11.4% of sexual incidents audited had a cyber element and a significant proportion of these involved children. Despite preventive and enforcement action being taken by Police Scotland, as well as other agencies, our audit highlighted the risk of sexual harm online and the increasing demands placed on the police service.

Criminals are increasingly exploiting opportunities from the internet to commit crime. As Police Scotland develops its response to these new and emerging threats, it is likely that crimes including fraud and other cyber-enabled offences will increase significantly and impact on the historic reductions in reported crime.

To help manage these evolving demands, we highlighted the importance of developing a sustainable policing service which makes the most effective use of its resources. In this context, we observed that there was scope for some lower level incidents to be resolved and recorded at the public's first point of contact with the police, sometimes without the need for police attendance. These incidents could be resolved quickly and to the complainer's satisfaction. Resolving some cases at first point of contact would improve the quality of service to the public and would reduce demand on the frontline, allowing officers to attend more serious cases and be more visible in their local communities.



During our audit, we noted improvements in the classification of violent crime and in no-crime decision making. There was also significant progress by Police Scotland in keeping complainers updated in cases where a no-crime decision was made.

Our report can be accessed on our [website](#)

Independent Assurance Review Police Scotland – Call Handling: Update Report

Published: 24 January 2017

Summary:

The aim of this report was to provide an update on the progress made by Police Scotland and the SPA since the HMICS Independent Assurance Review of Police Scotland's Call Handling was published in 2015.

Scottish Ministers were originally provided with an Interim Report, which was published on 3 September 2015. A Final Report was provided to the Cabinet Secretary for Justice and published on 10 November 2015. The Final Report identified 30 recommendations for improvement which were fully accepted by Police Scotland and the SPA.

Following the publication of the Final Report, HMICS has continued to undertake a programme of on-going assurance work, monitoring progress and risk levels within Police Scotland's call handling and making unannounced visits to Police Scotland's call handling facilities. We have continued to assess the progress made against the recommendations where evidence has been submitted for their discharge by Police Scotland and the SPA.

At the time of publication of the update report on 24 January 2017, 16 recommendations were fully completed, 12 were partially complete and only two remained open. Currently 27 recommendations are closed, two are partially complete and only one remains open.

At the time of publication, a number of key milestones had been successfully delivered including the creation of a national virtualised Police Scotland Service Centre (PSSC), upgrade of key ICT systems and the transfer of call handling from Dundee. Since that time, Police Scotland has successfully transferred operations from Aberdeen and secured approval for the implementation of a national database enquiry unit (NDEU) co-located in Inverness and Govan. The transfer of Inverness functions is due to take place in early 2018 and HMICS will continue to monitor progress.

Appendix 1 of the update report provides a more detailed summary for each recommendation at the time and highlights the remaining improvement that HMICS required from both Police Scotland and the SPA. Appendix 2 provides a summary of our review of the notable incident process.

Our report can be accessed on our [website](#)

Audit and Assurance Review of Stop and Search: Phase 2

Published: 22 February 2017

Summary:

The aim of our 2017 audit and assurance review was to follow-up on recommendations made within our Audit and Assurance Review of Stop and Search: Phase 1 report, published in March 2015, and undertake an independent audit of stop and search data. All 23 recommendations made in our Phase 1 report have now been closed.



During our review we mapped and observed Police Scotland's stop and search scrutiny and audit processes and also assessed the internal and external reporting and governance of Police Scotland's audit results. In addition, we reviewed a random sample of 600 stop search and seizure records in order to validate the review and audit processes conducted by the National Stop and Search Unit and to test the accuracy of stop and search data held on the national database.

Significant national developments have been driven by the Independent Advisory Group on Stop and Search including new legislation and the development of a Code of Practice which came into effect in May 2017 and brought consensual stop and search to an end.

