

A meeting of the Local Police and Fire Scrutiny Committee will be held on Thursday 4 February 2021 at 3pm within the Municipal Buildings, Greenock.

This meeting is by remote online access only through the videoconferencing facilities which are available to Members and relevant Officers. The joining details will be sent to Members and Officers prior to the meeting.

In the event of connectivity issues, Members are asked to use the *join by phone* number in the WebEx invitation.

Please note this meeting will be recorded.

GERARD MALONE
Head of Legal and Property Services

BUSINESS

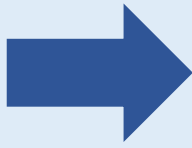
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Enquiries to – **Diane Sweeney** - Tel 01475 712147

Keeping People Safe in Inverclyde

Our Purpose:- To improve the safety and wellbeing of people, places and communities in Scotland.

Violence & Antisocial Behaviour



Group 1 crimes of violence have decreased by 20.2%, to a total of 91. Three fewer attempted murders, nine fewer serious assaults and seven fewer robberies were recorded. The overall detection rate for Group 1 crime is 70.3%, down from 75.4% in the previous year. 42% of Group 1 crimes occurred within private households.

Decrease in recorded serious and minor violence.

There have been 453 recorded common assaults, a decrease of 3.6% (17 fewer crimes) compared to the previous year. 135 (30%) of these assaults targeted emergency workers. These crimes are most commonly perpetrated against police officers.

38 fire-raising crimes have been recorded – a decrease of one crime on the previous year. The current detection rate is 21.1%, considerably above the previous year's rate (12.8%). Nearly 40% of crimes targeted motor vehicles. Meanwhile, recorded vandalism crimes fell by 13.4% to a total of 336.

Acquisitive Crime



59 fewer shoplifting crimes have been recorded YTD (n=297), while the detection rate increased from 75.6% to 87.9%. While housebreaking crimes (inc attempts) increased by 13.5% (n=126), fewer dwelling HBs were recorded (-1.3%). The increase mainly relates to break-ins to sheds.

Motor vehicle crime decreased by 20.8% on the previous year to a total of 99 crimes, with the highest proportion of crimes involving thefts from insecure vehicles. The detection rate is 42.4%, considerably above the previous year's detection rate (29.6%).



One bogus caller crime has been recorded in Inverclyde. The accused took payment from an elderly complainer for unnecessary work, which was not undertaken.

Inverclyde

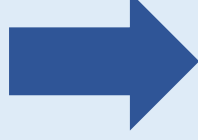
Local Policing Plan (2020 - 2023)

Reporting Period: 1 April 2020 to 30 November 2020

Public Protection

Reported sexual crimes decreased by 30.8% on the previous year, to a total of 72 crimes. The detection rate for sexual crimes is 61.1%, up from 49% in the previous year. 72% of sexual crimes occurred in dwelling houses – up from the 60% noted in the previous year.

Recorded rape and attempted rape rose by 10%, from 20 crimes in the previous year to 22 in the current year. The detection rate increased from 40% to 81.8%.



Nearly a quarter of the sexual crimes recorded in the reporting period were against young people under the age of 16 years at the time of the offence.

42% of reported sexual crimes were non-recent; a third of these non-recent reports targeted victims aged under 16 years at the time of the offence. Meanwhile, at least 21% of sexual crimes were cyber-enabled.



There have been 33 missing person reports in Inverclyde - a decrease of 64% on the previous year (n=92). The number of young people going missing from Children's Homes fell from 28 last year, to five in the current year. 79% of missing people were traced within 24 hours.

609 domestic abuse incidents have been recorded, down by 4.1% on the previous year. These incidents resulted in 349 domestic crimes and offences being recorded – 7.2% below the previous year's volume.

33 complaints were received about police during the reporting period. This equates to 21.9 complaints per 10,000 police incidents.

Major Crime & Terrorism



Targeting serious organised crime (SOC) continues to be a priority for the division. The Division continues to manage two serious organised crime groups, one of which predominantly impacts on Inverclyde.

YTD, there have been 38 detections of drug supply, production and cultivation offences have been recorded, ten fewer than the previous year. Seizures include diamorphine, etizolam, crack cocaine and herbal cannabis.



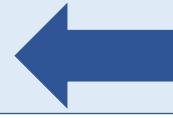
102 crimes have been designated as 'cyber-crimes' via application of the relevant cyber-crime marker in Inverclyde. Analysis indicates that a significant proportion of these were financial/economic crimes e.g. fraud. Fishing and internet order fraud continue to grow in volume.



Road Safety & Road Crime



Two road fatalities occurred within the reporting period – one more than the previous year. Meanwhile, serious road injuries fell by 66.7% (n=7) while slight injuries fell by 77.9%, to a total of 17. No children have been killed or seriously injured on Inverclyde's roads year-to-date.



Overall, offences relating to vehicles fell by 0.1% on the previous year, to a total of 803. However, an increase was recorded in drink/drug driving offences (63.3%), disqualified driving offences (66.7%), licence offences (18.2%) and insurance offences (66.7%).

Taser Hubs - The installation of additional Taser Hubs throughout Scotland has begun and will see an extra 37 locations being equipped. The additional Hubs will complement the 32 already in place and should be fully operational by the end of 2020.

Greenock Police station has been identified and upgraded as an additional hub to provide much needed geographical cover and offers a greater choice of stations for Taser trained officers to deploy from. Police Scotland is undertaking an end-to-end strategic review of all violence and abuse towards officers and staff. The provision of Taser will form part of that review and will help to make informed decisions on any potential future wider rollout.

Take Five Scam Awareness – In December Police Scotland launched their Campaign to raise awareness and prevent people from becoming victims of fraud especially during the festive period. The perpetrators are often extremely sophisticated and can perform hours of research on a potential target in order to make themselves appear legitimate. The new 'Take Five for Fraud' campaign is provides some simple and easy to follow, effective advice about how to prevent yourself from becoming a victim fraud.

Stop - Taking a moment to stop and think before parting with your money or information could keep you safe.

Challenge - Could it be fake? It's ok to reject, refuse or ignore any requests. Only criminals will try to rush or panic you.

Protect - Contact your bank immediately if you think you've fallen for a scam and report it by calling 101. The Take Five area of the Police Scotland website provides a wealth of information that will help to recognise potentially fraudulent situations, allowing you to make the best possible decisions with your money and personal information.

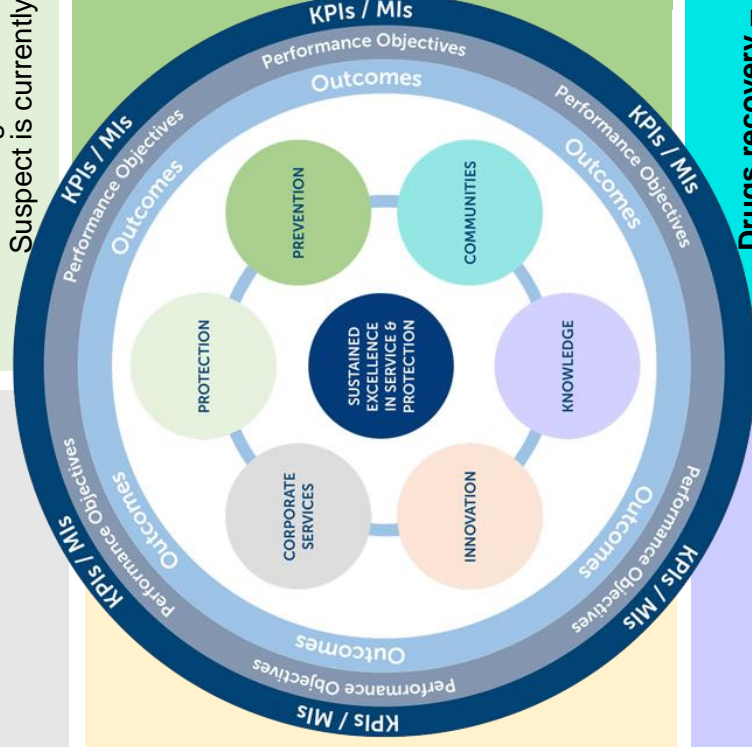
Remote Video Interview - Area Commander Chief Inspector Paul Cameron took part in a webcam interview with pupils from all Secondary Schools across Inverclyde. This allowed for the pupils to ask questions which would be answered directly by the Area Commander. A video is now circulating to all pupils in Inverclyde to provide answers to police related matters that they had raised. A follow up meeting is now scheduled with all Head Masters to ensure that local policing is meeting their expectations and to look at ways in which closer working can take place.

Festive Campaign – Due to the COVID lockdown restrictions impact and co-operation from our local communities, the festive period was one of the quietest for several years. Nevertheless, Police officers and staff remained proactive. Officers were deployed on foot patrol to provide a visible deterrent and to reassure revelers and shoppers during the festive season. Over the period Licensed Premises Inspections were carried out to ensure that premises continued to operate safely and in-line with the COVID Restrictions. This coupled with high visibility foot and mobile patrols contributed to a reduction of incidents and helped make the festive period as safe and enjoyable as possible for our communities. Police Scotland's Festive Road Safety Campaign was also in operation involving both local and Road Policing officers focussing on speeding, drink / drug driving and ensuring motorists were driving responsibly and within the limits of the law.

Fire attacks - In response to the well-publicised fire attacks in Inverclyde, Police Scotland, SFRS, Inverclyde Council and local housing providers worked in partnership to implement a number of additional safety measures to over 400 properties. This combined with extra high visibility patrols by Police and Community Wardens which helped to prevent further incidents while Criminal investigation was being conducted. As a result of a large and robust criminal investigation, Police Scotland have now charged 11 individuals in connection with these attacks with most being remanded in custody pending trial. This investigation will continue until everyone who was involved in these appalling acts of violence are brought to justice.

Attempted Armed Robbery - Brisbane Street Post Office – Police responded to report an armed robbery involving a masked male in possession of a handgun demanding money from Post Office staff. Community Police Officers on patrol nearby responded to the incident and immediately gave chase to the suspect who pointed the firearm at them before discarding and running off. Additional Uniformed and CID officers assisted with the chase resulting in the male being apprehended within two minutes of the Police being alerted to the incident. A handgun was recovered by Police and after examination was found to be a Gas-powered BB gun. Suspect is currently remanded pending trial.

Proactive Operations – Police executed five separate drug warrants in an intelligence-led operation to target and disrupt drug supply and serious crime. The coordinated string of raids were the result of information coming directly from the public. A combination of uniformed, covert and specially trained officers were utilised to target the properties, specifically a number of addresses on Oxford Road/Banff Road in Greenock. As a result of this operation over £250,000 worth of street drugs were recovered. Two women aged 31 and 16, and a 56 year old man were arrested and are currently pending trial for alleged drug supply offences.



Drugs recovery – Acting upon concerns raised by the community, officers conducted an investigation at a former Bingo Hall located in Port Glasgow. Due to the circumstances a search warrant was obtained. After forcing entry to this building Police recovered an industrial scale operation growing cannabis plants estimated to have a street value in excess of £600,000. Two males aged 40 and 16 years old have been arrested for their involvement with this large scale operation into manufacturing and distribution of illegal drugs and appeared at Greenock Sheriff court where they are currently pending trial for the alleged offences.

Fireworks – Fireworks night is historically busy for all emergency services. A multiagency approach had been adopted in Inverclyde to discuss early intervention measures to prevent unlicensed bonfire and fireworks events from taking place. Despite pro-active patrols a last minute Bon fire was assembled in Auchmead Road in Greenock which had been clearly pre-planned to mitigate preventative measures. A subsequent gathering and Bonfire / Firework display occurred resulting in widely publicised Anti-Social behaviour sparking an investigation into the incident. Evidence gathered showed a very small 'rouge' element in those attending that were responsible for disorder and Anti-Social behaviour, a total of 4 persons have now been charged with Mobbing and Rioting.



**Inverclyde Performance Report
1st October 2020 - 31st December 2020**



**SCOTTISH
FIRE AND RESCUE SERVICE**

Working together for a safer Scotland

**Working together
for a safer Scotland**

Inverclyde Performance Report

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Local Fire and Rescue Service Plan Priorities

The Local Fire and Rescue Service Plan has been developed to set out the priorities and objectives within Inverclyde and allows our local authority partners to scrutinise the performance outcomes of these priorities. We will continue to work closely with our partners in Inverclyde to ensure we are all **“Working Together for a Safer Scotland”** through targeting risks to our communities at a local level.

The plan has been developed to complement key partnership activity embedded across Inverclyde Community Plan and associated Delivery and Thematic plans. Through partnership working we will seek to deliver continuous improvement in our performance and effective service delivery in our area of operations.

The Local Fire and Rescue Plan for Inverclyde identified six areas for demand reduction and is subject to regular monitoring and reporting through the Police / Fire and Rescue Committee. A summary of the priorities and current activity is detailed below with further detail and analysis contained within this performance report.

	Accidental Dwelling Fires	Accidental Dwelling Fire Casualties	Unintentional Injury and Harm	Deliberate Fire Setting	Non-Domestic Fire Safety	Unwanted Fire Alarm Signals
Inverclyde Central	2	0	0	9	0	9
Inverclyde East	4	0	1	3	1	9
Inverclyde East Central	2	1	2	7	0	10
Inverclyde North	5	1	1	11	1	20
Inverclyde South	1	0	3	15	0	15
Inverclyde South West	1	0	0	8	0	3
Inverclyde West	1	0	1	14	0	5

Total Incidents	16	2	8	67	2	71
Year on Year Change	-27%	-67%	-47%	5%	-67%	-23%
3 Year Average Change	-3%	9%	-34%	20%	-15%	-12%

About the statistics within this report

The activity totals and other statistics quoted within this report are published in the interests of transparency and openness. They are provisional in nature and subject to change as a result of ongoing quality assurance and review. Because all statistics quoted are provisional there may be a difference in the period totals quoted in our reports after local publication which result from revisions or additions to the data in our systems. The Scottish Government publishes official statistics each year which allow for comparisons to be made over longer periods of time.

