

Police Scotland – Written evidence (NTL0043)

Introduction

1. The rapid development of technology, both in its capabilities and availability, has facilitated the creation of a global society that is built upon unprecedented levels of connectivity and interaction. This has been further accelerated by the changes to work and social life caused by the COVID-19 pandemic and the increased reliance by individuals and organisations on technology.
2. This increased use of technology has made the role of policing in terms of prevention, protection, investigation and safeguarding increasingly challenging. We find ourselves moving at an ever-increasing pace from the physical to the digital world; this creates opportunities for new and complex crime types. The overall and continuing growth in technology usage has also affected traditional crime, much of which now has a digital element. The increasing complexity of police incidents is creating threats, risk and harm that are both sophisticated and challenging to meet. These challenges are here to stay and are integral to our future policing model.
3. For policing to meet the safety and protection needs of the public and communities and achieve its purpose and respond effectively, it is critical that we increasingly engage and adopt technology that enables and enhances what we do. To keep people safe, the service needs to embrace innovative technologies and partnerships. New technology also brings new opportunities to meet the needs of colleagues and the public – if developed in the right ways with users and human rights at the centre, we will significantly reduce any future risks associated with the provision of new and emerging technology in policing.

Police Scotland’s strategic approach

4. Police Scotland’s own [Cyber Strategy, Keeping People Safe in Digital World](#), details our ambition to enhance our capabilities in this space, and how with the right financial support we can take a leading role in supporting Government, and the Scottish public in creating safer digital spaces, built with accessibility and inclusivity in mind.
5. In addition, Police Scotland’s Digital, Data and Information Communication Technology Strategy (DDICT) details our transformation ambition around data, digital and technology capability across the organisation.
6. These enabler strategies underpin and support [Policing for a Safe, Protected and Resilient Scotland](#), our Joint Strategy for Policing (2020). The strategy sets out Police Scotland’s approach to contribute effectively to the following strategic outcome and objective:

- Strategic outcome 1: Threats to public safety and wellbeing are resolved by a proactive and responsive police service
 - Objective 1: Keeping People safe in the physical and digital world
7. Our strategy focuses on the following four objectives to address a range of key internal and external areas where the service needs to design, develop and implement new approaches for the future.
- Police Scotland resilience – Ensuring that Police Scotland is resilient and able to respond to shifting threats
 - Public health, prevention and partnership – Working holistically and sustainably to prevent cybercrime by developing a public health approach and working effectively with partners
 - Investigation of criminality – Making Scotland a challenging place for cyber criminals to operate by increasing our visibility in the physical and virtual world
 - Protecting and safeguarding – Ensuring that our focus on protecting and safeguarding those at most risk of harm continues to be at the forefront of all we do
8. Due to the critical, broad and cross cutting areas of policing within our strategy, five enablers have been put in place to ensure that Police Scotland has a holistic approach to successfully achieve our objectives.
- Respecting rights
 - Capacity and capability
 - Infrastructure
 - Data driven innovation
 - Investment

Respecting rights

9. Our approach to policing is built on our shared values of fairness, integrity, respect and supporting and enabling human rights. As we live more of our lives online and we see risk and vulnerability increase, we will seek to strike the right balance between privacy and protection.
10. We employ a rights-based approach to policing that prioritises both privacy and protection. Public and stakeholder engagement will enable us to understand this as we consider how we develop and implement technology to support policing in Scotland. We will protect the rights of the communities we serve and continue to embed our values into everything we do.
11. There is a vast range of learning and improvement occurring across policing which is leading to better approaches and practice, and is informing how we consider the implementation of new and emerging technology. Police Scotland would welcome a recommended framework as a product of the IAG's consideration, built around agreed principles that could be applied to

inform and safeguard the process of consideration of new and emerging technology to enable the service to keep the public and communities safe and protected.

Partnership and collaboration

12. Police Scotland recognises that for us to be successful in our approach, strategic partnerships are vital. Only through utilising the support and resources of public, private and third sector organisations can we achieve our objectives. It is clear that partnership, both who we partner with and how we do this, becomes an enabling aspect of our strategy, allowing us to redefine how we tackle cyber issues and emerging technologies.
13. We will use a public health approach to ensure that cyber enabled and cyber dependent crime are treated in a holistic manner, with a focus on prevention, collaboration and sustainability. A whole system approach is fundamental to the success of this objective. We are committed to developing a partnership and collaboration framework with agile connections and innovative ideas at its core.
14. We will build capacity and capability by working through partnership with:
 - The public sector – Strengthening our relationships with other public sector organisations we will help create more capacity for Police Scotland.
 - Academia – By creating links with universities and research bodies, we will create mutually beneficial relationships that allow for the sharing of research and operational knowledge.
 - The private sector – The private sector as a whole finds itself a frequent target of cyber-attacks. We will seek to explore new opportunities for collaboration with industry leaders in order to reduce instances of victimisation and revenue loss.

