

HM Inspectorate of Constabulary for Scotland (HMICS)

Basics	Web site	http://www.scotland.gov.uk/Topics/Justice/Police/15403
	Geographical coverage	Scotland
Constitutional Aspects	Legal Framework/Basis	Police (Scotland) Act 1967 § 33 (available at http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1967/cukpga_19670077_en_1)
	Independence	<p>HMICS is independent of Police Forces, Police Authorities and Scottish Ministers.</p> <p>HMICS operates independently of police forces, police authorities and the Scottish Government and exists to monitor and improve police services in Scotland. HMICS does this by:</p> <ul style="list-style-type: none"> • Inspecting and advising police forces and the services provided by the Scottish Police Services Authority (SPSA) • Carrying out thematic inspections • Providing advice to Scottish Ministers <p>HMICS can enquire into any matter concerning the operation of a police force. The main aims are to improve the quality and standard of the service provided by the police, and to ensure that the public get the best value possible.</p> <p>Even though HMICS is independent of the Scottish Government. Ministers can call upon the Inspectorate to undertake particular pieces of work (See Police (Scotland) Act 1967).</p>
	Financial Independence	See Police (Scotland) Act 1967 § 33 (2): "The inspectors of constabulary shall hold office during Her Majesty's pleasure and shall be paid out of moneys provided by Parliament such salaries and allowances as the Scottish Ministers may determine."
Membership	Composition of body	<p>Mr Andrew Laing is Her Majesty's Inspector for Constabulary for Scotland. Before he joined the inspectorate he was Deputy Chief Constable of Fife Constabulary from 2009-2010.</p> <p>There are two Principal Inspection Managers who are Senior Police officers of Chief Superintendent rank or equivalent Senior Police Staff, on secondment from Police Forces.</p> <p>They are supported by four Inspection Managers of Chief Superintendent/Superintendent rank on secondment from Police Forces. Research, support and administrative functions are provided by support staff who are civil servants employed by the Scottish Executive.</p>
	Appointment	HM Inspector for Constabulary for Scotland is appointed by Royal Warrant. They are supported by Inspection Managers usually of Chief Superintendent/Superintendent rank also on secondment from police forces. Research, support and administrative functions are provided by support staff who are civil servants provided by the Scottish Government.
	Expertise	During the course of inspections it is often necessary to secure the services of experts in a specific field. For example, we work in collaboration with Audit Scotland to examine Best Value in forces and

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		<p>police boards/authorities and other specialist advisers are involved when necessary. These include compliance auditors from HMIC (England and Wales) in assessing Scottish forces use of the Police National Computer and the Commission for Equality and Human Rights (CEHR) who provide guidance when assessing forces' compliance with its duties relating to human rights and equality. Joint Thematic inspection work has recently been completed with the Scottish Fire and Rescue Advisory Unit (SFRAU) and NHS Quality Improvement Scotland (NHS QIS) of the UK Government CONTEST Strategy 'Prepare'. A 'victims' thematic inspection is also being undertaken jointly with IPS.</p>
Visiting Mandate	Places of deprivation of liberty to be visited	<p>The responsibilities of HMICS include inspection of police forces and the organisations which make up the Scottish Police Service Authorities.</p> <p>HMICS carries out inspection activity in each of the eight Scottish police forces.</p>
	Frequency of visits	<p>Inspection activity is risk based and proportionate. HMICS consults with stakeholders and considers force and service self-assessments to identify issues which are either confined to one organisation or common to several. In recent years HMICS has undertaken three separate thematic inspections of custody related matters covering all Scottish Forces and continues to monitor the implementation of the resulting recommendations.</p>
	Types of visits	<p>Visits may take the form of physical visit and inspection of facility, processes and standards and or interview with staff. Thematic Inspections may involve the inclusion of a lay advisor as part of the inspection activity. This is often someone who can bring to bear particular experience or professional insight.</p> <p>Police (Scotland) Act 1967 §33 (3) It shall be the duty of the inspectors of constabulary, on being directed to do so by the Secretary of State, to visit and inquire into any matter concerning or relating to the operation of a police force or of police forces generally; and without prejudice to the generality of this subsection, such matters may include the state and efficiency of, and of the buildings and equipment used by, the force or forces.</p> <p>HMICS can enquire into any matter concerning the operation of a police force or the organisations which make up the Scottish Police Services Authority.</p>
	Private interviews	<p>During inspection activity staff are interviewed privately. Prisoners and detainees would not normally be interviewed unless it was relevant to the particular inspection being undertaken.</p>
	Access to information	<p>HMICS have access to information held by police forces and the organisations which make up the Scottish Police Services Authority. All staff engaged in inspection activity have been appropriately vetted to permit access to restricted and confidential material. Information is stored in accordance with the security classification of the information.</p>
	Publication of	<p>HMICS reports are available to the public online.</p>