In advance of the implementation of the Code, Police Scotland developed a national training programme for officers, introduced an enhanced national stop and search database, issued clear guidance on the information to be recorded, prepared briefing packages for senior managers and actively worked with local authority scrutiny and engagement bodies.

An effective internal audit regime is now in place to provide assurance over data accuracy and audit results are reported to the SPA which has on-going oversight through its Policing Committee.

It is essential that the public has confidence in published statistical information used to set policing practice. Our Phase 2 report provided the public and key stakeholders with an update on progress made by both Police Scotland and the SPA on recommendations contained in our Phase 1 report to provide independent assurance to Police Scotland, the SPA and the public to inform their assessment of the accuracy of stop and search data.

Our report can be accessed on our [website](#)

Strategic Overview of Provision of Forensic Medical Services to Victims of Sexual Crime

Published: 30 March 2017

Summary:

The aim of this report was to provide a strategic overview of the forensic medical services provided to adult and child victims of sexual crime, and to give a high-level assessment of these services in terms of their current delivery against national policies and standards. The report highlighted strategic issues for consideration by key stakeholders, and was intended to inform future scrutiny of this area.

Evidence for the review was gathered over a six month period and identified a number of issues affecting the quality of service delivered to victims of sexual crime in Scotland. The review showed that significant disparity in the services currently provided, and supported the need for further investment in healthcare professionals, premises, and equipment. The priority for forensic medical examinations should be to address the immediate health needs and future recovery of patients, with the contribution to potential criminal justice proceedings being an important but not the sole consideration.

The report also highlighted that the current Memorandum of Understanding (MOU) between Police Scotland and NHS Scotland for the provision of healthcare and forensic medical services required urgent review. There was also a need to provide greater clarity around the statutory responsibility for delivering these services.



The review identified 10 key recommendations including the need to address the lack of availability of specialist services offered to victims of sexual crime in Glasgow. Although offering a good service to victims, HMICS found that the Archway service in Glasgow was not available for significant periods of time particularly overnight and at weekends, resulting in a 'two-tier' service being delivered to victims of sexual crime with the alternative service delivered in a police station being described as 'inadequate'.

There was an urgent need for Police Scotland to work with NHS Boards to identify appropriate healthcare facilities for the forensic medical examination of victims of sexual crime, phasing out of police premises as soon as is practical. The report also recognised the need to improve forensic cleaning standards in those police custody settings where suspected perpetrators of sexual abuse are examined.

It noted that suspects who were under 16 were being forensically examined and within police custody facilities and recommended that Police Scotland works with NHS Scotland to move these examinations into a more appropriate health care setting.

We took the opportunity in this review to look at how services are provided to victims of sexual crime in other jurisdictions and identified several approaches that may inform future provision in Scotland. These all focused on the health and wellbeing of victims within a supportive healthcare setting. We found that Scotland was well behind the rest of the UK in respect of the availability of dedicated healthcare facilities which met both the health care needs of victims and the necessary forensic requirements.

HMICS engaged with a wide range of agencies and stakeholders to gather evidence for this review. Although our statutory duties primarily relate to Police Scotland and the SPA, the strategic overview included some wider recommendations to other key stakeholders, including the Scottish Government. The motivation for this review and the recommendations was to drive improvement in the services provided to victims of sexual crime in Scotland.

Our report can be accessed on our [website](#)

Joint scrutiny activity

Joint Inspections of Children's Services

Between 1 April 2016 and 31 March 2017, we continued to contribute to the joint inspection teams, led by the Care Inspectorate, assessing services for children and young people across Scotland. Over the course of the year, HMICS associates worked with colleagues in the Care Inspectorate, Education Scotland, and Healthcare Improvement Scotland to consider the quality of services delivered by Community Planning Partnerships in Falkirk; the Scottish Borders; South Ayrshire; Angus; Moray, and West Dunbartonshire. Progress reviews were carried out in Shetland and the Outer Hebrides.

