I write in response to the request for evidence from the Health and Sports Committee regarding child protection in sport, specifically seeking evidence in respect of non-recent child sexual abuse in football.

The effects of child abuse on individuals is devastating and can have significant long term impact on children and adults as they progress through life. The prevention and detection of child abuse is a priority for Police Scotland and we are committed to working with our statutory and third sector partners to ensure those reporting abuse are listened to, are supported and their reports are thoroughly investigated regardless on when the abuse has occurred.

I would like to provide the following in respect of the two questions as detailed below:

**Does the current situation regarding a number of former football players speaking publically about allegations of historical child sexual abuse in football have any impact on your area?**

Following the public disclosures of child sexual abuse by several former football players in England, the NSPCC set up a UK wide helpline with referrals being transmitted to all UK Police Forces and Operation Hydrant.¹

Since the 24th November 2016, Police Scotland has received a number of referrals from NSPCC or reports via other routes in relation to child sexual abuse in football.

Police Scotland will continue to work with partners, including the National Police Chief’s Council through Operation Hydrant, the Scottish Football Association (SFA), the Professional Footballers Association Scotland (PFA Scotland) and the NSPCC to ensure a coordinated policing response is in place and an accurate record of all child abuse investigations is maintained.

A notification process has been agreed with both the NSPCC and SFA whereby all referrals relating to Scotland are routed to a Single Point of Coordination within the Police Scotland’s National Child Abuse Investigation Unit (NCAIU). In addition, other avenues are available for members of the public to make a report, or provide information by attending at their local police station, or telephoning the Police Scotland contact number 101.

¹ Operation Hydrant was established in 2014 as a coordination hub to support UK Forces investigating non recent child sexual abuse investigations concerning persons of public prominence, or in relation to those offences that took place in an institutional setting. Operation Hydrant is a database which acts as a conduit and opens communication between Forces who have investigations with the same victim/suspect, and aims to minimise duplication.
A Major Investigation, led by the NCAIU, has been raised which is resourced using specialist detective officers from the NCAIU East, West and North Hubs and local policing. Given the complexities of such investigations the investigation is being managed using the Home Office Large Major Enquiry (HOLMES) database and has analytical support. The investigation is supported by a clear command structure with Chief officer oversight.

Police Scotland recognise speaking out about any form of child abuse is extremely difficult, therefore we are working with partner agencies to ensure that any individual who reports recent, or non-recent child sexual abuse will be directed to appropriate support organisations during the process of disclosure and investigation.

Local Policing Divisional Public Protection Units are fully aware of any reports made or information received relating to child sexual abuse in football and are best placed to highlight to local partners if reporting in a particular location is assessed as having the potential to directly impact on the invaluable services our partners provide to survivors of sexual and other forms of abuse.

Strong partnership working is critical. We are all committed to ensuring every person who has disclosed abuse can receive timeous advocacy and support, tailored to their individual needs. We are sensitive to the fact that capacity may be tested over the coming weeks and months in some areas of Scotland, however, we are confident that the strong partnerships built up over many years will overcome any difficulties that arise.

**What assurances can you provide that the current safeguards and culture of sporting organisations ensures that the allegations of historical child sex abuse in football could not happen today in sport?**

The National Guidance for Child Protection in Scotland outlines that the safety of children and young persons is paramount and sport related services should be familiar with the National Strategy for Child Protection in Sport. Details of this strategy are contained within Children 1st Safeguarding in Sport Strategy that outlines guidance for organisations whose employees or volunteers have direct contact with children.

When employing staff or volunteers into positions of ‘regulated work’ with children each employer has a legal responsibility to ensure that prospective employees are suitable for this type of work. Part V of the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007 is the legislative framework in Scotland aimed to prevent unsuitable individuals from carrying out work with children, vulnerable/proTECTED adults or both, in a paid and voluntary capacity.

Currently individuals will be asked to become a Protection of Vulnerable Groups (PVG) Scheme member and to make a self-declaration of any relevant convictions or investigations.

The PVG Scheme was established by the Protection of Vulnerable Groups (Scotland) Act 2007 and was Scotland’s response to the principal recommendation of the Bichard Inquiry Report. This recommendation called for a registration system for all those who work, whether paid or unpaid, with children and protected adults in the UK that would
confirm that there is no known reason why an individual should not work with these groups. This is achieved by Disclosure Scotland maintaining a list of people who are barred from working with children and a list of people who are barred from working with protected adults.

In Scotland, Disclosure Scotland (DS) facilitates the application and disclosure process on behalf of Scottish Ministers. In England and Wales, this process is facilitated by the Disclosure and Barring Service (DBS) and Northern Ireland is covered by Access Northern Ireland (ANI).

DS receive the original application and if there is a relevant trigger on the applicant's Criminal History System (CHS) record, e.g. a Pending Case or an Intelligence Marker, the application will be forwarded to Police Scotland for further enquiry. Police Scotland will then investigate and share any relevant information with DS who will then respond to the employer and applicant. DS then populate the PVG database and scheme membership.

Due to the lifetime membership nature of the PVG scheme, Police Scotland has a duty to carry out continuous monitoring of existing PVG scheme members for a 'behaviour of concern' and disclose relevant matters to DS who in turn has a duty to continuously update those scheme memberships. When an individual joins the PVG scheme, an entry is added to their CHS record indicating whether they are a member of the Child/Adult or both schemes. Intelligence logs on such a behaviour of concern are vital to Police Scotland protecting the children and vulnerable adults.

There is a Service Level Agreement in place between Police Scotland and Disclosure Scotland in relation to Part V / PVG and Disputes and Consideration for Listings.

It must also be recognised that Continuous Monitoring relates to individuals who are already scheme members. It is therefore vitally important that organisations ensure they have policies and procedures in place from a PVG compliance perspective as the scheme is not mandatory. There is a risk in relation to individuals who are working with vulnerable groups who have never been processed through Part V/PVG, not on the scheme and therefore cannot be monitored if the organisation for which they work or volunteer does not ensure the appropriate PVG checks are in place.

Police Scotland disclose sensitive personal information about an identifiable individual when disclosure is necessary in the public interest and when there are no specific statutory powers or relevant Police Scotland procedures. These are known as public interest disclosures and are governed under the principles of the Data Protection Act 1998, The Human Rights Act 1998 and the common law duty of confidentiality.

The Scottish Government provided guidance in Police Circular 4/2007 which is based on the guiding principle that no information should be given to anyone, however responsible, unless there are important considerations of public interest which would justify a departure from the usual rules of confidentiality and the right to respect for private and family life.
The decision to disclose is therefore based on assessing the risk weighing up the public interest in the prevention of crime and public safety and can occur during an investigation whereby Police Scotland become aware that a person’s behaviour poses a risk of harm to others or is likely lead to the commission of a crime then consideration should be given to a public interest disclosure.

That decision can be made by a Superintendent considering the necessity, proportionality and justification to do so coupled with the recipients being in a position to mitigate risk of harm based on the information supplied by Police.

In addition to the policies, procedures and legislation in place to prevent unsuitable people working with children and mitigating risk when information emerges, there is now an opportunity for all sporting organisations to work with their local Child Protection Committees to increase PVG awareness, quality assure child protection training and ensure the protection of children is recognised as everybody’s responsibility.