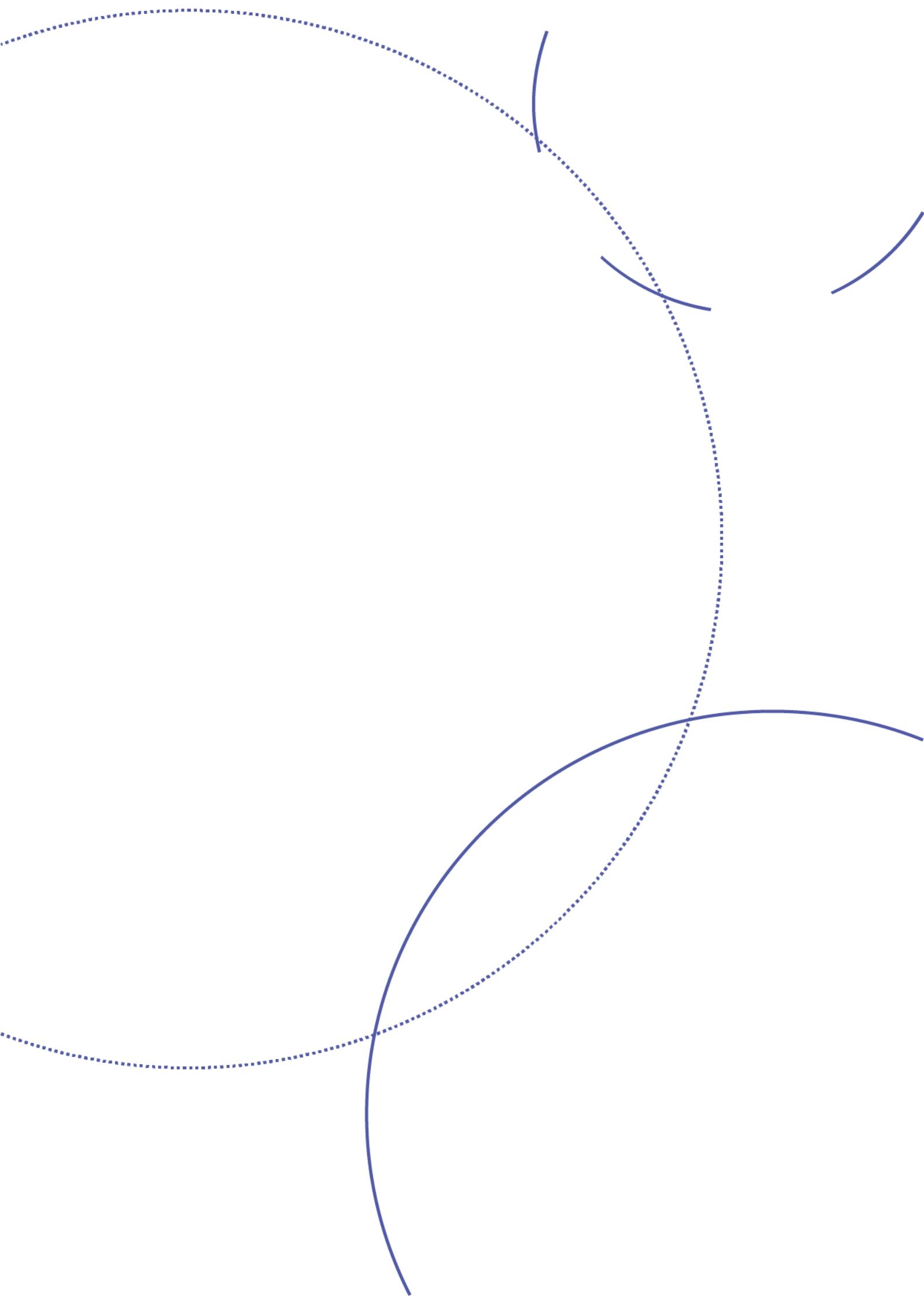


Annual Report 2021 - 2022

June 2022







HM Inspectorate of Constabulary in Scotland

HM Inspectorate of Constabulary in Scotland (HMICS) is established under the Police and Fire Reform (Scotland) Act 2012 and has wide ranging powers to look into the 'state, effectiveness and efficiency' of both the Police Service of Scotland (Police Scotland) and the Scottish Police Authority (SPA).¹

We have a statutory duty to inquire into the arrangements made by the Chief Constable and the SPA to meet their obligations in terms of best value and continuous improvement. If necessary, we can be directed by Scottish Ministers to look into anything relating to the SPA or Police Scotland as they consider appropriate. We also have an established role in providing professional advice and guidance on policing in Scotland.

- Our powers allow us to do anything we consider necessary or expedient for the purposes of, or in connection with, the carrying out of our functions
- The SPA and the Chief Constable must provide us with such assistance and co-operation as we may require to enable us to carry out our functions
- When we publish a report, the SPA and the Chief Constable must also consider what we have found and take such measures, if any, as they think fit
- Where our report identifies that the SPA or Police Scotland is not efficient or effective (or best value not secured), or will, unless remedial measures are taken, cease to be efficient or effective, Scottish Ministers may direct the SPA to take such measures as may be required. The SPA must comply with any direction given
- Where we make recommendations, we will follow them up and report publicly on progress
- We will identify good practice that can be applied across Scotland
- We work with other inspectorates and agencies across the public sector and co-ordinate our activities to reduce the burden of inspection and avoid unnecessary duplication
- We aim to add value and strengthen public confidence in Scottish policing and will do this through independent scrutiny and objective, evidence-led reporting about what we find.

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



Our approach is to support Police Scotland and the SPA to deliver services that are high quality, continually improving, effective and responsive to local needs.

We are a member of the UK's National Preventive Mechanism (NPM), a group of organisations which independently monitor places of detention, including police custody, under the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

This Annual Report is produced under Section 82(3) of the Police and Fire Reform (Scotland) Act 2012 and presented to Scottish Ministers for laying before the Scottish Parliament.



Contents

	Page
 Introduction by HM Chief Inspector of Constabulary in Scotland	4
 HMICS Vision, Purpose, Objectives and Values - Our Plan on a Page	20
 Approach to scrutiny	21
 Scrutiny activity during 2021-22	24
 Assessing the outcomes from our activities	35
 Facts and figures	36
■ HMICS staff	36
■ HMICS budget 2021-22	36
■ HMCICS expenses 2021-22	37
■ Awards and commendations	37
■ Queen's Birthday Honours 2021	37
■ New Year Honours 2021	37



Introduction by HM Chief Inspector of Constabulary in Scotland

Introduction by HM Chief Inspector of Constabulary in Scotland

This is my first report as HM Chief Inspector of Constabulary and reflects on an inspection year overseen by my predecessor Gillian Imery, QPM. This report outlines how HMICS has carried out its statutory function for the period 1 April 2021 to 31 March 2022 during a period of ongoing restrictions due to the pandemic and has sought to improve policing across Scotland while also reassuring the public of the actions of Police Scotland and the SPA. I will also take the opportunity to reflect on the state of policing in Scotland and more widely across the UK during 2021-22 and reflect on some of the challenges that lie ahead.