Activity levels have reduced by more than 5%

Activity levels have reduced by up to 5%

Activity levels have increased overall

Inverclyde Activity Summary



fires
primary & secondary



special
services



false
alarms



291
total number of
incidents



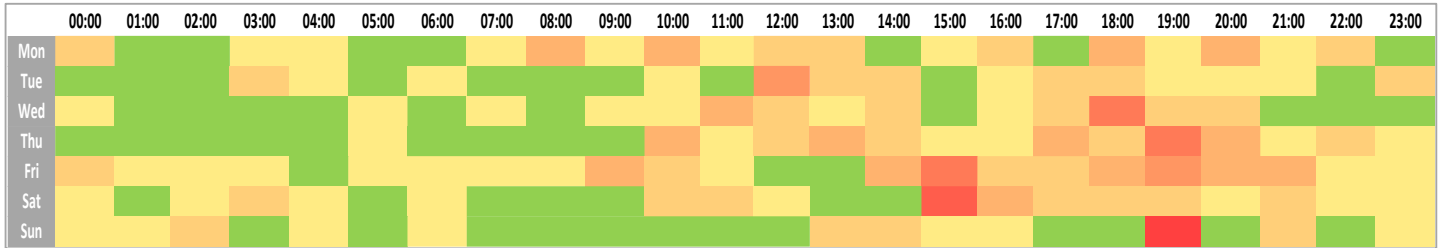
14
fire & non-fire
casualties



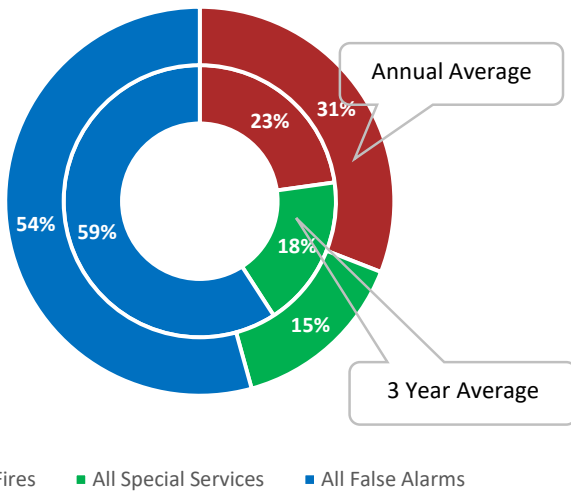
£139,870
economic cost of
ufas incidents

*data above is year on year change

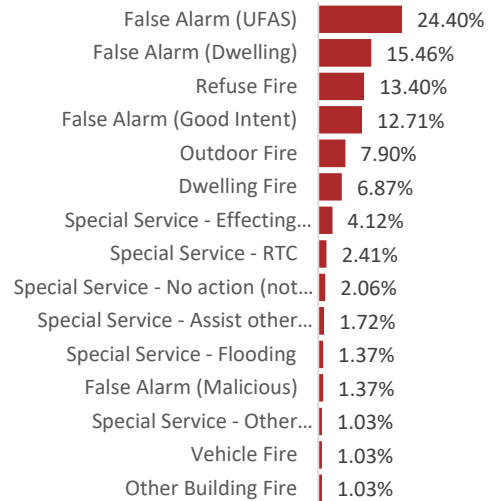
Activity by Time of Day



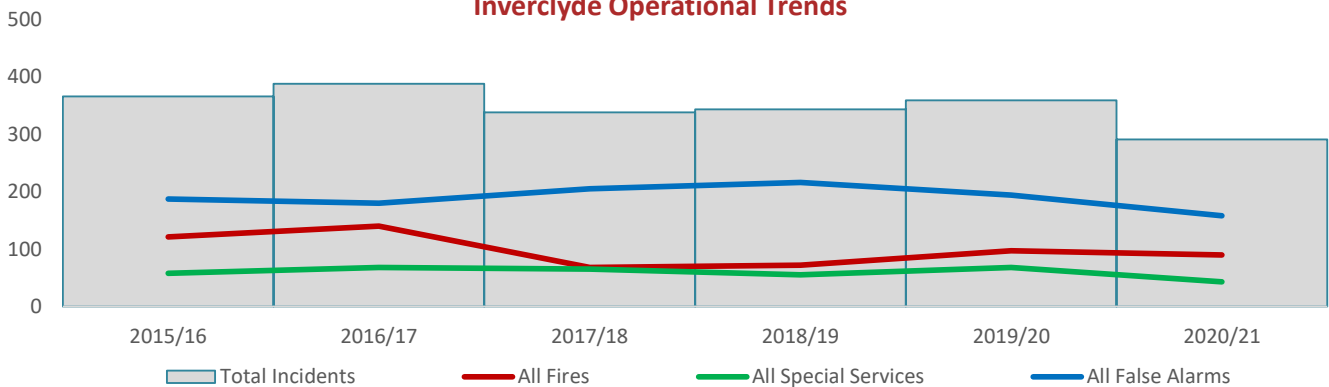
Incidents by Classification



Top 15 Incidents Types by %



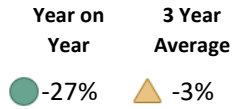
Inverclyde Operational Trends



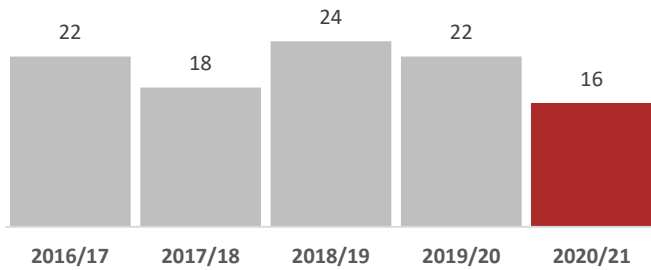
Domestic Safety - Accidental Dwelling Fires



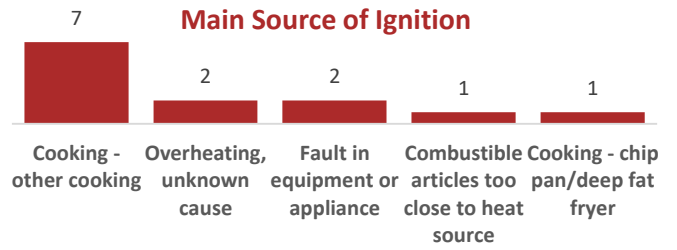
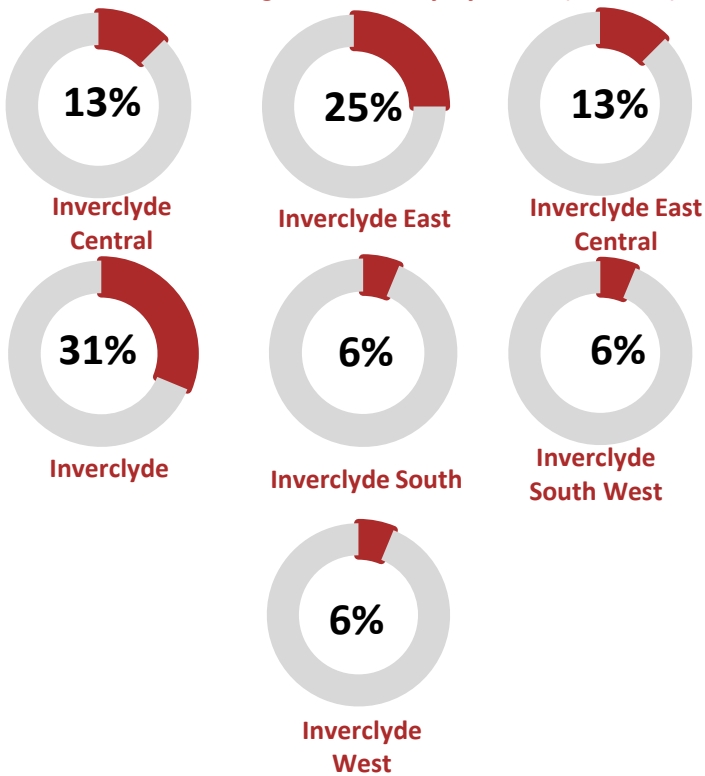
Performance Summary



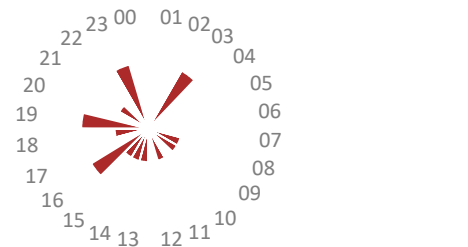
Accidental Dwelling Fires



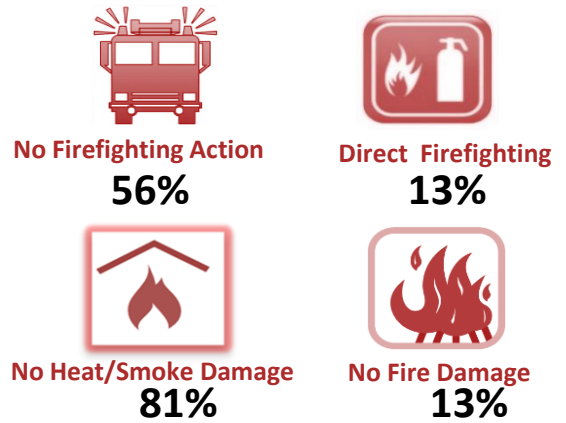
Accidental Dwelling Fires Activity by Ward (% share)



Accidental Dwelling Fires by Time of Day



Severity of Accidental Dwelling Fires



Human Factors



Automatic Detection & Actuation



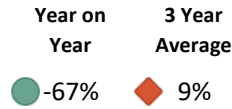
A 27% reduction during this quarter when compared to last year and the lowest figures over a 5 year period.

Pleasing to see, not only a high percentage of detector coverage, but also of actuation levels.

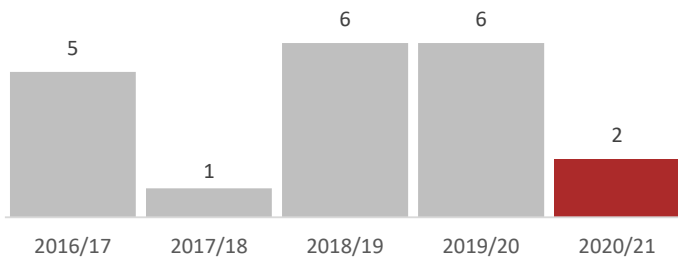
Domestic Safety - Accidental Dwelling Fire Casualties



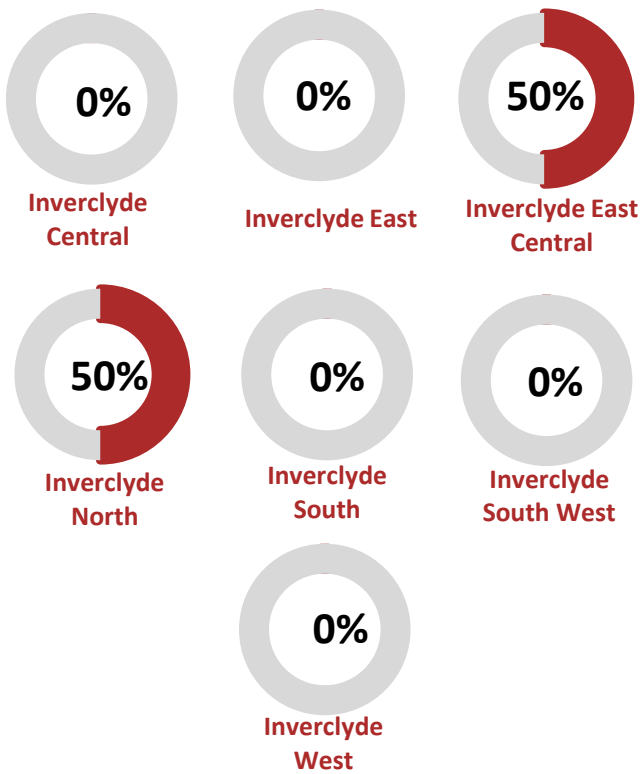
Performance Summary



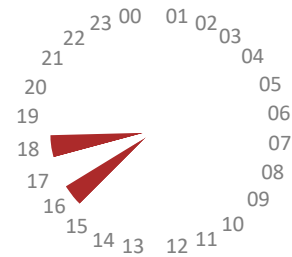
Accidental Dwelling Fires Casualties



Accidental Dwelling Fire Casualties by Ward (% share)

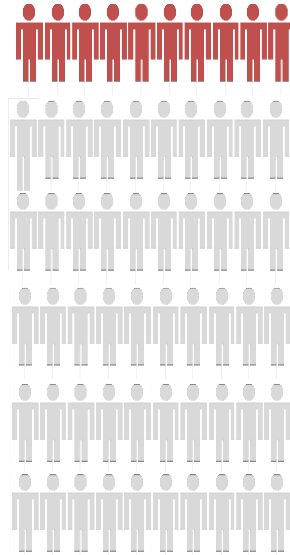


Fire Casualties by Time of Day



Nature of Injury

Smoke inhalation



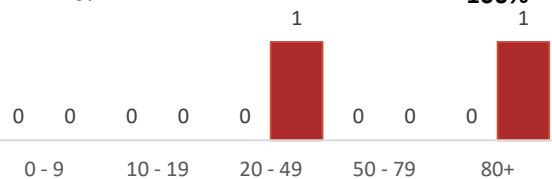
Extent of Harm



Age / Gender Profile

Male
0%

Female
100%



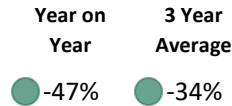
A significant reduction when compared to three of the last four years.

This reduction is consistent with the high percentage of detection in place and actuating at these incidents as highlighted on page 5 of this report.

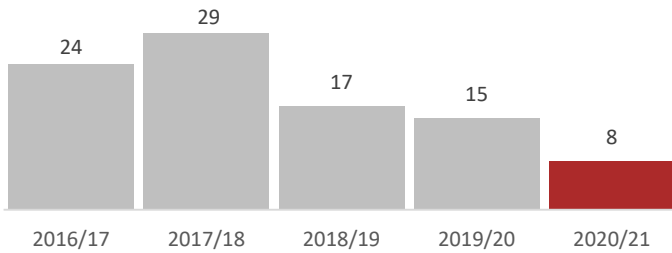
Unintentional Injury and Harm



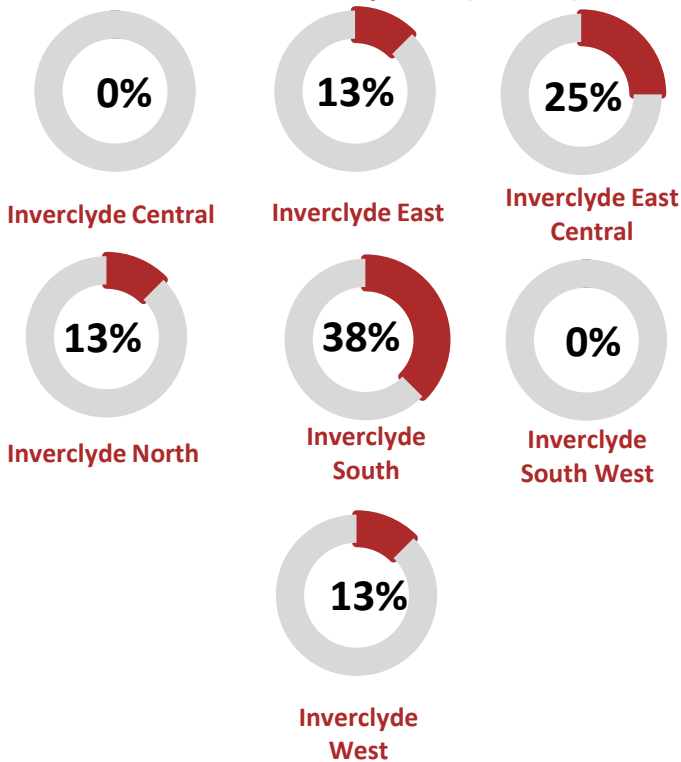
Performance Summary



Non-Fire Casualties



Non-Fire Casualties by Ward (% share)

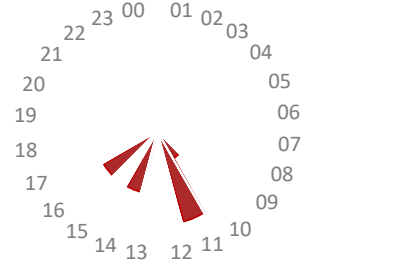


Pleasing to see a steady reduction across this quarter over a 4 year period.

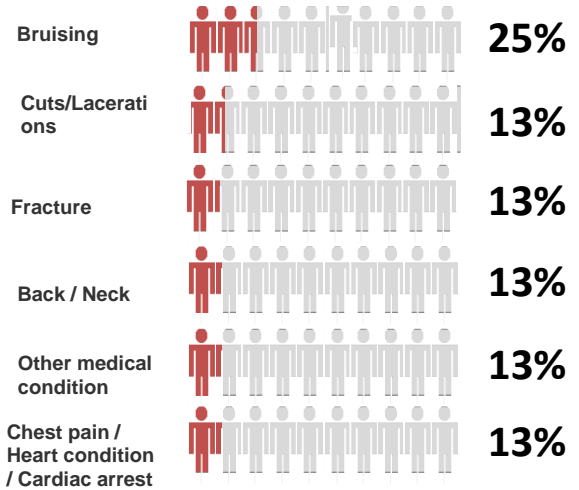
Half of all incident activity was to assist partner agencies, a trend which has been consistent for some time.

Any incidents of note will be highlighted during the report delivery at committee.

