



west midlands
police and crime
commissioner



Agenda Item 08

**JOINT AUDIT COMMITTEE
31 March 2022**

HMICFRS UPDATE

1. PURPOSE OF REPORT

To provide members of the Committee with oversight of HMICFRS Inspection activity and recommendations.

2. WEST MIDLANDS POLICE PEEL INSPECTION

The PEEL inspection programme is an assessment of the police effectiveness, efficiency and legitimacy (PEEL) of police forces in England and Wales. In 2018, HMICFRS developed its approach to PEEL with the introduction of the Integrated PEEL Assessment (IPA) programme. The 2021 PEEL inspection is now complete however the programme is a rolling process. There has been no further inspection activity scheduled for WMP at the present time. The Force continues to work through the recommendations set by PEEL and wider thematic inspections across the portfolios. These are RAG rated to align to the Force Risk Register and managed by the Force Executive Team through the existing Force governance boards supported by the HMICFRS Liaison Lead and Officer where recommendation owners are held to account for timely updates.

3. HMICFRS INSPECTIONS

In addition to the PEEL inspection regime, there are several other circumstances under which HMICFRS may lead a single or multi-agency inspection or investigation in a force area.

- A National Thematic Inspection

This is an in-depth examination of a specific policing matter. These matters are usually identified through HMICFRS monitoring processes or as a result of a commission from the Home Secretary. Thematic Inspections tend to identify areas of strong or weak practice in specific forces, but result in recommendations that are relevant to the 43 Forces. Fieldwork for the National Thematic Inspections usually take place in about six forces, but it can involve all 43 Forces in England and Wales.

- A Jointed Targeted Area Inspection

This is an inspection led jointly by several agencies to review and investigate a local area's multi-agency response to an identified need and/or risks in specific cases.

- A Super-complaint

This is a complaint made by a designated body who have identified that “a feature, or combination of features, of policing in England and Wales by one or more than one police force is, or appears to be, significantly harming the interests of the public.” (Section 29A, Police Reform Act 2002).

Super-complaints must be made to Her Majesty's Chief Inspector of Constabulary. However, they will be considered by HMICFRS, the College of Policing and the Independent Office for Police Conduct (IOPC), who will together decide what (if anything) needs to happen as a result of the super-complaint. The complaint may generate a full inspection or data request across any number of forces.

Since the last JAC report was produced there have been five inspections conducted within West Midlands Police.

- 1.) Thematic Inspection relating to the Online Sexual Abuse and Sexual Exploitation of Children. Other forces involved are:
Dyfed Powys Police, West Yorkshire Police, Bedfordshire Police, Leicestershire Police, Nottinghamshire Police.
- 2.) Joint Targeted Area Inspection (JTAI) relating to the murder of Arthur Labinjo-Hughes.
- 3.) Thematic Inspection relating to Serious Youth Violence. The spread of forces was selected to consider forces with and without Violence Reduction Units. Other forces involved in this inspection are:
Gloucestershire Constabulary, Lancashire Constabulary, South Wales Police, Hampshire Police, Cleveland Police, Metropolitan Police Service (South Central BCU: London Borough of Lambeth and London Borough of Southwark), Northumbria Police, Avon and Somerset Constabulary, Merseyside Police, Nottinghamshire Police, Sussex Police.
- 4.) Police Super-complaint: Invisible survivors: The long wait for justice. Police response to BAME victims of sexual abuse.
- 5.) Police Super-complaint made by the Centre for Women's Justice: Police perpetrated domestic abuse (Data Request Only). This study is an all forces request for voluntary involvement.

Reports will be published later in 2022 with the exception of the JTAI (which has already been published – see next section).

We have received notifications of several further inspections from April 2022 onwards for:

- 1.) Thematic Inspection of Digital Forensics (W/C 4th April).
- 2.) Police Super-complaint: Police use of stop and search powers (W/C 18th April).
- 3.) Diversity & Inclusion Workshop (April – Date TBC).
- 4.) Thematic Inspection – Criminal Justice Outcomes (May – Date TBC).
- 5.) Thematic Inspection of ROCU – (October – Date TBC).

4. **PUBLISHED INSPECTION REPORTS**

Since the last JAC, two reports have been published by HMICFRS;

- Solihull JTAI Report following the murder of Arthur Labinjo-Hughes.
- HMICFRS Thematic Inspection – Exploring rape survivors’ experiences of the police and other criminal justice agencies – Phase 2 – Post Charge.

Solihull JTAI Report following the murder of Arthur Labinjo-Hughes. Published 21st February 2022.

A JTAI was commissioned, led jointly by Ofsted, the Care Quality Commission (CQC), HMICFRS, and HM Inspectorate of Probation. It considered where improvements were needed by all the agencies tasked with protecting vulnerable children in Solihull, including how they work together.

A national review was also commissioned, led by the National Child Safeguarding Practice Review Panel, to provide additional support to Solihull Children’s Safeguarding Partnership. This was intended to effectively ‘upgrade’ the existing local review and was launched shortly after Arthur’s death in June 2020. The national review paused while the court case continued.