By April 2021 the coronavirus (COVID-19) pandemic had been recognised for over a year, with varying levels of restrictions imposed on the people of the UK and the wider world. The terrible impact on families and communities from deaths, Long Covid symptoms and restrictions that impacted on their wellbeing had lasted far longer than initially anticipated. The search for a vaccine was ongoing at the start of this period and - while this has now proved effective - the emergence of new variants has required the re-imposition of restrictions. In this challenging environment, Police Scotland continued to deliver services, whilst working with new and emerging restrictions and government guidance and legislation.

The work of the Independent Advisory Group (IAG), created and overseen by the SPA and chaired by John Scott QC, to assure the policing response to the regularly changing guidance, legislation and expectations on both the public and private space environments, continued throughout 2021 and provided a wide range of perspectives regarding the policing approach to the pandemic.

The gradual easing of restrictions allowed a cautious restart to normal life, including outdoor events with incremental attendance levels. In June, this involved policing the postponed Men's European Football Championship with games played at the national stadium in Glasgow.



Glasgow remained central to police planning arrangements, with confirmation that the postponed 26th UN Climate Change Conference of the Parties (COP26) would take place at the start of November 2021. In addition to undertaking assurance work relating to COP26, we were mindful of the operational impact of such an event and adjusted inspection work prior to and for the duration of the event.

Our planned inspection of the implementation of the Contact Assessment Model for incoming call demand within Contact, Command and Control Division (C3) was postponed from the previous scrutiny year to enable an assessment of the national roll out, with this inspection continuing into the current inspection year (2022-23).

The Chief Constable faced court proceedings as a result of the events surrounding the deaths of John Yuill and Lamara Bell, resulting in Police Scotland being fined £100,000 after admitting failures in call-handling following a crash. Publication of our briefing report on C3 outlined the considerable scrutiny work in this area and the Police Scotland response to the recommendations.

On 30th September, Wayne Couzens, a former Metropolitan Police Officer, was sentenced to life imprisonment with a whole life order for the rape, abduction and murder of Sarah Everard. The circumstances of the case challenged the very essence of public trust and confidence in policing and police officers. Some forces, including Police Scotland, were proactive in introducing verification processes should officers approach members of the public in plain clothes. The broader issues of tackling violence against women and girls and misogyny and inequalities within the police service will remain firmly in focus over the course of my tenure. We embarked on an inspection of the service provided to victims of domestic abuse earlier this year. This initial stage of a three-part inspection is looking at the core service and how it links in to areas of investigation of both violent and sexual crime. The first stage report will inspect the quality of service provision to victims. from initial contact through to investigation and will be published in the autumn of 2022.

This year, we looked at how we approach our reports, through research, benchmarking and interviews to develop an improvement plan that we have incorporated into our three year [Corporate Plan 2021-2024](#). The aim of this work is to ensure we continue to produce scrutiny reports that are of value to all stakeholders and improving policing across Scotland.



We are, however, unable to do these inspections without the commitment and professionalism of police officers and staff, many of whom are managing challenging workloads as part of their core duties. The dedication and commitment of staff when undertaking their duties, especially during these uncertain times, remains evident in our work.

I would like to thank all those in Police Scotland and the SPA who have participated in our inspections during this year and the partners with whom we work and jointly inspect, particularly HM inspectorates of prisons, prosecution and fire, the Care Inspectorate, Healthcare Improvement Scotland, the Police Investigations and Review Commissioner and the Scottish Biometrics Commissioner. These well-established relationships are crucial to allow the understanding of system-wide issues.

HMICS scrutiny during 2021-22

The COVID-19 pandemic impacted many organisations and the methods they used to operate. We were no different and decided to slow certain aspects of previous scrutiny plans to limit the impact on policing during the management of both the pandemic and the preparations for COP26 in Glasgow in November 2021.

The alternative plans put in place were very much focused on assuring stakeholders that Police Scotland was continuing to deliver in a rapidly changing environment. We made our inspections virtual, to minimise the impact on stretched officer numbers, while also maintaining our statutory function.

My predecessor sat on the aforementioned IAG and this forum continued to provide useful insights and views on the policing of various events and incidents during the pandemic. We led on activity to provide assurance of police officers' continued application of the legislation through a second round of frontline interviews.

On arrival, I considered our activity over the course of the year and will provide greater detail later in this report on each of the areas that have been inspected or subject to assurance work. Scrutiny activity by colleagues during this time has been of a high standard and continues to address the recommendations made, assess the evidence provided on the changes that they have instigated and to assess if this improves policing across Scotland.



I am fortunate that relationships with key stakeholders are strong and it is my intention to maintain and improve these relationships while looking to work more collaboratively with other scrutiny partners across Scotland and wider UK areas of responsibility. Learning from others and being able to effectively benchmark is a key ambition for the coming years and will add value to the scrutiny plan that was published in April 2022.

Our scrutiny plan for 2021-22 outlined our priorities and activities for the year. The plan was developed following an online public survey, discussion with other scrutiny bodies, targeted stakeholder engagement and environmental scanning, providing us with a wide range of subject areas to consider for inclusion in the plan. We kept the plan under review and made changes to respond to the pandemic, understand risk and discharge our statutory obligations. Our Framework is based on the principles outlined in the European Foundation for Quality Management (EFQM) excellence model used by public sector organisations.

During 2021-22, we developed an improvement programme, led by one of our Lead Inspectors, to review and update our corporate governance and scrutiny model, resulting in the publication of our Corporate Plan 2021-2024. Our revised model now incorporates an adoption of the EFQM 2020 model focusing on direction, results and execution.





A key development from the improvement programme was the publication of a three-year scrutiny plan that allows Police Scotland, the SPA, stakeholders and partners to understand what we will inspect, when that is likely to take place and the rationale for each of the inspections. The redesigned plan has been based on the largest public and partner consultation undertaken by HMICS and outlines the following areas of inspection in the next three years.



Our scrutiny plan 2022-2025

- Strategic Reviews
- Collaborative Reviews
- Thematic Reviews
- Audit & Assurance Reviews



Key
 CARH - Children at risk of harm
 ASP - Adult support and protection
 SPA - Scottish Police Authority
 OSD - Operational Services division



There is an expectation that those being inspected will be required to provide a self-evaluation of the areas to be inspected. This work will add value to the inspection and the body being inspected by having an internal ‘critical eye’ assess the capability prior to the evidence being submitted to HMICS, if this is not already within an existing assurance process. The self-evaluation will enable inspection to focus on the improvement of the service or capability being inspected.