Challenges

15. Emerging technologies present challenges in relation to the following areas:
 - Legal and ethical considerations
 - Evidence and scientific standards
 - Consultation and community engagement
 - Oversight and scrutiny
16. This following is a brief overview of our approach in each of these areas.

Legal and ethical considerations: Police Scotland's approach

17. Police Scotland undertakes a variety of processes to ensure that emerging technologies are introduced in a proportionate and ethical manner including:
 - Equality and Human Right Impact Assessment (EqHRIA) process

- Public consultation/survey
 - Engagement with Special Interest Groups (SIGs)
 - Independent Advisory Groups (IAGs) / internal Ethical Advisory Panels (EAPs)
 - Engagement with key stakeholders e.g. COLSA/PIRC/HMICS/staff associations
 - Internal review by PS Risk Audit and Assurance
 - Establishment of a code of practice for the emerging technology
18. Robust EqHRIAs are crucial prior to the introduction of any technology and with the widest possible consultation. The use of IAGs, the Scottish Police Authority (SPA) Committee' and clear communication plans help and can pave the way for an open and transparent route to delivery and introduction.
19. Police Scotland's EAPs were introduced in 2018 to promote a deeper understanding of the complexities of strategic matters with an ethical dilemma at their core (including matters such as Body Worn Video, Remote Piloted Aircraft Systems and Biometrics Data, amongst others) and offer a wider level of thinking which assists decision making and promotes public trust and confidence.

Evidence and scientific standards: Police Scotland's approach

20. Police Scotland has a governance and oversight arrangements for new and emerging police practices, including technology which are being developed and maturing. A number of programmes have been developed to ensure the organisation is at the forefront in delivering capability and capacity in tackling cybercrime and investigations.
21. Police Scotland has a number of key strategic assets supported by implementation plans which are linked to enabling capability such as our Digital, Data and ICT Strategy (DDICT), Our Data Drives Digital Strategy and Cyber Security Strategies. These outline cross-organisational approaches, capabilities and ensure joined up activity. To improve evidence sharing and reduce impact on victims and witnesses, Police Scotland are currently progressing a collaborative approach with the Crown Office Procurator Fiscal Service (COPFS) in regards to Digital Evidence Sharing Capabilities (DESC).
22. Police Scotland works closely with academia through Scottish Institute for Policing Research (SIPR) and collaborations with other academic institutes and delivers industry standard knowledge and awareness through Immersive Lab platform and the Digital Skills and CISCO Academies and delivers industry standard training to all cyber investigators and digital forensic staff. Police Scotland are also currently undergoing ISO accreditation within digital forensics.

23. The service has been involved in a variety of collaborative research projects such as working with the University of Glasgow Aerospace Sciences Research Division. Projects have included designing visual displays and algorithms to minimise flight times while searching for missing people.
24. The ongoing engagement with the NPCC Front Line Digital Mobility Group and the European Law Enforcement Technology Forum provides Police Scotland access to a body of research and evidence from a host of other police agencies across the UK and Europe, which the service is utilising to good effect in shaping its own future approaches in the area.

Consultation and community engagement: Police Scotland's approach

25. Police Scotland's [Public Contact and Engagement Strategy](#) sets out the principles we will recognise in our engagement approach, which is fully aligned with our values of fairness, integrity, respect and human rights.
26. Our objectives are to;
 - Improve the reach of our public and community initiatives;
 - Use insight and feedback to shape and improve our services; and
 - Maintain and enhance confidence and trust in policing within communities.
27. We are committed to improving the reach of our public and community engagement activities. Engaging with people enables us to strengthen relevance, responsiveness, accountability and build trust and confidence. We engage with citizens, communities, organisations, our colleagues and stakeholders – everyone who is, or will be, the user of our services. Engagement helps us to learn about people and create services which meet their needs.
28. The way we engage the public and communities has a significant impact on the effectiveness of what we do to keep people safe and prevent crime. Being open and transparent about what we are doing and why is fundamental to maintain public confidence in policing. In the last 2-3 years we have developed current approaches to meet the needs of the service to engage and work with the public and communities to design services with engagement increasing by over 500%.

Oversight and scrutiny: Police Scotland's approach

29. Our approach is built on our shared values of fairness, integrity, respect and supporting and enabling human rights.
30. We recognise there are legitimate concerns regarding policing's adoption of new technologies. Our values and rights-based approach to policing are already in place and will be adapted and enhanced to meet all future challenges.

