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HM INSPECTORATE OF CONSTABULARY IN SCOTLAND

# Progress Review of Police Scotland's response to online child sexual abuse and exploitation

August 2021

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# HM Inspectorate of Constabulary in Scotland

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HM Inspectorate of Constabulary in Scotland (HMICS) is established under the Police and Fire Reform (Scotland) Act 2012<sup>1</sup> 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).

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.<sup>2</sup>

**This progress review was undertaken by HMICS under section 74(2)(a) of the Police and Fire Reform (Scotland) Act 2012 and a report will be laid before the Scottish Parliament under section 79(3) of the Act.**

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<sup>1</sup> Chapter 11, Police and Fire Reform (Scotland) Act 2012.

<sup>2</sup> HMICS, [Corporate Strategy 2017-20](#) (2017).



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## Our review

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This progress review considers the progress made since our report on the strategic review of Police Scotland's response to online child sexual abuse<sup>3</sup> was published in February 2020, making ten recommendations for improvement.

In March 2020, Police Scotland established a working group involving key business areas to specifically provide a focus to activity relating to the recommendations. HMICS welcomed this news, which is evidence of Police Scotland's commitment to support and drive necessary change.

The energy, enthusiasm and dedication of the professionals we interviewed during our fieldwork, and many more who are responsible for delivering the service in respect of tackling online child sexual abuse and exploitation, was commendable. This was all the more impressive given the context of COVID-19, which was declared a global pandemic in March 2020, and other operational pressures including policing the European football tournament and preparing for the UN climate change conference. The pandemic meant adjustments to working practices as well as a shift in police resources to contribute to the national effort to deal with the public health emergency. At an early stage, Police Scotland recognised that the "stay at home" instruction, aimed at reducing the spread of infection, could increase the risk of online harms, including child sexual abuse.

It remains a challenge that the scale and nature of online child sexual abuse and exploitation is not yet fully understood. We did find evidence that Police Scotland is focused on improving data quality, however progress has been variable and is interdependent on improved recording systems enabling more sophisticated analysis. Police Scotland has, however, continued to report overall trends in relation to recorded crime to the Scottish Police Authority throughout 2020/2021<sup>4</sup> highlighting the sharp increase (11.9%) in the taking, distribution, possession of indecent images of children from the same period in 2019/2020 and an overall increase (5.9%) of crimes relating to child sexual abuse (online). HMICS commends the efforts to tackle this through a dedicated resource (Operation Parror).

The continued threat of online child sexual abuse and exploitation and the impact this can have on victims and families is visible in terms of strategic planning, with the implementation of the Cyber Strategy 2020<sup>5</sup> anticipated as a commitment to adapting the policing model to meet demand in the digital world. HMICS welcomes this strategic direction, alongside the re-establishment of the Tackling Online Child Sexual Abuse and Exploitation Strategic Board (TOCSA), as a means to expediting delivery of improvement in key areas. The commitment of Board members responsible for providing leadership and strategic direction has also been recognised.

We suggest that Police Scotland's Cybercrime Digital Forensics prioritise an urgent review to ensure that Police Scotland understands current and future demand.

HMICS welcomes the initial progress that has been made towards improving Police Scotland's response to online covert activity. We would encourage Police Scotland to use its positive relationships with other UK forces and membership of national groups to benchmark other online covert teams as a baseline for the continued development of an appropriate and sustainable operating model in this area, and take the opportunity to gather effective practice.

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<sup>3</sup> HMICS, [Strategic review of Police Scotland's response to online child sexual abuse](#), 26 February 2020.

<sup>4</sup> Police Scotland, Quarter Four Performance Report 2020/21.

<sup>5</sup> Police Scotland, [Cyber Strategy 2020](#).



In undertaking this review, it is apparent that driving improvement, meeting the increasing demand and policing this high risk area continues to impact on police officers and staff whose role is dedicated to tackling online child sexual abuse and exploitation. I have therefore taken this opportunity to make a further recommendation for Police Scotland to develop a specific wellbeing policy with professional pathways for support tailored for staff whose role is specific to tackling online child sexual abuse and exploitation.

This review also takes the opportunity to comment on issues that have arisen during our fieldwork, some of which featured in our original report. Our observations on these areas provide a broad current assessment, and are areas of consideration for Police Scotland and the Scottish Police Authority.

Notwithstanding all of the above, seven recommendations were found to be partially met, and will remain open for audit purposes. The level of progress for each of the seven recommendations varies, however we are aware that work was continuing up to the publication of the review, and we are confident further progress will be made. Three recommendations are closed with sufficient progress evidenced in the course of our review. HMICS will continue to monitor progress through existing audit and assurance processes.

I am grateful to all of those who contributed information and participated in this progress review.

**Gill Imery QPM**

HM Chief Inspector of Constabulary in Scotland

August 2021



## Recommendations from 2020 report

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### **Recommendation 1**

Police Scotland should improve the means by which recorded data can accurately inform assessment of the scale and nature of online child sexual abuse.

### **Recommendation 2**

Police Scotland should review the level of analytical support provided to the Public Protection business area and consider the appointment of a dedicated analytical resource.

### **Recommendation 3**

Police Scotland should ensure a strategic governance framework is in place which provides support, direction, scrutiny and quality assurance to the force's response to online child sexual abuse.

### **Recommendation 4**

Police Scotland should undertake an Online Child Sexual Abuse Strategic Threat Assessment to accurately identify the scale, nature and threat to children from online child sexual abuse.

### **Recommendation 5**

Police Scotland should review the current arrangements for allocation of specialist support in relation to online child sexual abuse to ensure the allocation is fair, equitable and meets the needs across the country.

### **Recommendation 6**

Police Scotland should review the resources and structure of the Internet Investigation Unit and Communications Investigation Unit to ensure that the force is able to meet current and future demand in relation to initial risk assessment, triage and intelligence development.

### **Recommendation 7**

Police Scotland and the National Crime Agency should work together to ensure that all capabilities are being exploited to their full potential and intelligence is shared effectively.

### **Recommendation 8**

Police Scotland should work with the Crown Office and Procurator Fiscal Service to establish a pragmatic and realistic approach to digital forensic examination requests.

### **Recommendation 9**

Police Scotland should review its capacity and capability to conduct undercover online covert operations in support of its policing priorities, and ensure that undercover online operatives are sufficiently equipped and supported to identify and adequately assess the risk to children as a result of online offending.

### **Recommendation 10**

Police Scotland should ensure that arrangements for deploying undercover online specialist resources are directed by formal tasking arrangements aligned to risk, priority and demand.



## Key findings from the 2020 report

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- There is a risk that online child sexual abuse, both as a form of child abuse and exploitation and cyber-enabled offending, may be lost within broader crime classifications.
- The strategic direction of the force is unclear therefore staff are unable to link their operational activity to the overall aim.
- There has been no overall strategic governance of the different parts of the force responsible for delivering different aspects of the response to online child sexual abuse.
- There is an acknowledgement by Police Scotland that online child sexual abuse has not been given sufficient prioritisation.
- Demand management, prioritisation and tasking weaknesses are symptomatic of governance and organisational structures that would benefit from a comprehensive review.
- Specialist support functions need to refocus on those that are most in need of protection rather than their traditional focus on drugs and firearms.
- Police Scotland can learn more from the experiences elsewhere through its strategic network.
- Police Scotland has introduced effective processes to deal with National Online Child Abuse Prevention packages.
- Police Scotland's response is generally reactive with very limited evidence of proactivity.
- Local multi-agency child protection arrangements are robustly observed, including those occasions when national police resources are dealing with cases.
- Police Scotland has different service delivery models in place to deliver overt operational activity in different areas of the country.
- For Police Scotland to deliver on the transformational Cybercrime, Technical Surveillance Programme of change, prioritisation and investment are required.
- Police Scotland has taken no action towards achieving accreditation for digital forensics, nor has the issue of where the function is best located (Police Scotland or SPA Forensic Services) been resolved.
- Prevention strategies are not being informed by organisational learning due to the absence of analytical products, and the lack of evaluation means their effectiveness and impact are unclear.
- Different funding arrangements are compounding silo working and having an adverse impact on the delivery of integrated, cohesive prevention work.
- The absence of online covert activity by Police Scotland has created a proactive void that undermines any challenge to the legitimacy of Online Child Abuse Activist Groups (OCAG).