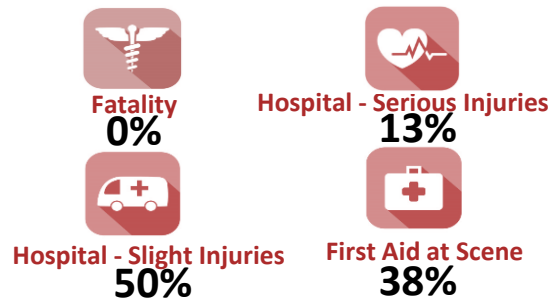
Non-Fire Casualties by Time of Day



Nature of Injury



Extent of Harm



Non-Fire Emergency Activity

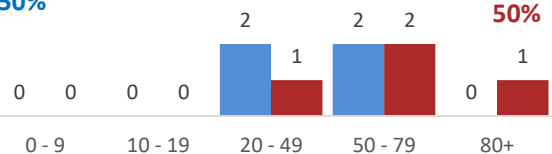


Male 50%

Age / Gender Profile



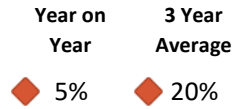
Female 50%



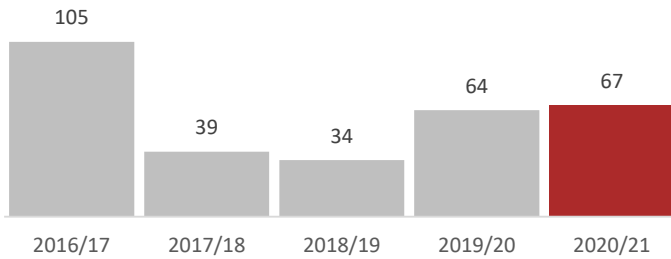
Deliberate Fire Setting



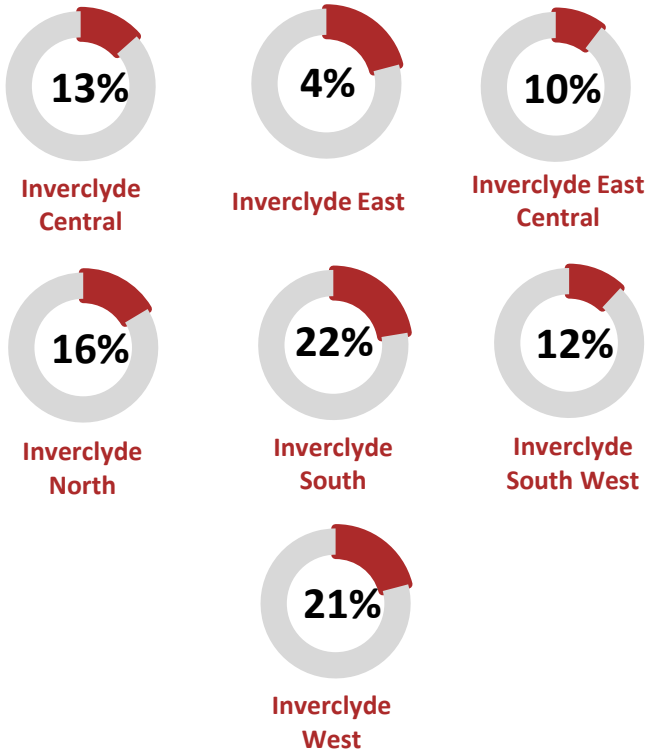
Performance Summary



Deliberate Fires



Deliberate Fires by Ward (% share)

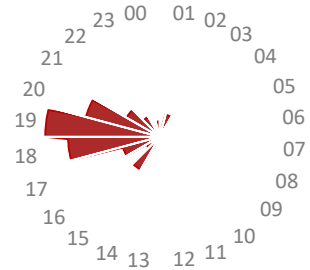


Definitions

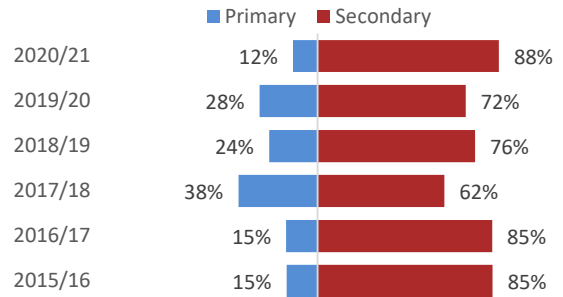
Primary Fires - all fires in buildings, vehicles and outdoor structures or any fire involving casualties, rescues or fires attended by five or more appliances

Secondary Fires - fire incidents that did not occur at a primary location, was not a chimney fire in an occupied building, did not involve casualties (otherwise categorised as a primary incident) and was attended by four or fewer appliances.

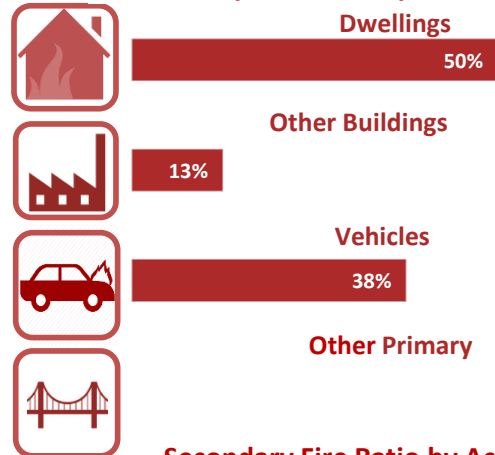
Deliberate Fires by Time of Day



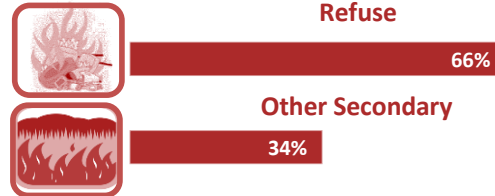
Deliberate Fires by Classification



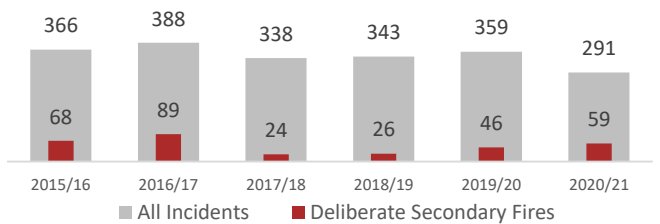
Primary Fire Ratio by Activity Type



Secondary Fire Ratio by Activity Type



Deliberate Fires Compared to Operational Activity



A slight increase when compared to the same period last year.

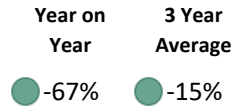
The lowest percentage of deliberate primary fires for the last 5 years.

The majority of secondary fires during this period were attributed to refuse fires.

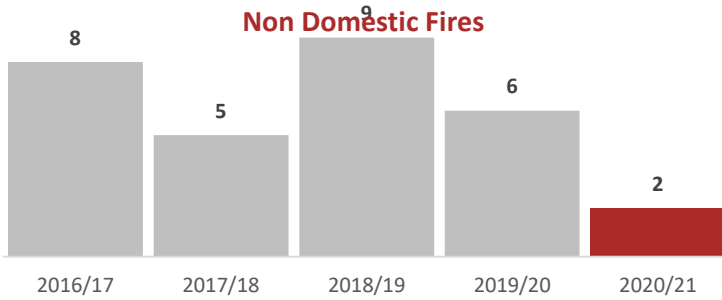
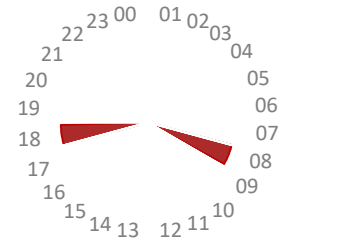
Non Domestic Fire Safety



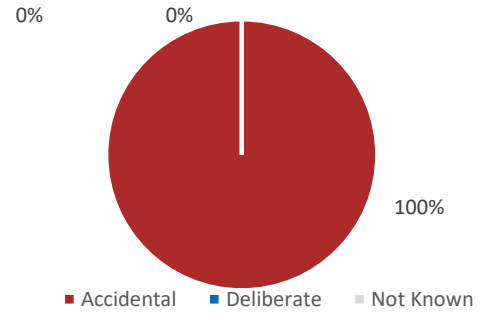
Performance Summary



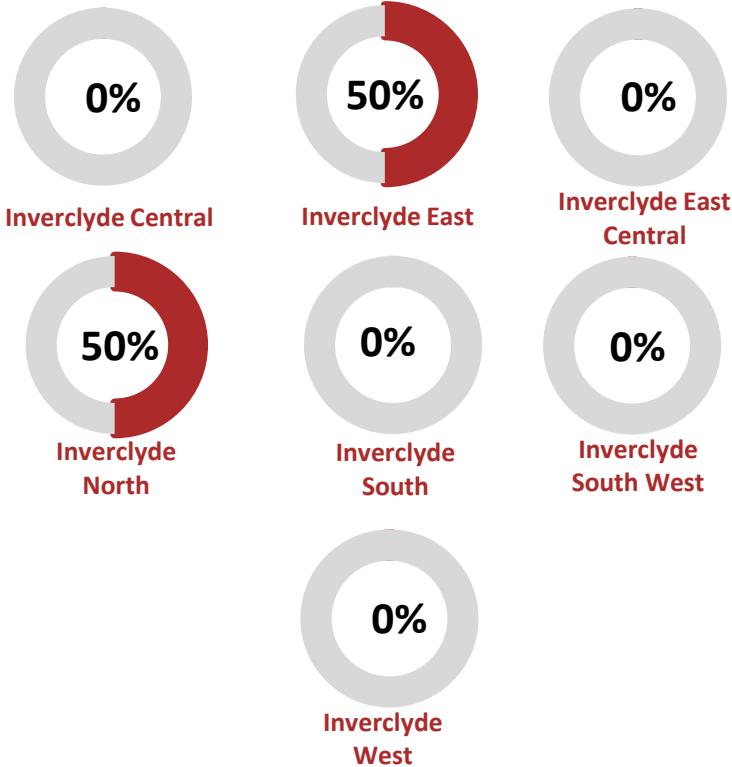
Non-Domestic Fires by Time of Day



Non-Domestic Fires by Nature of Origin



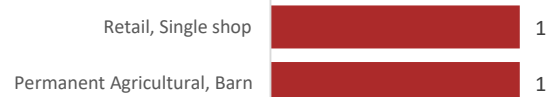
Non-Domestic Fires by Ward (% share)



Severity of Non-Domestic Fires



Non-Domestic Fires by Premises Type



Low incident activity for this period with only two incidents recorded.

Legislative Enforcement Officers continue to work with businesses following any fire within relevant premises to improve safety and return to normal business.

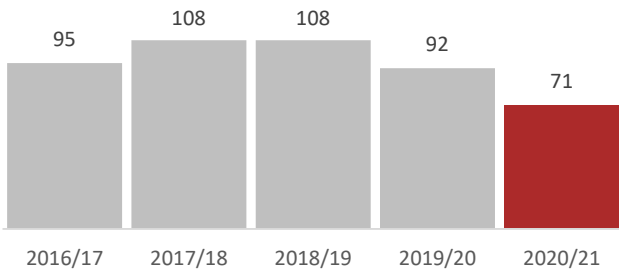
Unwanted Fire Alarm Signals



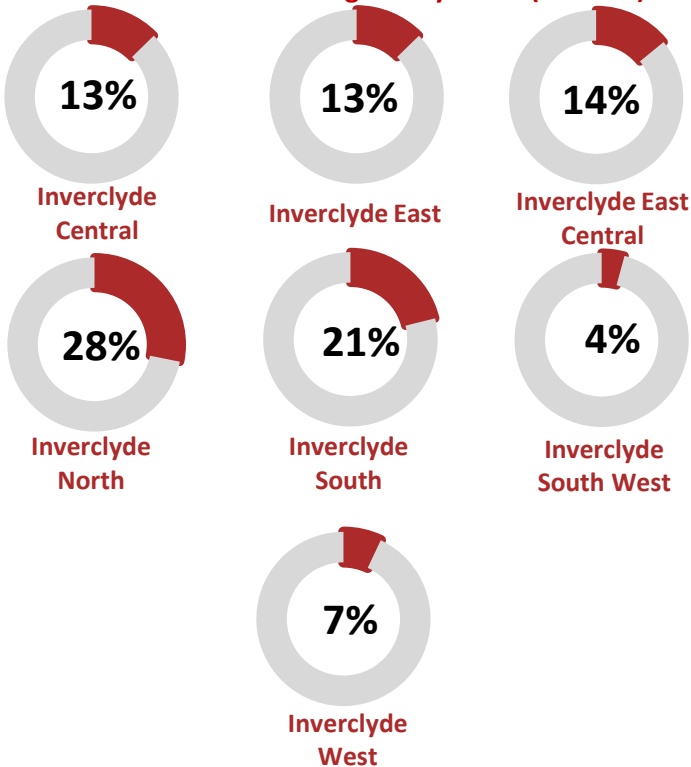
Performance Summary

Year on Year: -23%
3 Year Average: -12%

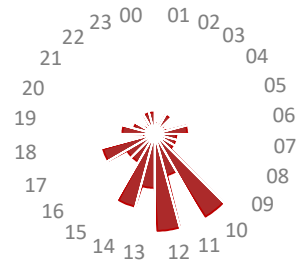
Unwanted Fire Alarm Signals



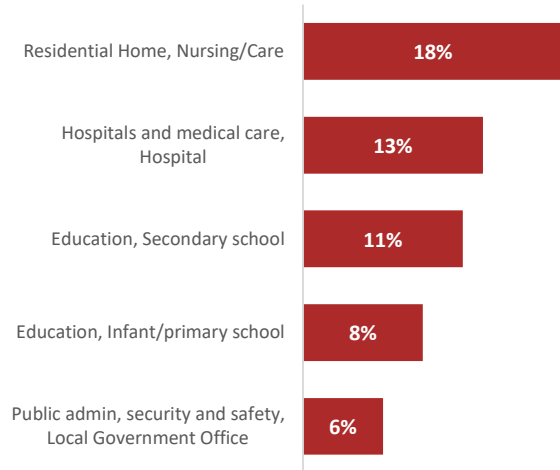
Unwanted Fire Alarm Signals by Ward (% share)



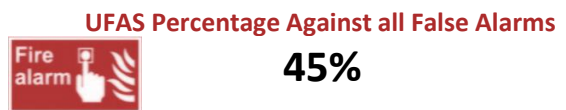
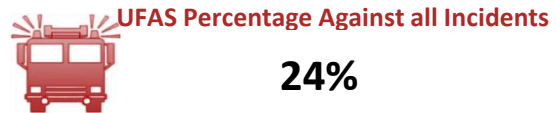
Unwanted Fire Alarm Signals by Time of Day



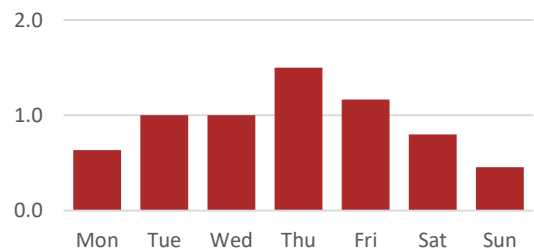
Unwanted Fire Alarm Signals - Top 5 Premises



Unwanted Fire Alarm Signals Activity Ratios



Average Unwanted Fire Alarm Signals per Day



The lowest reporting figures over a 5 year period.

The main reporting times are during normal business hours with over a third as a result of human influence.

SFRS will look at ways to address this with some of top reporters relating to UFAS.