31. We will only use new technology and approaches where there is strong ethical oversight, transparency and based on the outcome of public engagement and conversation. For this, we will embed the following supporting structures:
 - Values and ethics framework. Enabling us to teach, observe and measure our credibility, values and behaviours, and see the impact of our actions.
 - Service standards and principles. Embedding quality and consistency of service to manage, meet and exceed public expectations.
 - Public and community engagement. Involving and engaging the public and stakeholders to gain their confidence and trust.
 - Academic research and worldwide experience. Using the latest research evidence and lessons.
32. Police Scotland has also welcomed the introduction of a Scottish Biometrics Commissioner to support and promote the adoption of lawful, effective and ethical practices in relation to biometric data in the context of policing and criminal justice.

Case study – Mobile Devices and Body Worn Video Police Scotland – September 2021

1. Police Scotland has invested significantly in mobile working technology for front line operations, and by the end of 2021/22 will have equipped circa 14,000 officers across uniform and detective disciplines.
2. This technology allows officers a far greater degree of autonomy due to information being immediately available that they can utilise to make (often very significant) decisions, and reduces repeat entry.
3. Police officers are trained in the use of this technology, and fully understand its role in their duties. As outlined from project initiation to delivery, these technologies will: support public service to our communities; protect public service personnel; improve service activity/behaviour; simplify information gathering; reduce time/paperwork; accelerate service provision; improve criminal justice processes; reduce time at court; increase the availability of resources on the frontline, and; support information sharing and early intervention.
4. There has been significant engagement with the Crown Office and Procurator Fiscal Service, Sheriff's bodies and criminal defence representatives to ensure they are familiar with the technology, its use and how it assists the officers. In the medium term, technology such as this will also have a significant positive impact in ensuring information is available in a far quicker and more user friendly format to the end to end judicial process. Initial positive steps have already been made in this regard, such as changes to the processes around Fixed Penalty Tickets.

5. The project also undertook an engagement process with Local Authorities, both through formal scrutiny bodies and bespoke sessions with Councillors and officials. Our communications plan ensured significant social media and commercial media coverage of the changes being made available to the public.
6. This has required significant capital investment and there are ongoing revenue considerations. Given the constant evolution of technology, these costs will be recurring.
 - Equipment has limited lifespan and will require to be replaced (every 3 years)
 - Digital Storage
 - Resource and management – the data requires monitoring and management
 - Training abstractions (opportunity and real costs)
7. An independent evaluation of the project has outlined the significant benefits that result, and calculations show that its introduction saves over 500,000 officer hours per year. It is a good return on investment, but will need continued investment to continue to deliver. As their introduction is still relatively recent, and the pandemic has necessitated an alternative operational approach, the full benefits in terms of cost saving have still to be fully recognised particularly in terms of evidence gathering, reduced time at court and increased officer and staff safety.
8. Police Scotland and the Scottish Police Authority commissioned independent evaluation of the mobile working project while it was being introduced, so methodologies exist to enable performance measurement. Scottish Government auditors described this as having the potential to be 'public sector leading'.
9. In respect of mobile working, a UK level shared understanding of benefits and methodologies may be useful. The Police Digital Service is making initial efforts in this area. Police Scotland will also publish documentation on the training and use of equipment.
10. In Ireland, An Garda Síochána has made significant progress in Mobile Working technology, especially in the roll out of in-car technology and the reduction of desktop computer estate. We plan an exchange visit with them post the relaxation of Covid restrictions.
11. Police Scotland is also introducing Body Worn Video (BWV) cameras. The sharing of information on BWV and the development of technology has proved hugely beneficial as BWV is rolled out to armed policing in Scotland and, subject to finance being available, a future national rollout.

12. BWV devices are simple to use i.e. activate the camera and it will begin to record video and audio and the device will show it is active. Consideration of data storage, live streaming, buffering and Digital Evidence Management Software.
13. We intend to publish our documentation on the use of this technology to make it public facing and increase public transparency on how Police Scotland uses body worn video.
14. Public consultation on the introduction of BWV technology for firearms officers demonstrated broad support, and the responses to our national consultation will help inform our protocols, code of practice and training to ensure that body worn video cameras are used in appropriate and proportionate way. In so doing, we will be better equipped to protect the public, our staff and provide best evidence at court.
15. Evaluations have been undertaken on previous use in north east Scotland. Subject to finance, we will carry out detailed benefits analysis on the use of BWV if rolled out across Police Scotland.
16. BWV undoubtedly increases quality of evidence in respect of a visual/audio account, shown to significantly reduce investigation time where BWV evidence is available.

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