## Background and introduction

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1. In February 2020, following a detailed review, HMICS published the Strategic review of Police Scotland's response to online child sexual abuse<sup>6</sup> (hereafter referred to as 'the report'). The report issued ten recommendations and outlined sixteen key findings relating to various integral elements of service delivery.
2. The intention of this follow-up report is to measure progress against the recommendations. HMICS acknowledges the complexities, interdependencies and timescales associated with some of the recommendations, especially at a time where service delivery and working arrangements had been impacted because of the coronavirus pandemic. Where appropriate, we have ensured that these issues have been factored into our findings.
3. This follow-up report does not intend to repeat in detail the issues highlighted in the 2020 report therefore this document should be read in conjunction with the original report.
4. Our progress review was conducted between March and July 2021. Due to the restrictions of the coronavirus pandemic the review was conducted online. We recognise the commitment and co-operation of Police Scotland that allowed for this to take place. We recognise that future learning and planning to address areas for improvement need to be contextualised in a changed environment affected by the impact of the pandemic. Furthermore since our fieldwork we have been made aware work continues in various areas highlighted in this report. HMICS considers this approach to be a healthy indication of the commitment to improve this area of policing and will be supporting evidence moving forward.
5. We assessed the progress from a strategic, tactical and operational perspective, both locally and nationally. We examined documents, including policies and action plans, and interviewed officers (including senior managers) and staff from three territorial policing divisions: North East, Argyll and West Dunbartonshire and The Lothians and Scottish Borders. We interviewed a variety of officers and staff from different business areas including Partnership, Prevention and Community Wellbeing, Analytical Support the Specialist Crime Division departments of Public Protection; Intelligence; Special Operations and Cybercrime Digital Forensics. We also met with key stakeholders from the National Crime Agency and Scottish Government. Most, and more frequently all, are involved in the end-to-end process of online child sexual abuse and exploitation investigations.
6. Police Scotland has made a number of improvements and critically addressed backlogs with regard to online intelligence packages specific to the taking, possession and distribution indecent images of children, grooming of children for the purposes of sexual offences and indecent communication with children. We found that overall progress since our initial review has been variable with a justifiable focus on flexing available resource on the investigative response demonstrated through a dedicated taskforce from September 2020 (Operation Parror). This approach led to a review of resources in this area and alongside the establishment of strategic governance, consistency of approach and improved daily/weekly coordination of specialist resource has demonstrated sustained progress. Progress across other areas has been initially slow however from the start of 2021 there has been clear evidence of activity.

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<sup>6</sup> HMICS, [Strategic review of Police Scotland's response to online child sexual abuse](#), 26 February 2020.

## Coronavirus Pandemic – Impact on Children

7. In March 2020, the impact of the COVID-19 coronavirus pandemic in Scotland resulted in emergency legislation and periods restrictions in the form of “stay at home” measures. The impact on children and young people included the closure of schools and education establishments, the cancellation of clubs, sporting activities and children and young people requiring to stay at home.
8. As anticipated during 2020, the use of the internet by children and young people, for those with access, increased. This has enabled children to receive education, maintain social contact with friends, access music, games, videos and participate in online chat through readily available platforms. It is common for children to have either restricted or unrestricted access to the internet. The impact of the pandemic globally has amplified the risk presented by those who seek to target children and young people for the purposes of sexual abuse.

## Scale of Online child sexual abuse and exploitation

9. As highlighted in the report, Police Scotland assesses the numbers of recorded crimes; STORM (System for Tasking and Operational Resource Management) incidents; Scottish Intelligence Database (SID) logs; the number of actionable intelligence packages in relation to both suspects and children at risk (CAR) and concern reports recorded on the interim Vulnerable Persons Database. These measurements assist in understanding the service level demand required to respond to the threat of online child sexual abuse and exploitation.
10. In June 2021, Police Scotland published the Chief Constable’s Assessment of Policing Performance 2020/21<sup>7</sup>. It reported that during the year 2020/21, Police Scotland saw increased incidents in areas of concern such as online child sexual abuse and exploitation.
11. Police Scotland published its Cyber Strategy 2020<sup>8</sup> – Keeping people safe in the digital world. This sets out Police Scotland’s response to the notable rise in cybercrime over recent years and how these demands will be prioritised in the future to meet the needs of the communities it serves. HMICS found during an assurance review of demand analysis and management (published 29 June 2021<sup>9</sup>) that the development of this strategy, had limited analytical information when considering demand in relation to OCSAE but considered international evidence to assess future trends. The Cyber Strategy 2020 is aligned to the joint SPA and Police Scotland 10 year strategy (2026) and to Police Scotland’s performance framework. The framework sets out how Police Scotland will monitor and measure progress on strategic outcomes, one of the impact measures being evidence of cyber markers used to analyse recorded cybercrimes.

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<sup>7</sup> Police Scotland, Chief Constable’s Assessment of Policing Performance 2020/21

<sup>8</sup> Police Scotland, [Cyber Strategy 2020](#).

<sup>9</sup> HMICS, [Assurance review of Police Scotland demand analysis and management](#), 29 June 2021.



12. HMICS conducted a crime audit in 2020<sup>10</sup> and published the inspection report on 10 March 2021. During this audit HMICS examined the frequency and accuracy of use of cyber markers and identifiers known as qualifiers in the sexual incidents we audited. HMICS understands that qualifiers are designed to initially flag the incident and not necessarily to provide a long standing record. However, we found little evidence of cyber qualifiers being applied systematically to incidents. This may not have reflected the true level of usage of cyber qualifiers as we heard that in certain circumstances, such as when Crime Management Units re-open closed incidents or when other quality assurance work is conducted on incidents, this automatically erased any qualifiers applied to the record. This indicated limitations to processes used and we heard of the challenges facing analytical staff in drawing information from police systems. Since we conducted our audit these qualifiers are no longer used and updated improvements to identify online child sexual abuse and exploitation (OCSAE) is discussed in our review.
  
13. A total of 1,966 online child sex abuse crimes were logged by Police Scotland during 2020-21, a rise of nearly 6% on the previous year and nearly 25% greater than the five-year average. 1,256 National Online Child Abuse Prevention (NOCAP) packages were also actioned for investigation.

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<sup>10</sup> HMICS, [Crime Audit 2020](#), 10 March 2021.

## Recommendation 1

### Recommendation 1

Police Scotland should improve the means by which recorded data can accurately inform assessment of the scale and nature of online child sexual abuse.

14. The report found that there were real challenges to capturing the true nature and extent of online child sexual abuse and exploitation. The way in which reports of crime are recorded made it difficult for police to understand the actual level of offending online.
15. Notwithstanding the challenges in accurately assessing the requirement for online child sexual abuse and exploitation, it is reasonable to conclude that demand will continue to rise with no sign of decreasing. Indeed, indicative crime statistics, anticipated improvements in service delivery and prevention activity with associated positive publicity, would all combine to create an increase in demand for specialist services in the future.

### Progress in relation to recommendation

16. During the progress review we learned that the scale and nature of online child sexual abuse and exploitation is still not fully understood. There is evidence of an inconsistent understanding of online child sexual abuse and exploitation from officers across Local Policing Divisions. This includes the use of terminology relating to online child sexual abuse and exploitation which results in variable levels of awareness and recording across the force. Whilst we recognise efforts have been made to educate officers and staff has taken place across the force via internal communication methods we heard requests for continuous professional development, training and readily accessible guidance for all staff to improve data quality.
17. Our progress review heard specifically from frontline officers that, unless there is a corporate naming convention in place for recording online child sexual abuse and exploitation across all relevant applications and databases, inconsistent recording will continue due to confusion and misunderstanding. We have been therefore encouraged to learn that Police Scotland had decided to use a single corporate name for online child sexual abuse and exploitation known as OCSAE. This was introduced forcewide on 14th July 2021. This corporate naming convention will allow for consistency in terminology across the organisation. The single corporate name will also be used as a standard flag or marker on common computer applications and databases such as the current legacy crime recording systems, STORM (System for Tasking and Operational Resource Management) incidents; Scottish Intelligence Database (SID) logs and the interim Vulnerable Persons Database, all of which are used to record online child sexual abuse and exploitation.
18. HMICS is further encouraged to learn that Police Scotland will commence the roll out of a new national crime recording system in August 2021. The roll out of the system is expected to be completed within 12 months and is essential to improving the means by which recorded data can accurately inform the assessment of the scale and nature of online child sexual abuse and exploitation. The implementation of this system is not a panacea to all recording issues however will provide a single system from which to draw recorded crime information.



19. During our progress review we learned that the force was seeking a new data management system for managing intelligence packages. This would replace the current outdated application. The benefit of the new system would include providing the intelligence community with a workflow management process so that enforcement activity can be tracked from an end to end state.
20. Police Scotland's funding arrangements for the new data management system has been challenging and delays in procurement with the provider have also been recognised and addressed. HMICS highlights this development as being critical to effectively manage intelligence packages and provide an accurate assessment of trends in demand for investigative and digital forensic resources.
21. We also learned that future data governance arrangements will have a long term positive impact on strategic direction of improving data quality, however there is a need to ensure standards are also informed from an operational perspective to maximise compliance and improve front end application as previously highlighted in the crime audit.
22. Overall, our progress review provided evidence that Police Scotland has a focus to improve data quality but progress has been slow. HMICS believes that only when corporate standards are effectively adhered to alongside consistent and robust quality assurance processes will the true extent of reported online child sexual abuse and exploitation be known.

### **HMICS Assessment**

HMICS welcomes the introduction of a single corporate name for online child sexual abuse and exploitation and of its use as a standard flag or marker on common computer applications and databases. We also recognise the imminent introduction of a new national crime recording system and future procurement of a new data management system for managing intelligence packages. The recommendation is partially met.

