



Agenda Item  
2.6

<b>Meeting</b>	<b>Policing Performance Committee</b>
<b>Date</b>	<b>06 December 2023</b>
<b>Location</b>	<b>MS Teams</b>
<b>Title of Paper</b>	<b>Scottish Police Authority Corporate Parenting Plan - Progress Update</b>
<b>Presented By</b>	<b>Sam Curran, Operational Policing Policy Lead</b>
<b>Recommendation to Members</b>	<b>For Discussion</b>
<b>Appendix Attached</b>	<b>Yes</b> <b>Appendix A: Full progress against actions</b> <b>Appendix B: Children's Rights and Corporate Parenting Reporting 2020-23</b>

**PURPOSE**

This paper provides a final progress update on the delivery of the Authority's Corporate Parenting Plan 2021-24. Additionally, the paper outlines a high-level plan for the development of the Authority's 2024-27 Corporate Parenting Plan.

## 1 BACKGROUND

- 1.1. The Scottish Police Authority ('The Authority'), including SPA Forensic Services, is named as a Corporate Parent in the Children and Young People (Scotland) Act 2014.
- 1.2. Corporate Parents have specific responsibilities in relation to care experienced children and young people up until the age of 26. The fundamental responsibilities of a Corporate Parent are to:
  - Understand the issues that care experienced young people face and assess their needs.
  - Promote the interests of care experienced young people and provide them with opportunities.
  - Collaborate with other corporate parents and improve ways of working with care experienced young people.
- 1.3. In [December 2021](#), the Authority published its first Corporate Parenting Plan, following endorsement at the Policing Performance Committee.
- 1.4. In [December 2022](#), the Authority presented an update on progress towards actions raised in the Corporate Parenting Plan.
- 1.5. This report will discuss the Authority's activities in the 2022-23 reporting period.

## 2 CORPORATE PARENTING PLAN

- 2.1. As a Corporate Parent, the Authority's responsibility is two-fold: to monitor Police Scotland's activities as a Corporate Parent, but also to fulfil its own Corporate Parenting responsibilities.
- 2.2. Recognising this dual responsibility, the Authority's plan implements a "LOOK, LISTEN, LEARN, REVIEW" approach, as detailed below:

LOOK – Keep under review Police Scotland's approach to ensure that they support the Care Experienced community, and that Corporate Parenting responsibilities are delivered in relation to our other statutory functions.

LISTEN – Ensure that those who are care experienced have their voice heard in matters relating to policing and have access to opportunities to facilitate this.

## OFFICIAL

LEARN – Make sure that all our staff understand our responsibilities as a Corporate Parent.

REVIEW – Make sure we continue to do our best for children, young people and the care experienced community.

- 2.3. The progress towards the actions outlined in the Corporate Parenting Plan are monitored by the Authority's Impact Assessment Working Group.

### **3 PROGRESS AGAINST ACTIONS**

- 3.1. All actions and milestones committed to in the Authority's 2021-24 Corporate Parenting Plan, except for one (recruitment of a care experienced modern apprentice), have been successfully delivered. Appendix A contains a detailed progress update for each of the actions.
- 3.2. One outstanding action is to develop Modern Apprentice opportunities for care experienced people. As outlined in the action plan, the Authority is demonstrating its commitment to promoting life opportunities for care experienced people and is currently developing a sector leading approach to ensure equal opportunities for those from the care experienced community to Modern Apprentice roles. A Modern Apprentice role has now been approved and the Authority anticipates advertising this post in early 2024.
- 3.3. In addition, in November 2023 the Authority and Who Cares? Scotland (WC?S) were shortlisted for the Voluntary Sector Partnership Award at this year's Scottish Public Services Awards. The nomination recognises the Authority's continued partnership with WC?S to publicly advocate for action to reduce inequalities and improve outcomes for care experienced people through system wide action. The winners will be announced on 6 December 2023.

### **4 HIGHLIGHTS FROM THE 2021-24 PLAN**

- 4.1. Since the launch of the Corporate Parenting Plan, the Authority has undertaken work to ensure the commitments outlined in the plan are met.
- 4.2. The Authority has welcomed WC?S to deliver two training sessions on the role of a Corporate Parent. The first of these training sessions was delivered to all Authority Corporate staff. This training discussed how all members of staff can incorporate the responsibilities of Corporate Parenting into their daily activities. A

second, in-person training session was delivered to all the Authority's Board Members. This training considered how policing can impact those who are care experienced. The session was tailored for non-executives and how they can ensure Boards effectively represent the interests of care experienced people in oversight and decision making.