Report To:	Local Police and Fire Scrutiny Committee	Date:	4 February 2021
Report By:	Corporate Director Education, Communities & Organisational Development	Report No:	P&F/01/21/IH
Contact Officer:	Hugh Scott- Service Manager Community Learning Development, Community Safety & Resilience and Sport	Contact No:	01475 715450
Subject:	Local Police and Fire Scrutiny Committee Update report (February 2021)		

1.0 PURPOSE

- 1.1 The purpose of this report is to update the Local Police and Fire Scrutiny Committee on current and emerging issues relating to Police and Fire and Rescue Services.
- 1.2 The report includes an update of the recent publication of the Independent Review of Complaints Handling, Investigations, and Misconduct Issues in Relation to Policing, and also seeks approval of a response to the Scottish Parliament's Justice Sub-Committee on Policing- Police Scotland's use of remote piloted aircraft systems and body worn video cameras

2.0 SUMMARY

- 2.1 The report provides an opportunity for the Committee to be made aware of national initiatives, reviews and consultations and, where appropriate, to inform Members' consideration of future agenda items relating to Police and Fire and Rescue matters.
- 2.2 This report is intended to draw these elements together with a view to informing and shaping future meeting agendas as appropriate and raising awareness of emerging issues.

This report provides updates for the following:

- The Scottish Police Authority and Scottish Police Authority Board;
- Her Majesty's Inspectorate of Constabulary in Scotland;
- The Scottish Fire and Rescue Service and SFRS Board;
- The Scottish Parliament
- The Scottish Government

3.0 RECOMMENDATIONS

- 3.1 That the Committee notes the current and emerging national issues relating to Police and Fire and Rescue matters.
- 3.2 That the Committee notes the content of the Independent Review of Complaints Handling, Investigations, and Misconduct Issues in Relation to Policing and agrees to accept a further update following the meeting of the COSLA Policy Scrutiny Convenors Forum.
- 3.3 Continued

- 3.3 That the Committee approves the response to the Scottish Parliament's Justice Sub-Committee on Policing- Police Scotland's use of remote piloted aircraft systems and body worn video cameras

Ruth Binks

Corporate Director Education, Communities & Organisational Development

4.0 THE SCOTTISH FIRE & RESCUE SERVICE AND SFRS BOARD

4.1 **SFRS Incident Statistics 2019-20:** SFRS publish two statistical bulletins annually; the Fire Safety and Organisational Statistics are published in August and the Incident Statistics are published in October of each year, the [Incident Statistics 2019-20](#) bulletin was published on 30 October 2020.

In respect of Inverclyde the following points are noted for members attention:

- In order to provide comparison against all Scottish Local Authorities and the Scottish average, fire types are recorded at the rate per 100,000 population. In relation to all fire recorded as deliberately set the Inverclyde rate is recorded at 577.2 per 100,000 population against the Scottish average of 257.8. Compared to 2018/19 this is increase from 510.6 per 100,000 population against the Scottish average of 287.2.
- In respect of 'Primary Fires' the total rate is 206.9 per 100,000 population (133.7 recorded as accidental and 73.3 recorded as deliberate) against the Scottish average of 180.1 (135.5 recorded as accidental and 44.6 recorded as deliberate).
- In respect of 'Secondary Fires' the total rate is 528.3 per 100,000 population (24.4 recorded as accidental and 503.9 recorded as deliberate) against the Scottish average of 257.8 (44.57 recorded as accidental and 213.2 recorded as deliberate).
- The total amount of Primary Fires in Inverclyde in 2019-20 was 161, an increase of 3 from 2018-19 but considerably lower on the five year previously.
- The total amount of Secondary Outdoor Fires in Inverclyde in 2019-20 was 411, and increase of 39 from 2018-19. Of the 411 incidents 209 were recorded as occurring at 'Grassland' locations.
- There was recorded 828 false alarm calls in Inverclyde during 2019-20, 27 were recorded as malicious, 611 recorded as due to apparatus and 190 recorded as good intent. This is a slight increase compared to the 2018-19 figures.

4.2 **SFRS Board:** The SFRS Board met on [29 October 2020](#) with a number of corporate activities discussed. There was submitted a paper [Grenfell Tower Update Report \(Update Report 4\)](#) which provided the Board with progress on the work undertaken by SFRS in conjunction with relevant partners, following the Grenfell Tower fire tragedy in June 2017.

As part of SFRS' commitment to learning all lessons from the fire, a working group has been established to develop and coordinate a detailed action plan based primarily on the first phase of the Grenfell Tower Inquiry and the first phase report made 31 recommendations to London Fire Brigade and fire and rescue service's in general. Thus far SFRS have met 11 of the 31 recommendations when considered within the Scottish regulatory framework with significant progress made towards the remaining 20 recommendations.

4.3 The SFRS Board met on [17 December 2020](#) with a number of board reporting mechanisms and quarterly progress reports presented to the Board.

5.0 HER MAJESTY'S INSPECTORATE OF CONSTABULARY IN SCOTLAND (HMICS)

5.1 **HMICS Assurance Review of Demand Analysis and Management Terms of Reference:** The aim of this review will be to assess the state, efficiency and effectiveness of the analysis and management of demand within Police Scotland. The [Terms of Reference](#) can be accessed using the link.

6.0 THE SCOTTISH POLICE AUTHORITY

6.1 **SPA Board Meeting:** The SPA Board met on [25 November 2020](#) with a number of papers for Board consideration. There was submitted a paper [Mental Health Demand](#) which provides an overview of the challenges currently faced in Police Scotland's strategic planning as Police Scotland support members of the community in mental health crisis/distress.

6.2 **Audit Scotland:** [The 2019/20 audit of the Scottish Police Authority](#) was published by Audit Scotland on 11 December 2020. In the report the Auditor General commented:

- The Scottish Police Authority has built on the progress highlighted in last year's statutory report. It has made improvements to its financial planning and management, and its 2019/20 financial outcome was within the revised budget approved by the Scottish Government.
- There has been stability in the leadership of the Scottish Police Authority and Police Scotland and the Authority has made good progress in developing the capacity of its corporate function. There has also been progress in relation to organisational governance.
- Progress remains slow in other important areas. The Scottish Police Authority is not yet operating to a financially sustainable budget. Police Scotland has failed to develop a detailed workforce plan. Without firmer progress on these key areas, they will find it difficult to deliver the ambitions of the new Joint Strategy for Policing.
- The Scottish Police Authority, Police Scotland and the Scottish Government need to identify a model for policing in Scotland that is financially sustainable.

The report from Audit Scotland coincides with the publication of the [SPA's Annual Report and Accounts for 2019/20 financial year](#).

6.3 **Policing Performance Committee:** A meeting of the Policing Performance Committee took place on 17 November 2020 and members are asked to note three papers tabled at the meeting:

- There was submitted a paper by the Assistant Chief Constable for Partnership, Prevention and Community Wellbeing in respect of the [Naloxone Delivery Steering Group Update](#) proposing that Police Scotland undertake a Test of Change exercise regarding the carriage/use of Naloxone (intra-nasal) by police officers. It is proposed that the Test of Change will be delivered in three suitable test-bed areas, for a period of 6 months. The areas are C Division (Falkirk), D Division (Dundee City) and G Division (Glasgow East).
- There was submitted a paper by the Chief Superintendent for Operational Support and Superintendent for Specialist Operation in respect of the [Remotely Piloted Aircraft System \(RPAS\) Evaluation Report](#). This matter has been subsequently brought to the attention of the Scottish Parliament Justice Sub-Committee on Policing and is considered separately at section 9 of the report.
- There was submitted a paper by the Community Accountability Manager (SPA) in respect of [Engagement of Local Authorities on policing- next steps in strengthening national and local joint approaches](#). Members are asked to note the 'next steps' section contained within the report notably; How local demand is understood, resources are deployed flexibly and effectively, and how that is reflected in local police plans.

7.0 INDEPENDENT REVIEW OF COMPLAINTS HANDLING, INVESTIGATIONS AND MISCONDUCT ISSUES IN RELATION TO POLICING

7.1 There was submitted a report to the Inverclyde Local Police & Fire Scrutiny Committee by the Corporate Director for Education and Communities (17 September 2020) seeking approval of

a response by the Committee to the Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing being chaired by the Rt.Hon Dame Elish Angiolini DBE QC.

- 7.2 The [independent review final report](#) was published in November 2020 and makes 81 recommendations. In respect of local scrutiny committees, recommendation 33 notes; “Local scrutiny committees should consider, in consultation with Police Scotland’s local divisional commanders and the COSLA Police Scrutiny Convenors Forum, what further complaints information or discussion would assist their scrutiny of the police.” The substantive section in respect of local scrutiny committees is appended as appendix 1.
- 7.3 Council Officers have discussed the report recommendation with the Secretariat of the COSLA Police Scrutiny Convenors Forum regarding the potential implications for scrutiny arrangements across Scotland. As the COSLA Police Scrutiny Convenors Forum has not met to consider the recommendation it is recommended that Members note the content of the final report and accept an update at a future Committee Meeting.

8.0 THE SCOTTISH GOVERNMENT

- 8.1 **Building and Fire Safety Working Group:** There was a meeting of the [building and fire safety working group](#) on 26 November 2020. This meeting considered updates in respect of the Grenfell Tower Inquiry: Phase one report, Scottish Advice Note on Cladding and a paper in respect of High Rise Building Inventory.

9.0 THE SCOTTISH PARLIAMENT JUSTICE SUB-COMMITTEE ON POLICING

- 9.1 **Remote Piloted Aircraft Systems and Body Worn Cameras:** The Justice Sub-Committee on Policing is considering how Police Scotland currently makes use of remote piloted aircraft systems, also known as drones, and body worn video cameras. The Sub-Committee is also considering any plans Police Scotland may have to expand the use of either technology. The Sub-Committee will gather written evidence on this issue, and plans to take oral evidence from Police Scotland and the Scottish Police Authority on these issues on 18 January 2021.
- 9.2 The Sub-Committee has launched a public call for views as part of this work and has invited interested parties to submit a response on the use of remote piloted aircraft systems and/or body worn video cameras.
- 9.3 Due to time boundaries, members of the committee were asked to submit responses in advance of a submission, the submitted response is appended (Appendix 2) for approval. Information on the consultation and correspondence between the Justice Sub-Committee on Policing, Scottish Police Authority and Police Scotland can be viewed on the [following link](#).

10.0 IMPLICATIONS

10.1 Finance

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (if Applicable)	Other Comments
N/A					

10.2 **Legal**
None

10.3 **Human Resources**
None

10.4 **Equalities**

Equalities

(a) Has an Equality Impact Assessment been carried out?

--

YES (see attached appendix)

X

NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

--

YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.

X

NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

--

YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.

X

NO

10.5 **Repopulation**

This structure is intended to protect and assist the local communities.

11.0 CONSULTATIONS

11.1 None

12.0 BACKGROUND PAPERS

12.1 **Police Scotland Performance**

Local Police and Fire Scrutiny Committee 19 November 2020

12.2 **Local Police and Fire Scrutiny Committee Update report (September 20)**

Local Police and Fire Scrutiny Committee 17 September 2020 (P&F/06/20/HS)

Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing

Final Report

November 2020

The Rt. Hon. Dame Elish Angiolini DBE QC

Chapter Thirteen - Scrutiny by local authority local scrutiny committees of complaints against the police

13.1 Section 45¹¹⁹ (Local authority role in policing) of the Police and Fire Reform (Scotland) Act 2012 requires local police commanders to provide the local authority with such “statistical information on complaints made about the Police Service in, or the policing of, its area” as the local authority may “reasonably require”. In my preliminary report I invited further views on a number of specific issues including the role of local scrutiny committees in relation to police complaints. The Review wrote to all Police Conveners of the local scrutiny committees seeking their views on:

- how the local scrutiny committee operates in their local authority;
- the quality of the statistical information provided to members by the local divisional commander;
- the effectiveness of the arrangements in place for scrutinising Police Scotland’s complaint handling, identifying trends and responding to local issues; and
- any changes and improvements that could be made.

13.2 Eight committees responded to that letter providing a range of detail on how the arrangements operate in their council areas. To supplement that evidence, the Review also wrote to the Chief Constable. All thirteen divisional commanders were consulted on the four questions raised and Police Scotland responded collectively.

13.3 How local scrutiny committees are structured and operate in each local authority area varies depending on the size of the authority and the extent to which they involve other partner organisations. The divisional commanders at chief superintendent level attend the relevant meetings and are responsible for providing information about their division or local authority area.

13.4 The COSLA Police Scrutiny Conveners’ Forum was established by COSLA in 2016. In August 2020 the SPA’s Policing Performance Committee considered a

¹¹⁹ <https://www.legislation.gov.uk/asp/2012/8/section/45>

paper¹²⁰ on local scrutiny that described the Forum's purpose and set out in an appendix each council's local scrutiny arrangements:

"It was set up to enhance the ability of elected members to have a meaningful role in the governance and scrutiny of policing in Scotland, and provide a mechanism for elected members to provide input into national policy issues and broader policing matters that have an impact on local communities. The Forum comprises all local authority scrutiny conveners or the equivalent political lead for police scrutiny at local authority level, supported by relevant senior officials, with additional participation from Police Scotland senior officers, the Scottish Police Authority Board and Executive Team, and Scottish Government officials."

13.5 The SPA told the review that they recognise the potential value of developing a shared evidence base on what is working well in local scrutiny, where best practice lies, and where improvement could be fostered and that there was now an opportunity through the establishment of the new SPA Policing Performance Committee, with COSLA participation, to monitor how local scrutiny is working.

Quality of information

13.6 In terms of the quality of the statistical information provided to local scrutiny committees by the divisional commander, the information provided by divisions is supplied by the Analysis and Performance Unit (APU) and/or Professional Standards Department (PSD) and generally details the number of complaints in the relevant area, the number of complaints per 10,000 incidents, and the total number of allegations (one complaint may include more than one allegation) recorded including on-duty, off-duty and quality of service.

13.7 The commanders identified the benefits of sharing the data as: ensuring transparency and accountability, promoting standards of professional behaviour, enhancing confidence in Police Scotland, allowing them to be questioned by committee members and providing an opportunity to identify issues which may not only relate to policing.

¹²⁰ <https://www.spa.police.uk/spa-media/0vkfhh4/item-5-la-scrutiny-arrangements.pdf>

13.8 One committee explained that their local divisional commander presents a detailed performance report on a quarterly basis, aligned to the priorities for the area. This is complemented by narrative content which describes activity and performance over the period.

13.9 Another committee stated that, in general, members of the committee were satisfied in respect of the statistical information provided by the local divisional commander. At all their committee meetings there is the opportunity to discuss the presented statistics and any particular trends with the local divisional and area commanders. Where additional information has been requested this has been provided either at the meeting, or directly to the elected member following the meeting or at a subsequent meeting. Police Scotland have also presented spotlight reports on two occasions giving greater insight into a particular issue relevant to the area where elected members have raised concerns. The committee was satisfied that the relationship as a community planning and community safety partner is such that Police Scotland do respond to local needs. There was a concern expressed about the role that local scrutiny committees can play when an issue contained within the local police plan is delivered by a national department within Police Scotland.

Complaint handling

13.10 One committee confirmed that they received an infographic-style police report that included a broad range of statistical information including complaints. This committee also noted that both the divisional commander and local area commander had always been happy to discuss any complaints with members collectively and individually.

13.11 Another committee reported that in previous returns to the Scottish Police Authority (SPA) as part of the SPA's annual review of policing, their Council had asked for more detailed information in respect of complaints against the police at a local level, and that consequently the quality of statistical information provided to

their local scrutiny committee had improved over time to cover various complaint categories broken down by off-duty and on-duty allegations.

13.12 One committee stated that police complaints had never specifically been included in quarterly updates until recently. The divisional commander had reviewed the format of the information supplied in consultation with council officers and police complaints data is now included. Any questions that arise from police updates have always been followed up with more detailed information from Police Scotland.

13.13 One committee stated that the value of reviewing complaints data locally would be enhanced where it could be read alongside comparable national statistics.