### **Recommendation 1: Partially Met**

## Recommendation 2

### Recommendation 2

Police Scotland should review the level of analytical support provided to the Public Protection business area and consider the appointment of a dedicated analytical resource.

23. In the report we highlighted that there was no dedicated analytical capability or centralised intelligence assessment capability directed at online child sexual abuse and exploitation. The lack of qualitative analytical and intelligence assessment hampered the force's ability to identify future trends and developments, to formulate proactive responses, and to task specialist resources.

### Progress in relation to recommendation

24. During our progress review we found evidence that Police Scotland had undertaken a review of analytical support across the force and submitted an Analytical and Performance Unit (APU) Redesign<sup>11</sup> proposal through the transformational change framework. This was referenced at the Scottish Police Authority meeting in February 2021 highlighting an Initial Business Case would be submitted for internal assurance and governance. One of the proposals included addressing the need for dedicated analytical support to the Public Protection business area. We learned this transformation of the analytical function is still ongoing with a number of staff from APU will be re-parented to Specialist Crime Division (SCD) later in 2021.
25. Since the publication of our report we recognise the commitment that Police Scotland has made to making progress in this area. In March 2021, SCD Public Protection were successful in a bid for two dedicated criminal intelligence analysts appointed on an interim basis. The interim appointments are until such time as the Analytical and Performance transformation is complete. One of these analysts is dedicated to examining online child sexual abuse and exploitation. The appointments are making a positive impact, but will take time to support both enforcement and prevention activity across the force. HMICS recognises that progress has been made, but have concerns surrounding the current interim approach and is unclear if this is a sustainable model.
26. Within the last 12 months we learned of analytical products have been created to assist strategic direction in tackling child sexual abuse. Two key products we examined were both informative and to a high standard. These were the Online child sexual abuse and exploitation (OCSAE) Strategic Threat Assessment produced in February 2021 and an analysis of National Online Child Abuse Prevention (NOCAP) packages produced in October 2020. We found that the analysis conducted was challenging due to the unreliable nature of the data and the different systems that required to be interrogated
27. We also learned of a need to increase intelligence submissions in respect of online child sexual abuse and exploitation. This would allow Police Scotland to enhance the intelligence picture and assist analysts in developing more informed analytical products. HMICS can see the benefit of promoting the awareness of OCSAE amongst staff in order to increase the quality of intelligence submissions. This would enhance the overall intelligence picture and enable the analyst to provide a range of products.
28. During our progress review we found that an analytical library of assessments relative to OCSAE had been created and can be easily accessed and used by criminal intelligence analysts as a point of reference for current and future tasks. We welcome this approach.

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<sup>11</sup> SPA, [Police Scotland Transformational Change Meeting](#), 24 February 2021.

29. We were informed of productive communication amongst senior management within SCD including those leading analytical functions however there did not appear to be the same understanding of prioritisation, workloads and timelines across all staff. We heard prioritisation and visibility of ongoing tasks could be enhanced through the now established governance framework.
30. HMICS has been fully apprised of the force review of the current structure of intelligence provision at local and national level. We learned that a recommendation of the internal National Intelligence Review<sup>12</sup> is to create a National Intelligence Coordination Unit. The creation of such a coordination unit would allow for an increase in the force threat desk provision. We are content that one such desk will focus on child abuse (including OCSAE) and will allow the force to focus Intelligence work towards significant areas of threat. The benefit of this approach will ensure that the force has a consistent model of assessing risk and provide opportunities to disrupt those that present a danger to children online.

### **HMICS Assessment**

HMICS welcomes the introduction of two dedicated Public Protection analysts appointed on an interim basis. We recognise the commitment shown by Police Scotland in appointing one of these analysts to the threat posed by online child sexual abuse and exploitation. HMICS does have concerns surrounding the current interim approach however have been reassured that there is a commitment at ACC level to ensure Public Protection retain the posts on a permanent basis. The recommendation is partially met at this time.

### **Recommendation 2: Partially Met**

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<sup>12</sup> Police Scotland, National Intelligence Review 2021 (Internal Police Scotland document)

## Recommendation 3

### Recommendation 3

Police Scotland should ensure a strategic governance framework is in place, which provides support, direction, scrutiny and quality assurance to the force's response to online child sexual abuse.

31. In the report it was highlighted that the Police Scotland strategic direction was unclear and there was no evidence of an overarching strategic approach to a growing problem.

### Progress in relation to recommendation

32. In our progress review we learned that the response to tackling online child sexual abuse and exploitation continues to span across several business areas involving officers and staff from intelligence, investigative, preventative and digital forensic business areas. The Assistant Chief Constable with responsibility for Major Crime, Public Protection and Local Crime has shown a clear commitment and drive to improving practice since taking up post. In the report we highlighted that effective strategy and governance required to be in place to ensure this is maintained in the future.
33. In our progress review we learned that it is clear that senior leaders are determined to improve the quality of the response to tackling online child sexual abuse and exploitation. The force's Annual Police Plan 2020-21<sup>13</sup> and the Cyber Strategy<sup>14</sup> have, at their heart, activity that focuses on reducing vulnerability and dealing effectively with those whose activities present a risk of harm to children. Evidence exists of investment in the creation of additional senior management roles that will ensure the delivery of the force's Cyber Strategy.
34. The force now has effective governance arrangements in place for tackling online child sexual abuse and exploitation. An Assistant Chief Constable chairs the Tackling Online Child Sexual Abuse and Exploitation Strategic Board (TOCSAE) that now drives improvement, monitors performance and provides vision and leadership. HMICS welcomes the re-establishment of this Strategic Board (TOCSAE) together with a revised ToR and membership that has clear ownership of current and emerging risk. We found that board members and teams under their command were fully invested and committed to working collegiately to improve the overall policing response. The other TOCSAE Tactical and underlying sub groups are also now starting to show the benefits of enhanced communication and co-ordination of activity relating to OCSAE.
35. We also found evidence that the emergence of a Multi-agency Preventing Online Child Sexual Abuse and Exploitation Group that has been beneficial to both Police Scotland and partners. An example of this was ensuring that 'stay safe online' information advice for children, parents and carers was contained within the pack of electronic equipment distributed as part of the digital inclusion programme. There is the potential to develop sustainable prevention programmes through working with children and young people, parents carers and offenders. HMICS looks forward to observing progress in this area transforming to positive outcomes.
36. HMICS welcomes a recommendation within the recently produced internal Police Scotland National Intelligence Review. This recommendation highlighted that Police Scotland agrees realignment of governance of all Intelligence functions and officers/staff under one Detective Chief Superintendent (Head of Intelligence) to provide a single authoritative view.

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<sup>13</sup> Police Scotland, [Annual Police Plan 2020/21](#).

<sup>14</sup> Police Scotland, [Cyber Strategy 2020](#).



37. During our progress review we also recognised that senior leaders focused a realignment of resources to increase capacity in the intelligence and investigative space to directly tackle growing demand. This focused enforcement activity known as Operation Parror addressed to an extent, the level of resource required in these areas within centralised functions and this has remained now business as usual and HMICS welcomes this..
38. HMICS recognises that senior leaders within Police Scotland continue to attend and contribute to important national (UK) strategic network arrangements including the jointly chaired National Crime Agency/UK Government Pursue and Prevent Boards and the National Police Chiefs' Council (NPCC). OCSAE features prominently in both forums, and attendance allows Police Scotland to engage with key partners, learn of new crime trends and gain valuable knowledge of new technologies available to focus its activity on those who present the greatest danger to children.
39. During our progress review we learned that OCSAE is a priority both nationally and locally and is discussed daily, weekly and monthly at key local, regional and force delivery boards. We found robust grip on responding to immediate risk of harm to children and a focus on utilising available offending trend information through interventions, public awareness and multi-agency work.
40. HMICS recognises the publication of Police Scotland's online child sexual abuse and exploitation strategy and is contained within the TOCSAE Board Terms of Reference. We believe that wider visibility of the strategy specifically with key stakeholders (Scottish Government/National Crime Agency), partner agencies and the public by publication on the Police Scotland website would emphasise the priority of tackling online child sexual abuse and exploitation.
41. HMICS found evidence of Police Scotland's online child sexual abuse and exploitation strategy having been established at the TOCSAE Strategic Board. Board members include key stakeholders from COPFS, NCA, Local Policing Divisions and SCD portfolio leads. During our fieldwork we ascertained that not all frontline staff were aware of the strategy. We were encouraged to learn that staff were aware of the investigative process and how to escalate concerns. We would encourage Police Scotland to enhance communications regarding the online child sexual abuse and exploitation strategy both internally and externally. We would suggest that Police Scotland submit the strategy to the Scottish Police Authority Board and ensure that it is publically available.
42. HMICS is content that Police Scotland's overarching strategic direction is publically visible with OCSAE maintaining a prominent focus and this transcends to a collegiate framework of senior leader support and governance. We are further encouraged by the alignment of Police Scotland's Cyber Strategy implementation of which will further develop the policing response. Furthermore the development of Police Scotland's tasking and delivery boards at local, regional and national level ensures a mechanism to respond to emerging threats.