At the end of January 2017, we secured the secondment of an officer from Police Scotland to assist with the development of a new proposal for the inspection of services for children and young people, which is planned for implementation from 1 April 2018.

Counter terrorism

HMICS continued to work with HMICFRS to inspect the police response to certain national security threats. The nature of this work means that the resulting inspection reports cannot be published in the same way as other inspection reports.

Other scrutiny activity

As well as our published inspection reports, we also looked into the state, efficiency and effectiveness of Police Scotland and the SPA through the following pieces of work during 2016-17:

Self-assessment methodology

Since the establishment of Police Scotland in 2013, HMICS has encouraged the service to develop a culture of continuous improvement that includes the use of self-assessment. In 2016, HMICS and Police Scotland agreed that the inspection of local policing in Tayside Division would provide an opportunity to pilot a self-assessment model, the results of which could be used to inform the inspection as well as the division's own improvement plan.

With the assistance of Police Scotland's Organisational Development team, the Improvement Service and HMICS, the division carried out a self-assessment in the months preceding our inspection. Police Scotland chose to use the Public Sector Improvement Framework (PSIF) Checklist as its self-assessment tool. The PSIF self-assessment is largely perception-based, and begins with a survey seeking views on a range of themes such as results, leadership, service planning and people. In Tayside, the survey was completed by 31 divisional sergeants. Using recurring issues arising from the survey, a number of sergeants were invited to discuss and prioritise areas for action, and to develop a plan to address them.

The division will integrate the actions arising from the self-assessment process into the division's improvement plan and HMICS was able to take the results of the self-assessment into account during our inspection. Following the inspection, HMICS will work with Police Scotland to review the self-assessment pilot and consider what learning can be applied to the future use of self-assessment by Police Scotland. HMICS has committed to supporting Police Scotland with this work.

SPA Forensic Services – Governance Professional Advice Note

HMICS had committed to an inspection of forensic services in 2016-17 as part of its on-going scrutiny programme. However, when the Chair of the SPA published his Review of Governance of Policing in March 2016 and subsequently requested that HMICS consider options for the future governance of the Forensic Service, we identified an opportunity to accelerate our work to support delivery of the review. A Professional Advice Note was submitted to the Chair in October 2016. HMICS has since undertaken a wider review of Forensic Services and published its report in June 2017.

Demand Management Professional Advice Note

As previously noted, HMICS has been undertaking on-going assurance work in connection with our November 2015 Call Handling Review Report. As part of this work we undertook a review of first point of contact models adopted in England and Wales and key demand issues which are affecting the current contact, command and control (C3) environment. A Professional Advice Note was issued to Police Scotland in December 2016 to inform and engender further discussion with stakeholders and provide options and exemplars for an appropriate demand management model to improve efficiency and effectiveness.

Police Scotland Corporate Review

HMICS undertook a scrutiny risk assessment exercise of the corporate functions of Police Scotland and their interface with the SPA in August 2016. The intended outcome of the process was to improve HMICS understanding of current challenges, identify good practice, identify key delivery inter-dependencies, establish a baseline for evidencing progress and assess where risk levels might require future scrutiny response. HMICS provided detailed verbal feedback to the Deputy Chief Constable (Designate) and the Deputy Chief Officer of Police Scotland at the end of September 2016.

Other work shown on Scrutiny Plan 2016-17

Shared Use of Assets & Services

A joint piece of work had been planned with HM Fire Service Inspectorate (HMFSI) into the extent to which services and assets were being shared between the emergency services (police, fire and ambulance). This work was put on hold to await an update on progress from the Reform Collaboration Group and no joint inspection took place in the scrutiny year 2016-17.

Piloting Audit of Clear-up Data

The purpose of the Scoping and Piloting Audit of Clear-up Data exercise is to assist HMICS in establishing what resources would be required to carry out a statistically significant, nationwide audit of clear-up data and whether such an audit would be useful, necessary and proportionate. Due to the capacity of our inspection team and our commitment to scrutinising other areas which were deemed to be higher risk and therefore more in need of independent scrutiny, we were unable to undertake this exercise within the 2016-17 scrutiny year as planned.