Changes or improvements

13.14 In respect of any improvements that could be made to the effectiveness of how the arrangements operate or to the information provided, one committee told the Review that there could be 13 styles of report presented across the 32 local authorities because divisional boundaries did not always correspond to local authority boundaries. Its view was that utilising the COSLA Police Scrutiny Convenors Forum to consider good or best practice would be beneficial in determining how information is presented and what roles local scrutiny committees could play; ultimately any changes or improvements should be flexible enough to meet the needs of local scrutiny arrangements.

13.15 One elected member who gave separate evidence to the Review suggested that there might be merit in having dedicated single-item local scrutiny committee meetings on complaints, or an obligation to discuss complaints, or a discussion across local scrutiny committees on a regional basis with members of the Police Scotland Force Executive in attendance.

13.16 Another committee thought that local elected members would benefit from having a better understanding of the role of the SPA in managing and determining complaints against senior officers and the role and functions of the Police

Investigations and Review Commissioner (PIRC). Having regular updates, particularly from PIRC, would help develop that understanding.

13.17 This committee also stated that the information presented was limited to quantitative data and qualitative information would be useful. It would be helpful to receive information on what organisational learning had been derived from complaints, how complaints had resulted in changes to systems or processes and where operational practice had been strengthened.

13.18 The local scrutiny committees of councils provide an opportunity for public scrutiny of the quality of service provided by Police Scotland in the 13 local divisions. There is scope for this mechanism to be more effective and improved in order to ensure appropriate accountability. The key to this is the provision of accessible and meaningful information by the local divisional commander and effective questioning and discussion of trends by elected members.

13.19 In their evidence to the Review, senior members of the press described a loss of value in this scrutiny process post-police reform in 2013 and a missed opportunity in relation to accountability through complaints information. This is a valuable form of local scrutiny and there is evidence that it may have diminished in the years since 2013.

13.20 I am grateful to the local scrutiny committees and to Police Scotland for their responses on this subject. Those responses suggest that practice and levels of interest in police complaints is variable. That is to be expected but I would encourage elected members to consider what enhanced police complaints information might indicate about general public confidence in the police as well as the experience of specific communities. Complaints about the police service is an area for local scrutiny that is specifically provided for in the primary legislation and that could be developed further where the committees, partnerships or boards have the appetite, time and resource.

13.21 It is somewhat surprising that committees are not asking for more information about the nature and the profile of complaints to inform their perspective on the

character of complaints against the police and trends in their local authority area. The level of detail of information that they generally have access to is in contrast to the more detailed information provided to the SPA Complaints and Conduct Committee by Police Scotland's Professional Standards Department in its published quarterly performance report¹²¹. The regional breakdown of information contained in that report would be valuable to elected members and should also be provided to local scrutiny committees.

13.22 I recommend that local scrutiny committees should consider, in consultation with Police Scotland's local divisional commanders and the COSLA Police Scrutiny Convenors Forum, what further complaints information or discussion would assist their scrutiny of the police.

13.23 Recommendation: Local scrutiny committees should consider, in consultation with Police Scotland's local divisional commanders and the COSLA Police Scrutiny Convenors Forum, what further complaints information or discussion would assist their scrutiny of the police.

¹²¹ <https://www.spa.police.uk/spa-media/4fhkaaa0/rep-c-20200820-item-8-police-scotland-professional-standards-quarterly-performance-re.pdf>

LIST OF ALL FINAL REPORT RECOMMENDATIONS (1-81)

Code of Ethics

1. Recommendation: Police Scotland's Code of Ethics should be given a basis in statute. The Scottish Police Authority and the Chief Constable should have a duty jointly to prepare, consult widely on, and publish the Code of Ethics, and have a power to revise the Code when necessary.

Review of 'assault' and 'excessive force' categorised complaints

2. Recommendation: The Criminal Allegations Against Police Division (CAAP-D) of COPFS should repeat on a regular basis the review that they carried out of all the 'assault' and 'excessive force' categorised complaints that had been received by Police Scotland in the month of March 2020.

Police Scotland

3. Recommendation: Other than for pressing operational reasons, police officers involved in a death in custody or serious incident, whether as principal officers or witnesses to the incident should not confer or speak to each other following that incident and prior to producing their initial accounts and statements on any matter concerning their individual recollections of the incident, even about seemingly minor details. As with civilian witnesses, all statements should be the honestly held recollection of the individual officer.
4. Recommendation: The quarterly Police Scotland performance report to the SPA Complaints and Conduct Committee should identify five-year trends.
5. Recommendation: Police Scotland and the Scottish Police Authority should consider expanding the collection of diversity data and the publication of information in order to enhance their understanding, and public understanding, of attitudes and concerns in different communities.

6. Recommendation: All officers and support staff in Police Scotland's Professional Standards Department (PSD) should receive comprehensive induction training on taking up post and regular refresher development opportunities thereafter.
7. Recommendation: The next follow-up audit of the six-stage complaint handling process or audit of frontline resolution should be carried out by the PIRC as an independent third party.
8. Recommendation: The Scottish Government should amend the relevant provisions of the Police, Public Order and Criminal Justice (Scotland) Act 2006 at the earliest opportunity to put beyond doubt the definition of a "person serving with the police".
9. Recommendation: It is inappropriate to involve local officers in the frontline complaints process and therefore all frontline resolution should be carried out by Professional Standards Department.
10. Recommendation: The Scottish Government should propose amendment of the Police and Fire Reform (Scotland) Act 2012 to the following effect: There should be an explicit duty of candour on the police to co-operate fully with all investigations into allegations against its officers.
11. Recommendation: Police Scotland should consider the workload of the sergeant rank at the front line and the supervisory ratio of sergeants to constables in order to give create sufficient capacity for management, coaching and mentoring duties.
12. Recommendation: The Scottish Government should consult on a statutory duty of co-operation to be included in both sets, or any future combined set, of conduct regulations as follows: "Constables have a duty to assist during investigations, inquiries and formal proceedings, participating openly, promptly and professionally in line with the expectations of a police officer when identified as a witness."

13.Recommendation: The Scottish Government should consider the case for giving the PIRC a specific legislative power that would enable staff to access the Centurion database from its own offices so that contemporaneous audit is possible. Providing a basis in law for accessing any information relevant to the PIRC's statutory functions should ensure compatibility with GDPR and any other relevant data protection legislation.

14.Recommendation: Police Scotland's Executive team should consider in depth and review the criteria and competencies that it uses to assess police officers' readiness for promotion.

Inclusion, diversity and discrimination

15.Recommendation: Police Scotland should make use of staff surveys to enhance their understanding of the experience of all minority groups in the service and senior officers should make more use of face-to-face meetings and focus groups with members of these groups to gain a more acute understanding of the impacts of discrimination, prejudice and unconscious bias.

16.Recommendation: Police Scotland should implement, where it is in their gift, the SEMPER Scotland proposal that the composition of panel members for disciplinary hearings should be more diverse.

17.Recommendation: Appropriate support for anyone in Police Scotland who is the subject of internal or external discrimination should be enhanced.

18.Recommendation: In the light of the very worrying evidence that I have received, I consider that issues related to discrimination and their impact on public confidence in Police Scotland should be the subject of a broader, fundamental review of equality matters by an independent organisation. That review should take into account HMICS's proposed inspection of Training and

Development that is to concentrate on the recruitment, retention, development and promotion of under-represented groups.

19. Recommendation: Police Scotland should develop its diversity data collection and analysis to inform a proper understanding of issues related to discrimination so that progress can be made and those issues addressed. The service should consider what it can learn from how this is done by the Police Ombudsman for Northern Ireland and the Garda Síochána Ombudsman Commission respectively.

Whistleblowing

20. Recommendation: The Police Investigations and Review Commissioner should be added to the list of prescribed persons in The Public Interest Disclosure (Prescribed Persons) Order 2014 in order that people working in Police Scotland and in the Scottish Police Authority are able to raise their concerns with an independent third-party police oversight organisation.
21. Recommendation: Whistleblowing can be an indicator of what is happening within an organisation and therefore Police Scotland should review and audit its whistleblowing arrangements and data on a regular basis.

Former police officers

22. Recommendation: The Scottish Government should develop proposals for primary legislation that would allow, from the point of enactment, gross misconduct proceedings in respect of any police officer or former police officer to continue, or commence, after the individual ceases to hold the office of constable.
23. Recommendation: In gross misconduct cases, for all ranks, the Police Investigations and Review Commissioner should determine if it is reasonable and proportionate to pursue disciplinary proceedings in relation to former police officers after the twelve-month period, taking into account the

seriousness of the alleged misconduct, the impact of the allegation on public confidence in the police, and the public interest.

24. Recommendation: The Scottish Government should engage with the UK Government with a view to adopting Police Barred and Advisory Lists, to learn from experience south of the border and to ensure compatibility and reciprocal arrangements across jurisdictions.

The Scottish Police Authority

25. Recommendation: The statutory preliminary assessment function should be transferred from the SPA to the PIRC in order to enhance independent scrutiny of allegations, remove any perception of familiarity, avoid any duplication of functions or associated delay, and give greater clarity around the process. The preliminary assessment should be carried out by the Commissioner or a Deputy Commissioner.

26. Recommendation: PIRC should work collaboratively with the SPA to agree and embed a proportionate and effective approach to preliminary assessment (for Regulation 8 of the senior officer conduct regulations) until such time as new regulations come into effect.

27. Recommendation: Gross misconduct hearings for all ranks should have 1) an independent legally qualified chair appointed by the Lord President, 2) an independent lay member appointed by the Lord President and 3) a policing member. This means in senior officer cases the role of Chair should transfer from the SPA to the independent legally qualified person. The policing member in senior officer cases should be appointed by the Lord President; in all other cases the policing member should be appointed by the Chief Constable.

28. Recommendation: There should be one route of appeal against a determination of a gross misconduct hearing or the disciplinary action to be taken and that should be to a Police Appeals Tribunal, as at present. This

recommendation is subject to the Police Appeals Tribunals being transferred into the Scottish Courts and Tribunals Service.

29. Recommendation: The SPA Complaints and Conduct Committee should hold Police Scotland to account for delays in investigations into complaints and misconduct. Where there is evidence of excessive delays in PIRC investigations having an effect on policing in Scotland the Committee should raise the matter with the Commissioner.

30. Recommendation: To increase public confidence in the system the SPA Complaints and Conduct Committee should consider using its minutes as a means of sharing with the public more of their substantive discussions and how Police Scotland is being held to account in this area; and consider whether some content of the minutes of the private sessions, where some strategic and policy matters are discussed, could be included in the published minutes.

31. Recommendation: The SPA Complaints and Conduct Committee's scrutiny function should be reported on in the SPA annual report, drawing out particular trends, highlighting improvements or concerns and using complaints data as an indicator of communities' satisfaction or dissatisfaction with policing services.

32. Recommendation: The Scottish Police Authority and Police Scotland should consider together what role the SPA Complaints and Conduct Committee, or the Policing Performance Committee, might have in relation to the discussion of ethical issues in policing in Scotland.

Local scrutiny committees

33. Recommendation: Local scrutiny committees should consider, in consultation with Police Scotland's local divisional commanders and the COSLA Police Scrutiny Convenors Forum, what further complaints information or discussion would assist their scrutiny of the police.

The Police Investigations and Review Commissioner

34. Recommendation: The 2006 Act should be amended to re-designate PIRC as a Commission comprising one Police Investigations and Review Commissioner and two Deputy Commissioners, to create a statutory Board and to provide for the necessary appointment arrangements. Given the sensitivity of the office of the Commissioner, the role should be strengthened by the appointment of two Deputies with relevant legal expertise or other relevant experience who are not former senior police officers.
35. Recommendation: The Police Investigations and Review Commissioner should be appointed by Her Majesty The Queen on the nomination of the Scottish Parliament and should be made accountable to the Scottish Parliament through the Scottish Parliamentary Corporate Body and the committees of the Parliament, but not for criminal matters, for which the Commissioner is accountable to the Lord Advocate, and not for operational matters or decisions in which she acts independently. This in accordance with the 2009 opinion of the Council of Europe's Commissioner for Human Rights that each Police Ombudsman or Police Complaints Commissioner should be appointed by and answerable to a legislative assembly or a committee of elected representatives that does not have express responsibilities for the delivery of policing services.
36. Recommendation: The ultimate ability of a member of the public to take a complaint against the PIRC or the Commissioner to the Scottish Public Services Ombudsman when they are dissatisfied with how that complaint has been handled by the PIRC in the first instance should be highlighted more prominently on the PIRC website.
37. Recommendation: The PIRC should be given a statutory power to call in an investigation of a complaint if there is sufficient evidence that Police Scotland has not dealt with a complaint properly, where the complainer provides compelling evidence of a failure on the part of Police Scotland and where the

Commissioner assesses that it would be in the public interest to carry out an independent re-investigation.

38. Recommendation: The PIRC should have an additional power, similar to the PONI's, to investigate a current practice or policy of Police Scotland if she believes that it would be in the public interest to do so; this power should be used to focus on broad themes or trends, or practices which might be of particular public concern.
39. Recommendation: The PIRC should take on responsibility for the key stages of the senior officer misconduct proceedings (both misconduct and gross misconduct) i.e. the functions of receipt of complaints/allegations, preliminary assessment, referral to COPFS of criminal allegations and, where appropriate, referral to an independent legally chaired panel.
40. Recommendation: The PIRC should be given a new statutory function and power to present a case at a senior officer gross misconduct hearing where the case would be determined by a three-person panel comprising an independent legally qualified chair, a lay person and an expert in senior policing.
41. Recommendation: The PIRC should have the power to recommend suspension of a senior officer if she or he believes that not suspending the officer may prejudice an effective misconduct investigation. The PIRC should provide supporting reasons when they make such a recommendation to the SPA that a senior officer should be suspended.
42. Recommendation: The PIRC should conduct an annual audit of triage within PSD of public complaints against the police to ensure that matters that can be resolved by FLR, or misconduct, or potential criminality are being properly identified and routed accordingly, and to provide assurance that Article 3 and Article 5 cases are being correctly identified and reported forthwith to COPFS.

43. Recommendation: The case for all complaints being received by an independent police complaints body such as the PIRC should be kept under review by Scottish Ministers and if, after a reasonable passage of time, the changes recommended in this report have not secured appropriate improvement, then they should consider afresh whether they want to move to a PONI (Police Ombudsman for Northern Ireland) model where all complaints go to that independent body in the first instance.
44. Recommendation: The PIRC should ensure that discrimination issues are considered as an integral part of their work. A systematic approach should be adopted across the organisation and in all cases investigators should consider if discriminatory attitudes have played a part.
45. Recommendation: PIRC should publish their performance against set targets for complaint handling reviews and investigations in the Commissioner's annual report.

The Crown Office and Procurator Fiscal Service

46. Recommendation: The ability to report directly to the Criminal Allegations Against Police Division of COPFS a complaint of a crime by a police officer should be much better publicised and made more accessible to the public by COPFS, by Police Scotland and by the PIRC.
47. Recommendation: Where the terms of a complaint made allege a breach of Article 3 by a police officer, and therefore that a crime may have been committed, the Crown Office and Procurator Fiscal Service should instruct the PIRC to carry out an independent investigation rather than directing Police Scotland to investigate it; breaches of Article 5 may, depending on the circumstances and seriousness of the case, likewise require early independent investigation.

Accessibility and communication

48.Recommendation: Police Scotland should publicise the right to complain as well as how to complain by displaying posters in police stations and other public buildings on how to make a complaint about, pay a compliment to, or submit a comment on Police Scotland.

49.Recommendation: The Know your Rights section of the Police Scotland website for young people should be amended to make clear their right to make a complaint.

50.Recommendation: Police Scotland should have discussions with a number of the third-party reporting centres for hate crime, including those representing minority groups, and secure their agreement to offer third-party support for those who wish to make a complaint against the police.