Aims of the JTAI

The key aims of the JTAI were to identify more specifically:

- How agencies work effectively, individually and together, to improve the well-being of children, including ensuring that children get the right help and protection at the right time.
- The application of appropriate thresholds, effective information-sharing and timely intervention.
- How children are protected through effective multi-agency arrangements at the ‘front door’.
- How leaders and managers have good oversight of practice, work effectively together, create the right conditions for effective practice and act where improvements are needed.
- How the multi-agency safeguarding arrangements (MASA) actively monitor, promote, coordinate and evaluate the work of the safeguarding partners (the local authority, the clinical commissioning group and the chief officer of police) and relevant partners, including schools, as specified in Section 16E of the Children Act 2004 and the Child Safeguarding Practice Review and Relevant Agency (England) Regulations 2018, and whether this leads to improvements in the initial multi-agency response at the ‘front door’.

The JTAI Findings

The Inspectorate visited Solihull in January 2022 and found that children in need of help and protection in Solihull wait too long for their initial need and risk to be assessed. This means that for a significant number of children, they remain in situations of unassessed and unknown risk.

The report specifically identified that:

- Weaknesses in the joint strategic governance of the Multi-Agency Safeguarding Hub (MASH) have led to a lack of a cohesive approach to the structuring and resourcing of the MASH. The Local Safeguarding Children Partnership (LSCP), Solihull's multi-agency safeguarding arrangement, does not have a clear understanding of the impact of practise from the MASH or the experiences of the children and their families that need help and protection in their local area.

In relation to West Midlands Police, the Inspectorates found that:

- WMP need to urgently improve the quality of recording and information held on the 'Connect' information system to ensure children and their connections can be clearly seen and avoid duplication.
- There is suitable police resourcing in the MASH.
- Attendance at child protection meetings and engagement with relevant forums is maintained.
- Effective information sharing is maintained.
- Good practice included police-led joint training with schools and the 'All Age Exploitation Reduction Strategy'.
- Improvements are required in entering correct information into 'Connect' by frontline officers.
- Greater details relating to the 'Voice of the Child' should be recorded during domestic abuse incidents to ensure a full picture is available and promptly referred into MASH.
- Operation Encompass has been established to share information relating to domestic abuse with school staff, however school nurses also need to be aware.
- Children who go missing are promptly referred into the multi-agency 'Locate Team'. Swift referrals to MASH then occur but the subsequent response is varied.
- WMP focuses more on compliance to process and crime recording than quality of practise.

WMP has taken on board all of the comments from the inspectors and all organisations have committed to working together to improve the way we protect children. Regarding the specific observations relating to Connect, we continue to enhance our use of the system, improving our ability to bring relevant information together.

The next steps of the JTAI are for Solihull Local Authority to provide a detailed statement of proposed actions to be shared with the lead inspectorate – Ofsted – by May 2022, which WMP is actively contributing to.

HMICFRS Thematic Inspection – Exploring rape survivors' experiences of the police and other criminal justice agencies – Phase 2 – Post Charge. Published 24th February 2022.

In Spring 2020, HMICFRS commissioned Opinion Research Services (ORS) to explore the experiences of adult rape survivors who reported an incident (or incidents) of rape to the police; their subsequent journey through the criminal justice (CJ) system; and their views on any support services they had accessed during that journey.

This research was published in July 2021 and contributed to Phase 1 of HMICFRS's joint thematic inspection of the police and Crown Prosecution Service's response to rape. The research team found that only a single participant had encountered the CJ system and consequently recommissioned the research to include more participants, who had experience of the CJ process, for Phase 2.

The report found that there were common themes for survivors of rape on their journey through the CJ system:

- 1.) Survivors put a lot at stake when reporting and testifying, yet most do not get the justice they desire.
- 2.) Police response and support is inconsistent.
- 3.) A lack of safeguarding puts survivors and their families at risk.
- 4.) Delays in reporting, investigation, arrests, and court hearings weaken cases and cause survivors to suffer.
- 5.) Suspects are perceived to be treated more favourably than survivors.
- 6.) The court process is traumatic for survivors.
- 7.) The CJ system needs to be completely overhauled to put survivors first.

Recommendations

In conjunction with Phase 1, nine recommendations have been made, of which three are police-specific:

- 1.) Immediately, police and prosecutors should review and significantly improve communications with victims from the point of charge onwards.
- 2.) Immediately, police and CPS should work collaboratively to ensure that 'bad character' is considered in all cases and where it is applicable is considered in all cases.
- 3.) Immediately, police should make sure that the victims of rape are given the opportunity to make a victim personal statement (VPS) at the earliest opportunity with the option of updating the statement closer to the court trial date.

These recommendations have been brought into the Crime portfolio, managed by ACC Bell, where ongoing activity is already underway within Operation Soteria aimed at system improvement in this area.

This report is submitted for the information of the Committee. The Committee are asked to note the contents of the report.

CONTACT OFFICER

Name: Inspector 6828 Rachel Jones-Burns
Title: HMICFRS Force Liaison Officer

BACKGROUND DOCUMENTS

- HMICFRS Solihull JTAI Report – Feb 2022.
- HMICFRS – Exploring rape survivors' experiences of the police and other CJ agencies – Phase 2 – Feb 2022.