2017-18 Scrutiny Activity

Since the end of the 2016-17 scrutiny year, we have published reports on the following scrutiny activity which we will report on in our 2017-18 annual report.

Table B: Scrutiny reports published between 1 April and 15 December 2017

Thematic Inspection of the Scottish Police Authority – Phase 1 Review of Openness and Transparency	21 June 2017
Thematic Inspection of the Scottish Police Authority Forensic Services	27 June 2017
Joint Thematic Review of MAPPA in Scotland – Progress Review	29 June 2017
Local Policing+ Inspection – Programme: Inspection of Tayside Division	16 November 2017
Strategic overview of British Transport Police in Scotland, including the proposed transfer to Police Scotland	8 December 2017
Strategic review of undercover policing in Scotland.	Submitted to Ministers November 2017

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](#)

Parliamentary scrutiny

HMICS reports must be laid before the Scottish Parliament in terms of the Police and Fire Reform (Scotland) Act 2012. HM Chief Inspector and his staff are occasionally invited to give evidence at parliamentary committees as part of oversight arrangements. During 2016-17, HMICS appeared at the following committees:

- 28 June 2016 – Justice Committee – Derek Penman, Stephen Whitelock and John Young – HMICS Review of Police Scotland Counter Corruption Unit.
- 23 February 2017 – Justice Sub Committee on Policing – Derek Penman, Christina Yule and Laura Paton – Police Call Handling.

Assessing the outcomes from our activities

The purpose of our work is to add value and support continuous improvement in the delivery of policing in Scotland. Our inspection work therefore does not end at the point of publication.

Working closely with Police Scotland and the SPA, in 2016-17 we began a review of the process for monitoring and managing recommendations. This new process will provide Police Scotland and the SPA with the ability to submit updates on an on-going and dynamic basis. It will afford HMICS the ability to assess the progress made by Police Scotland and the SPA against the recommendations and improvement actions identified from our previous scrutiny activity and will provide a means for identifying where follow up work is required.

In a number of cases, following high profile/high tariff inspections or reviews, an Assurance Group comprising Board Members of the SPA, senior officers/staff from Police Scotland, Scottish Government and HMICS (as observers) have been established to progress recommendations. We commend this approach taken by Police Scotland and the SPA to introduce a governance structure that provides clear direction and oversight of the delivery of our recommendations.

This approach was evident in the establishment of a multi-agency Assurance Group, chaired by the SPA to oversee delivery of the recommendations as outlined in the assurance review of counter corruption. In addition, Police Scotland introduced a steering group chaired by the Deputy Chief Constable (Crime and Operational Support) to manage delivery of the recommendations across the service in a structured fashion. HMICS was represented at both groups and where required providing context behind each of the recommendations.

Similar arrangements were established in response to the on-going HMICS assurance work around police call handling. The SPA C3 Governance and Assurance Group (GAAG), led by members of the SPA Board, was established in early 2016 and has proved to be an effective forum for more detailed scrutiny of the Contact, Command and Control Integration and Remodelling (C3IR) change programme.

Facts and figures

HMICS staffing model

The position of HM Chief Inspector of Constabulary in Scotland (HMCIC) is held by Mr Derek Penman QPM. During 2016-17, HMCIC was supported by 12 members of staff:

Assistant Inspectors of Constabulary (AIC)	Billy Gordon
Assistant Inspectors of Constabulary (AIC)	Gill Imery
Lead Inspector	Stephen Whitelock
Lead Inspector	Laura Paton
Lead Inspector	Tina Yule
Support Inspector	Katie Chisholm
Children's Services Inspector	Jacqueline Campbell (joined January 2017)
HMCIC Staff Officer	Dennis Hunter
Scrutiny Programme Manager	Kathryn Burrows (joined October 2016)
Research and Inspection Support Officer	Joanna Gardner
Inspection Support Officer	Susan Campbell Duncan
PA to HMCIC	Susan Archibald