### **HMICS Assessment**

HMICS acknowledges the significant efforts from Police Scotland making meaningful progress against this key recommendation. This includes daily oversight, governance and quality assurance of OCSAE by management in both frontline and specialist roles. We also recognise the role performed by the Police Scotland Audit and Assurance in managing progress made towards the recommendations in our original report. As such we are content that significant progress has been achieved to the point where this recommendation is discharged.

### **Recommendation 3: Closed**

## Recommendation 4

### Recommendation 4

Police Scotland should undertake an Online Child Sexual Abuse Strategic Threat Assessment to accurately identify the scale, nature and threat to children from online child sexual abuse.

43. In our report we highlighted that Police Scotland had no specific Strategic Threat Assessment that addressed the issue of online child sexual abuse and exploitation. Rather online child sexual abuse and exploitation was a cursory feature contained within a broader perspective.

### Progress in relation to recommendation

44. We were pleased to see an OCSAE Strategic Threat Assessment (STA) being produced internally by Police Scotland in January 2021. This assessment is reflective of the remaining challenges faced by Police Scotland to improve recorded data in terms of the scale, nature and threat of online child sexual abuse and exploitation. The assessment did contain recommendations for improvement and HMICS is of the view that recommendations are only effective if monitored through an action management framework with timescales for key deliverables.
45. During our fieldwork we learned that most senior leaders have read and discussed the STA. The assessment did not present any outlying issues that were not already being addressed through ongoing work however, as data quality improves the enhanced future versions will be critical for direction moving forward. We expect Police Scotland to consider and document the decision making surrounding the actions described in its OCSAE STA to address issues raised. HMICS is unsighted on any action plan from the assessment or response to the recommendations contained in the STA.
46. We learned the OCSAE STA had been shared though the TOCSAE tactical and strategic fora and consequentially as a board member the NCA have been a recipient however Scottish Government colleagues working in this area are keen to be supplied with the OCSAE STA. We were advised there was an appetite to use such information to inform polices to tackle online child sexual abuse and exploitation.

### HMICS Assessment

HMICS acknowledges the efforts from Police Scotland in the progress against this recommendation in producing an OCSAE STA however our report also outlines the purpose being to accurately identify the scale, nature and threat to children from online child sexual abuse and exploitation. HMICS are satisfied the quality of the OCSAE STA will continue to evolve through an action management framework with timescales for key deliverables. Our discussions with senior leaders provides assurance activity is ongoing and offers a platform for improvement. The recommendation is partially met at this time.

### Recommendation 4: Partially Met

## Recommendation 5

### Recommendation 5

Police Scotland should review the current arrangements for allocation of specialist support in relation to online child sexual abuse to ensure the allocation is fair, equitable and meets the needs across the country.

47. In our report we found that resources were an issue in terms of responding to the increasing demand and risk presented by online child sexual abuse and exploitation. There was particular pressure placed on the Internet Investigation Unit. We highlighted that Public Protection is the correct specialist area to lead the response to tackling online child sexual abuse and exploitation, yet had fewer resources than other areas of Specialist Crime Division. HMICS encouraged Police Scotland to review the distribution of posts across SCD, in keeping with the force's strategic priorities and commitment to protecting those at greatest risk of harm. We also referenced that specialist support functions needed to those who are most in need of protection and target those who pose the greatest risk.

### Progress in relation to recommendation

48. In our progress review we were directed to the review of resources and subsequent submissions undertaken for the purposes of the Strategic Workforce Plan 2021-24<sup>15</sup>. This review process allowed 19 different policing divisions and departments to submit their own assessment of need in their areas. We learned that this included reviews of the Internet Investigation Unit, Communications Investigation Unit, response to the investigation of NOCAP packages and digital forensics. Some specialist functions have benefited from a small increase in staffing. HMICS was encouraged to learn that the Internet Investigations Unit and Communications Investigations Unit did make alterations in their day to day processes which has allowed for greater efficiency in practice.
49. Specialist support functions perform different functions as part of the overall response to OCSAE and we learned that resource increase in some areas transferred a resource pressure to another if done in silo. During the review HMICS was encouraged to learn that there is to be force wide review of all elements of Public Protection with appropriate links into ongoing work in relation to Local Policing Design. HMICS looks forward to reading this report in due course.
50. In our report we referenced that Police Scotland convened a weekly inter-departmental meeting, attended by the Internet Investigations Unit (IIU), Cybercrime Unit and NCAIU. This was a tasking forum that facilitated discussion around NOCAP packages. At that time, we found that the day to day processes for securing specialist resources were not reliable across the country and in particular it was difficult to coordinate divisional enforcement activity with the required onsite digital forensic examination.

### Intelligence and NOCAP

51. HMICS can report that progress has been made by Police Scotland in respect of the process for the assessment of the requirement for specialist resources. We found that daily inter-departmental tasking and co-ordinating meetings have been introduced to discuss NOCAP. Key stakeholders attend this daily meeting. We are also encouraged to learn of the improved quality assurance process for dissemination of intelligence. A further improvement has been the creation of the digital forensics NOCAP co-ordinator post. The co-ordinator attends the daily meeting to ensure there is a coordination between enforcement and the requirement for a digital forensic examiner.

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<sup>15</sup> Police Scotland, Strategic Workforce Plan 2020-24.

### **Investigative activity- NOCAP**

52. HMICS learned that the current enforcement process of suspected OCSAE offences had improved since the time of the publication of our report. We learned of the introduction of a dedicated online child sexual abuse and exploitation investigation team for the local policing west region. This team is part of the National Child Abuse Investigation Unit (NCAIU) West. There are now NCAIU online investigation teams in all three of the local policing regions. We learned that the benefit of the NCAIU west team has been an improvement in the efficiency of NOCAP enforcement as seen by the reduction of backlogs and an increase in the capability of the team. In the last 12 months over 80% of enforcement activity in the west of the country had been carried out by the new team. This dedicated resource can be deployed quickly with the aim of securing evidence and preventing any further offending. Where the team do not have capacity for the remaining packages this is tasked to Local Policing Divisions for enforcement with the planned support of digital forensics. Allocation of packages is decided at the daily inter-departmental tasking and co-ordinating meeting.
53. We learned that improvements in efficiency had also been made in the north of the country. The NCAIU North now also deals with approx. 80% of NOCAP enforcement activity. The NCAIU north currently does not routinely conduct NOCAP enforcement activity in the Northern or Western Isles of Scotland but will be deployed to the islands for more complex and sensitive cases. We learned that staff within the NCAIU North are keen to use experience and work with officers on the islands to share learning across a range of investigations.
54. HMICS is highly encouraged by Police Scotland's advances in enforcement activity to OCSAE in the last 12 months. The creation of the new OCSAE team in the west of Scotland has been a contributory factor to this. HMICS can see the benefits of all NOCAP enforcement activity being undertaken by a dedicated team. Senior leaders acknowledge the skills development aspect of this and are open minded to interchanging staff on these roles after set periods from a staff development and welfare perspective. This would allow local policing teams to focus on emerging OCSAE investigations reported in their communities.
55. As highlighted by Police Scotland in the Chief Constable's Assessment of Performance 2020/21<sup>16</sup>, the force increased its enforcement activity and created a taskforce named Operation Parror to help mitigate the growing threat of Online child sexual abuse and exploitation. An initial three month taskforce, later extended to five months, was established on 01 September 2020. The taskforce brought together SCD resources from the National Child Abuse Investigation Unit, Internet Investigations Unit, Organised Crime and Counter Terrorism Unit, and Major Investigation Teams. Cyber Digital Forensics also re-aligned resources to increase capacity in order to support cyber examination at the point of enforcement.
56. Since then, Operation Parror teams have undertaken the majority of NOCAP enforcement, significantly reducing demand on Local Policing Divisions, whilst maintaining strong relationships with each local policing division to address child protection issues and safety planning without delay.
57. Between 1 September 2020 and 31 March 2021, Police Scotland had allocated 728 NOCAP packages, with 649 enforced, 275 arrests and 434 children safeguarded or protected via Inter-agency referral discussion and or sharing with partner agencies using the interim Vulnerable Persons Database.

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<sup>16</sup> Police Scotland, Chief Constable's Assessment of Performance 2020/21



58. We learned that, following Operation Parror, a number of posts from the taskforce transitioned to an initial permanent uplift in the NCAIU establishment and a small uplift to Internet Investigations Unit. Whilst we welcome this uplift in resources a co-ordinated end- to-end review of the process would have ensured the needs of each area were considered appropriately.