- 4.3. The Authority was a founding member of the WC?S Collaborative Corporate Parenting Network. This newly established network provides a platform for Corporate Parents to share what they are doing for care experienced people and to provide learning opportunities through sharing best practice. It is hoped that as this network matures, the Authority will be able to collaborate with other Corporate Parents with the ambition of working together to improve the lives of those with care experience.
- 4.4. In partnership with Police Scotland, the Authority hosted a roundtable event entitled 'Places of Safety for Children in Conflict with the Law' in November 2022. This event was attended by approximately 100 delegated including Chief Social Workers, the Children and Young People's Commissioner and WC?S. The event explored what currently happens with regards to children who come into conflict with the law, and whether there are more appropriate places that children could be taken to facilitate investigations to avoid the trauma of police custody. Although this event considered the impact on all children under 18, it is acknowledged that care experienced children have a significantly higher probability of experiencing the criminal justice system than children who are not care experienced. A post-event [report](#) was presented to the Committee in June 2023, detailing next steps to progress the discussions convened at the event.
- 4.5. The Authority worked jointly with the Scottish Biometrics Commissioner and the Children and Young People's Centre for Justice on the 'Joint Assurance Review of the acquisition of biometric data from children arrested in Scotland'. The [report](#) was laid in the Scottish Parliament in March 2023.
- 4.6. As part of this work, Children and Young People's Centre for Justice held focus groups with children and young people to gain insight into their experiences, which informed the recommendations. The review made four key recommendations, that once discharged, will help to improve the experiences of all children and young people who may have their biometric data collected.

**5 ADDITIONAL ADVOCACY WORK**

- 5.1. Through its work as a Corporate Parent, the Authority recognises that those who are care experienced face unique challenges, however there is little protection for these individuals in current legislation. This in turn means that when conducting Impact Assessment, the impact of an initiative on the care experienced community is not automatically assessed.
- 5.2. Therefore, as part of the Authority’s work on Impact Assessments, the Authority is trialling an amended template form, which would include care experience as a protected characteristic.
- 5.3. To further enhance protections for the care experienced community, as part of the response to the Scottish Government’s consultation on the proposed Human Rights Bill, the Authority advocated for care experience to be included as a characteristic in the non-discrimination clause. The Authority will continue to monitor the progress of the Bill as it progresses through Scottish Parliament.
- 5.4. In addition to public reporting to the Policing Performance Committee, The Children and Young People (Scotland) Act 2014 places a duty on the Authority to report every three years on the steps it has taken to further children and young people's rights and to deliver their duties as a Corporate Parent. A copy of this report has been included in Appendix B and will be published on the Authority’s website.

**6 DEVELOPMENT OF CORPORATE PARENTING PLAN 2024 – 27**

- 6.1. The plan for the development of the new Corporate Parenting Plan for the 2024-27 reporting period will begin in the next calendar year. Below provides an overview of the planned approach.

Task	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24
Lessons Learned Review of 2021-24 Corporate Parenting Plan												
Engagement with Forensic Services												
Engagement with Police Scotland												
Initial draft completed												
Engagement with Police Scotland Care Experienced Officers and Staff Group												
Engagement with care experienced community												
Engagement with Who Cares? Scotland												
Initial draft shared with stakeholders for comment												
Further refinement of draft												
Final draft completed												
Sign-off by SPA Senior Leadership Team												
Plan to be presented at Policing Performance Committee												
Plan to be published on SPA Website												

- 6.2. The plan details the consistent engagement the Authority will have with SPA Forensic Services to develop and co-own the plan. In addition, the development of the plan will include engagement with both Police Scotland and WC?S.
- 6.3. As part of the engagement with WC?S, the Authority will consult with partners on the WC?S Collaborative Corporate Parenting Network. This peer review of the proposed plan will provide assurance that the Authority's plan is appropriate to help ensure it fulfils its duties in the next reporting period.
- 6.4. In addition, the Authority will seek opportunities to consult with the care experienced community to ensure a collaborative and participative approach is taken. This will allow the Authority to build upon the positive foundation built by the Corporate Parenting Plan 2021-24.
- 6.5. Within this plan, action points and tangible outcomes from the plan will be outlined. Annual updates on the progress towards actions outlined in the next iteration of the plan will continue to be presented to the Policing Performance Committee.

## **7 FINANCIAL IMPLICATIONS**

- 7.1. There are no financial implications associated with this report.

## **8 PERSONNEL IMPLICATIONS**

- 8.1. The monitoring of the activities completed by the Authority are monitored by the internal delivery group, with no additional resource implications at this stage.

## **9 LEGAL IMPLICATIONS**

- 9.1. There are legal implications associated with this paper.
- 9.2. The Children and Young People (Scotland) Act 2014 lays out the responsibility of the Authority as a Corporate Parent. By publishing regular updates in relation to the Corporate Parenting Plan, the Authority can demonstrate its fulfilment of this requirement.

## **10 REPUTATIONAL IMPLICATIONS**

- 10.1. There are reputational implications within this report.
- 10.2. By successfully delivering its Corporate Parenting Plan, the Authority may have a positive impact on the public's confidence in policing and its oversight in Scotland.

