

<b>Meeting</b>	<b>Public SPA Board Meeting</b>
<b>Date</b>	<b>25 August 2016</b>
<b>Location</b>	<b>Stirling Court Hotel, Stirling</b>
<b>Title of Paper</b>	<b>HMICS Review of CCU – Implementation of Recommendations</b>
<b>Item Number</b>	<b>8</b>
<b>Presented By</b>	<b>DCC Nicolson</b>
<b>Recommendation to Members</b>	<b>For Noting</b>
<b>Appendix Attached:</b>	<b>NO</b>

**PURPOSE**

The purpose of this paper is to update the Scottish Police Authority on the progress made towards the implementation of the recommendations contained within the HMICS Assurance Review of Police Scotland's Counter Corruption Unit

## **1. BACKGROUND**

- 1.1 On Monday 27 June 2016 HM Inspector of Constabulary in Scotland published its Assurance Review of Police Scotland's Counter Corruption Unit (CCU).
- 1.2 The review was requested by the Scottish Police Authority (SPA) in response to a finding by the Interception of Communications Commissioner's Office (IOCCO) that there had been contraventions of the Acquisition and Disclosure of Communications Data, Code of Practice 2015 in respect of five applications for communications data submitted by Police Scotland. These related to one investigation being undertaken by Police Scotland's CCU.
- 1.3 The intention behind the review was to independently determine the facts and to identify practical lessons that will assist in improving police counter corruption practices in Scotland.
- 1.4 As a result of this review 39 recommendations covering various aspects of CCU activity and governance were made.

## **2. FURTHER DETAIL ON THE REPORT TOPIC**

- 2.1 Following publication of the review the Chief Constable instructed Deputy Chief Constable Iain Livingstone to carry out a review of Police Scotland's approach to countering corruption.
- 2.2 In order to consider the content of the HMICS report, oversee the implementation of associated recommendations and ensure learning is captured and used to inform the development of policies, procedures and best practice moving forward a Steering Group Chaired by DCC Ruaraidh Nicolson was convened. The Steering Group met for the first time on Monday 27 June 2016 and since that date has met on a further 6 occasions; the most recent being Monday 22 August 2016.
- 2.3 A Reference Group, Chaired by Mr Graham Houston from the Scottish Police Authority has also been convened to work in close partnership with the Steering Group to ensure that all activity undertaken in response to the recommendations improves Police Scotland's counter corruption practices and assists in developing a future operating model that is flexible, robust, proportionate and accountable. Membership of the Reference Group comprises Staff Associations and representative bodies, Trade Unions, partners from

across the wider legal and criminal justice sector as well as other professional / lay bodies. The initial Reference Group meeting was held on Monday 8 August 2016 with the second scheduled for 5 September 2016.

- 2.4 Work has commenced in respect of all 39 recommendations contained within the review. The main focus is on structures, practices and processes to ensure that Police Scotland's CCU is fit for purpose and there is full internal and external trust and confidence in this vitally important, challenging and sensitive area of work.
- 2.5 Significant progress has already been made in relation to the recommendations including development of a revised policy for CCU which articulates a clear vision for tackling corruption and sets the foundations for the development of a clear and concise statement of intent in support of CCU activity.
- 2.6 A review of current CCU structures and operating practices has also been undertaken resulting in the development of three potential operating models. These are currently being assessed.
- 2.7 Interim governance arrangements have also been implemented whereby enhanced Chief Officer oversight is now placed upon the day to day activity of the CCU via Assistant Chief Constable Steve Johnson.
- 2.8 The enhanced Chief Officer oversight has also been extended to the review of officers currently on duty restriction whereby the DCC Designate is now provided with weekly briefings in respect of these officers as well as ongoing operations. This will ensure that the application of duty restrictions are necessary and proportionate and has resulted in a significant reduction in the number of officers currently on duty restriction.
- 2.9 In response to recommendation 39, 'Police Scotland should ensure that in the interests of transparency and service confidence, any review into outstanding complaints against the CCU should include independent scrutiny', a review of all complaints has been undertaken however the Chief Constable has written to the Chief Constable of Durham Constabulary to ask if he would undertake an independent review of non-criminal complaints against the CCU.

**3. FINANCIAL IMPLICATIONS**

3.1 There are no financial implications in this report.

**4. PERSONNEL IMPLICATIONS**

4.1 There are no personnel implications associated with this paper.

**5. LEGAL IMPLICATIONS**

5.1 There are no legal implications in this paper.

**6. REPUTATIONAL IMPLICATIONS**

6.1 There are no reputational implications associated with this paper.

**7. SOCIAL IMPLICATIONS**

7.1 There are no social implications associated with this paper.

**8. COMMUNITY IMPACT**

8.1 There are no community implications associated with this paper.

**9. EQUALITIES IMPLICATIONS**

9.1 There are no equality implications associated with this paper.

**10. ENVIRONMENT IMPLICATIONS**

10.1 There are no equality implications associated with this paper.

**RECOMMENDATIONS**

Members are requested to: Note the content of this paper