**Specialist Support- Digital Forensic Case Management**

59. In our report we highlighted that the Strategic Assessment 2020-23 and '2026 - Serving a Changing Scotland' documents reflected the urgent requirement for Police Scotland to review and increase capacity and capability to meet demand to effectively police the digital world. Further, the SCD Risk Register listed 'Force wide Digital Skills and Knowledge' and 'Ensuring Cybercrime Investigation and Digital Forensic Skills Keep up with Technology' as very high level risks. We commented that Police Scotland aspires to recruit a significant number of specialist support staff to assist in this area, however there have only been modest steps towards this since 2017.

60. During our progress review we learned that digital forensics is in need of an urgent review to ensure that it can meet current and future demands. Since the publication of our report, digital forensics has had no increase in resources even though there has been an increase in workload. We found evidence that the increased workload was taking its toll on the welfare and wellbeing of digital forensic examiners. The Police Scotland Strategic Workforce plan 2020-2024 makes reference that within digital forensics it has been proposed to invest both in resource and technology to meet the growing demand and address the emerging risks from new technology, including cloud based data storage and extraction. One such investment is to extend coverage of the Cybercrime gateway to include weekend support and even 24/7 support if considered proportionate. It also highlighted that Police Scotland would develop new career pathways for specialists in growth areas including cyber and digital forensics.

61. We ascertained that a small number of officers have been moved from their role conducting digital forensic examinations to be part of the frontline OCSAE enforcement teams. Whilst this is a positive move, it has impacted on the back office function as forensic examinations where backlogs have increased. We further learned that a request for a substantial uplift in staff for digital forensics had been approved but no dates established for when new staff will be recruited, trained and operating. We also learned that the recruitment of digital forensic examiners can take some considerable time before they are in a position to commence examinations.

62. We established that Police Scotland has considered outsourcing digital forensics work to reduce half of the backlog of digital devices. Substantial costs would be required to pay for such a service and it may not be sustainable as demand increases.

63. During our progress review we were made aware of challenges that exist in the Highlands and Islands area and in particular when securing digital forensic staff to attend enforcement activity. On occasions, digital forensic staff have had to attend locations in the north of Scotland having travelled from the central belt of the country. HMICS would urge Police Scotland to review the digital forensic service provided in Highlands and Islands area in order to improve efficiency in the police response and as part of the improvement against this recommendation.

64. HMICS also learned that in the north of Scotland there is currently no digital forensic helpdesk or digital forensic co-ordinator available to assist for general enquiries. This lack of support has led to frustration of staff working on OCSAE investigations. We also learned that such a provision had previously been in place and had been beneficial.



### ***Process for securing specialist support***

65. In our report we found that Local Policing Divisions rarely submitted bids for specialist support via formal tasking arrangements with the appropriate forum at that time being the SCD Multi Agency Tactical Tasking and Co-ordination group. We also highlighted the requirement for specialist resource provision to be more open and visible.
  
66. During our progress review there was evidence that both Local Policing Divisions and specialist business areas across Police Scotland are aware of, and use, tactical tasking and co-ordinating processes submitting bids to either SCD Operational Delivery Board (SCD ODB) and Multi-agency Tasking and Delivery Board( MATDB). Furthermore a new regional layer of tasking has been introduced, (Regional ODBs for North, East and West) which encourages assessment of the required resource across divisions within each region. If the bid cannot be resourced at Regional ODB then this can be escalated to SCD ODB. There is also a Dynamic Tasking Register held at SCD to collate specialist support provided by SCD to local divisions outwith the monthly tasking cycle. This commenced in April 2021 and is welcome in terms of transparency and visibility.

### **HMICS Assessment**

HMICS acknowledges the progress that has been made by Police Scotland for the allocation of specialist support in relation to online child sexual abuse and exploitation. This is particularly clear in respect of enforcement activity across the whole of the country. We learned that digital forensics is in need of an urgent review to ensure that it can meet current and future demands. Following our fieldwork we were made aware of a business justification case containing a proposal to provide an additional ten Digital Forensic staff and a team leader on temporary 24 month contracts. We are also encouraged to learn that the Cybercrime Strategy Implementation will ensure demand information is central to decisions relating to capacity and capability. The recommendation has been partially met.

### **Recommendation 5: Partially Met**

## Recommendation 6

### Recommendation 6

Police Scotland should review the resources and structure of the Internet Investigation Unit and Communications Investigation Unit to ensure that the force is able to meet current and future demand in relation to initial risk assessment, triage and intelligence development.

67. The HMICS report highlighted that Police Scotland devotes considerable time and effort to progressing National Online Child Abuse Prevention (NOCAP) packages, the vast majority of which are generated from Intelligence referred by the National Centre for Missing Exploited Children (NCMEC) with other sources including those from the NCA. The processing of NOCAP packages requires nearly all of the resources in the Internet Investigation Unit, and generates significant demand for the Communication Investigation Unit. Whilst an accredited risk assessment tool was used by Police Scotland to prioritise the referrals which are then developed and researched to create NOCAP packages, there was no overall consideration of the impact the effort devoted to progressing these packages is actually making on the levels of offending.
68. As highlighted within our report, HMICS recommended a review of resource and structure of the Internet Investigations Unit and Communication Unit based on rising intelligence referral numbers and the impact on the IIU staff to undertake any other online investigations.

### Progress in relation to recommendation

69. Since the publication of our report, Police Scotland has continued to see a significant increase in demand on both the Internet Investigations Unit and the Communications Investigation Unit. This has been further exacerbated by the impact of the coronavirus pandemic and increased public use of the internet.
70. The Strategic Workforce Plan 2021-24, makes reference that the Internet Investigations Unit requires a major uplift in resources and that the operating model is in need of change. The plan underlines that increasing the number of staff to blend with existing officers is a strong possibility including the recruitment of experts in topics such as Data Analysts, Programmers and Coders, Data Scientists / Miners, Ethical Hackers, Cyber Security experts and researchers or Network Engineers. The plan highlighted that a full review of the current structure and purpose of national Intelligence had been commissioned.
71. Our progress review has shown that Police Scotland did conduct an internal review of resources and structure of the Internet Investigation Unit and Communications Investigations Unit. Evidence exists that the review was later revised and re-submitted to senior leaders for direction and decision making. We note that whilst Intelligence and workflow continues to grow, we were informed that both areas are still in need of further resources. We are aware that there has been a small uplift in resources within the Internet Investigations Unit primarily to deal with a backlog of referrals however, we found a lack of clarity as to how Police Scotland calculated the resource uplift in comparison to demand.
72. The review of the Internet Investigation Unit and Communications Investigations Unit led to changes in internal practice and effective use of risk assessment. This change in practice has led to increased efficiency and reduction in Intelligence backlogs. HMICS views this as positive progress.



73. Our progress review discovered that the review of the Internet Investigation Unit and Communications Investigations Unit and subsequent changes occurred when other areas were not in a position to introduce radical change due to resource and training capacity. We were told the review primarily improved the triage process at IIU resulting the backlog being displaced further downstream to investigations or digital forensics.
74. In addition to improved processes and a small uplift of staff, HMICS is supportive of the new development opportunities for 6-month secondments to the Internet Investigations Unit. Whilst we appreciate that this is only a temporary solution, it will still assist both the Unit and the personal development of the seconded staff.
75. HMICS considers that the future procurement of a new data management system for managing Intelligence packages as a key development and are of the view this will enhance the management of Intelligence referrals. As mentioned earlier in this progress report, this would replace the current outdated application. The benefit of the new system would include providing the Intelligence community with a workflow management process to track enforcement activity and provide up to date demand information.

### **Child at Risk referrals**

76. Within our report we commented that Child at Risk referrals were created in relation to those children who have posted sexually explicit images of themselves on social media. We also commented that the use of Child at Risk referrals and associated intervention activity were dealt with in isolation and not merged with prevention strategies.
77. Our report made reference that the application of Child at Risk referrals should be considered as an integral element of wider prevention and intervention strategies.
78. During the progress review we found no evidence of a standard written business rule for the assessment and dissemination of Child at Risk referrals. The process would also be improved if the referrals were triaged at the relevant divisional concern hub where there could be consideration given to holding an inter-agency referral discussion with statutory partners depending on the circumstances.
79. As part of this recommendation Police Scotland should include an end-to-end review of the 'Child at Risk' business process to ensure that it is aligned with child protection practice.

### **HMICS Assessment**

HMICS recognise that Police Scotland did conduct an internal review of resources and structure of the Internet Investigation Unit and Communications Investigations Unit. Involving other specialist support functions would have been beneficial, and may have assisted in managing demand and improving the end-to-end processes. The recommendation has been partially met given some of the gaps that still remain.

### **Recommendation 6: Partially Met**



## Recommendation 7

### Recommendation 7

Police Scotland and the National Crime Agency should work together to ensure that all capabilities are being exploited to their full potential and intelligence is shared effectively.