## **11 SOCIAL IMPLICATIONS**

- 11.1. There are social implications associated with this paper. By continuing to deliver on its responsibilities as a Corporate Parent, the Authority will continue to improve the outcomes of the care experienced community and to ensure their voice is heard in relation to policing matters.

## **12 COMMUNITY IMPACT**

- 12.1. There are community implications associated with this report. The delivery of this plan in its final year, in addition to the development and launching of the new plan, will positively impact communities.

## **13 EQUALITIES IMPLICATIONS**

- 13.1. There are equalities implications within this report.
- 13.2. Both an Equalities and Human Rights Impact Assessment and Children's Rights Impact Assessment were completed as part of the initial drafting of the Corporate Parenting Plan. This continues to be monitored by the Authority's internal delivery group.

## **14 ENVIRONMENT IMPLICATIONS**

- 14.1. There are no environmental implications in this report.

## **RECOMMENDATIONS**

Members are invited to **discuss** the content of this paper.

**Appendix A: Corporate Parenting Plan Actions**

Commitment	Action	Milestone	RAG	Update
<p><b>LOOK</b> - To oversee and support Police Scotland to ensure that they meet the requirements of a Corporate Parent.</p>	<p>The Authority Board will seek assurance from Police Scotland that they are meeting the requirements of a Corporate Parent as established by the Children and Young People (Scotland) Act 2014.</p>	<ul style="list-style-type: none"> <li>▪ Endorse Police Scotland’s Corporate Parenting Plan.</li> </ul>		<ul style="list-style-type: none"> <li>- The Authority Policing Performance Committee endorsed the Police Scotland Corporate Parenting Plan on 09 December 2021</li> <li>- The Authority Policing Performance Committee will seek assurance of Police Scotland progress in delivering this plan on 07 December 2022</li> <li>- Additionally, Policing Performance has sought assurance on a number of additional areas relating to children including the use of force, children in custody, stop and search and the use of Taser.</li> </ul>
<p><b>LOOK</b> - To oversee and support Police Scotland to ensure that they meet the requirements of a Corporate Parent.</p>	<p>Through its administration of Independent Custody Visiting Scheme (ICVS) Scotland, the Authority will continue to monitor the care provided to detainees and ensure that the needs of young people who are care experienced are being met.</p>	<ul style="list-style-type: none"> <li>▪ Signpost to developments in how ICVS support the care experienced young people in custody.</li> <li>▪ Report on support for the care experienced young people in custody through the ICVS Annual Report.</li> </ul>		<ul style="list-style-type: none"> <li>- ICVS have ensured that they report specifically on the treatment of Children and Young People in Custody in their Annual Report and it will also be contained within the Quarterly reports to Policing Performance Committee.</li> <li>- ICVS have engaged with Police Scotland to ensure reporting on the number of children in Custody from a Care Experienced background, if this information is known or forthcoming.</li> </ul>



Commitment	Action	Milestone	RAG	Update
<p><b>LISTEN</b> - To enable looked after children and young people and care leavers to have their voice heard in matters relating to policing and to access opportunities.</p>	<p>The Authority will work with Police Scotland to engage and listen to young people with care experience to understand how policing services impact on their lives.</p>	<ul style="list-style-type: none"> <li>Carry out an annual roundtable with the care experienced young people to understand how policing services impact on their lives.</li> </ul>	<p style="background-color: #d9ead3;"></p>	<ul style="list-style-type: none"> <li>Authority Officers regularly attend the Stirling Champions Board – a local authority initiative that allows care experienced children and young people to come together and socialise, access support and share experiences. This provides an informal opportunity for Authority staff to listen to, and learn from, children and young people that have experienced the care system and understand their views on policing and how it impacts them.</li> <li>Recently the Authority and Police Scotland hosted an event with partners and over 100 attendees to discuss the most appropriate place of safety for young people who are in conflict with the law. The Authority and Police Scotland believe that Custody is not the most appropriate place of safety for a child or young person. This was attended by numerous organisations that represent the interests of children and young people and people with care experience.</li> </ul>
<p><b>LISTEN</b> - To enable looked after children and young people and care leavers to</p>	<p>A Designated person for Corporate Parenting will be appointed. This person will be responsible for ensuring</p>	<ul style="list-style-type: none"> <li>Appoint designated person for Corporate Parenting.</li> </ul>	<p style="background-color: #f4cccc;"></p>	<ul style="list-style-type: none"> <li>The Head of Change and Operational Scrutiny has been appointed as the designated person for Corporate Parenting</li> </ul>