As we move to the new three-year cycle, there will be an expectation that areas for inspection will be reviewed in light of emerging trends, societal changes, public concern or emerging risk in policing. HMICS will continue to consider where we can improve policing for the benefit of Scottish communities.

State of policing 2021-22

The pandemic again dominated the year, affecting personal and professional lives to a larger extent than might have been imagined back in March 2020. The challenges of the virus, changing restrictions and different regimes across the four nations of the UK caused friction and some elements of unrest. This played out in protests in London and elsewhere, with significant commentary on the handling of protests by police forces. A growing narrative of disproportionate use of tactics and heavy handed arrests was often seen, at the same time as public frustration at the disruption caused by the protest. The legitimacy of the police response was, and continues to be, challenged. While this was primarily an issue in England, it will have affected the thinking in Scotland about policing the pandemic restrictions.

Policing in Scotland was important to support the national response to a public health emergency, and Police Scotland adopted the UK approach for interacting with the public about the coronavirus legislation, which became known as the “four Es” approach: Engage, Explain, Encourage and Enforce. The fact that Police Scotland is a single, national service helped to ensure consistency in the police style, tone and communication with the public based on a human rights approach. While not to everyone’s satisfaction, the response from Police Scotland has been well scrutinised over the period through the work of the IAG. which worked hard to challenge, improve and affect the way that Police Scotland responded. There is clear evidence of the group influencing policy while enabling the operational independence of the Chief Constable to be maintained. My predecessor, Gill Imery, QPM, was a key member of the group for its duration. Membership was drawn from a wide range

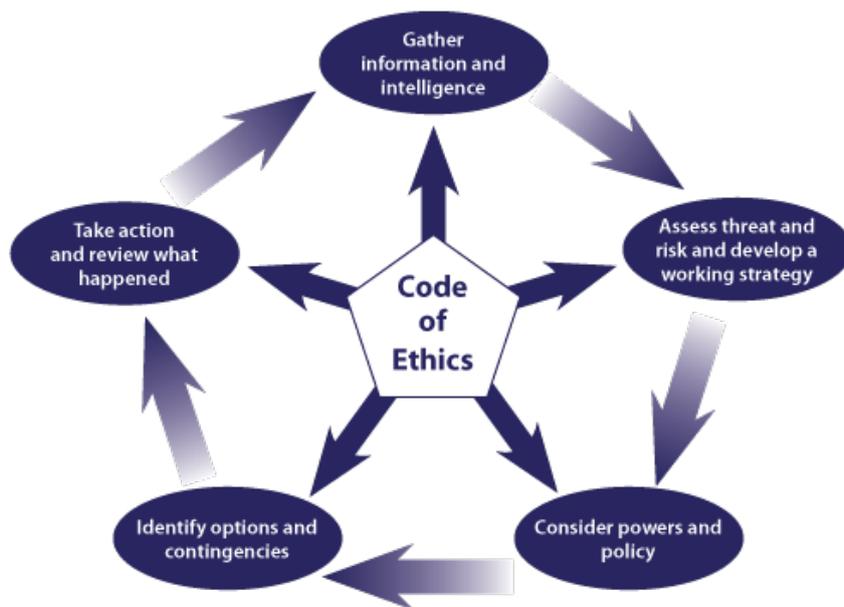


of communities and interests, including key human rights organisations, as well as representatives from bodies with specific responsibilities relating to policing in Scotland.

Taken together, the single police service and the IAG placed Scotland in a strong position to understand the impact of coronavirus on communities from a policing perspective and provided public assurance that effective scrutiny was being applied.

Keeping the public safe during the pandemic, while also respecting human rights, has required police to respect freedoms while dealing sensitively with restrictions. The National Decision Model has been a useful resource for this and is at the heart of operational decision making within Scotland. The model clearly articulates the need to gather information from all sources, assess the issues being faced, understand the powers and policies that are in play, identify what would be an effective and proportionate action to take and then take the action.

Central to the implementation of this model is the reference to human rights and the ethics of Police Scotland. The model is well established across UK policing and emergency services and has proven to be of value in delivering services in a changing environment.





The strain placed on all public sector organisations is still being experienced and it is anticipated that the backlog in the criminal justice system will take years to resolve. It remains a concern, as mentioned in our Annual Report of 2020-21, that the pace of change across the criminal justice service is defined by those that are the slowest at implementing the change and responding to the changing environment. Scrutiny bodies such as ourselves, HM Inspectorate of Prosecution and HM Inspectorate of Prisons have focused clearly on the response to the pandemic within their own areas of responsibility. The bodies that we scrutinise, either separately or in collaboration, gain benefit from the insights and recommendations made about their processes and procedures. Notably, a key area of the criminal justice system, namely Scottish Courts and Tribunal Service does not have the benefit of a scrutiny body that is independent of the executive team and board.

Turning to the wider consideration of the state of policing in Scotland in 2021-22, I would offer the following comments.

The pandemic has changed the way many people and organisations work. There is emerging evidence that many collaborations and partnerships have suffered as a result and often the consequence is the transfer of demand from these organisations to policing. In our consultation, ahead of the development of the scrutiny plan, we heard from many police officers about individuals suffering mental ill-health being referred to response policing, either because individuals were receiving community-based treatment but had no assistance out of normal office hours or, in some cases, there was no appropriate support available at that time. This often leads to officers supporting the person in crisis and seeking suitable medical intervention through Accident and Emergency departments, potentially elongating police incidents for many hours.

It is abundantly clear that a policing response is not the most suited to those in mental health crisis and we will inspect the demand this places on policing in Scotland, both from the perspective of members of the public and by officers and staff within the service. The demand shift can be seen in many other areas where services have retreated to a skeleton service operating Monday to Friday from 9-5 during the pandemic and appear not to be returning to the same levels of service provided prior to COVID-19. This demand shift inhibits proactivity in policing and spreads the service even more sparsely across all areas.



The SPA has developed in recent years and there is a marked difference to the governance provided by the Authority to when it was last inspected by us in 2019. The stabilisation provided by the Chair and the Chief Executive since their appointments has continued to provide greater levels of SPA's scrutiny while developing and improving the Authority's capability and capacity in both official and member roles. The level of scrutiny appears more balanced and I would encourage the Authority to continue to focus on those areas of business where it can add the most benefit and value. I would suggest that these are in the area of public confidence and trust in the service. The best value duty placed on both Police Scotland and the SPA is one that should provide clear indication that the budget provided is being used to good effect and in a manner that holds expenditure in close scrutiny to ensure that the best value for money decisions are taken.