80. Police Scotland's principal law enforcement partner in respect of online child sexual abuse and exploitation is The National Crime Agency (NCA). The NCA has a critical responsibility in tackling the global threat of online child sexual abuse and exploitation in the UK. They are the conduit for Scotland-related Intelligence referrals from across the world, however, they do not provide investigative resources for online child sexual abuse and exploitation and they do not carry the risk associated with any referrals they pass to Police Scotland.
81. In our original report we emphasised that we had found a potential disconnect with Police Scotland that may impede more effective collaborative working. We found that this had presented challenges in the past in terms of time taken to carry out research and this had resulted in revised processes. This presented a risk to both Police Scotland and victims of crime. In our report we also found that there were missed opportunities to tackle online child sexual abuse and exploitation that required to be urgently addressed.

### Progress in relation to recommendation

82. Our progress review observed evidence of a highly committed and engaged partnership between Police Scotland and the NCA which has resulted in increased opportunities to tackle OCSAE effectively. We learned that the NCA is sighted on Police Scotland's strategic and tactical response to OCSAE and have attended Police Scotland TOCSAE Boards contributing experience and expertise to discussions. There is alignment at a strategic level with evidence that intelligence is shared in both directions. Police Scotland staff at all levels spoke positively about the value of NCA staff at the various meeting fora.
83. Senior leaders from Police Scotland also attend and contribute at key UK strategic network arrangements including the jointly chaired National Crime Agency/UK Government OCSAE Pursue and Prevent Boards.
84. We were informed by NCA staff that there is a good relationships between both organisations in terms of ongoing communication to understand the impact of the wider global picture of offending in Scotland. These verbal discussions are ongoing and help maintain a current understanding of threat levels. Formally there is an exchange of each organisation's strategic threat assessments. At a tactical level good practice has been shared through open discussion fostered through invitation onto the TOCSAE Tactical Board. This relationship provides professional peer support and sharing of trends and practice.
85. During our progress review we also established that Police Scotland and the National Crime Agency (NCA) are of the view intelligence is shared effectively and due to the review of IIU process backlogs are far reduced.
86. We were informed that in seeking a replacement for Police Scotland's current outdated data intelligence referral management system guidance was sought from NCA colleagues on options for a replacement. Subject to approvals this will improve how Police Scotland monitor the development of OCSAE Intelligence referrals and will be a tangible benefit from this ongoing collaborative working.



87. We also learned that Police Scotland has a good relationship at an operational level with the NCA advice and assistance sought in particularly sensitive and challenging investigations. Staff were positive about broadening their skills through any learning opportunities with NCA.

### **HMICS Assessment**

HMICS acknowledges the progress made from Police Scotland and the National Crime Agency to ensure that all capabilities are being exploited to their full potential and intelligence is shared effectively. Whilst this is a progressive partnership we are content that significant progress has been made by Police Scotland and this recommendation is discharged.

### **Recommendation 7: Closed**

## Recommendation 8

### Recommendation 8

Police Scotland should work with the Crown Office and Procurator Fiscal Service to establish a pragmatic and realistic approach to digital forensic examination requests.


88. In July 2015, HMIC published their inspection report 'Online and on the edge: Real risk in a virtual world'<sup>17</sup>. Issues identified by HMIC at that time still remain relevant today and to Scotland. One such issue related to delays with digital forensic examinations. It highlighted that units undertaking digital forensic work experienced backlogs in the analysis of devices such as mobile phones and computers. It was not uncommon to see delays of up to 12 months.
89. In our report we made reference that Police Scotland operated with a significant backlog of devices awaiting digital forensic examination, however it was welcomed that the backlog had been successfully reduced by over half to approx. 500 devices in December 2019. HMICS urged Police Scotland to ensure this effort was sustained.

### Progress in relation to recommendation

90. Our progress review has revealed that Police Scotland continues to operate with a significant backlog of devices awaiting digital forensic examination. A number of factors have contributed to this including increased enforcement activity, the average capacity of devices such as smart phones having increased, staff resignations, delayed recruitment of digital forensic examiners and the impact of the coronavirus pandemic which has seen an increase in OCSAE.
91. HMICS acknowledges that senior leaders are considering a range of options for their approach to reducing the backlog and increasing efficiency. We would urge Police Scotland to ensure that all efforts are made to have their approach implemented at pace and documented within an associated action plan. HMICS would wish to see assurance of the longer term approach to digital forensic examinations.
92. In our report we acknowledged that the demand for digital forensics, and in particular the backlog, is influenced by the Crown Office and Procurator Fiscal Service (COPFS), who regularly make requests to conduct initial or supplementary forensic examinations. Advances in technology and the vast amount of data being held on devices are such that blanket requests to 'examine everything', made as a matter of routine, are increasingly unrealistic and have a substantial subsequent impact on Police Scotland's digital forensic capability. HMICS highlighted that a radical rethink regarding the practicalities of sustaining the approach at that time was required.
93. As part of our progress review we were encouraged to learn of a joint Police Scotland/COPFS 'Forensic Gateway' pilot operating in the Local Policing Divisions of Edinburgh City and The Lothians & Scottish Borders. Early indications are that the pilot appears to have improved the quality and efficiency of digital forensic submissions. It is anticipated the pilot will be evaluated late 2021 and considered by stakeholders from a national perspective. HMICS considers Police Scotland's Criminal Justice Services Division to be an important stakeholder during any subsequent development.

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<sup>17</sup> HMICFRS, [Online and on the edge: Real risk in a virtual world](#), 2 July 2015.

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94. We learned that Police Scotland and COPFS participate in operational digital forensic case discussions in respect of OCSAE investigations. The purpose of these discussions is to develop clear case by case digital forensic examination in respect of devices seized for cases involving Indecent Images of Children (IIOC). We learned that these discussions primarily are for COPFS to agree with digital forensics the are designed to proportionately assess the requirement around the digital examination which is positive move rather than standard examination requests however we noted this did not necessarily involve the Senior Investigating Officer (SIO).
  95. HMICS is aware that the practicalities and impact of changing digital examination is challenging however, it is vital that both Police Scotland and COPFS collaborate to achieve a long term sustainable approach to this important part of the investigative process.
  96. Post pilot HMICS would encourage Police Scotland and COPFS to have in place formal decision making arrangements with clear overarching governance to ensure both organisations are clear on any change or expectation required to this element of the OCSAE. We acknowledge progress has been difficult to gather momentum, however we found no evidence of recorded meetings, terms of reference or agreed service level arrangements to which both organisations can work towards..
  97. In our report we referenced that Police Scotland had taken no action towards achieving accreditation for digital forensics, nor had the issue of where the function is best located (Police Scotland or SPA Forensic Services) been resolved. During our fieldwork we were made aware that the accreditation process has commenced but progress has been slow.
  98. HMICS was encouraged to learn that Police Scotland are to open new accommodation in the North East of Scotland to an accredited cyber/digital forensics hub standard. A newly created senior management post will also oversee Cyber Crime and digital forensics and provide additional support and governance within this specialist area of policing.
  99. Our progress review was told that the procurement of specialist equipment used for digital forensic examinations has been fully supported by Police Scotland. We also learned that Police Scotland had ensured safe working arrangements within Forensic Hubs due to the impact of social distancing due to the coronavirus pandemic.
  100. HMICS learned that Police Scotland is making early steps to collaborate with further education establishments in an effort to recruit digital forensic examiners after graduation and provide a long term career pathway. We look forward to discovering the progress made in respect of this innovative step in due course.

### **HMICS Assessment**

HMICS acknowledge that progress towards this recommendation has been slower than anticipated. We also recognise that Police Scotland's response to digital forensics is in need of an urgent review to ensure that Police Scotland can meet current and future demands. We await the evaluation and any next steps of the current pilot. The recommendation remains partially met.

### **Recommendation 8: Partially Met**

## Recommendation 9

### Recommendation 9

Police Scotland should review its capacity and capability to conduct undercover online covert operations in support of its policing priorities and ensure that undercover online operatives are sufficiently equipped and supported to identify and adequately assess the risk to children as a result of online offending.

101. Our HMICS Report 2018<sup>18</sup> (Strategic Review of Undercover Policing in Scotland), report confirmed that the main focus of undercover activity in the three years immediately following the inception of Police Scotland was drug related offences. Child sexual abuse and exploitation accounted for the second most targeted crime type however, clearly the margin between the two in terms of numbers of operations was considerable.
102. In our report we made reference that despite Police Scotland being advised in 2018 that the deployment of Undercover Online operatives was an underused tactic, Police Scotland has made little progress, and indeed there has been a regression in this area of business against a backdrop of increased demand.
103. In our report we also highlighted the need for a more robust proactive capability on the part of Police Scotland to primarily target offending behavior using trained specialist resource operating in accordance with conduct and legislative standards.

### Progress in relation to recommendation

104. The Force's Strategic Workforce Plan 2021<sup>19</sup> details that Police Scotland's Special Operations Unit (SOU), which has responsibility for the delivery of undercover tactics including those relating to cyber enabled criminality is intended to expand given it is one of the few proactive approaches available in this high risk, high priority area.
105. We learned during our progress review that Police Scotland had formed a short life working group to ensure that progress was made towards this recommendation. This examined the end-to-end process to tackle online child sexual abuse and exploitation which considered the capacity and capability to conduct undercover online covert operations. The examination revealed that additional resource investment would be required in terms of staffing, training and infrastructure. The review also allowed changes to be made in respect of processes and procedures and has led to a more effective governance process. The new procedure will ensure that due diligence and governance is in place around risk, necessity and proportionality.
106. During our progress review we learned that key management positions within this area of business had excellent knowledge and experience in this field. A newly appointed management team is in place and has made good progress.
107. We acknowledged there has been definite progress of structure, resource and skills levels for this area of work. This will involve role specific posts, training and deployment model designed to enhance capability and capacity in this area.