Commitment	Action	Milestone	RAG	Update
<p>have their voice heard in matters relating to policing and to access opportunities.</p>	<p>that the way the Authority conducts its business is consistent with that of a Corporate Parent. As the Authority does not provide any physical services to children or young people this role will particularly focus on providing opportunities for the care experienced community to inform policing matters which affect them, and to identify opportunities for work experience.</p>	<ul style="list-style-type: none"> <li>▪ Establish internal Corporate Parenting delivery group.</li> <li>▪ Approval of Authority’s Corporate Parenting Plan.</li> <li>▪ In oversight role, and through service back arrangements, engage with Police Scotland around positive action to recruit those who are care experienced as police officers and staff.</li> <li>▪ Explore options for providing work placement opportunities for care experienced young people across the Authority.</li> </ul>		<ul style="list-style-type: none"> <li>- An Internal delivery group has been established and has representation from across the Authority Corporate team and is also attended by SPA Forensic Services</li> <li>- The Authority’s Corporate Parenting Plan was approved by SMT and endorsed by Members at the December 2021 meeting of the Policing Performance Committee.</li> <li>- The Authority Workforce Governance team continue to engage with the Police Scotland Positive Action team. It is understood that action is currently focused on protected characteristics and that there are currently no set timescales to take forward a more targeted approach for care experienced (See <a href="#">HMICS phase 2</a> section 211-216 highlighting level of resource available). However, Police Scotland Corporate Communications are actively seeking opportunities within recruitment campaigns to support/encourage care experienced applicants.</li> <li>- The Authority is demonstrating its commitment to promoting life opportunities for care experienced people and is currently developing a</li> </ul>

**OFFICIAL**

Commitment	Action	Milestone	RAG	Update
				sector leading approach to ensure equal opportunities for those from the care experienced community to Modern Apprentice roles. A Modern Apprentice role has now been approved and the Authority anticipates advertising this post in early 2024.
<p><b>LEARN</b> - To make all Scottish Police Authority staff aware that the organisation is a Corporate Parent with resultant duties to fulfil</p>	<p>The Authority will ensure that all staff are aware of their specific responsibilities with regards to carrying out Corporate Parenting duties. The Designated Person will present at staff and team meetings, while space will be given to discuss the implication for their teams and themselves.</p>	<ul style="list-style-type: none"> <li>▪ Identify and roll out relevant staff training to Authority Corporate staff.</li> <li>▪ Include Corporate Parent training into the induction materials for all new Authority staff.</li> <li>▪ Arrange awareness session through Who Cares? Scotland / Children and Young People’s Commissioner for our Board and Senior Management Team</li> <li>▪ Arrange awareness session through Who Cares? Scotland / Children and Young</li> </ul>		<ul style="list-style-type: none"> <li>- All Authority Staff have received training from Who? Cares Scotland regarding the role and remit of a Corporate Parent</li> <li>- Additionally, Who? Cares Scotland provided introductory training to Authority Board Members, with a particular focus on the impact the criminal justice system can have on people with care experience.</li> <li>- Police Scotland’s online corporate parenting training is currently available for all new Authority starts to undertake. However, discussions are currently underway with Who? Cares Scotland to explore the creation of bespoke e-learning for the Authority.</li> </ul>

Commitment	Action	Milestone	RAG	Update
		People’s Commissioner for Authority staff.		
<b>REVIEW</b> – To keep the Scottish Police Authority Corporate Parenting Plan under review and monitor our performance	The Authority’s Policing Performance Committee will regularly review qualitative and quantitative performance data on how Police Scotland and the Authority are performing as a Corporate Parents.	<ul style="list-style-type: none"> <li>▪ Annual review of Authority Corporate Parenting Plan.</li> <li>▪ Annual oversight of Police Scotland’s Corporate Parenting Plan and progress at the Policing Performance Committee.</li> <li>▪ Report on progress of our Plan every three years through completion of the Scottish Government Corporate Parenting Survey to inform the National Report.</li> </ul>		<ul style="list-style-type: none"> <li>- Police Scotland and the Authority have provided Members with an annual update on progress to deliver their Corporate Parenting Plans</li> <li>- Authority Officers are maintaining a body of evidence that will support reporting to Scottish Government in April 2024.</li> </ul>

**OFFICIAL**

**Appendix B: Children's Rights and Corporate Parenting Reporting 2020-23**

Policing Performance Committee  
Scottish Police Authority Corporate Parenting Plan - Progress Update  
06 December 2023

**OFFICIAL**



SCOTTISH POLICE  
**AUTHORITY**  
ÙGH DARRAS POILIS NA H-ALBA

# Children's Rights and Corporate Parenting Reporting 2020-23



## Contents

2. Children and Young People (Scotland) Act 2014
3. What We Do
3. Corporate Parenting
5. Impact Assessment Framework
6. Governance and Oversight
10. Partnerships
12. Research and Evidence
15. Forensic Services
15. What Next?
16. Appendix A: Corporate Parenting Plan Actions

## Children and Young People (Scotland) Act 2014

The Children and Young People (Scotland) Act 2014 requires the Scottish Police Authority ('the Authority') to report every three years on the following:

**Children's Rights** - what steps have been taken to uphold children's rights within the Authority's work.

**Corporate Parenting** – how the Authority has exercised its corporate parenting responsibilities in support of care experienced children and young people.