Turning to Police Scotland, the chief officer team has recently seen the addition of three new Assistant Chief Constables. It is encouraging that Police Scotland is seen as an attractive force to join from other jurisdictions, a reflection, I am sure, of the scale and nature of challenge, along with a strong executive team to learn from. I was disappointed to note that no candidates were successful in achieving success on the Strategic Police National Assessment Centre in 2021 and would encourage the force to revisit the leadership development provided to senior officers and staff in preparation for this exercise. The ambition to export talent at chief officer level to experience policing in other jurisdictions is one that should be encouraged.

In March 2022, the 2022-23 budget was agreed by the SPA. Total funding from the Scottish Government was set at £1,332 million. The SPA agreed revenue allocation of £1,255 million to Police Scotland, £40.8 million to SPA Forensic Services, and £4.8 million to SPA corporate. While this increase is welcomed, it should be recognised that these increases come at a time of increased inflation (circa 9 per cent) and anticipated wage inflation. These pressures will quickly impact on the growth figure outlined, leaving a challenging settlement this year. The SPA continues to engage with Scottish Government (SG) on the requirement to increase capital funding to enable investment in programmes to provide a modern policing service. Total capital funding allocation for 2022-23 is £52.6 million, which maintains capital funding at existing levels. Reform funding consists of £25 million revenue, and £4.6 million capital, again these flat cash settlements will buy less in 2022 than they did in previous years. The budget also includes £6.6 million of one-off funding to support the in-year impact



of COVID-19. When combined, the total funding allocation allows the SPA to set a balanced budget with no operating deficit for 2022-23.

A key element of delivering a high functioning service is in the delivery of effective and efficient ICT and other equipment. The capital and revenue costs associated with even maintaining this service is high. The feedback from officers during inspections remains that there is a frustration with information technology; systems are not joined up and require regular duplicate keying of information. This is then difficult to manipulate and the loss of understanding of demand, effective exploitation of data and difficulty with data presentation for court and other purposes is all affected. This can and does lead to a frustration demand on officer time and capability leading to sub-optimal situations and, potentially, stress. Allowing some freedom to reallocate budgets (both capital and revenue) to meet the demand for effective equipment can considerably improve performance and wellbeing.

The main reason for the previous structural deficit in the budget was the need to pay for the number of police officers, which the Scottish Government previously set at 17,234 or over. We have consistently argued that the number of police officers is not a useful indicator of the quality of the policing service. In November 2020, Police Scotland produced a strategic workforce plan, which shows the mixture of police officers and specialist support staff required to deliver an effective policing service. This plan is currently subject to review by ourselves and a report on it and the delivery against its ambitions will be published in July 2022. The end of year, (financial year 2021-22) officer numbers fell below the establishment ambition of 17,234 to around 16,800 officers. While there are many reasons for this, and a plan is in place to address the shortfall, there are many conflicting messages as to the causes of this reduction. This provides both a threat and opportunity for Police Scotland. The threat is in replacing experienced and effective officers in the short term and ensuring that the skill sets for critical roles (firearms, investigations, public order, multi-agency command, etc) are trained and operationally competent with sufficient numbers to maintain resilience. The opportunity is in the ability to recruit and promote, with a view to cultural change and enhanced consideration of diverse characteristics. We highlighted issues concerning recruitment, retention and support for under-represented groups in our Training and Development report, many of which echoed the Dame Elish Review of complaint handling, and the recent independent review by the Police Service of Northern Ireland of the Employment Tribunal relating to Rhona Malone. We have long argued that an arbitrary figure



of 17,234 police officers is not supported by evidence that shows it is the best workforce mix to meet the threats and demands of policing in Scotland.

The wellbeing of police officers and staff is crucial for many reasons due to the complex situations they face. In the initial inspection of training and development, we made a recommendation to record wellbeing conversations between supervisors and their staff. Police Scotland has, so far, not progressed this recommendation, stating that the normal annual appraisal discussions will achieve this end. At a time when many officers are electing to leave the service earlier than expected, it is a difficult argument to sustain that there is not an enhanced need to discuss wellbeing with all officers and staff. Comprehensive exit interviews would allow a better understanding of the issues surrounding resignations and retirements.

Demand analysis and management needs to be central to choices made about recruitment and deployment of police officers and staff. Police Scotland should use its understanding of the demand for policing to inform decisions about priorities and resources in conjunction with an understanding provided by the National Strategic Assessment (NCA document) and the force's own Strategic Assessment. Recognising the growing challenges of:

- cybercrime
- fraud
- child sex abuse - both online and in person
- increasing violent and sexual crime

and being able to manipulate the workforce in the short, medium and longer term is critical to the effective delivery of services in future years. In recent years, the NCA strategic assessment has twice amended its understanding of the scale of those with a sexual interest in children. The growth in numbers and the increasing scientific basis to predict this should be seen as turning point for police and wider public services to address these challenges - recognising that it is not possible to arrest every offender and employing better efforts to prevent the easy access to images and dark websites that facilitate this abuse. The Online Safety Bill should provide opportunities for policing and colleagues across UK governments to make it more difficult to access abuse images and hold businesses to account if they do not take sufficient steps to reduce the abuse of children.



In April 2022, Police Scotland's Chief Constable published his 2021-22 year-end Performance Assessment, which sets out an analysis of Police Scotland's delivery of its Performance Framework outcomes and objectives.

The total number of calls to Police Scotland decreased by 152,102 (from 2,566,002 to 2,413,900). This is a decrease of 5.9 per cent compared with last year. There has been an increase of 17.8 per cent for 999 calls received, however, the volume of 101 calls received is showing a decrease of 13.1 per cent compared to the same period last year. The significant rise in the number of 999 calls has been accompanied by a maintenance (or even slight improvement) in the call answering time, improving from an average of 8 seconds to 7 seconds. This key metric is one that Police Scotland works hard to maintain and it is pleasing to note the improvement in light of the large increase in call volumes.

Of the calls received, 38.4 per cent did not result in an incident or crime being raised, which suggests that this demand requires further analysis to consider alternative methods of resolution.

The total number of incidents has decreased by 33,373 (from 1,519,060 to 1,485,687) compared to the same period last year, a drop of 2.2 per cent. What is of more concern is the high level of incidents that do not result in a crime being recorded. During the year, over 73 per cent of incidents created led to no crime being recorded suggesting that the demand from non-crime matters is considerable – something we discovered during our consultation on the strategic scrutiny plan in January 2022. There is a strong and growing narrative that demand on policing is changing, with considerable challenges around mental health crisis and the lack of capacity to effectively manage the transition from a police response to a health treatment service.