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<sup>18</sup> HMICS, [Strategic Review of Undercover Policing in Scotland](#), 7 February 2018.

<sup>19</sup> Police Scotland Strategic Workforce Plan 2021-24



108. HMICS would encourage Police Scotland to benchmark their intended Undercover Online operating model against other UK forces and provide HMICS with an update to evidence that “undercover operatives are equipped and supported in a sustainable model”.
109. HMICS welcomes the creation of an Operational Lead Team to take on the investigative strand of the undercover OCSAE work and will take note of the impact of this team. HMICS acknowledges positive change however we are made aware of other resource structures across other UK forces that have expanded due to the increased volume of work generated proactively indicating resourcing this area may be an iterative process.

### **HMICS Assessment**

HMICS acknowledges the efforts from Police Scotland in progress against this recommendation and recognise the improvement made. We encourage Police Scotland to use demand analysis information alongside benchmarking other undercover online operating models across the UK to ensure there is sufficient resource to meet demand and manage risk moving forward. The recommendation has been partially met until the impact of any recent changes can be considered.

### **Recommendation 9: Partially Met**

## Recommendation 10

### Recommendation 10

Police Scotland should ensure that arrangements for deploying undercover online specialist resources are directed by formal tasking arrangements aligned to risk, priority and demand.

110. In our report we found evidence of the SOU self-generating undercover online operations, which were then approved at Detective Chief Superintendent level without going through the formal tasking and co-ordinating process. This approach to the allocation of scarce specialist covert assets was inappropriate. It did not take account of the demand for covert support from across the organisation, nor the prioritisation arrangements aligned to prescribed risk assessment processes.
111. We also highlighted that to ensure that the operational activity of the SOU, in common with all other aspects of Police Scotland, is informed by risk, priority and demand, it should be directed by robust and effective tasking and co-ordination processes. Although the sensitivity of covert options and assets require protection, HMICS considered the SOU to be part of the wider police response and should not be permitted to operate in isolation.

### Progress in relation to recommendation

112. In our progress review we learned that, on submission of a formal tasking and co-ordinating bid form submitted by the investigative Senior Investigating Officer (SIO) to the SOU, an initial investigative strategy meeting is held to discuss proposed tactics and mitigate any risk. Internal stakeholders with expertise in undercover investigations, child protection and intelligence management. Tactical options are proposed, agreed and rationale documented.
113. We found evidence that a formal tasking and co-ordinating process is now used enabling the prioritisation of investigation as aligned to risk. We also learned of strategic oversight at ACC level of all OCSAE investigations.
114. We also learned that a number of operational activities have been undertaken using this process. We also understand that the SOU has received positive feedback from SIOs on the operational benefits and learning taken from the investigative strategy meeting.
115. HMICS can report that the improved processes and relationships for high level discussion to proceed investigations covertly have been established however, should be the subject of periodic review to ensure these arrangements remain effective.

### HMICS Assessment

HMICS acknowledges the efforts from Police Scotland in realising meaningful progress against this recommendation. As such we are content that work carried out offers a platform for continuous improvement.

### Recommendation 10: Closed



## Issues arising from the progress review

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116. In the course of our progress review we came across some additional issues which we consider worthy of highlighting.

### Wellbeing Policy

117. During our progress review we learned that the past 12 months has been particularly challenging for staff. This period saw an increased demand in online child sexual abuse and exploitation and the associated risks. All of these factors are experienced from intelligence through investigation and through to digital examination.

118. We found disparate and inconsistent arrangements regarding wellbeing and professional assistance to support officers and staff with regard to the impact on their mental health. HMICS is versed in the corporate arrangements that exist for staff wellbeing namely Occupational Health pathways and Trauma Risk Management (TRiM) and learned of access by managers and staff where need is recognised. We were however concerned of the impact of daily pressures of demand alongside the knowledge of the risk offenders pose. We were made aware some senior leaders were taking active steps to rotate staff or consider length of time in investigative posts. HMICS welcomes this proactive approach and acknowledgement of the lasting effect on staff when policing in this environment.

119. Staff rotation or tenure does not however address the impact of this area of policing on staff therefore HMICS would wish to see improvement with regard to wellbeing as a matter of urgency and for that to be reflected across all affected business areas. Post fieldwork we have been made aware of this issue being flagged through SCD internal governance frameworks and we welcome this foresight together with the outline of a plan to take this work forward.

120. HMICS is keen to keep a focus on this vital area therefore we have made one further recommendation from this review which will be appended to the original report for the purposes of audit and reporting and will thus be known as recommendation eleven.

## Recommendation 11

### Recommendation 11

Police Scotland should review the current arrangements around staff welfare and develop a wellbeing policy that involves appropriate support and monitoring for police officers and staff who have a dedicated role the response to online child sexual abuse.

### Training and Staff awareness

121. HMICS recognised a desire from frontline staff across Police Scotland to receive more OCSAE training and awareness. There is an opportunity for Police Scotland to develop easily accessible information and OCSAE prevention toolkits on mobile devices. We heard this form of learning would broaden staff knowledge and confidence.

122. HMICS also learned from staff in specialist roles of the desire to receive more training in relation to OCSAE. We do recognise that training opportunities have been paused or altered due to the impact of the coronavirus pandemic resulting in only essential training taking place.



## Child Abuse Image Database

123. The Child Abuse Image Database (CAID) is a database, developed by the Home Office and hosted by West Yorkshire Police. It holds information on all IIOC encountered by police and NCA, in one place by use of their unique identifier. This database assists police in negating the need for every IIOC to be viewed and verified by a member of staff, as well as assisting in victim identification. Police Scotland is both a user of and contributor to the CAID.
124. During our progress review we learned that there were constant challenges with Information Technology and in particular connectivity to the CAID. HMICS welcomes the fact that Police Scotland used sought cooperation from within the UK policing network to ensure images were able to be uploaded onto CAID. We were also made aware that a dedicated CAID terminal was inoperative and had not been repaired or replaced. We were pleased to report that since our review this has been rectified.
125. Police Scotland, along with the Home Office and other Law Enforcement partners within the UK, continue to use CAID as an important tool in the fight against OCSAE. Since our fieldwork we were advised Police Scotland are reviewing the roles and responsibilities of a number of departments in respect of CAID to ensure it is used as effectively as possible, maximising the investigative opportunities in respect of identifying victims and perpetrators. In order to further support this, Home Office led training has been approved to increase the number of trained users within specialist departments, resulting in increased numbers of officer trained in victim identification and also those trained to grade images
126. The capabilities of CAID are continually being reviewed and developed by the Home Office in order to provide the most effective platform in the fight against OCSAE. Police Scotland, in line with the commitments in the Cyber Strategy, are engaging with the Home Office and others to consider how available technologies can be used to effectively police in a digital age. Implementation of any new technology or functionality will be the subject of EQHRIA and DPIA assessment, to ensure that relevant legal, ethical and rights issues are appropriately considered including, where relevant, through engagement with statutory bodies and the public.
127. HMICS was encouraged to learn during the progress review that Police Scotland had introduced a dedicated Victim Identification Officer post. We believe that this has been a positive step and makes use of the Child Abuse Image Database (CAID) however, the officer had been unable to access the digital forensics network. This can result in delays in accessing images on CAID. Other challenges include accessing legacy databases and identifying OCSAE cases due to the variety of markers used on police systems.
128. We also learned that the Victim Identification Officer uses CAID to prepare referrals based on information gleaned from images on CAID that have been reviewed by Police Scotland or other forces. This information may indicate a potential child at risk of harm that requires further enquiry and assessment. We found no evidence of a standard business rule for the assessment and dissemination of said Victim Identification referrals. These referrals should be aligned to ongoing child protection processes including involvement of the relevant divisional concern hub. These concerns are raised in a similar vein to comments in recommendation 6 relating to 'Child at Risk' business processes.
129. We would encourage Police Scotland to review the 'Victim Identification' business process to ensure that it is aligned child protection practice.



## Public Reporting

130. HMICS learned that the current means for the public to report OCSAE is in most cases by telephone. We heard through focus groups comprising of police officers and senior leaders a desire for members of the public to be able to report information online similar to the mechanism utilised by CEOP ( Child Exploitation and Online Protection, command area of the NCA ). Public reporting through this mechanism is directly from the CEOP website and has an supporting infrastructure to action information. This reporting pathway relies on an awareness of CEOP which we found was not always the case within Local Policing Divisions even amongst police officers. In the joint strategy for policing there is a commitment to transform the ways people can contact the police and the Public Contact and Engagement Strategy 2020<sup>20</sup> details how this will be taken forward. HMICS expects this will include improvements to the delivery of online reporting.

