



Meeting	Complaints and Conduct Committee
Date	27 February 2025
Location	Online
Title of Paper	Police Scotland - Professional Boundaries Report – Biannual Update
Presented By	Assistant Chief Constable Stuart Houston and Chief Superintendent Helen Harrison
Recommendation to Members	For Discussion
Appendix Attached	No

PURPOSE

To provide the SPA Complaints & Conduct Committee with an update regarding ongoing activity.
Members are invited to discuss the content of this report.

1. Background

1.1 Police Scotland commissioned a review of all complaints and conduct matters which contained “*sexual circumstances*” between 1st of January 2017 and 21st of October 2021 (**SM Case Review 1**). This involved external reports to Police Scotland and also internal reports concerning officers and staff. The review was to ensure the organisation had discharged its responsibilities relating to the management of risk and had thoroughly investigated all matters in line with relevant legislation, powers and regulations.

1.1.1 The review focused on complaints and conduct allegations reported across the following business areas:

- **Complaints about the Police**
- **Referrals through Professional Standards Department (PSD) Gateway Assessment Unit**
- **Anti-Corruption Unit related referrals, intelligence reports and investigations**
- **PSD Misconduct**
- **Vetting**

1.2 Police Scotland have now undertaken a second case review of all complaints and conduct matters which contained “*sexual circumstances*” between 21st October 2021 and 1st January 2023 (**SM Case Review 2**) using the same metrics outlined at 1.1 in this report.

1.3 Progress / Preventions - Update

- Of the 19 recommendations from **SM Case Review 1**, 16 are complete, 2 are currently in progress, and 1 is being considered under another PSD work stream. Of the 2 matters in progress, introduction of a Preventions Support & Interventions Programme is ongoing and ACU are involved in a working group led by Scottish Government Criminal Justice Division on the introduction of Misconduct in Public Office legislation. Introduction of Annual Integrity Checks is now being led by the Force Vetting Unit as an annual ‘Employee Safeguarding Discussion’ following a recommendation included in the HMICS assurance review of vetting.
- Work continues to promote Our Standards of Professional Behaviour Programme through the PSD Preventions and Professionalism

Tactical Group and the “Standards” campaign with the 7th standard “Orders and Instructions” being published in May 2023.

- Historical Data Wash (HDW) Exercise - In January 2023, Deputy Chief Constable Professionalism, Strategy and Engagement announced that Police Scotland would check all officers and staff against the Police National Database (PND), in line with work being taken forward in England and Wales at the request of the Home Secretary. This work is now complete with no matters of any significance established as a result.
- A Police Scotland preventative quarterly internal publication of misconduct outcomes scheme was published on the 1st of November 2024.
- PSD has also launched a quarterly internal newsletter “The Standard” to provide preventions messaging to officers and staff enhance standards, communicating key themes and trends arising from complaints and conduct investigations to prevent a recurrence and to enhance service delivery to the public.
- As reported at the SPA CCC on 5th of September 2024, PSD Domestic Abuse Case Review was completed covering instances between 01/01/20 and 31/01/23 with 206 cases reviewed for the period. The review established 10 key findings and 14 recommendations. All recommendations are on course to be discharged under the governance of the internal PSD Violence Against Women and Girls Tactical Group, by April 2025.
- Police Scotland continues to have visible representation across relevant groups led by National Police Chiefs Council (NPCC) to ensure it remains abreast of trends as well as current in respect of broader organisational good practice and learning.
- Police Scotland continues to actively encourage and support the reporting and challenging of inappropriate behaviour through facilitation of internal, external and anonymous reporting mechanisms.

1.4 Sexual Misconduct Case Review 2 - 21st October 2021 to 1st January 2023

As detailed at 1.2 in this report Police Scotland have now completed a second case review. Analytical review of the data was carried out with the following key findings established:

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No.	Key Finding
1	There were 178 sexual misconduct reports recorded within the 15-month reporting period. The previous reporting period covers a larger timespan of 58 months and details 410 records. Thus, the current reporting period has a higher number of records per month (n=11.9) compared to the previous reporting period (n=7.1).
2	There was an increase in Sexual Misconduct reports in the time period following the arrest of David Carrick, however there is no determinable causal relationship between these events.
3	During this reporting period, 70% (n=125) of the victims are female, 12% (n=22) are male and 18% (n=32) are unknown.
4	Of the 178 reports during this reporting period, 62% (n=110) occurred whilst the subject officer was on duty, 32.5% (n=58) were when the subject officer was off duty, 1.1% (n=2) was listed as both on and off duty and 4.4% (n=8) were not established if the subject officer was on or off duty.
5	Reports made by colleagues equated to 51% (n=89), 35% (n=63) were made by members of the public and 14% (n=26) were an unknown reporter.
6	New categories have been used which align to the Professional Standards Department. These are Sexual Assault/Rape, Stalking/Harassment, Workplace Sexual Harassment, Abuse of Power for a Sexual Purpose (APSP), Power Imbalance Relationship and Sexual Misconduct – 'Other'.
7	Within the 15-month period, Sexual Assault/Rape was the most prevalent crime type with 63 (35%) reports of this category.
8	Of the 178 reports, 38 (21%) were reported to COPFS.
9	There were 159 uniformed officers, 1 special constable, 8 members of police staff and 12 unknown designations, totalling 180 nominals due to two records with multiple accused. Within the current reporting period 12 named subjects were reported for multiple offences counting 29 (16%) reports.
10	In total, 85% (n=153) of officers/members of staff were male, 9% (n=16) were female and in 10 (6%) reports the sex of the accused is unknown. The most common age bracket is 31-35 with 32 records, and the majority of subjects (52%) are aged between 31-45.

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High level analysis of the data relating to Perpetrator and Victim Demographics including age, sex, rank, length of service, division, and abuse categories allowed identification of future improvements. The following 7 recommendations have been identified during the review and are now being progressed through PSD governance.

No.	Recommendation
1	Recording processes for Sexual Misconduct investigations involving police officers and/or members of police staff on the Scottish Intelligence Database (SID) and Interim Vulnerable Persons Database (iVPD) must be complied with as per the current Police Scotland Standard Operating Procedures and National Guidance.
2	PSD Gateway must be used as the single point of contact for all sexual misconduct reports on every occasion. Every report of sexual misconduct must be recorded by PSD Gateway on iBase (Police Scotland internal corruption database). Every report must then have a suitable closure appended by PSD Gateway regardless of whether they are investigated internally or externally to PSD.
3	Policy and Enquiry logs to be utilised throughout reports of Sexual Misconduct.
4	Appropriate welfare strategies should be implemented immediately on a sexual misconduct investigation being initiated. Strategies should be inclusive for victims / suspects / witnesses and should ensure appropriate updates being recorded within policy logs and/or investigation files.
5	In repeat reports of Sexual Misconduct PSD should ensure an appropriate risk mitigation plan is created and implemented.
6	All instances involving police perpetrated Sexual Misconduct to be considered by PSD National Conduct unless the investigation has identified a malicious report.
7	A standardised sexual misconduct review template should be created for all future sexual misconduct reviews.

2. FURTHER DETAIL ON THE REPORT TOPIC

2.1 There are no further details on this report.

3. FINANCIAL IMPLICATIONS

3.1 There are no financial implications in this report.

4. PERSONNEL IMPLICATIONS

4.1 The nature of the matters reported inevitably leads to implications for both individual and wider personnel matters. These are considered on a case-by-case basis to ensure welfare, conduct and both individual and organisational learning opportunities are identified and addressed.

5. LEGAL IMPLICATIONS

5.1 There are no legal implications in this report.

6. REPUTATIONAL IMPLICATIONS

6.1 As per Item 4.1, each case is assessed for individual and organisational reputational risks and implications and appropriate action taken

7. SOCIAL IMPLICATIONS

7.1 The nature of the data reported in this paper is related to complaints about the police and conduct matters. By its very nature, the subject matter implies a level of negative social, community and equalities impact. By addressing the individual matters and thereafter considering holistically that which has been reported, Police Scotland seeks to mitigate the negative impact of those cases reported.

8. COMMUNITY IMPACT

8.1 As per 7.1 above.

9. EQUALITIES IMPLICATIONS

9.1 As per 7.1 above.

10. ENVIRONMENT IMPLICATIONS

10.1 There are no environmental implications in this report.

RECOMMENDATIONS

Members are invited to discuss the content of this report.