This report sets out how the Authority has ensured that the rights of children are upheld, and how the Authority has supported those who are care experienced over the period of 2020–23.

## What We Do

The Authority has a range of responsibilities:

- to maintain policing
- promote the policing principles;
- support continuous improvement;
- keep policing under review;
- and to hold the Chief Constable to account for the policing of Scotland.

These obligations to oversee policing are combined with other activities and responsibilities to oversee how Scotland's children and young people have their rights upheld.



## Corporate Parenting

The Authority's [Corporate Parenting Plan 2021-24](#) describes how it will make sure that policing in Scotland supports children and young people who have experienced care, and how the Authority will deliver positive change through engagement with the care experienced community.

The plan was discussed at the Authority's Policing Performance Committee in December 2021 and you can watch a recording on our [Livestream channel](#).

The Board and Senior Leadership Team oversee the Plan and its implementation to ensure it is fit for purpose. As a Corporate Parent, the Authority is committed to meeting its obligations and maximising its efficacy in its capacity as a Corporate Parent. The Authority recognises the importance of its role and how it can positively influence the outcomes for the care experienced community.

The Plan implements a **"LOOK, LEARN, LISTEN, REVIEW"** approach, providing opportunity for the Authority to continually improve, while actively engaging with the care experienced community to build relationships:

**LOOK** – Keep under review Police Scotland's approach to ensure that they support the Care Experienced community, and that Corporate Parenting responsibilities are delivered in relation to our other statutory functions.



## Corporate Parenting continued

**LISTEN** – Ensure that those who are care experienced have their voice heard in matters relating to policing and have access to opportunities to facilitate this.

**LEARN** – Make sure that all of our staff understand our responsibilities as a Corporate Parent.

**REVIEW** – Make sure we continue to do our best for children, young people and the care experienced community.

Since the launch of the Corporate Parenting Plan last year the Authority has been pleased to welcome 'Who Cares? Scotland' to deliver two training sessions on the role of a Corporate Parent. The first of these training sessions was delivered to all Authority Corporate staff and explored what it means to be a Corporate Parent and how all staff can represent the interests of the care experienced community when discharging their duties.

A second, in-person training session was delivered to all of the Authority's Board Members. This training was tailored for non-executives and focused on how Boards can effectively represent the interests of those who are care experienced in their oversight, particularly with regards to how policing may disproportionately impact this community.

In addition, the Authority has joined the Who Cares? Scotland Collaborative Parenting Network. This Network provides an opportunity for different Corporate Parents to connect and share best practice. As part of its membership within this Network, the Authority has established a strong working relationship with the Care Inspectorate to work to improve relationships between policing and those in residential care.

A key commitment in the Authority's Corporate Parenting Plan is to oversee and support Police Scotland to ensure that they meet the requirements of a Corporate Parent. In order to ensure this, Authority officers regularly engage with Police Scotland's Corporate Parenting Team and also request regular performance updates.

In addition to an update [presented to the Authority](#) on 7 December 2022, the final update on the plan is to be presented to the Authority on [6 December 2023](#). *[Progress towards these milestones can be accessed in Appendix A in the 6 December 2023 paper].*

One outstanding action is to develop Modern Apprenticeship opportunities for care experienced people. As noted in the action plan, the Authority is demonstrating its commitment to promoting life opportunities for care experienced people and is currently developing a sector-leading approach to ensure equal opportunities for those who are care experienced to Modern Apprenticeship roles.

# Impact Assessment Framework

Impact Assessments are used by organisations to evaluate how a proposed policy or initiative will impact different stakeholders and areas of business. These are used by the Authority to determine how individuals and wider communities will be effected to aid decision making.

As there are a variety of Impact Assessments the Authority can use, an Impact Assessment Framework has been developed to ensure a comprehensive and consistent approach is taken.

Within this Framework is the Child Rights Impact Assessment (CRIA). Whilst this is not a legislative requirement, the Scottish Government recommends undertaking a CRIA for all new policies and legislation that may impact children and young people as best practice. This is in line with recommendations of the United Nations Convention on the Rights of the Child (UNCRC), which has not yet been formally incorporated in Scotland.

The Authority continues to work to improve the Impact Assessment framework and to formally embed the CRIA when introducing new policies.



## Governance and Oversight

The Authority's governance and oversight mechanisms provide public assurance that the rights of children and young people are being upheld by Police Scotland. In particular, the statutory requirement of the Authority to provide independent oversight of police custody ensures that those held in custody by Police Scotland have their rights upheld.

The Authority has also stood up Independent Advisory Groups (IAGs) and Oversight Groups on areas of public interest, such as COP26 and the use of police powers during the Coronavirus Pandemic, in addition to hosting a variety of roundtable events. These activities have enabled the Authority to engage with a variety of stakeholders and wider communities in Scotland to ensure oversight the needs and rights of communities are considered in the Authority's decision making.