## Prevention

131. As documented in the report we emphasised the value of interventions that seek to engage with offenders and those likely to become offenders. We highlighted that the service available was inconsistent in terms of coverage across the country, and not part of an overarching national plan. Similarly, resources to support children, young people and their families affected by online child sexual abuse and exploitation, are not easy to identify or access.

132. Our progress review revealed that the role and remit of the Partnerships, Prevention and Community Wellbeing, Cyber Harm Prevention Unit is not widely known across the force. As documented earlier in this report (Recommendation 3) HMICS considers that Police Scotland would benefit from closer coordination of internal prevention activity and longer term planning in this area. We learned that not every local policing division makes use of CEOP (Child Exploitation and Online Protection, command area of NCA) Ambassadors and Cyber Champions. Where evidence did exist of their use, no local or national record of activity was kept. We also found evidence of school based officers conducting varying practice of online prevention activity within their locality. National oversight and co-ordination would vastly improve activity. Mandatory training courses would also assist school based officers throughout the force in delivering consistent online child sexual abuse and exploitation prevention material to children, parents and carers.


133. During our progress review we found limited evidence of interventions with offenders. Police Scotland should ensure that they are maximising all opportunities to prevent online child sexual abuse and exploitation and re-offending. Consideration should also be given to developing offender behaviour and pathways, using evidence-led interventions to prevent offending or re-offending.

134. HMICS welcomes the effective use of the media as a form of prevention activity. We found particular effective activity led by SCD Public Protection. This included the creation and publication of an information awareness advert shown on the Scottish Television iPlayer that encouraged offenders to “get help or get caught”.

135. This activity was supported by Scottish Government and coordinated activity with other stakeholders namely Child Protection Committees Scotland who focused on encouraging parents and carers to report should they become concerned that a child or young person were being affected by online child sexual abuse and exploitation. This was an excellent multi agency approach to a complex area for a specific campaign period. However HMICS remain concerned that preventative activity on a daily basis is not aligned to other intervention and investigative work.

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<sup>20</sup> Police Scotland, [Public Contact and Engagement Strategy 2020](#)

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136. HMICS found in the three Local Policing Divisions we focused on that prevention activity is considered a priority for command teams. We were encouraged by the commitment to tackling OCSAE and appreciate that it is challenging to measure success. We also ascertained that there is a lack of national co-ordination in respect of online child sexual prevention which has led to Local Policing Divisions and SCD Public Protection carrying out their own prevention plans and campaigns. We found no evidence that Police Scotland had in place an OCSAE prevention strategy or action plan to coordinate the prevention response. Since our fieldwork been made aware that a Tackling Online Child Sexual Abuse and Exploitation prevention strategy is in development and we consider this to be very positive and to help focus Police Scotland's prevention activity.
  137. In our progress review we found that during the period of the first coronavirus pandemic lockdown, Police Scotland's engagement with children in schools was minimal due to the fact that teaching was online and police officers who were previously visible at schools were otherwise deployed. This limited the police ability to interact and provide safety advice at a time when there had been a notable increase in crimes committed online. HMICS was disappointed that given the broad concerns raised around the increase of online activity during this last year Police Scotland was unable to draw on a readily available prevention plan for OCSAE.
  138. During our progress review we learned that progress of UK government's draft Online Safety Bill is being closely monitored by strategic stakeholders including Police Scotland who welcome the prospect of wider long term prevention mechanisms involving a range of partners recognising tackling OCSAE requires more than law enforcement.

## **Intelligence**

139. HMICS welcomes the production of Police Scotland's internal National Intelligence Review and the recommendations for change. These include the introduction of a National Intelligence Coordination Unit to better coordinate and flex an enlarged intelligence function and focus activity on the breadth of Strategic Priorities and the development of "threat desks" to focus on "Very High" Strategic Priorities. The National Intelligence Review also highlights that there are clear areas of developing and increasing demand including Online child sexual abuse and exploitation.
140. As we emphasised in our report, opportunities to collect intelligence from non-statutory partners have been disproportionately impacted by the General Data Protection Regulation (GDPR) since its introduction in 2018. This missed opportunity had been recognised by Police Scotland who developed a police information sharing portal. During the progress review we learned of the introduction of the portal on a trial basis in the Highlands and Islands division.
141. HMICS welcomes this development and recognises the challenges it faced in 2020 due to the impact of the coronavirus pandemic. HMICS wishes to encourage Police Scotland to continue making progress and to document plans at the relevant TOCSAE Board. HMICS welcomes the recent developments and renewed momentum in engaging with partners to improve how information can be reported to Police Scotland.



## Relationship with Scottish Government

142. HMICS found evidence that Police Scotland and Scottish Government have well established strategic links in matters of child protection. There is now an improved understanding of the threat and risk posed by OCSAE and an opportunity to develop this to across a range of key stakeholders. We learned that, at the outset of the coronavirus pandemic, senior leaders from Police Scotland attended weekly multi agency meetings led by Scottish Government. During these meetings Police Scotland's SCD Public Protection provided an insight on the need to mitigate against potential offender behaviour with such a marked increase of internet access. Partners ensured necessary safeguards were put in place.
  
143. We learned of the benefits to the Scottish Government Child Protection team in the secondment of a police officer to their team. This has provided a better understanding current and emerging threats posed by offenders and the police operational response. HMICS were advised links were being established across the various Police Scotland departments where there is digital, child protection or cyber responsibility and this will be mapped across the relevant Scottish Government departmental areas for an enhanced coordinated approach.



## Appendix 1 – recommendations status

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**Closed** – Sufficient evidence to clearly demonstrate that all elements of the recommendation have been completed.

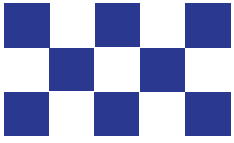
**Open** – Insufficient evidence to show any progress on this recommendation.

**Partially met** – Progressed, with enough evidence to clearly demonstrate that some elements of the recommendation have been completed, but further work is required to achieve fully met status.

Recommendation	Status
1	Partially Met
2	Partially Met
3	Closed
4	Partially Met
5	Partially Met
6	Partially Met
7	Closed
8	Partially Met
9	Partially Met
10	Closed

## Appendix 2 - glossary

<b>APU</b>	Analysis and Performance Unit
<b>CAID</b>	Child Abuse Image Database that is managed and administered in the UK by the Home Office
<b>CEOP</b>	Child Exploitation and Online Protection (Command Unit of NCA)
<b>CIU</b>	Communications Investigation Unit
<b>COPFS</b>	Crown Office and Procurator Fiscals Service
<b>CPC</b>	Child Protection Committee
<b>CPD</b>	Continuous Professional Development
<b>DF</b>	Digital Forensics
<b>ERF</b>	Examination Request Form
<b>GIRFEC</b>	Getting It Right For Every Child
<b>HMIC</b>	Her Majesty's Inspectorate of Constabulary
<b>IIOC</b>	Indecent Images of Children
<b>IIU</b>	SCD Internet Investigations Unit
<b>MAPPA</b>	Multi Agency Public Protection Arrangements
<b>NCA</b>	National Crime Agency
<b>NCAIU</b>	National Child Abuse Investigation Unit
<b>NCMEC</b>	(US) National Centre for Missing and Exploited Children
<b>NOCAP</b>	National Online Child Abuse Prevention
<b>NOMOU</b>	National Offender Management Unit
<b>NPCC</b>	National Police Chiefs' Council
<b>NSPCC</b>	National Society for the Prevention of Cruelty to Children
<b>ODB</b>	Operational Delivery Board
<b>OCAG</b>	Online Child Abuse Activist Groups
<b>OCCTU</b>	Organised Crime and Counter Terrorism Unit, Police Scotland
<b>OCSAE</b>	Online Child Sexual Abuse and Exploitation
<b>PPCW</b>	Partnership Prevention and Community Wellbeing
<b>PSoS</b>	Police Service of Scotland (commonly referred to as Police Scotland)
<b>ROCU</b>	Regional Organised Crime Units. Cross-boundary regional law enforcement resources in England and Wales tasked with tackling serious and organised crime
<b>RSO</b>	Registered Sex Offenders
<b>SACRO</b>	Safeguarding Communities Reducing Offending
<b>SCD</b>	Specialist Crime Division
<b>SID</b>	Scottish Intelligence Database
<b>SOU</b>	Special Operations Unit, Police Scotland
<b>SPA</b>	Scottish Police Authority
<b>STORM</b>	System for Tasking and Operational Resource Management
<b>TOCSAE</b>	Tackling Online Child Sexual Abuse & Exploitation (Tactical and Strategic groups)
<b>UC</b>	Undercover
<b>UCOL</b>	Undercover Online
<b>iVPD</b>	Interim Vulnerable Persons Database – records incidents relating to vulnerability including mandatory categories of child or adult concerns, domestic abuse and



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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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