

Meeting	SPA Policing Performance Committee
Date	28 May 2020
Location	Teleconference
Title of Paper	Report on PS planned responses to HMICS recommendations on Child Sexual Abuse
Produced By	ACC Duncan Sloan, Major Crime and Public Protection
Recommendation to Members	For Discussion
Appendix Attached	No

PURPOSE

The purpose of this report is to provide the SPA chair with an update on the planned response to HMICS recommendations on Online Child Sexual Abuse.

Members are invited to discuss the content of this paper.

1. BACKGROUND

1.1 In their 2019-2020 Scrutiny Plan, HMICS set out their intention to conduct a strategic review of Police Scotland's response to cyber enabled, cyber dependent and internet facilitated sexual crime as it relates to children.

1.2 On 8th October 2019, HMICS published their terms of reference, including the aims and objectives of their review. In response to this review a group was established involving key business area leads within Police Scotland to collate relevant guidance, documents and processes. This information was submitted collectively to HMICS via Specialist Crime Divisions (SCD) Crime Strategy. As part of the review, HMICS assessed Police Scotland's response at strategic, tactical and operational level. They assessed the 'end to end' process which largely involved the following business areas;

- Specialist Crime Division - Intelligence
- Specialist Crime Division - Public Protection
- Specialist Crime Division - Cyber Crime and Digital Forensics
- Specialist Crime Division - Specialist Operations Unit
- Specialist Crime Division - Safer Communities
- Local Policing

1.3 In addition, to gain an overview of local service delivery they engaged specifically with three local divisions;

- Tayside ('D' Division)
- Edinburgh City ('E' Division)
- Renfrewshire and Inverclyde ('K' Division)

2. FURTHER DETAIL ON THE REPORT TOPIC

2.1 On 26th February 2020, HMICS published their report which included their key findings and 10 recommendations to Police Scotland for improvement:

- 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.

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- 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, 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.

3. POLICE SCOTLAND RESPONSE

- 3.1 In response to the findings and recommendations, key stakeholders within SCD have engaged with Governance, Audit and Assurance (GAA) to commence early dialogue and agree approach. An Audit Manager has been assigned to this process. An Action Plan has been created to address the specifics of the HMICS recommendations, with action owners identified and tasked through the Tackling Online Child Sexual Abuse (TOCSA) Tactical Group, chaired by DCS Sam McCluskey. A letter of response acknowledging receipt of the report was sent at the outset.
- 3.2 A clear governance structure is in place whereby progress made by the tactical group will be monitored against both recommendations set by HMICS and the wider strategic objectives set by the Tackling Online Child Sexual Abuse (TOCSA) Strategic Group, chaired by Assistant Chief Constable (ACC) Sloan. The next meeting of the TOCSA Strategic Group is scheduled to take place on 28 May 2020. The decisions or agreements reached at TOCSA Strategic Group will be submitted to Crime and Operations Management Board for endorsement and, if necessary, progressed through the appropriate Police Scotland primary board governance structure.
- 3.3 A number of the recommendations are complex and will require significant change in current culture and practice, however initial discussions have been positive with a collective commitment to drive forward improvement. Implementation of the recommendations will require significant planning and realignment/uplift of resources. SCD Public Protection is currently assessing Police Scotland's 'end to end' process around online CSA investigations, specifically with approach to NOCAP and UCOL activity. This is a separate but timeous undertaking and may address some of the recommendations made by HMICS.
- 3.4 Since the formation of Police Scotland, there has been a significant recorded increase in the volume of online CSA referrals received, packages created and investigations undertaken. Between 2018 and 2019, there was a 46% increase in the volume of online CSA referrals received by Police Scotland, with a 30% increase in the volume of packages created within the same period. These statistics do not take into account the significant volume of 'Child at Risk'

packages, which are also created and require similar in-depth preparation and investigation. The data represents the significant level of threat, risk and harm presented by online offending and the subsequent impact on all communities across Scotland.

- 3.5 Police Scotland Specialist Crime Division continue to dedicate resources and explore all tactical options to tackle online CSA. This includes ensuring, through UK and international engagement with partners, access to the most up-to-date investigative techniques.

4. FINANCIAL AND PERSONNEL IMPLICATIONS

- 4.1 There are financial and personnel implications associated with the HMICS report and recommendations. Implementation of the recommendations will require anticipated uplift of resources. Assessment is ongoing (per point 3.3) to better understand both the projected financial and personnel implications in detail. This assessment will report to both Police Scotland Operational Delivery Board and Crime Operations management Board by way of governance.

5. LEGAL IMPLICATIONS

- 5.1 There are no legal implications associated with this paper.

6. REPUTATIONAL IMPLICATIONS

- 6.1 There are reputational implications associated with the HMICS report and recommendations and any subsequent failure on the part of Police Scotland to implement same. The potential impact on public confidence and our operational ability to meet our strategic objectives within the critical business area has been recognised and recorded on the Public Protection Risk Register with appropriate control measures identified and implemented.

7. SUSTAINABILITY

- 7.1 There are sustainability implications for Police Scotland associated with this paper in view of the potential for significant increased commitment of PSOS resource to both in the initial response to the HMICS report and in order to make sustained, informed improvements in this complex area of business.

8. COMMUNITY IMPACT

- 8.1 Failure to address the recommendations within HMICS report would result in significant loss of public confidence and our ability to meet strategic objectives. Plans to mitigate risk and ensure progress to meet the recommendations are in place.

9. PARTNERSHIP IMPLICATIONS

- 9.1 It is acknowledged there must be a collective responsibility and joint approach to the response to HMICS report. Significant internal and external partnership working has identified capability and capacity issues across a number of business areas and gaps in service provision, which will be addressed through ongoing collaboration. Whilst implementation of the recommendations contained within HMICS report is the responsibility of Police Scotland, improvements to the whole system approach to tackling online CSA requires investment from partner organisations including Crown Office and Procurator Fiscal Service (COPFS), who have representation on and are engaged with TOCSA Strategic Group.
- 9.2 Engagement with National Crime Agency (NCA), Child Exploitation and Online Protection (CEOP) and National Police Chiefs Council (NPCC) ensures delivery of a nationally consistent approach alongside key partner agencies.

10. ENVIRONMENT IMPLICATIONS

- 10.1 There are no known environmental implications associated with this paper.

RECOMMENDATIONS

Members are invited to discuss the content of this paper.