### Independent Custody Visiting Scotland

Assuring the welfare of children who come into custody remains a priority of Independent Custody Visiting Scotland (ICVS). When visiting custody centres, Independent Custody Visitors (ICVs), who volunteer with ICVS, prioritise visiting children and young people.

In addition, ICVS regularly publicly report on the number of children and young people held in police custody to the Policing Performance Committee. As well as quarterly reports brought to Policing Performance Committee, ICVS publish in-depth [annual reports](#) which detail statistics in relation to the number and ages of children in Police Scotland custody.



# Governance and Oversight continued

## Policing Performance Committee

The Authority regularly requests reports on police contact with children and young people. These reports are published online and discussed in public committees.

Public reporting ensures both accountability and transparency in police actions and supports public understanding of how interactions between the police and children occur. This includes information on the following topics:

### Stop and Search

Police Scotland [regularly reports](#) stop and search data. The most recent data covered the period of April – June 2023, with Police Scotland reporting the stop and search of 1,154 children and young people during this period.

### Taser

In [a paper](#) brought to June 2023 Policing Performance Committee, Police Scotland reported 41 uses of Taser on those under 18 in the 2022/23 financial year. The term 'use' refers to draw, pointed, red-dot and actual discharge.

### Custody

As previously mentioned, as part of ICVS reporting, there are regular updates on the number of children and young people who come into Police Scotland custody. From the period of [1st April 2022 to the 31st of March 2023](#), 4,261 children were held in custody.

### Arrests

Police Scotland [regularly reports](#) on the number of children arrested and brought into police custody. This is broken down into older and younger children, and whether they are held overnight or for over 24 hours.

### Use of Force

Police Scotland produce [quarterly reports](#) on the number of use of force forms submitted by officers. In the most recent reporting for the year to date for quarter 3 of 2022/23, 606 use of force forms were submitted for instances where the individual was under 18.

# Governance and Oversight continued



## Body Worn Video Engagement

Before the use of Body Worn Video (BWV) was rolled out to the Armed Policing Unit in Police Scotland, extensive engagement was undertaken. This included engagement with care experienced children and young people to understand their opinions and views. The results from this engagement was [publicly reported](#) to the Authority.

This research found mixed levels of understanding as to what BWV is and

how it will be used. In addition, this engagement highlighted the importance of ensuring the protection of children and young people's privacy in relation to the use of BWV.

The engagement concluded that participants felt an increased awareness of BWV amongst children and young people was necessary. Following on from the engagement exercise, Police Scotland also committed to undertaking a CRIA and to ensure the Code of Practice is in a child-friendly format.

## Independent Advisory Group: Coronavirus Powers

As well as being dedicated to upholding and progressing the rights of children in its everyday activities, the Authority was also involved in the oversight of children's rights in relation to policing powers during the Coronavirus Pandemic.

In April 2020, the Authority and Police Scotland jointly established the [Independent Advisory Group \(IAG\) for Coronavirus Powers](#). The IAG provided a human rights focused scrutiny when assessing the approach of Police Scotland. Within the Terms of Reference for the group, there was an emphasis on ensuring that any powers involving children and young people were reflective of Police Scotland's duties.

## Governance and Oversight continued

The group submitted [regular reports](#) on policing powers and commissioned an independent review of the group which was [reported](#) to the Authority's Board in June 2021. This review found that the IAG "added confidence" that decisions taken during the pandemic were consistent with human rights.

### COP26 Oversight Group

In February 2020, the Authority stood up a dedicated COP26 Oversight Group to provide enhanced oversight of Police Scotland's approach to policing the conference which was held in Glasgow in November 2021.

The Group received updates on the work of the IAG, Chaired by John Scott QC, which advised Police Scotland on its approach. It also offered insights from the Children and Young People's Commissioner for Scotland, environmental campaigners, human rights advisors and a broad range of civic society representatives to ensure the views of stakeholders were heard and informed the approach taken by Police Scotland. In September 2021, the Authority convened a [virtual roundtable](#) which

aimed to promote awareness of how Police Scotland would police protests during COP26. Stakeholders informed discussions, with the public invited to pose questions of policing and partners. It was recognised by the Authority that engaging with the public and stakeholders was critical to the success of the event.

Throughout planning, there was ongoing engagement with Social Work about arrangements for children and young people who come to the attention of the police during COP26 for low-level offending.

Several options were explored including the use of social work-led Care & Welfare centres as an alternative to police custody. Ultimately, it was agreed by partners that Police Scotland would utilise the recently adapted London Road Police Station for any children and young people who would need to be held in police custody. This was supported by social work resources who were deployed to provide any support required.