Recommendations based on evidence from other jurisdictions

51.Recommendation: Provision equivalent to that in England and Wales for accelerated misconduct hearings should be included in Scottish conduct regulations for all ranks of constable to deal with circumstances where the evidence is incontrovertible and where that evidence means that without further evidence it is possible to prove gross misconduct, or where the subject officer admits to their behaviour being gross misconduct.

52.Recommendation: Police officer gross misconduct hearings should be held in public. The Chair should have discretion to restrict attendance as appropriate but the aim should be to ensure that as much of a hearing is held in public as possible.

53.Recommendation: In addition to the existing protections for witnesses, the Chair of the gross misconduct hearing should consider whether the evidence of any vulnerable witnesses should be heard in private and they should also be under an obligation to consider any other reasonable adjustments that they

believe to be necessary to ensure the protection of such vulnerable witnesses. This may include the officer who is the subject of the proceedings.

54. Recommendation: The 2012 Act should be amended to confer on Scottish Ministers a power to issue statutory guidance in respect of conduct and a duty to consult on any such guidance, and confer a duty on policing bodies to have regard to any such guidance. Scottish Ministers should use that power at the earliest opportunity to issue guidance in respect of a new Reflective Practice Review Process. That guidance should build on the spirit of existing Scottish guidance and take into account any valuable elements of English and Welsh best practice.
55. Recommendation: Subject to safeguards needed to protect the rights of each individual officer, the regulations should make provision for the possibility of joint misconduct proceedings to deal with any number of officers, including senior officers.
56. Recommendation: The regulations governing probation (the Police Service of Scotland Regulations 2013) should be amended so that a fair and speedy consideration of any allegation of misconduct can be dealt with during the probation period.
57. Recommendation: A statutory suspension condition in England and Wales that temporary redeployment to alternative duties or an alternative location should have been considered as an alternative to suspension should be replicated in Scottish regulations in relation to all ranks of constable. Provision should also be made for regular review of the suspension of an officer.
58. Recommendation: The outcome of gross misconduct proceedings should be made public. The Chair's report, subject to any necessary redactions, should be published by the Scottish Police Authority on its website for a period of no less than 28 days.

Audit

59. Recommendation: In order to ensure public confidence in the police, the SPA should confirm each year in its annual report whether or not in its view, based on an informed assessment by the Complaints and Conduct Committee and evidence from the relevant audits, the Chief Constable has suitable complaint handling arrangements in place.
60. Recommendation: At the point at which people make complaints Police Scotland should collect and analyse data to enable them to undertake demographic modelling and gain a better understanding of different groups and communities' experience of the police service.
61. Recommendation: Both Police Scotland and the PIRC should consider drawing on the expertise of Audit Scotland and the Scottish Public Services Ombudsman in re-designing the audit arrangements in respect of police complaints.

Training

62. Recommendation: Police Scotland should appoint a PSD training officer to maintain the momentum in training and development arising from its internal Risk, Assurance and Inspection (RAI) team audit, and to liaise with the SPSO, the PIRC and the SPA on joint training, best practice and other relevant development opportunities.
63. Recommendation: PIRC complaint handling review officers and trainee investigators should work-shadow police officers at peak times to see at first hand the atmosphere and environment in which police officers are obliged to make decisions that can have serious implications.

64. Recommendation: PIRC should deploy the in-house expertise that the organisation has to deliver internal training for investigators in the law of evidence.
65. Recommendation: PIRC and Police Scotland should work together to develop training and development opportunities that take the theoretical learning from thematic analysis of complaints and embed it in practical learning for individual officers.
66. Recommendation: All Police Scotland officers and staff should receive training on unconscious bias, equality legislation and diversity; this should be updated throughout their career, with the opportunity for refresher courses at regular intervals.
67. Recommendation: Police Scotland officers should receive regular training inputs on how to deal effectively with individuals who display mental ill-health symptoms or related behaviours.

Public sector best practice

68. Recommendation: The Strategic Oversight Group or the National Complaint Handling Development Group should take an early opportunity to engage with the SPSO to agree where their contribution and advice would be most useful.

Custody

69. Recommendation: The Scottish Government should consider adding to the Letter of Rights a contextual reference to the individual's general rights; and a reference to the individual's right to complain (either while in custody or thereafter) about their treatment.
70. Recommendation: Independent Custody Visitors should, as a matter of course, check with custody officers and with detainees that a third party has been notified of their detention.

71.Recommendation: As soon as it is reasonable and feasible to do so, HMICS, along with the appropriate health inspection or audit body, should conduct a Review of the efficiency and effectiveness of the whole-system approach to mental health.

72.Recommendation: NHS accident and emergency facilities should be designed to be able to deal safely with mental health care and acute crises.

Complaints arising from deaths in police custody or following police contact

73.Recommendation: Investigations involving death or serious injury in police custody are likely to be amongst the most serious and complex cases the PIRC has to investigate. Delay can add to the distress of families and have an adverse impact on those police officers involved in the circumstances of the death. Such cases should be dealt with in the same timescale and with the same urgency as a homicide investigation.

74.Recommendation: In Article 2 cases, in order to facilitate their effective participation in the whole process, there should be access for the immediate family of the deceased to free, non-means tested legal advice, assistance and representation from the earliest point following the death and throughout the Fatal Accident Inquiry.

75.Recommendation: Many of the issues identified in the 2017 report of my Independent Review of Deaths and Serious Incidents in Police Custody in England and Wales are also directly relevant in the Scottish context. The Scottish Government should consider which of the findings and recommendations made in that report could and should be mirrored by public bodies in Scotland.

76.Recommendation: For cases where the Fatal Accident Inquiry may last several weeks, the Scottish Government should consider the feasibility of a

scheme to pay reasonable travel and subsistence expenses and compensation for loss of earnings of the next of kin.

Officer and support staff welfare

77.Recommendation: Any restricted duties or transfers imposed for the duration of an investigation should take into account, where appropriate, the individual's family circumstances, and subject officers or staff should be offered the opportunity to access appropriate support services provided by Police Scotland.

Time limits

78.Recommendation: The Chief Constable should publish annually Police Scotland's performance in dealing with complaints against the time-scales set out in the statutory guidance.

79.Recommendation: The Scottish Police Authority Complaints and Conduct Committee should scrutinise Police Scotland's performance in dealing with complaints and hold the service to account where the targets are not being achieved.

80.Recommendation: A non-statutory time limit for the submission of complaints by the public should be made explicit in the PIRC's statutory guidance and publicised on the relevant websites. Complaints made more than twelve months after the event or incident should only be considered where the circumstances are grave or exceptional.

Cross-border jurisdictional issues

81.Recommendation: The Scottish Government should agree with the UK Government and the Northern Ireland Executive how best to amend the primary legislation to give the PIRC the power, in clearly defined circumstances, to investigate the actions of officers from PSNI and English

and Welsh police forces or services, and the other three reserved police forces, when they are undertaking a policing function in Scotland; and explore with the other administrations how reciprocal powers could be put in place for the IOPC and the PONI in respect of the actions of Police Scotland officers when they are operating in England, Wales or Northern Ireland.

November 2020

APPENDIX 2

Written submission from Inverclyde Council Local Police and Fire Scrutiny Committee to the Scottish Parliament's Justice Sub-Committee on Policing

Are you responding as an individual or on behalf of an organisation?

1. What are your views on Police Scotland's use of RPAS and the parameters of that use?

The Inverclyde Council Local Police & Fire Scrutiny Committee notes that the deployment of RPAS can add value and effectiveness to Police Scotland in order to ensure the safety and wellbeing to individuals and communities in Scotland. For instance its use in the search for missing persons could be more cost effective than the Police Scotland helicopter or deploying officers in large numbers as well as its deployment in the searching of remote and rural terrain for vulnerable missing persons.

However clarification is required on its potential use beyond searching for missing persons in remote and rural terrain. In the report submitted 'Remotely Piloted Aircraft System (RPAS) Evaluation Report' to the Scottish Police Authority at the Policing Performance Committee on 17 November 2020 the report outlines deployment of RPAS at public order incidents (including deployment within our local authority area) as well as 'events'. Whilst it is clear that this has supported Police Scotland it does appear that this is beyond the scope of its intended use and clarification by Police Scotland, the Scottish Police Authority or by Parliament in terms of its future use either by means of a standard operating procedure or statutory may be required.

In relation to its deployment in Greenock, whilst we understand it would have been an operational decision by management within Police Scotland to use RPAS, nonetheless clarity should be sought over its use in this particular incident against other similar operations when RPAS was not deployed. Reiterating our previous point clarification by Police Scotland, the Scottish Police Authority or by Parliament is required in respect of the future deployment of RPAS.

2. What are your views on the oversight, governance, and transparency of Police Scotland's use of RPAS and BWVCs, and any possible role for the incoming Scottish Biometrics Commissioner, once in post?

Noting the role of the Scottish Biometrics Commissioner is to provide ..." Greater oversight of how the police take, store, use and dispose of data such as finger-prints, DNA samples and facial images," members of the Inverclyde Local Police & Fire Scrutiny Committee would be satisfied that the use of RPAS and BWVCs would be include in any future code of practice to provide guidance and information on good practice.

3. What are your views on any data protection, security and retention implications, as well as the impact on community, privacy and human rights, or any ethical implications?

Following approval by Inverclyde Council to upgrade the existing network CCTV system within Inverclyde, consideration was given to the good practice established through the Surveillance Camera Commissioner (England and Wales) who publishes guidance on the use of all CCTV by public authorities on the use of CCTV including public space CCTV and which we understand extends to the use of RPAS by Police authorities (in England and Wales). While the remit of the Surveillance Camera Commissioner does not extend to Scotland the guidance is generally accepted to be good practice

when installing or using CCTV systems, as a minimum the implications as noted in the question should be considered in respect of the use of RPAS by Police Scotland.

The Committee does note that in a response from the Scottish Police Authority to the Convenor of the Justice Sub-Committee on Policing (2 December 2020) that the original evaluation report be reviewed and resubmitted to the Policing Performance Committee by Police Scotland to address issues in relation to compliance with best value, privacy, human rights and ethical assessments and any other emergent and relevant issues. Inverclyde Council Local Police and Fire Scrutiny welcomes this.

4. What are your views on the engagement, consultation and transparency of plans to use, or the current use of, RPAS and BWVCs?

Members considered this response in light of correspondence between the Justice Sub-Committee, Scottish Police Authority and Police Scotland and our powers as per Section 45 of the Police and Fire Reform (Scotland) Act 2012. The Committee have not been made aware of the use of RPAS within the authority area until the publication of the RPAS Evaluation Report presented at the SPA Policing Performance Committee in November 2020. Inverclyde Council Local Police and Fire Scrutiny are keen to understand the engagement, consultation and transparency of its use previously in Inverclyde and assuming its future use in Scotland how Police Scotland intend to engage and consult with communities within Inverclyde and throughout Scotland.

5. What are your views on the legal and regulatory basis that Police Scotland rely upon to use RPAS in urban and rural areas?

Inverclyde Council Local Police and Fire Scrutiny Committee understand that the present legal basis on the use of RPAS is governed by mandatory requirements of the Civil Aviation Authority. As the use of RPAS by Police Scotland has been broader than its indented use, consideration has to be given to its future use and the legal and regulatory basis that Police Scotland rely upon to use RPAS. Continuing our response from question 3 the Committee would welcome clarification on the future use of RPAS by Police Scotland thereby dictating any future legal and regulatory issues that may arise

6. What are your views on Police Scotland's current use of BWVCs and whether that requires to be evaluated to inform the risks, costs and benefits in the business plan prior to their wider introduction, such as an evaluation of their use by the football co-ordination unit?

Members of the Inverclyde Local Police and Fire Scrutiny Committee have considered this question in the context of 2 recent reports. The Dame Elish Angiolini report into complaints handling, investigations and misconduct issues recommends that Police Scotland should accelerate its plans to expand the use of body-worn technology. However the Audit Scotland report for 2019/20 of the Scottish Police Authority commented that transformation is challenging with current levels of investment. In 2018 Police Scotland prepared a Digital, Data and ICT (DDICT) Strategy that sets out how information technology would be used to support Policing 2026. The Strategic Business Case was approved by the Board in September 2018 and recognised the need for significant investment. An estimated required budget of £298 million over the next nine years was projected. It is unsure what the current required budget would be should be there be a partial or full roll out of BWVCs.

Inverclyde Council has significantly invested in a CCTV/camera infrastructure including the use of BWVCs by our Community Warden Staff and Enforcement Officers. There has been clear benefits particularly in relation to the capture of antisocial behaviour incidents or when enforcement officers have locus in addition to supporting the welfare and safety of our staff. As part of a wider community safety partnership the use of BWVCs (as well as our overall camera infrastructure) has supported colleagues including Police Scotland.

In relation to the use of BWVC at football matches, members understand that concern has been raised amongst supporters groups and the publication of the academic article 'Lights, camera, provocation? Exploring experiences of surveillance in the policing of Scottish football' indicates that consideration should be given in evaluating the use and scope of use of BWVCs by Police Scotland.

The Committee supports the use of BWVCs, though would welcome updates via the Scottish Police Authority in respect of budgeting and the impact it may have on other business areas within Police Scotland particularly within a context of local policing.

Any further issues or views

Is there any issue associated with the use of RPAS and BWVCs you wish to comment on, not already covered by previous questions?

In a number of previous consultation responses in respect of policing matters, Inverclyde Council Local Police and Fire Scrutiny Committee have raised issues around national/specialist operation units in Police Scotland and its impact on the delivery of the local local policing plan. Whilst the committee supports any additional resources within Inverclyde either as a response to ongoing incidents or to make communities safer, the Committee are keen to ensure that where possible, they understand the deployment of such resources. Therefore in respect of RPAS, it would be helpful if Police Scotland/SPA considers the next steps in conjunction with the COSLA Police Scrutiny Convenors Forum in order that members can consider the deployment of RPAS within a local policing context.

Report To:	Local Police and Fire Scrutiny Committee	Date:	4 February 2021
Report By:	Corporate Director Education, Communities & Organisational Development	Report No:	P&F/02/21/IH
Contact Officer:	Hugh Scott- Service Manager Community Learning Development, Community Safety & Resilience and Sport	Contact No:	01475 715459
Subject:	Child Sexual Exploitation and Human Trafficking- Inverclyde		

1.0 PURPOSE

- 1.1 The purpose of this report is to present a report from Police Scotland in respect of Child Sexual Exploitation (CSE) and Human Trafficking (HT) in Inverclyde.
- 1.2 This report outlines the response of Police Scotland as well as the current picture within Inverclyde, provides a link to recent publications from Barnardo's Scotland and references a report submitted to the Inverclyde Health and Social Care Committee on this matter.

2.0 SUMMARY

- 2.1 At the meeting of the Inverclyde Local Police & Fire Scrutiny Committee on Thursday 19 November 2020, reference was made to a recent national report from the Scottish Children's Reporter Administration and Barnardo's Scotland on the sexual exploitation of children involved in the Children's Hearings system, and it was agreed that Police Scotland will submit a report to the next Committee on the position locally.
- 2.2 Police Scotland have submitted a report for consideration by the Committee and is appended as Appendix 1. The report outlines national definitions of 'Child Sexual Exploitation' and 'Human Trafficking' the approach by Renfrewshire and Inverclyde Police Division (divisional Public Protection Unit) and the current picture within Inverclyde.