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	<p>findings after visits</p>	<p>Reports on individual visits as part of inspection activity would not be published other than as part of a larger HMICS report. Copies of inspection reports are sent to Government Ministers, police authorities and the media. These and other HMICS publications are available for reference.</p>
	<p>Coordination of visits</p>	<p>Legislation allows for cooperation between monitoring bodies (HM Chief Inspector of Prisons for Scotland and HM Chief Inspector of Constabulary: See Management of Offenders etc. (Scotland) Act 2005 ASP 14: § 2 Co-operation for purposes of inspections: (1)Where any person mentioned in subsection (2) is conducting an inspection of the provision of services to relevant persons, the persons mentioned in that subsection may co-operate with one another for the purposes of that inspection. (2)The persons are—(a)Her Majesty’s Chief Inspector of Prisons for Scotland; (b)Her Majesty’s Chief Inspector of Constabulary; (c)a person authorised under section 6(1) of the Social Work (Scotland) Act 1968 (c. 49) (supervision of establishments providing accommodation for persons and inspection of records etc.).</p> <p>HMICS and IPS are also currently carrying out a joint inspection of service provision to victims in the criminal justice system.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Other Aspects of Mandate</p>	<p>Recommendations and suggestions for amendments to legislation</p>	<p>Following inspection HMICS makes recommendations to police forces and police authorities. The reports are published and are available online. Subsequent follow up inspection activity will look at how the recommendations are progressed. HMICS cannot direct a chief constable to follow a particular course of action. HMICS also provides advice to Scottish Government Ministers which may ultimately result in changes to legislation.</p>
	<p>Preventive activities</p>	<p>HMICS gathers a range of information and assessments together to identify concerns or difficulties which are either confined to one organisation or common to several. Thus an emerging issue may be addressed at an early stage. Recommendations from thematic inspection activity are followed up in individual forces to ensure best practice is embedded throughout Scottish policing.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Standards</p>	<p>Legal standards applied</p>	<p>HMICS have recently reviewed their methodology to introduce a lighter touch, risk-based scrutiny model. This will use recognised service standards and the Scottish Policing Performance Framework in a more focused approach that should identify significant policing issues, options for improvement, and good practice. The main means of achieving this for individual forces will be a quality improvement framework which police forces and police services will use for self assessment within their established planning and performance regimes. In this way these organisations themselves will decide on the priorities for improvement and action while HMICS will be in a position to look at both individual force and service self assessments and all of these together in order to pinpoint difficulties or concerns which are either confined to one organisation or common to several. The aim is to allow the HMICS inspection responsibilities to be undertaken in a smarter and more proportionate manner and allow the Inspectorate staff to concentrate on undertaking the kind of thematic inspection which can add real value to the delivery of policing in Scotland.</p>

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Reports	Annual reports	According to Police (Scotland) Act 1967, the Inspectorate produces an annual report which must be submitted to the Scottish Ministers who would then forward a copy to both Houses of Parliament. The only guidance about the content is 'the state and efficiency of police forces generally'. (see §33(4): "Such of the inspectors of constabulary as may be directed in that behalf by the Scottish Ministers shall annually, at such times as may be so directed, submit to the Scottish Ministers a written report on the state and efficiency of the police forces generally and the National Criminal Intelligence Service, and the Scottish Ministers shall cause a copy of every such annual report to be laid before each House of Parliament.")
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