Through direct engagement with representative organisations, social work, and the Children and Young People's Commissioner, the Authority – at all times – sought to ensure the safety and security of children throughout

## Governance and Oversight continued

COP26, making it clear that any arrests would only be made in exceptional circumstances. After the completion of COP26, it was reported that few arrests were made, none of which were of children.



## Partnerships

Collaboration with partners across the span of the Authority's work allows the Authority to combine resources and knowledge to improve outcomes for Scotland's communities. The two examples of key partnerships in relation to children and young people demonstrate how the combination of the Authority's capabilities and those of partners can enact positive change.

### Places of Safety for Children in Conflict with the Law

The Authority has [publicly stated](#) that police custody is not a suitable place of safety for children. As such, it is acknowledged that more could be done to limit the number of children that experience this environment.

In November 2022, the Authority and Police Scotland jointly hosted the [Places of Safety for Children in Conflict with the Law event](#) to discuss the topic of children in police custody.

The event brought a variety of stakeholders together to discuss how agencies can collaborate to keep people safe while minimising the number of children that experience police custody when they come into conflict with the law.

The event was attended by Chief Social Workers (or a nominated representative) from across Scotland, Scottish Government and public

## Partnerships continued

sector partners. In addition, there were also attendees from representative organisations, including the Children and Young People's Centre for Justice (CYCJ), The Children and Young People's Commissioner Scotland and Who Cares? Scotland.

The conference was centred on group discussions based on two scenarios created for the purpose of the event. During these discussions participants considered the care and welfare of children, whilst also improving their understanding of challenges faced by other partners. Most importantly, discussion focused on the likely impact of a child experiencing police custody. This provided the opportunity to identify solutions and opportunities to drive positive change.

The event resulted in the following areas identified as being next steps to reducing the number of children and young people held in custody. These include (i) enhancing partnership working; (ii) developing a multi-agency care setting for children accused of crime; (iii) driving improvements that meet local needs; (iv) protecting care experienced children from criminalisation and (v) provision of seven-day courts.

Many of the themes that emerged from the event are not for the Authority or Police Scotland to consider in isolation. Many of these areas would require enhanced partnership work and collaboration. Discussions are ongoing to consider how the next steps for improving outcomes for Scotland's children and young people can be progressed. A full copy of the event report can be found [here](#).

### Joint Assurance Review of the acquisition of biometric data from children arrested in Scotland

In partnership with the Authority and CYCJ, the Scottish Biometrics Commissioner undertook a joint assurance review on the acquisition of biometric data from children arrested in Scotland. The review was laid before the Scottish Parliament on the 29th of March 2023 and a copy is available on the Scottish Biometrics Commissioner's [website](#).

The review commended Police Scotland's approach to safeguarding children



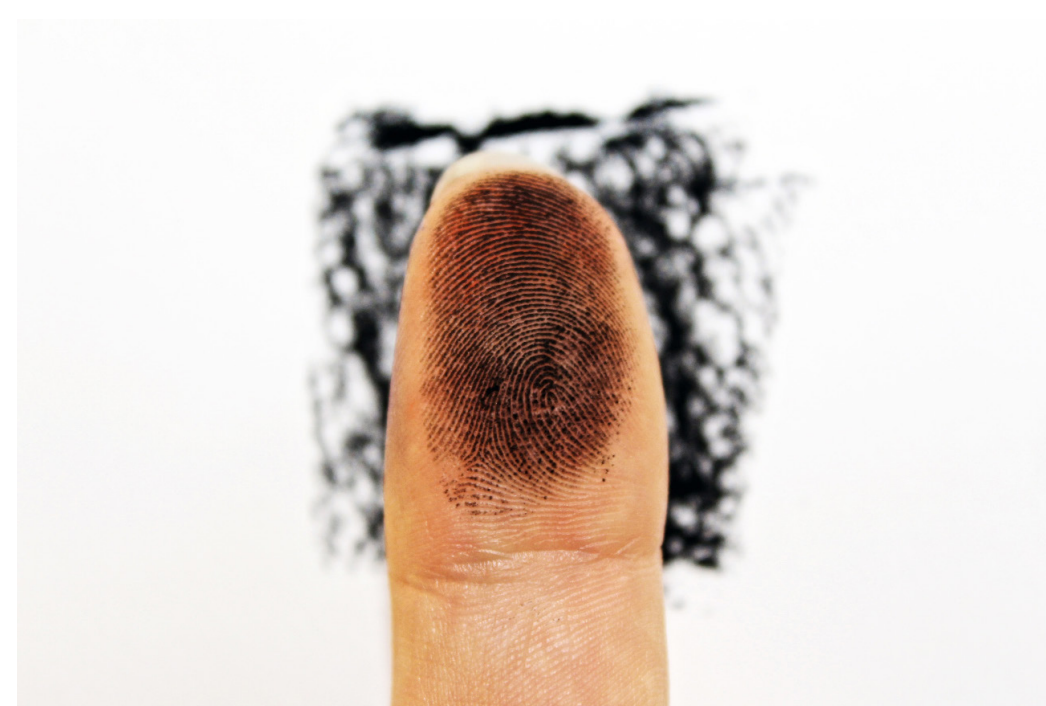
## Partnerships continued

when capturing their biometric data. However, the Commissioner noted that more should be done to ensure that any young person who has their biometric data captured as a result of being arrested in Scotland should be better informed about the purposes for which their data will be used.