3.0 RECOMMENDATIONS

- 3.1 It is recommended that the Local Police and Fire Scrutiny Committee:
 - Notes the content of the report by Police Scotland 'Child Sexual Exploitation and Human Trafficking- Inverclyde'

Ruth Binks
Corporate Director Education, Communities & Organisational Development

4.0 BACKGROUND

- 4.1 At the meeting of the Inverclyde Local Police & Fire Scrutiny Committee on Thursday 19 November 2020, reference was made to a recent national report from the Scottish Children's Reporter Administration and Barnardo's Scotland on the sexual exploitation of children involved in the Children's Hearings system, and it was agreed that Police Scotland will submit a report to the next Committee on the position locally.
- 4.2 Police Scotland have submitted a report for consideration by the Committee and is appended as Appendix 1.
- 4.3 In October 2020 Barnardo's Scotland and SCRA launched the first national study of child sexual exploitation in Scotland. This study looked at three groups where there was likely to be a higher prevalence of CSE; children remitted by Criminal Courts to Children's Hearings, girls in secure care and children in residential care. [The paper can be accessed via this link.](#)
- 4.4 In order to provide the report findings of the SCRA/Barnardo's Scotland report, the Corporate Director (Chief Officer) Inverclyde Health and Social Care Partnership (HSCP) presented a paper to the Inverclyde Health & Social Care Committee which considered the report findings in relation to Inverclyde's response to identifying concerns of CSE and its pathway of multi-agency safeguarding of vulnerable children. This paper is appended as Appendix 2.

5.0 CHILD SEXUAL EXPLOITATION- INVERCLYDE

- 5.1 This section details the report provided by Police Scotland and outlines their response in relation to CSE and is contained in section 3 of the report (Appendix 1).
- 5.2 Through collaboration with partners in Inverclyde a Vulnerable Young Persons group (VYP) which has both strategic oversight and operational capability. The strategic group is chaired by social work and provides multi-agency governance and oversight. The operations group is chaired by Police Scotland and is made up of practitioners from social work, health, education and Barnardo's. It meets regularly to identify and discuss Inverclyde's most vulnerable children, allowing early identification of the signs of CSE and the sharing of information to ensure children at risk are protected. This information sharing allows the identification of strategies not only to keep the young person safe, but proactively target those set on perpetrating these crimes.
- 5.3 In Inverclyde, there is a police liaison officer embedded in both the local schools and children's houses. This officer provides advice and guidance to staff regarding CSE indicators, gathers intelligence which is then developed, and if appropriate further investigated by the Divisional Police Scotland Public Protection Unit.
- 5.4 The divisional Public Protection Unit has oversight of the local approach to CSE and responsibility for a working group which looks at ways of tackling CSE at a local level. The working group considers national policies and procedures and ensures local implementation of same.
- 5.5 The report notes that in reviewing the local data held by Police Scotland over the last three years, 17 young people have been discussed at the VYP group. It is important to note that where a young person is referred to the VYP Operations Group for discussion, this is done on the basis of risk and professional judgement and does not necessarily indicate there is definitive evidence of CSE having taken place. This allows the group to consider and share information relative to safeguarding, disruption and investigative opportunities in a multi-agency format.

6.0 HUMAN TRAFFICKING- INVERCLYDE

- 6.1 This section details the report provided by Police Scotland and outlines their response in relation to HT and is contained in section 4 of the report (Appendix 1).
- 6.2 Police Scotland have a National Human Trafficking Unit who maintain an overview of such incidents. There is a National Referral Mechanism (NRM) process in place which is used to identify potential victims of trafficking and ensure they receive the appropriate protection and support. Throughout 2020, the national HT unit have been raising awareness among businesses and the public with a number of media releases.
- 6.3 Locally, Police Scotland has a Human Trafficking SPOC who liaises with the national team and ensures good practice and procedures are followed. All enquiries of this nature are progressed by PPU or CID who progress a full investigation. Police Scotland work closely with Migrant Help and TARA (Trafficking Awareness Raising Alliance) to ensure victims are provided with bespoke assistance. We also work in collaboration with local partners in social work and health to ensure information sharing and provision of victim centred support when required.
- 6.4 The report notes that in reviewing the local data held by Police Scotland over the last three years, 3 investigations have been carried out where the victim has been identified within Inverclyde.

7.0 IMPLICATIONS

7.1 Finance

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

7.2 Legal None

7.3 Human Resources

7.4 Equalities

Equalities

(a) Has an Equality Impact Assessment been carried out?

<input type="checkbox"/>	YES (see attached appendix)
<input checked="" type="checkbox"/>	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

<input type="checkbox"/>	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
<input checked="" type="checkbox"/>	NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

<input type="checkbox"/>	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
<input checked="" type="checkbox"/>	NO

7.5 Repopulation

There are no repopulation implications in this report.

8.0 CONSULTATIONS

8.1 This report has been prepared with relevant managers within Inverclyde Council, Inverclyde HSCP and Police Scotland.

9.0 BACKGROUND PAPERS

9.1 **Child Sexual Exploitation Research Report (SCRA and Barnardo's Scotland, October 2020)**

Inverclyde Health and Social Care Committee 7 January 2021 (SW/02/2021/SMcA)

9.2 **Minute of Meeting**

Local Police and Fire Scrutiny Committee 19 November 2020



BRIEFING PAPER FOR INVERCLYDE SCRUTINY BOARD

FOR INFORMATION			
Disclosable under FOISA 2002		No	
Author/Contact	DCI Louise Harvie	Department / Unit	'K' Division, PPU
Date Created	24/12/2020	Telephone	0141 305 4591
Attachments: None			

CHILD SEXUAL EXPLOITATION AND HUMAN TRAFFICKING – INVERCLYDE

1. Purpose

The purpose of this report is to provide the Inverclyde Scrutiny board with an overview of Police Scotland's awareness of, and response to, Child Sexual Exploitation and Human Trafficking within Inverclyde.

2. National Definition's

Child Sexual Exploitation

CSE is a form of child sexual abuse in which a person(s), of any age takes advantage of a power imbalance to force or entice a child into engaging in sexual activity in turn for something received by the child and/or those perpetrating of facilitating the abuse. As with other forms of child sexual abuse, the presence of perceived consent does not undermine the abusive nature of the act' (Scotland's National CSE Group, 2016).

Human Trafficking

Human trafficking is the illegal trade and exploitation of human beings. It can take many forms and covers a wide variety of activities. Human Trafficking always involves exploitation of a person or the knowledge that the person is likely to be exploited. The offence has two constituent parts

1 The Act (what is done) recruitment, transport, receipt, exchange, or the arrangement or facilitation of there.

2 For the purpose of exploitation or in the knowledge that the person will likely be exploited – including prostitution of others or other forms of sexual exploitation, forced labour, domestic servitude or other criminal act.

OFFICIAL: POLICE AND PARTNERS

The two combined constitute trafficking and the acts must be carried out with the purpose and knowledge that the person will be exploited at time point. For the purposes of trafficking a child is any person under 18 years of age.

3. Child Sexual Exploitation

Prevention and Protection

Through collaboration with our partners in Inverclyde we have an established Vulnerable Young Persons group (VYP) which has both strategic oversight and operational capability. The strategic group is chaired by social work and provides multi-agency governance and oversight. The operations group is chaired by Police Scotland and is made up of practitioners from social work, health, education and Barnardo's. It meets regularly to identify and discuss Inverclyde's most vulnerable children, allowing early identification of the signs of CSE and the sharing of information to ensure children at risk are protected. This information sharing allows the identification of strategies not only to keep the young person safe, but proactively target those set on perpetrating these crimes.

In Inverclyde, there is a police liaison officer embedded in both the local schools and children's houses. This officer provides advice and guidance to staff regarding CSE indicators, gathers intelligence which is then developed, and if appropriate further investigated by PPU.

The divisional Public Protection Unit has oversight of the local approach to CSE and responsibility for a working group which looks at ways of tackling CSE at a local level. The working group considers national policies and procedures and ensures local implementation of same. It discusses learning from investigations ensuring training and guidance are fit to meet the challenge presented by CSE. We have dedicated intelligence officers within PPU and a strategy to improve and develop intelligence in relation to CSE.

As a local policing division we raise awareness of national campaigns in relation to CSE through our dedicated social media channels.

Intervention

Through partnership working within the VYP group we identify and respond to any opportunity for early and effective intervention in relation to children and perpetrators.

All available methods to disrupt the activities of potential perpetrators of CSE are explored and we promote the use of civil preventative orders to protect children and proactively target those who pose a risk. A civil preventative order provides the police with a power of arrest and ability to monitor and restrict potential offenders where this can be justified and creates offences for non-compliance.

Where indicators of CSE are present, we proactively approach the young person, encouraging them to speak about any issues and ensuring they receive all the information and support they need to come forward with confidence.

Detection

CSE is the recognised method of targeting and perpetration rather than a crime in its own right and any identified offences would be prosecuted under the Sexual Offences Scotland (Act) 2009. In order to identify and detect perpetrators of CSE, we explore all intelligence and lines of enquiry through thorough investigation. As a national

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Police force, we work closely with other police forces and child protection agencies throughout the country to target those committing sexual abuse online.

Current picture in Inverclyde

In reviewing the local data held by Police Scotland over the last three years, 17 young people have been discussed at the VYP group. It is important to note that where a young person is referred to the VYP Operations Group for discussion, this is done on the basis of risk and professional judgement and does not necessarily indicate there is definitive evidence of CSE having taken place. This allows the group to consider and share information relative to safeguarding, disruption and investigative opportunities in a multi-agency format.

There is currently no information or actionable intelligence within Inverclyde that raises significant concern around CSE.

4. Human Trafficking

Trafficking victims are likely to be discovered when dealing with other matters as they are often reluctant to engage with the police and support services to declare what has happened to them. Police Scotland officers and staff are given training to be alert to general trafficking indicators (i.e. no passport, no wages and poor living accommodation) and subjective indicators (i.e. no time off, no social contact and discipline through punishment). Further advice and guidance is provided to those officers responding to a potential trafficking incident to ensure the victims immediate safety and on-going wellbeing.

Police Scotland have a National Human Trafficking Unit who maintain an overview of such incidents. There is a National Referral Mechanism (NRM) process in place which is used to identify potential victims of trafficking and ensure they receive the appropriate protection and support. Throughout 2020, the national HT unit have been raising awareness among businesses and the public with a number of media releases.

Locally, we have a Human Trafficking SPOC who liaises with the national team and ensures good practice and procedures are followed. All enquiries of this nature are progressed by PPU or CID who progress a full investigation. Police Scotland work closely with Migrant Help and TARA (Trafficking Awareness Raising Alliance) to ensure victims are provided with bespoke assistance. We also work in collaboration with local partners in social work and health to ensure information sharing and provision of victim centred support when required.

We fully support Project AIDANT which is a national operation targeting different aspects of HT during the year. For example, in September 2020 the projects focus was labour exploitation in the food production and packaging industry. Locally, CID/PPU officers involved in Project Aidant, proactively checked numerous premises ensuring compliance with employment legislation and raising awareness of Human Trafficking.

Current picture in Inverclyde

In reviewing the local data held by Police Scotland over the last three years, 3 investigations have been carried out where the victim has been identified within Inverclyde.

There is currently no information or actionable intelligence within Inverclyde that raises significant concern around Human Trafficking.

OFFICIAL: POLICE AND PARTNERS

10. Conclusion

Report submitted to the Inverclyde Scrutiny board for their information.

Louise Harvie
DCI
PPU 'K' Division

04 January 2021

Report To:	Health & Social Care Committee	Date:	7 January 2021
Report By:	Louise Long Corporate Director (Chief Officer) Inverclyde Health and Social Care Partnership (HSCP)	Report No:	SW/02/2021/SMcA
Contact Officer:	Sharon McAlees	Contact No:	715282
Subject:	Child Sexual Exploitation Research Report (SCRA and Barnardo's Scotland, October 2020)		

1.0 PURPOSE

1.1 The purpose of this report is to:

a. advise the Health & Social Care Committee of the findings of the Scottish Children's Reporter Administration (SCRA) and Barnardo's Scotland national report on child sexual exploitation (CSE) in Scotland.

1.2 b. consider the report's findings in relation to Inverclyde's response to identifying concerns of CSE and its pathway of multi-agency safeguarding of vulnerable children.

2.0 SUMMARY

2.1 The SCRA and Barnardo's prevalence study is the first at a national level in Scotland on child sexual exploitation (CSE) and the first to consider the vulnerabilities to sexual exploitation experienced by both girls and boys.

2.2 Child sexual exploitation is a particularly hidden form of sexual abuse and crime. Victims may not be aware that they are being sexually exploited; such is the coercive nature of perpetrators and the control that they exert over their victims. It is very rare for a child to disclose that they are a victim, or in some cases even recognise that they have been victimised.

2.3 The study was based on data that was held by SCRA, which has a national focus on children most at risk aged 18 and under (the legal definition of a child in Scotland). This therefore involved children who were in the care system and involved in the Children's Hearing System (CHS). Previous studies have highlighted children in these circumstances, as being particularly vulnerable to CSE (Jay Report, 2014, Barnardo's 2014. Brown et al, 2017).

2.4 The framework of this national study has been used to scrutinise Inverclyde's local data over the last three years, and assess the workings of our local CSE safeguarding pathway that is overseen by Inverclyde's Child Protection Committee.

2.5 Our local data highlights that local partnerships are aware of our most vulnerable children, and established pathways are in place to respond to this complex area of safeguarding through a strategic and tiered approach:

- Prevention and early intervention;
- Intervention and recovery; and
- Disruption and prosecution.

2.6 The nature of this work requires a multi-agency workforce that is skilled and trained in trauma

informed practices; a current national agenda in Scotland.

3.0 RECOMMENDATIONS

3.1 The Committee is asked to:-

- a. Note the content of this report
- b. Note the implications for the wider safeguarding workforce trained in trauma-informed practices that aligns with the GIRFEC pathway.

Louise Long
Corporate Director (Chief Officer)
Inverclyde HSCP

4.0 BACKGROUND

- 4.1 The safety and wellbeing of all children and young people is a key priority for the Scottish Government. Child Sexual Exploitation is an abhorrent crime and can have a devastating impact on its victims and their families. The Scottish Government has been working in partnership across agencies to develop a plan to tackle Child Sexual Exploitation that is innovative, challenging and ambitious in scope. One of the main aims of Scotland's National Action Plan is to support culture change throughout children's services agencies, and society at large, to ensure that Child Sexual Exploitation is recognised as an issue that needs to be properly tackled and addressed.
- 4.2 Scotland's National Plan to Tackle CSE was published in 2014. It focuses on prevention of abuse, prosecution and supporting children and young people affected by CSE. An update was offered in 2016 and a final Report on the Delivery of the Action Plan was published in July 2020. This noted progress in multiple areas. An early achievement was the Group's efforts in agreeing and establishing a national definition of Child Sexual Exploitation in Scotland. This was an important milestone which has enabled a common understanding of what is meant by CSE across different services and organisations. As a result of the work taken forward by the CSE Group and stakeholders, a lot more is known today about the nature of CSE and the response it requires.
- 4.3 The CSE Working Group works in partnership with Child Protection Committees Scotland to develop key messages on child sexual exploitation, as part of a wider series of messaging, to form the basis of ongoing efforts to raise public and media awareness of child protection issues and the role everyone can play to help keep Scotland's children safe from harm. This is part of the Child Protection Improvement Programme and cannot be separated from other strands of work in this area in relation, for example, to neglect and workforce development. This work is in turn cascaded to individual child protection communities.
- 4.4 Inverclyde CPC hosts a CSE sub-group whose role it is to cascade best practice to partners across the authority. This is spearheaded by a local training approach. Practitioners across health, education, and social work have been trained by the CSE Programme Manager for Barnardo's Scotland to deliver a rolling programme of training across the community planning partnership. The recent refresher of training for trainers was shared with another 3 local authorities, all of which gave opportunities to share good practice in 2019.
- 4.5 In 2015-16, Inverclyde CPC focused its annual campaign on CSE, producing posters and leaflets to raise the profile of CSE within the Inverclyde community. It also hosted a Conference in 2016 which was attended by 99 practitioners from the police, education, health, 3rd sector, social work and other support services. The keynote speakers were: Daljeet Dagon Children's Services Manager, Barnardo's Scotland - Sexual Exploitation of Boys and Young Men & Exploitation in Gangs; Ethel Quale Reader in Clinical Psychology and Director of Research Edinburgh University - Exploitation Online; and Nicola Dalby Safe and Sound Derby – Hearing the Voice of the Victim. There were also workshops on: Local & Regional Responses to Child Sexual Exploitation; Child Trafficking for the Purposes of Labour Exploitation; Radicalisation as Exploitation and Exploitation in Residential Child Care Settings.