Table – Overall recorded crime (Groups 1-5 and Coronavirus restrictions), Scotland, 2021-22

Group	Crime Type	Total Crimes Recorded 2019-20	Total Crimes Recorded 2020-21	Total Crimes Recorded 2021-22	5 yr mean	% change from 2020-21
1	Non-sexual crimes of violence ¹	68,020	61,913	69,286	66,681.6	+12%
2	Sexual crimes	13,364	13,131	15,049	13,515.6	+15%
3	Crimes of dishonesty	111,409	89,731	92,873	104,598.6	+4%
4	Damage and reckless behaviour	47,731	42,964	44,284	46,859.6	+3%
5	Crimes against society	64,589	70,737	61,059	63,555.4	-14%
	Coronavirus restrictions ²	107	20,976	3,913	4,999.2	-81%
Total recorded crime³		305,220	299,452	286,464	300,210	-4%

¹ Includes crimes recorded under the Domestic Abuse (Scotland) Act 2018. Five-year mean includes two years (2017-18 and 2018-19) prior to the implementation of the act and so is not truly comparable.

² Five-year mean is not truly comparable as it includes two full years (2017-18 and 2018-19) prior to the implementation of the Coronavirus Act 2020 and Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020. These were implemented on 25 March 2020 and 27 March 2020, respectively.

³ Due to the effects outlined in notes 1 and 2 the overall five-year mean is also not truly comparable.

The 2021-22 Recorded Crime in Scotland 2021-22 National Statistics is the first edition to present crime statistics using the new set of crime and offence groups approved by the Scottish Crime Recording Board, following a public consultation of users. The largest change is the transfer of common assault and stalking from the miscellaneous offences group to the non-sexual crimes of violence group, and by extension the recorded crime total for Scotland. To maintain time series analysis, all data has been back-revised. In addition to these National Statistics, Police Scotland publish management information on the number of crimes and offences recorded by the police. It should be noted there will be no change to the crime groupings used in Police Scotland's publications at this time.



Groups 1-5 and coronavirus restrictions collectively decreased 4 per cent in 2021-22. This fall was driven by an 81 per cent reduction in crimes recorded under coronavirus related legislation, with all other crimes collectively increasing by 1 per cent. This increase was driven by substantial rises in both non-sexual violence and sexual crimes, which have increased 12 per cent and 15 per cent since 2020-21, respectively. Recorded crime levels in these groups also exceed their five year mean. However, note that for non-sexual violence and COVID-19 restrictions crimes the five-year mean is not truly comparable due to the counting of new types of crime within the sample period. The reduction in group 5 crimes - which are mainly self-generated or proactive policing, would suggest that there has been a down turn in proactive policing. There may be many reasons for this but it is of concern if the main crime categories are seeing rises in recorded crime at the same time as a reduction in the areas where proactive effort is recorded.

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

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

The Police Scotland approach to best value is less cohesive. There are some pockets of good continuous improvement, some elements of self-assessment and evidence of reinvigoration of improvement tools such as EFQM. However, this is not established as a cross-cutting methodology used to ensure best value within the organisation.



I am grateful to all those who participated in our inspection activity over the course of 2021-22 and to my own team at HMICS which has shown flexibility and tenacity in carrying out independent scrutiny throughout the year, with the aim of improving policing for the benefit of the public.

The knighthood of Sir Iain Livingstone in Her Majesty's Birthday Honours 2022 recognised both Police Scotland and the Chief Constable's contribution to policing and society in Scotland and I congratulate him and his family.

Craig Naylor

Her Majesty's Chief Inspector of Constabulary in Scotland

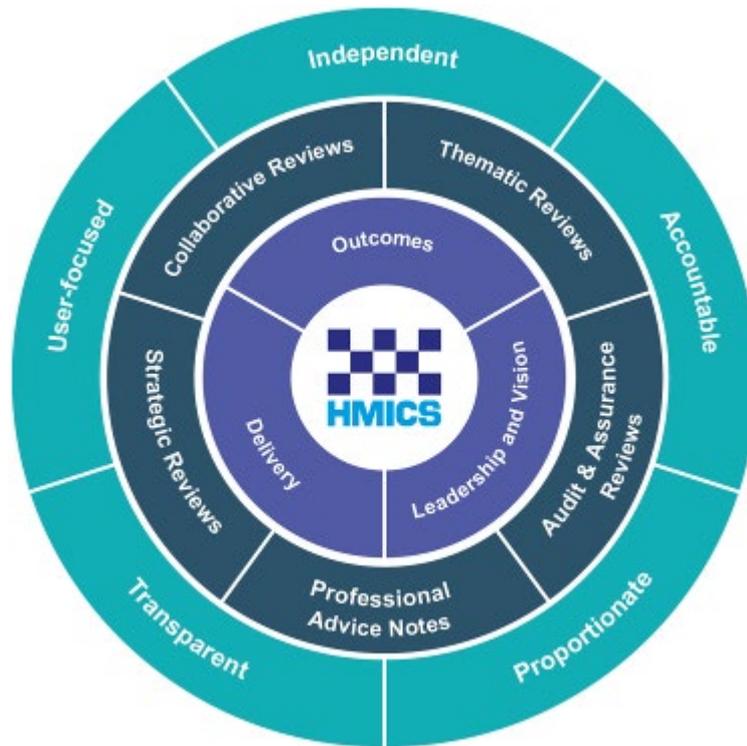


HMICS Vision, Purpose, Objectives and Values - Our Plan on a Page





Approach to scrutiny



We continue to conduct our business in accordance with our values, acting independently, proportionately and in a way which is focused on the needs of service users. We work in an open and transparent way, and we are fully accountable for what we do.

Our Inspection Framework

We have an Inspection Framework, which is based on the European Foundation for Quality Management (EFQM) Excellence Model and Best Value characteristics. The purpose of the framework is to support lead and associate inspectors to take a common and objective approach to assessing policing in Scotland. The framework can be used in its entirety, or selected and adapted so that the key themes and sub-elements reflect the purpose of the inspection to be undertaken.

We first published our Inspection Framework in 2014 and have since applied it to a wide range of policing activity. In light of this experience of its use, we reviewed and revised the framework to ensure it continues to meet our needs.



During 2021, we undertook a review of our Corporate Plan and Inspection Framework, together with our methodologies, governance and joint working with other public and scrutiny bodies. Our Corporate Plan, covering the period 2021-2024 was published in February, setting out our strategic objectives and outcomes. During the course of our review, we conducted extensive consultation to inform our Scrutiny Plan which, for the first time, spanned three years from 2022-2025. This resulted in an Improvement Plan which will be the focus of our inspection team over the period to 2024.