Further details about our team can be found on the 'Meet Our Team' section of our website.¹⁷

Throughout 2016-17, we continued to build on strengthening our capacity for inspection following changes made to our staffing model in early 2016. We engaged the services of a cadre of Associate Inspectors from a range of backgrounds, including policing, local government and academia, who provided specialist skills and experience to augment our inspection teams. This included two Associate Inspectors who worked exclusively on the joint inspection of children's services by HMICS and the Care Inspectorate.¹⁸

HMICS budget 2016-17

HMICS is funded entirely by the Scottish Government in respect of staff, accommodation, equipment and other expenses. Our budget for 2016-17 was £1,087,600 and is set at £1,087,000 for 2017-18. This takes account of the need to continue to deliver efficiencies throughout the public sector.

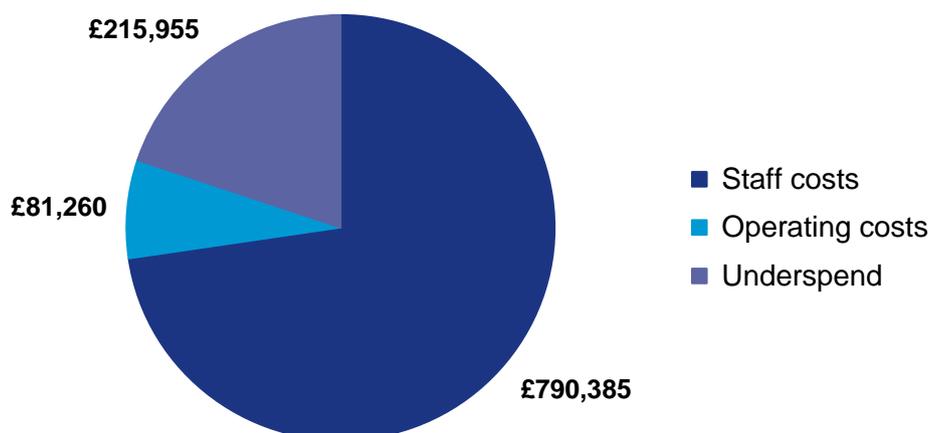
Our total expenditure for 2016-17 was £871,645, which was an underspend of £215,955. This underspend was due to a delay in the implementation of a new staffing model within HMICS.

Our expenditure represents £790,385 staff costs and £81,260 operating costs, and is illustrated on the following page.

¹⁷ <https://www.hmics.scot/about-us/our-team>

¹⁸ Police and Fire Reform (Scotland) Act 2012, Section 73(2).

Spend 2016-17



HMICS expenses

The total amount of expenses incurred and claimed by Her Majesty's Chief Inspector of Constabulary in Scotland in the financial year 2016-17 was £2,286.78. A further £861.59 was paid on 6 April 2016 to HMCIC for expenses incurred during 2015-16. This was not included in last year's annual report.

Awards and commendations 2016-17

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 2016-17, Her Majesty bestowed the following honours on members of the service in recognition of their exceptional service:

Queen's Birthday Honours 2016

MBE

- Alastair McPherson Dinsmor, Chairman, Glasgow Police Heritage Society. For services to Police Heritage.
- Ms Lesley May Winter, Response Sergeant, Police Scotland. For services to Law and Order in Maryfield, Dundee.

Queen's Police Medal (QPM)

- Derek Robertson, Assistant Chief Constable, Police Scotland
- Bill Clark, Detective Constable, Police Scotland

New Year Honours 2017

Queen's Police Medal (QPM)

- Lesley Boal, Detective Chief Superintendent, Police Scotland
- Kate Thomson, Assistant Chief Constable, Police Scotland
- George Trayner, Police Constable, Police Scotland



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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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