Shared learning from this conference helped to frame Inverclyde's CSE strategy from 2017 to the current period.
- 4.6 Awareness was raised with primary-aged children and pupils at St John's Primary in 2017 produced a website, which encouraged children and young people to speak out about things that might be worrying them.
- 4.7 The 'Wasted' programme (raises awareness around the hidden nature of CSE) for all S2 pupils and Barnardo's programme was piloted in 2 schools. This was led by the Community Learning Development Team (CLD) and Education's health and wellbeing lead.
- 4.8 Staff training sessions have also included the following:

- Multi-agency Awareness Raising sessions – 257 members of staff attended
- Individual staff groups:
 - 30 residential staff and managers;
 - 27 members of staff in education services;
 - 42 foster carers, kinship carers and adopters;
 - 13 members of the West College Scotland Safeguarding Group;
 - 36 members of the Community Learning and Development (plus some SDS staff); and a 9 further SDS staff.

4.9 As national awareness grows into this hidden form of abuse, there is awareness of new forms of exploitation (for example during lockdown there was a national increase in incidents of online exploitation) and planning innovative ways of disrupting perpetrators (for example by a focus on the night time economy in Inverclyde). Reflective learning is a key tool for increasing awareness. In 2019, CPC Scotland and NSPCC released a national campaign asking the public to be aware of hidden harms being perpetrated under the cover of lockdown, CSE particularly in relation to online exploitation, being one of these.

4.10 In Inverclyde we continue our multi-safeguarding approach. A Child Protection Practitioners Forum, held in January 2020 in relation to child trafficking and attended by 25 practitioners from across the authority has now led to the development of a CSE information website (see point 4.11). In March 2020 a GIRFEC Community of Practice was led by CSE Programme Manager for Barnardo's. 22 attended from health, police, social work, community safety and education.

4.11 Currently in development is a bespoke suite of web based information, support and practice tools, created in co-production with Inverclyde pupils which, in 2021, will be available to all schools, pupils, parents and carers within Inverclyde. Consideration is being given by the Scottish Government to extend this programme to all schools in Scotland, rendering Inverclyde once more a sector leader in the identification and disruption of CSE.

4.12 The SCRA/Barnardo's report, though limited in its scope (in being concerned with children already within the Children's Hearing System) offers good practice examples for practitioners in terms of ensuring that CSE is identified earlier as a risk factor and that children's panel members are clearly signposted to the potential impact of CSE on children's behaviour (for example going missing from home or involvement in anti-social behaviour). This should result in a more nuanced response to children who are identified as at risk.

4.13 There are opportunities in terms of the CSE risk assessment tool, utilised in the research, to identify children at risk at an earlier stage.

4.14 We believe we have been successful in raising the profile of CSE within Inverclyde but recognise that, as the landscape of exploitation is constantly shifting, we try to remain one step ahead of perpetrators. The best way to do this is to ensure that children and young people and their carer(s) are alert to the possibility of exploitation and know who to turn to if they are worried. In Inverclyde we are delivering this knowledge via training, communities of practice and user friendly internet tools as well as via traditional but essential routes such as building on relationships leading to improved communication.

4.15 CSE is not defined in law in Scotland, but there is a national definition that ensures all practitioners and agencies use the same definition to facilitate joint risk assessments and effective multi-agency responses. It highlights the behaviours of the perpetrator:

'CSE is a form of child sexual abuse in which a person(s), of any age takes advantage of a power imbalance to forces or entice a child into engaging in sexual activity in turn for something received by the child and/or those perpetrating of facilitating the abuse. As with other forms of child sexual abuse, the presence of perceived consent does not undermine the abusive nature of the act' (Scotland's National CSE Group, 2016).

4.16 Inverclyde's multi-agency response is based on this definition and covers three strategically directed practice areas:

- Prevention and early intervention;

- Intervention and recovery; and,
- Disruption and prosecution.

This aligns with articles 31 and 35 of the United Nations Convention of Rights that stipulate that children have the right to be protected from all forms of sexual exploitation, sexual abuse and trafficking (ratified December 1991).

- 4.17 **Prevention** involves work with children and their families through awareness raising, which is replicated with our multi- agency workforce. We have a local training group which over the last 3 years has offered training to practitioners with regard to identifying and responding to the signs of CSE. This built on awareness raising via the 2017 ICPC campaign which focused on CSE. Partners within Inverclyde as noted above are currently developing a website which will offer children, parents and professionals advice on how to recognise and respond to CSE. This includes co-production with local school children and may be rolled out across Scotland as an example of best practice.
- 4.18 **Early intervention** is promoted through Children's Services (social work) Request for Assistance Team (RfA); who acts a 'front door' to assess and respond to wellbeing need and any presenting risk that a child is experiencing. Where a child is assessed to be at risk of CSE, all immediate measures will be taken to safeguard them and an Initial Referral Discussion (IRD) co-ordinated by social work will take place with the police, health, education and any other relevant service to put a plan in place to manage this.
- 4.19 The pathway to respond to CSE concerns where the child is known to social work will again convene an IRD and a plan will be put in place to meet the immediate risk to them. Their circumstances will also be discussed at the Vulnerable Young Person's Group (VYPG) that is chaired by a DCI in Police Scotland. Its purpose is to identify, address and work collaboratively to safeguard a child who is a victim or likely to be a victim of CSE.
- 4.20 **Intervention and recovery** will be led by social work, with the child, with their significant family relationships and services including Barnardo's. Key services also involve therapeutic health, education, police and SCRA. This is complex and takes time given the nature and the victim's experience of CSE.
- 4.21 **Disruption and prosecution** are led by colleagues in Police Scotland and they note that the information shared by all agencies at VYPG meetings enables comprehensive identification of areas of risk. This can range from known associates, places frequented or known methods of transport. The assessment of this information frequently results in further intelligence profiles being created, assessed and shared with British Transport Police, Community Police Officers or circulated out with Divisions on ebriets to relevant policing areas.

The sharing of this information results in increased intelligence being fed back in which can lead to a more targeted approach to subsequent safeguarding decisions, investigations and the prosecution of offenders.

- 4.22 Reviewing the local data over the last three years highlights what this means for children who are victims or are likely to be victims of CSE. In the last three years this relates to 16 children whose experiences and safeguarding have been tracked through the VYP Group and by the Child's Planning and Reviewing Officers.
- 4.23 All 16 children were known to social work services prior to the concerns around CSE being raised. All had experienced family vulnerabilities that involved domestic abuse, alcohol, drugs, mental health, bereavement and/or significant loss of relationships in their early years and childhood.
- 4.24 Indicators of behavioural vulnerability for the children included a reduction in school/college attendance, attendance at A&E, absconding, staying out late, missing overnight, drug/alcohol use, self-harming and/or visiting locations of known risk.
- 4.25 The age range, at which the children were assessed to be victims or likely victims of CSE was between 14 and 17 years.

- 4.26 Five children were supported by their extended families to remain in their local communities. The remaining eleven have spent periods or are currently in residential care, with three spending a brief period in secure care due to serious concern about their safety and welfare.
- 4.27 Our local findings align with the SCRA/Barnardo's studies in relation to boys being referred to SCRA initially on the basis of an offence ground and girls being referred on the ground that the child's conduct has had, or is likely to have, a serious adverse effect on the health, safety or development of the child or another person.
- 4.28 Practice learning and reflection highlight that the road to recovery for victims of CSE is best promoted through relationship-based practice that offers significant support over an extended period of time.
- 4.29 The models of CSE experienced by our children have centred on location, transportation and social media. We wholly endorse the SCRA/Barnardo's recommendations to improve prevention of CSE by increasing children's protective factors and resilience while tackling the risks posed by people and places (contextual safeguarding).

5.0 PROPOSALS

- 5.1 With oversight from Inverclyde's Child Protection Committee we will continue to engage in the national agenda to embed this form of contextual safeguarding, and also commit to the Independent Care Review's (ICR) Promise to have a national model of family support that offers intensive family support when this is needed.
- 5.2 Similarly we will continue to engage in the national agenda to develop a trauma-informed workforce across the community planning partnership, supported by the Scottish Government's commitment to this.

6.0 IMPLICATIONS

6.1 Finance

There are no financial implications in this report.

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

6.2 Legal

There are no legal implications in this report.

6.3 Human Resources

There are no human resource implications in this report.

6.4 Equalities

Equalities

(a) Has an Equality Impact Assessment been carried out?

	YES
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES
X	NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES –.
x	NO

6.5 Repopulation

There are no repopulation implications in this report.

7.0 CONSULTATIONS

7.1 The report has been prepared after due consideration with relevant managers in the HSCP and with partner agencies.

8.0 BACKGROUND PAPERS

8.1 [SCRA and Barnardo's CSE Research Report October 2020](#)

8.2 Case Study – Sam's Story see Appendix.

Sam's Story

First contact with social work is when Sam is 6. An anonymous referral is received stating that different adults are frequenting her home. Social work visit and find the family home cluttered and in poor condition. A family support worker is allocated to work with Sam's mother and help with routines for both her and her little brother who is aged, 3. Financial assistance is given to improve household conditions, routines are established and attendance at school and nursery increases.

After 6 months of sustained improvement in the family's circumstances, social work end their contact. Sam's grandmother stays nearby and she is identified as a significant source of support to the family.

The second social work contact is when Sam is aged, 9. A Community Psychiatric Nurse contacts social work and states that Sam's mother's alcohol misuse and depression is impacting on the care of her two children. A social worker visits the family and following an assessment, offers extended family support. Again there is sustained improvement in mother's alcohol use and mental health and family circumstances first stabilise and then improvement is noted. Social work support then ends after 12 months.

When Sam is aged 12, her mother forms a new relationship and the new partner is alleged to be physically abusive to her. A Child Protection assessment is initiated and both Sam and her brother's names are placed on the Child Protection register. Sam and her brother attend a Children Hearing and are placed on a compulsory supervision order (CSO) but stay with their mum.

Intensive support is offered but circumstances at home do not get better, and after a kinship care assessment and discussion through the Children's Hearing, Sam and her brother move to stay with their aunt and uncle. Both children settle very well and are thriving.

After 12 months the aunt and uncle apply for a kinship order and their CSO is terminated. The following few years are a settled period for both of the children.

Sam's gran died when she is aged 15 and at this point Sam begins to seek out more and more contact with her mum.

Sam starts to show some challenging behaviour at home and at school, begins to truant from school and has started to drink alcohol. Her aunt noted at this time that Sam had begun stealing from the family home, staying out late and becoming withdrawn.

She also starts self-harm, cutting her arms. This coincides with her starting staying out overnight. Her aunt reports her missing and the police refer her to social work.

A social worker visits the family; both Sam and her aunt are much stressed. Sam's aunt says she needs support but Sam does not want to be involved with social work. The family are allocated a social worker however the risk to Sam escalates quite quickly and a full multi agency plan is put in place to address and mitigate the risks to Sam. A clear concern is emerging that Sam has become involved with at least one possibly more adult males who are exploiting her. Sam denies this and refuses to discuss any aspect of this with the staff involved with her or her aunt.

A month later, Sam is found by the police in Glasgow in a distressed state and has facial injuries; she states that she went to Glasgow meet a male, but will not give a name.

Intervention:

Sam's circumstances are discussed through an Initial Referral Discussion (IRD) and a referral is made to the Vulnerable Young Person's Group. This is a multi-agency safeguarding group with experience of responding and managing this form of abuse to children. This resulted in a multi-agency safeguarding plan being put in place.

Sam's social worker and a police officer build a relationship with Sam, and over the next few months Sam gradually discloses to them more and more information about the names, places and what has happened to her.

Disruption:

The police use this information to progress their inquiries and on this occasion are able to make arrests.

Recovery:

The social worker spends time with her aunt; helping her to understand how child exploitation happens and how it impacts on young people's physical and emotional wellbeing. This help supports the whole family to manage Sam's erratic moods and behaviour.

The social worker spends a lot of time with Sam; Sam gradually builds trust and this allows the social worker to help Sam build some protective factors and helping her to make sense of what has happened to her. This also leads the way for the social worker to start some therapeutic support for Sam laying the basis of what will be a long term recovery for her.

Sam is also put on a reduced school time table for a while, and receives help from her guidance teacher and a therapist in CAMHS.

Sam is now at college and still has a social worker. She is working hard to turn her life around, with help from her aunt. The long term trajectory for Sam , with the right support is positive .It will however be a slow and long term process.

Sam's Story

When I was 6, my dad left the house and my mum had a lot of different partners.

My mum struggled with alcohol and had depression, and I know she took drugs too.

My young brother and I had a social worker when we were young, and my mum hid things from them. My gran stayed near and when we were scared we went to stay with her. This was a happy time for me, I felt safe.

When I was 12 my mother's new partner hit me. Our names were placed on the Child Protection register and we went to a Children's Hearing. Things at home did not get any better, in fact things with mum got a lot worse. So we had to go back to the Children's Hearing and the social worker said that it would be better for me and my brother to stay with my aunt and uncle and the panel agreed to that

My younger brother got on well, and I did too for a while. It was really ok except that I was always worried about my mum. Then my gran died when I was 15, and things started to go really bad for me. Even although there was a lot of people around me, I felt really alone and that nobody loved me.

I started to get in trouble .It was fun at first, I started to truant and drink. I stole things too so I could get money. Me and my friends would ask random guys to buy us cigarettes or vodka.

I started to hurt myself. I hated my life. I would cut my arms.

One of these guys who gave me cigarettes took me to Glasgow, with one of my mates and bought us clothes. It made me feel special and that somebody at last really cared about me. There were times when I felt a bit scared but mainly I felt I could leave all the bad stuff behind and be somebody different. I started to stay out overnight and when my aunt tried to keep me in I started running away and staying away longer and longer. Eventually my aunt telephoned the police. A social worker started to come and see me and my aunt. I hated my aunt for doing this and I hated the social worker .I just wanted them to leave me alone and let me get on with my own life. I felt that I was in control at last and knew what I was doing.

There was one guy in the group that was really good to me and I thought he loved me .I would have done anything for him. I was really hurt and confused when he asked me to go with another guy, but I did it anyway. . By this time when I was away from home I was drinking quite a lot and sometimes taking drugs One time I was taken to a hotel in Glasgow, where there were other guys. I was made to do stuff that I did not want to do; it was a blur, they had given me alcohol.

I was dropped off at the train station and given money to get back home. A policewoman saw me at the station and asked if, "I was ok". I had a bruise on my face where I had struggled and got hit.

I told her that I had been hit, and was taken home.

My aunt and the social worker were there when I got home .I knew they were worried about me and wanted to help me but I was so confused .I started to tell my social worker little bits of what had happened to me; to see if I could trust her. The social worker spent a lot of time

with me and my aunt. She spent a lot of time with just me. One of the things she told me was that what had happened was not my fault and that was weird because I really thought it was my fault. Over the next few months I told the social worker more and more things. The names, places and what happened to me. We told the police all of this and then there was horrible stuff about maybe having to go to court.

I was put on a reduced school time table for a while, and also had help from a therapist in CAMHS.

I am at college now and still have a social worker. I can't change what has happened and one of the hardest things to do is to believe it wasn't my fault. The social worker keeps reminding me that I was a child and that I was vulnerable and that adults who could see I was vulnerable used that to harm me. The more time that passes the more I can see that that is right. I am working hard to turn my life around. My aunt is always there for me and I know now that she loves .