The review also advocated for distinct policies, procedures and practices about the capture of biometric data from children. This would result in biometric data being taken only when authorised by a senior officer, balancing both the interests of the child and the gravity of the offence.



The Authority recognises the value,



## Research and Evidence

benefits and impact of research and evidence. The Authority is committed to developing the evidence-base to inform policing policy and practice in Scotland, co-ordinating a strategic approach by bringing together a range of key stakeholders. An example of this is Community Confidence Action Research project, discussed later in this section.

In addition, as part of its evidence base, the Authority regularly produces public briefings on policing matters that are of particular public interest. A number of these have focused on children and young people.

### Children in custody – March 2023

A public briefing on children [in police custody](#) was published on the Authority's website in March of 2023.

This briefing discusses why children may be held in custody, but also establishes that this is at times due to a lack of safe alternatives. In this briefing, the Chair of the Authority Martyn Evans states his stance that:

“Holding our children in police custody cells is not an appropriate setting and not in the interest of the child. What is lacking is suitable and available alternatives”

## Research and Evidence continued

This briefing also details the Places of Safety for Children in Conflict with the Law event, discussed on pages 10 and 11 of this report.

### Police contact with children – May 2023

A public briefing on [children and young people's contact with the police](#) was published on the Authority's website in May of 2023. This was developed in collaboration with Police Scotland colleagues.

The briefing gives a summary of the views children and young people have of policing. It also details positive, proactive interactions that Police Scotland have with children and young people, for example through development of educational campaigns and through the Police Scotland Youth Volunteering Programme.

However, the briefing recognises that not all interactions Police Scotland will have with children and young people will be positive. This includes instances where children may need to be stopped and searched, arrested and held in police custody.

### Community Confidence Action Research

In April 2021, the Community Confidence Action Research Project was initiated at the request of the Authority Chair Martyn Evans.

The project is currently underway and is being jointly delivered by the Authority and Police Scotland. It seeks to gain an understanding of levels of confidence in policing in areas that experience deprivation. This follows from [national research](#) that indicated confidence in areas that experienced deprivation was low.

The project also seeks to co-design initiatives with communities and local policing to improve confidence in these areas and evaluate the impact of these initiatives.



## Research and Evidence continued

Four areas were identified via a combination of factors: the Scottish Index of Multiple Deprivation (SIMD); Police Scotland management information; and local partners being willing to support the work. These areas are:

- Letham (Perth and Kinross)
- Levenmouth (Fife)
- Irvine Fullarton (North Ayrshire)
- Wick (Highland)

Where possible the project team have worked with local schools to develop and implement surveys/questionnaires to gain insights on views of confidence in policing for children under the age of 16. The findings of these engagements are published on the Authority's [website](#).

For those aged 16 and over, a survey was distributed where possible via local organisations, secondary schools, social media and posters and leaflets with QR codes were displayed in the area. These reports are also available on the Authority's website.

The project is due to complete in April 2024 and a full report will be publicly available soon thereafter.

### Seldom Heard Communities

In partnership with the Scottish Institute for Policing Research (SIPR), the Authority and Police Scotland have provided funding to support five different projects looking to improve engagement with seldom heard communities. Two of these projects focused on children and young people:

**'To be seen and heard: developing photovoice as a method for the police to engage with young people in underserved communities'**: This project aims to utilise creative methods to engage young people in an area of significant economic disadvantage to understand the places and people that matter to them.

**'Hearing seldom heard groups: Policing with empathy in conversation with LGBT and young people from disadvantaged backgrounds'**: This research will explore the experiences of young people from disadvantaged backgrounds, and also to examine the extent to which empathy and understanding of different seldom heard voices is apparent in Police Scotland.

These reports were published in April 2023 and can be accessed on [the SIPR website](#).

## What Next?

As part of the [Corporate Strategy 2023-26](#) and corresponding Implementation Plan, the Authority makes a commitment to:

“Promote and support work which improves outcomes for children and young people”

This is under **Strategic Outcome 1: Communities are informed and confident that policing is accountable**. Progress against the Implementation Plan will be reported in the Authority’s Annual Report and Accounts and the Audit, Risk and Assurance Committee.

The Authority will continue to publicly and transparently report its work to uphold the rights of children and young people where possible.

## Keeping up to date

To keep up to date with our work, please keep an eye on the Authority’s website where you can find papers and watch livestream committee discussions, and follow us on Twitter:

@ScotPolAuth