



HM Inspectorate of Constabulary in Scotland
Improving Policing across Scotland

Thursday, October 25, 2018

PRESS RELEASE

HMICS publishes review of Police Scotland's response to a breach of Home Detention Curfew

Stricter guidelines on the eligibility of offenders considered for home detention curfew and new legislation to make a breach of the curfew an offence have been called for in a hard hitting report published today (Thursday, October 25).

The recommendations are contained within the HMICS independent assessment of Police Scotland's response to a breach of home detention curfew.

HM Inspectorate of Constabulary in Scotland was asked to carry out the strategic review by the Cabinet Secretary for Justice following the murder of Craig McClelland by an offender who was 'unlawfully at large' after breaching his home detention curfew (HDC).

It looked at Police Scotland's response to the breach and makes recommendations to address gaps in police processes and to drive improvement in the police response.

HM Chief Inspector Gill Imery QPM said: "I offer my sincere condolences to the family of Craig McClelland whose murder gave rise to this strategic review of the police response to a breach of home detention curfew.

"As a consequence of this review, I have made 16 recommendations which can improve the management of those released under home detention curfew. There are changes to legislation, cross border provisions and risk assessment which I urge the Scottish Government, Police Scotland and other agencies to consider."

The offender, James Wright, breached his home detention curfew and was deemed to be 'unlawfully at large' by the Scottish Prison Service 10 days after his release from HMP Low Moss where he had been serving a 21-months prison sentence for a knife related crime. Agreed procedures between the Scottish Prison Service (SPS) and Police Scotland were followed at that time in relation to his release on home detention curfew. However, following this breach of licence, HMICS found little documented evidence detailing the actions taken by police officers who were later tasked with arresting him and returning him to prison.

Information about the release on home detention curfew and the revocation of licence must be recorded on two key police information systems – Police National Computer (PNC) and Scottish Criminal History System (CHS). For this to happen and the systems to be effectively updated, there has to be a timely and accurate exchange of information between Scottish Prison Service and Police Scotland.

At an early stage of this review, HMICS found inconsistencies between the data held by both organisations on offenders 'unlawfully at large' and alerted Police Scotland that this required immediate attention.

It was also established that on June 29, 2018 there were 44 offenders 'unlawfully at large' from Scottish prisons, some from curfew addresses in England. Thirty eight of them were not recorded on the PNC, resulting in the true status of the 38 offenders being unclear to the UK's law enforcement agencies.

Mrs Imery added: "Effective data exchange between the two organisations is fundamental to the successful management of offenders. The processes around home detention curfew, revocations and cancellation of revocation notices require to be significantly improved."

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NOTES TO EDITORS

The Cabinet Secretary for Justice will make a Ministerial statement on the HMICS report (and the HMIPS report he also requested) at 1500 hrs on Thursday 25 October 2018.

Our HMICS report is presented in two parts:

Part one - relates to the case study and comprised a review and assessment of the circumstances relating to the breach of the home detention curfew licence conditions by James Wright and Police Scotland's response.

Part two - relates to a wider review of Police Scotland's response to apprehending individuals following revocation of their home detention curfew licence.

Appendix 1 - contains a detailed timeline of events relating to the home detention curfew and its subsequent breach by James Wright.

Under the Key Findings section of the report, information can be found on the home detention curfew process and the role of agencies if it is breached.

The HMICS Independent assessment of Police Scotland's response to a breach of Home Detention Curfew (HDC) is available to download at the HMICS website www.hmics.scot from 1300hrs, Thursday 25 October, 2018.

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