Scrutiny Plan 2022-25

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

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

Partnership working

During 2021-22, we continued to work closely with our partners. We continued in our role as a member of the Strategic Scrutiny Group (SSG) along with Scotland's main public sector scrutiny bodies: the Accounts Commission; Audit Scotland; Education Scotland; the Care Inspectorate; Healthcare Improvement Scotland; Her Majesty's Fire Service Inspectorate; Her Majesty's Inspectorate of Prisons; Her Majesty's Inspectorate of Prosecution in Scotland and the Scottish Housing Regulator.

The SSG, which is chaired by the Accounts Commission, is a forum for HMICS and other scrutiny bodies to discuss key strategic scrutiny developments and identify opportunities for aligning assessment frameworks and methodologies.

As a member of the UK NPM, HMICS continued to contribute to the UK's response to its international obligations under the UN Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).



User perspective

Throughout our scrutiny process we aim to gain user perspectives from key stakeholders, including staff associations and relevant partners.

We, like many other public bodies, have had to adapt how we conduct our engagement over the past year: from traditional focus groups to online discussions, telephone interviews and/or online survey.

The consultation conducted in the preparation of our scrutiny plan involved over 200 responses to either surveys or interviews. This included members of the public, SPA, SG, police officers, police staff, senior managers, stakeholders and scrutiny partners. Wherever possible we seek to assess the user perspective from those who have experience or views of the areas being inspected. In the course of our inspection of Hate Crime, for example, we spoke to stakeholders and used an online survey of hate crime and to gain an understanding of how it is policed.



Scrutiny activity during 2021-22

North East Scotland Custody Inspection

HMICS undertook an inspection of the primary custody centres located in the North East Scotland police division during September 2021. The aim of the inspection was to assess the treatment of and conditions for individuals detained in police custody in the division, which is served by three primary centres located in Aberdeen (Kittybrewster), Fraserburgh and Elgin.

During our inspection, we analysed a sample of custody records relating to 30 detainees. We assessed the physical environment, interviewed detainees, custody staff and other professionals working in the custody centre and observed key processes. We published a report on the findings from the inspection in December 2021, which highlighted that Police Scotland had made considerable progress in implementing previous recommendations and improvement actions in respect of custody services. Our current inspection report contains three new recommendations. These require PS to make improvements to the process for recording information during cell checks at Kittybrewster and to review the potential risks and benefits of utilising local policing to cover shifts and other custody operations in the North East cluster. Furthermore, we have recommended that PS engage with the responsible health boards and Health and Social Care Partnerships to ensure that a consistent, accessible and quality healthcare service is provided to the Elgin custody centre.

We will continue to monitor progress on these recommendations through ongoing liaison with the Criminal Justice Services Division.



Assurance validation of Police Scotland transformation benefits 2020-21

HMICS published two of these reports in 2021-22, the first in April 2021 and second in November 2021. These provided assurance on the extent to which benefits from programmes and projects across the transformation portfolio of Police Scotland were being developed and realised. The benefit validation assurance process focused on the strategies and frameworks Police Scotland deployed to achieve intended benefits and aimed to ensure they followed good practice and that individual programmes and projects adhered to the principles and processes that support them.

We reviewed all transformation portfolio projects which delivered gains in 2019/20 and 2020/21 and listed the benefits they aimed to deliver. We also reviewed overarching and project specific documentation and processes which would be expected in benefits management and realisation, evaluated the use of Police Scotland's internal Project Assurance Healthcheck process and assessed the arrangements the SPA had in place to support and scrutinise the delivery of the transformation portfolio.

We found that Police Scotland had made significant improvements in benefit management and reporting from 2020-21 onward and was making good use of independent external assurance from the Scottish Government Gateway Review process and Technical Assurance Framework reviews practice to other projects. We identified good practice in the Mobile Working project but noted that there remain concerns regarding the veracity of wider benefit projections, the implications of realising 'hard cash' savings at a time of increasing demand and a lack of full maturity in benefits realisation processes in some projects.

Although we are satisfied that Police indeed delivered productivity gains, the accurate quantification or realisation of those gains has proved difficult to confirm to date. There remains very little evidence of how this capacity has been realised or redeployed other than anecdotal contributions to improved officer wellbeing, and being absorbed to address increasing or previously unmet demand. This is not a sustainable position.



Thematic Inspection of Police Scotland Training and Development – Phase 2

This inspection was Phase 2 of an assessment of the training and development function of Police Scotland. The inspection focused on the internal aspects of equality, diversity and inclusion, given the importance of a police service that is reflective of the communities it serves in order to maintain public trust and confidence. These critically important issues had been highlighted in the [Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing](#) (Dame Elish Review), which was published in November 2020, and in our report on Police Scotland's response to Hate Crime , which was published in June 2021.

We looked at all protected characteristics, but compared and contrasted the progress made in relation to two, as follows:

- Sex – the representation of women in policing
- Race – the representation of people from minority ethnic backgrounds in policing

Our Phase 2 report described the significant progress Police Scotland has made since our Phase 1 report was published in September 2020. This has been achieved in the challenging context of the coronavirus pandemic. The inspection found evidence of genuine commitment at the most senior levels of Police Scotland to ensure that the service is welcoming and inclusive.

Evidence was less clear in relation to the extent to which the strong message from the top was being translated into action that had a positive impact on the day-to-day experience of police officers and staff from under-represented groups working in Police Scotland. The limitations of data available to help the service understand the impact of its activities, identify trends and make improvements, was a recurring theme in this inspection.

As well as highlighting positive progress, our report also raised areas for improvement in the force's approach to the recruitment, retention, development and promotion of people from under-represented groups.



There were 10 recommendations in this report, all of which remain open. However, since the publication of the report in October 2021, Police Scotland has developed an improvement plan, with each of the recommendations being progressed under the oversight of the force People Committee.

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

This review considered progress and improvement specific to the ten recommendations made when HMICS published a strategic review of Police Scotland's response to online child sexual abuse in February 2020.

This is an area of policing which requires the interoperability of specialist functions to ensure an effective response is in place to deal with all aspects of online child sexual abuse and exploitation. We found during our review that there was energy, enthusiasm and commitment to drive improvement especially by those responsible for delivering a service in this critical area of policing.

The continued threat of online child sexual abuse and exploitation and the impact this can have on victims and families remains a key driver for the implementation of the Police Scotland Cyber Strategy 2020 which was only at the initial stages when we carried out our fieldwork. This along with the re-establishment of the Tackling Online Child Sexual Abuse and Exploitation Strategic Board (TOSCA) provided leadership and strategic direction.

At the time of our fieldwork, Police Scotland reported a sharp increase in demand in this area and we commended the approach of a dedicated resource (Operation Parroul) to tackle this. The focused approach of intelligence and investigative resources has, however, intensified the pressures on the Cybercrime Digital Forensics capability and we found that this area required urgent review to ensure the demand was understood.

Driving improvement, meeting demand and policing this High-risk area continues to impact on police officers and staff and we took the opportunity to make a further recommendation for Police Scotland to develop a specific wellbeing policy, with pathways for support tailored for staff whose role is specific to tackling online child sexual abuse. This is now recommendation 11 and was annexed to the original review.



At the conclusion of the review, three recommendations had been closed and seven partially met, with varying levels of progress. Those closed related to strategic governance, improved partnership working with the National Crime Agency and enhanced tasking of undercover arrangements. The report was published in August 2021.

In the period since, evidence of ongoing improvement has been submitted through assurance channels and, to date, a further four recommendations have been discharged. The remaining four recommendations continue to see evidence of progress. However, notwithstanding the status of HMICS recommendations, child sexual abuse and exploitation remains a very high priority for Police Scotland.

Assurance review of Police Scotland demand analysis and management

This assurance review highlighted the significant progress Police Scotland had made to develop its understanding of demand, as well as identifying some areas for improvement. Demand data and analysis are vital for making informed plans for resources and budget, ultimately ensuring that resources are deployed to best meet the needs of the public. The Demand and Productivity Unit (DPU) clearly demonstrated that it had the capability to deliver sophisticated demand tools and products that are of real benefit to policing. However, given that Police Scotland is clear on the need to have a deeper understanding of demand, the limitations placed on DPU capacity were of concern and this remains the primary constraining factor in the further development of the approach.

We undertook research and benchmarking as part of our review and were able to confirm, in comparison with other UK forces, that Police Scotland had progressed well in developing a more sophisticated demand approach compared with other forces which rely on purely volumetric information. However, it still has some way to go in terms of fully understanding and articulating the demand on its services. This was particularly true in respect of the forecasting of demand.

The report contained 12 recommendations and identified a number of areas for further development which will help Police Scotland to meet future financial and operational challenges. The SPA noted an associated improvement plan in December 2021 and progress on recommendations is underway.



Policing of the 26th Conference of the Parties (COP 26)

COP26 was a UK Government event and an extensive governance framework was developed at UK and Scottish Government levels to manage the planning and delivery of the plan. To avoid unnecessary duplication of effort, HMICS examined the three distinct yet cross-cutting themes of:

- Police Scotland's co-ordination, management and mobilisation of resources (including mutual aid support) in response to COP26
- Police Scotland's business as usual capacity and capability arrangements for non-COP26 related policing activity
- Police Scotland's arrangements for monitoring and supporting staff wellbeing pre, during and post COP26.

The conference was initially scheduled to take place in Glasgow in November 2020, however, due to the global coronavirus pandemic, it was postponed to November 2021. It was the biggest international summit hosted by the UK and largest policing event conducted by Police Scotland, with whom the responsibility for policing rested.

Having considered the evidence and analysis presented in this review, we provided independent assurance for the three themes in the lead up to the conference. The delivery of the event was not subject to scrutiny by HMICS, but the event passed safely, with minimal disruption to the residents of Glasgow or wider Scottish community, and there were far fewer arrests than predicted, with Police Scotland and the mutual aid partners able to deal with the volume of work effectively and efficiently. This was a significant achievement for Police Scotland.



Thematic Inspection of Hate Crime

The issue of hate crime was identified as a priority for inspection in 2019, given the context of Brexit, apparent increase of intolerance, and potential impact on community tensions. We were also aware of the Lord Bracadale review that had reported in 2018 ([an independent review of hate crime legislation in Scotland](#)), and the likelihood of new hate crime legislation. The terms of reference for the HMICS thematic inspection of hate crime were published in January 2020.

This was one of the inspections that was suspended in March 2020 due to the pandemic. Events over the Spring and Summer of 2020 – protests about racism, and the inequalities exposed by coronavirus – made the scrutiny of hate crime all the more relevant. The inspection recommenced around August 2020. In September 2020, our Training and Development Phase 1 report highlighted gaps in diversity training. The Independent Review of Complaints report published in November 2020 also raised issues about diversity, in particular the experience of officers who were subjected to hate crime on duty.

Police Scotland had continued to improve its approach to equality, diversity and inclusion during 2020, and was already addressing issues raised in these reports. We took time to incorporate as much of that improvement as possible in the final report, which was published on 3 June 2021. The report reflects many positive developments, including the introduction of a new division for Partnerships, Prevention and Community Wellbeing. We highlighted the strong operational response to hate crime when it is reported. The knowledge and networks of officers in safer communities roles locally and nationally were also praised. However, the report identified that these positive elements were not joined up to create a coherent national strategy to prevent and detect hate crime.

The report also highlighted challenges. The lack of diversity training, under-reporting, and shortcomings in data quality, combined to make it difficult for Police Scotland to understand the nature and extent of hate crime in Scotland and its impact on communities. There were concerns about the support given to police officers and staff subjected to hate crime.



The hate crime report made 15 recommendations. Police Scotland has developed a comprehensive improvement plan and progress against this has been subject to appropriate governance and review by Police Scotland and the SPA. There are a number of interdependencies, but there is clear commitment to progress actions against the recommendations.



Joint Scrutiny Activity

Joint inspections of adult support and protection services

The joint inspections led by the Care Inspectorate in collaboration with HMICS and Healthcare Improvement Scotland adjusted by developing digital arrangements during the COVID-19 pandemic, with all agencies and local partnership recognising the importance of this area of scrutiny. During the HMICS reporting period, eight further inspections were completed and published on the [Care Inspectorate website](#).

Key areas of focus have emerged since this programme commenced in 2020, and scrutiny partners worked together to produce an [interim overview report](#) based on the 11 completed inspections.

The programme is scheduled to be completed by July 2023, whereupon findings from the 26 partnership inspections and the thematic report undertaken in 2017-2018 will inform a final overview report to the Scottish Government. We remain committed to working with scrutiny partners and stakeholders to scope and develop further scrutiny and improvement activity of adult support and protection services.

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

The programme of joint inspections of services for children was paused between March 2020 and June 2021 due to the impact of COVID-19 pandemic. The programme recommenced in July 2021. The remit of these joint inspections is to consider the effectiveness of services for children and young people (up to the age of 18) at risk of harm. The inspections look at the differences community planning partnerships are making to the lives of children and young people at risk of harm and their families.

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

The [report](#) of joint inspection of services for children and young people at risk of harm in Dundee City was published on 11 January 2022.



Between April and June 2021, HMICS was part of a team of inspectors led by the Care Inspectorate and included HIS and Education Scotland assembled to carry out a review of progress made by the Orkney Community Planning Partnership following a joint inspection published in February 2020. The review was conducted in two phases with the second enabling views of children, young people and their families in order to understand their lived experience. The reports were published in [August 2021](#) and [May 2022](#).

The pause in the programme enabled scrutiny partners to undertake supported joint self-evaluation and improvement activity in Clackmannanshire between August and November 2021. Inspectors worked with the children and young people's partnership to support improvement work and the development of quality assurance frameworks.

The programme of rolling inspections is now fully re-established and we remain committed to working in collaboration with scrutiny partners.

Joint review of diversion from prosecution

We have agreed with scrutiny partners to undertake a joint review of diversion from prosecution. The aim of the review is to assess the quality of strategic planning, operational delivery and impact of diversion from prosecution in Scotland. We will provide an overview of diversion practice from a policing, prosecution and justice social work perspective. We will highlight what is working well and explore any barriers to the more effective use of diversion. Our partners in this work are HM Inspectorate of Prosecution in Scotland, the Care Inspectorate and HM Inspectorate of Prisons for Scotland.

Review of healthcare provision in police custody centres

We are working in partnership with Healthcare Improvement Scotland on a baseline assessment of the provision of healthcare services to police custody centres in Scotland. Our objective will be to outline the current arrangements for healthcare provision to custody centres including governance, models of delivery and level of service provided. We will publish a joint report on the findings from the assessment and will utilise these to inform the subsequent onsite joint inspections of custody centres that will take place thereafter.



Counter-terrorism

HMICS continued to work with HMICFRS to inspect the police response to certain national security threats. As a result of the nature of this work and, for security reasons, the resulting inspection reports cannot be published in the same way as other inspection reports.

Our reports are published on our [website](#) and report publications and other news are notified via our Twitter account. Go to: <https://twitter.com/HMICS> or [@HMICS](#)

COVID-19 response

As part of the work to support the IAG, and following on from the previous report on interviews of police officers and staff to gain their perspective on using and applying the new coronavirus legislation in 2020, we conducted a second tranche of interviews to gain further insights into policing the pandemic in 2021. Thirty two interviews of officers, supervisors and staff across different parts of Scotland were conducted, the results forming part of a wider report provided to the SPA. Among the findings, we highlighted that:

- Some groups had found it more difficult to comply with the restrictions, notably young people and those suffering from mental ill health. The policing approach was tailored for these groups of people
- The impact of staff absences either due to officers contracting COVID-19 or having to self-isolate had been considerable at times
- Officers felt the police service had been required to fill the gaps for other services
- The roll out of the Contact Assessment Model (CAM) and the introduction of online reporting in December 2020 provided a measure of flexibility to cope with increasing workload and staff absences within the C3 environment
- Frontline officers felt disappointed they had not been prioritised for the vaccination programme, given their front-facing role in keeping the public safe.

Through this work, we contributed to the lessons learned from policing during the pandemic. The full [results](#) of the Phase II IAG Report on interviews with Police Scotland officers and staff were published on 30 June 2021.



Assessing the outcomes from our activities

HMICS activity is aligned to the values detailed within the Scottish Government's National Performance Framework, namely; we are a society which treats all our people with kindness, dignity and compassion, respects the rule of law and acts in an open and transparent way.

Our activity seeks to support the achievement of the national outcomes, in particular;

- We live in communities that are inclusive, empowered, resilient and safe,
- We grow up loved, safe and respected so that we realise our full potential and
- We respect, protect and fulfil human rights and live free from discrimination.

The purpose of our work is to add value and support continuous improvement in the delivery of policing in Scotland. Where relevant, we will make recommendations to Police Scotland and the SPA that aim to improve policing. Through engagement these recommendations are regularly reviewed and will benchmark change.

Our inspection work does not end with the publication of our reports, we will often undertake follow-up work to assess progress; in addition to this we will also identify good practice that can be rolled out across Scotland.

We can inspect other UK police services that operate in Scotland and are members of the **National Preventive Mechanism**, inspecting police custody centres to monitor the treatment and conditions for detainees.



Facts and figures

HMICS staffing model 2021-22

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

Assistant Inspector of Constabulary	Elaine Galbraith
Lead Inspector	Ray Jones
Lead Inspector	Dawn Lewington
Lead Inspector	Brian McNulty
Lead Inspector	Tina Yule
Lead Inspector	Steven Meikle
Support Inspectors	Patricia Robertson Pam Colvin
Improvement and Scrutiny Programme Co-ordinator	Rhona Ford
Research and Inspection Support Manager	Joanna Gardner

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

Throughout 2021-22, we continued to strengthen our capacity for inspection and continued to engage the services of Associate Inspectors from a range of backgrounds including policing, local government and academia. These inspectors provide specialist skills and experience to augment our inspection teams as required.

HMICS budget 2021-22

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

Our budget for 2021-22 was £1,060,000. In addition, we received a credit of £100,000 for project work, together with £87,000 which was reimbursed by the Care Inspectorate for our contribution to the Adult Support and Protection Inspection programme. Therefore, our available budget for 2021-22 was £1,247,000. Our spend for the year was £1,238,070 which represents an underspend of £8,930.



HMCICS expenses

The total expenses incurred and claimed by HM Chief Inspector of Constabulary in Scotland in the financial year 2021-22 was £0. This is an unusual situation and is a direct result of the impact of COVID-19 and restrictions that mandated working from home and significantly limited travel.

Awards and commendations 2021-22

The honours and awards conferred each year on police officers, police staff and special constabulary are a reflection of the service's commitment to the people of Scotland. In the fiscal year 2020-21, Her Majesty bestowed the following honours on members of the service in recognition of their exceptional service:

Queen's Birthday Honours 2021

QPM

Fiona Taylor, Deputy Chief Constable, Police Service of Scotland.

Roddy Newbigging, Chief Superintendent, Police Service of Scotland

New Year's Honours 2022

MBE

Graeme Anderson – Lead Events Planning Officer for Tayside Division

QPM

Judi Heaton, Retired Assistant Chief Constable, Police Service of Scotland.

Louise Blakelock, Chief Superintendent, Police Service of Scotland

Marlene Baillie, Chief Inspector, Police Service of Scotland



HMICS HM INSPECTORATE OF
CONSTABULARY IN SCOTLAND

HM Inspectorate of Constabulary in Scotland
1st Floor, St Andrew's House
Regent Road
Edinburgh EH1 3DG

Tel: 0131 244 5614

Email: hmic@gov.scot

Web: www.hmics.scot

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.

© Crown copyright 2022

978-1-910165-68-3

HMICS/2022/01

SG/2022/124