

AGENDA ITEM 07

JOINT AUDIT COMMITTEE
30 June 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 & NATIONAL RECOMMENDATIONS**

The 2021 PEEL inspection concluded late last year, with the results reported to JAC. PEEL is a rolling process, but as yet there has been no further PEEL 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 force portfolios. These are RAG rated to align to the corporate risk management approach and managed by the Force Executive Team through the existing force governance boards, supported by the HMICFRS Force Liaison Lead (FLL) and Officer, where recommendation owners are held to account for timely updates.

HMICFRS have recently agreed that Chief Constables should have greater authority to sign off a range of recommendations, rather than requiring submission to the HMICFRS. Where there are causes for concern these may be published on the HMICFRS website. There are currently five causes for concern over three areas, which apply to all forces in England & Wales, as well as national bodies (e.g. the National Police Chief's Council (NPCC)):

- 1.) *Hate Crime (Recommendation 9159). Within three months Chief Constables ensure that the Home Office cyber-enabled flag is used to identify patterns in hate crime to support an effective response.*

The flag is actively used in approximately 5-10 % of calls and dip samples have confirmed correct usage. This is used in regular hate crime analysis to understand the nature of reported hate crime and at times of specific need such as at the

beginning of Covid and the Russia - Ukraine conflict. This allows us to understand the origin of the hate crime, i.e. direct or indirect, what proportion is online and how to target relevant messages through Corporate Communications to online platforms and work with relevant partners to use counter-narratives.

- 2.) *Crimes Against Older People (Recommendation 10618). Within six months Chief Constables should ensure that Victim Needs Assessments are always completed*
Also
- 3.) *Crimes Against Older People (Recommendation 9962). Within three months Chief Constables should ensure that safeguarding referrals are always made where appropriate and that advice on the processes required to achieve this are provided by the NPCC.*

The CONNECT system used in WMP mandates the question to be asked by recording officer if the victim wishes to be referred to victim support. This data is monitored as part of the ongoing Ministry of Justice audits completed by the force. CONNECT also mandates question on vulnerability.

Training sessions have been arranged with external providers - Victim Support, to raise to ensure Officers understand the importance of referrals and the service options available. This has been reinforced by inclusion in the force 'Team Talk' regular briefings and Op Sentinel force wide inputs to increase officer and staff understanding of vulnerability, how to make a referral to the Vulnerable Person Officer or direct referrals as required. The PPU improvement plan also includes Victim Needs Assessment plans and activity is dip sampled for compliance. WMP has a nominated lead for the review of force vulnerable adult approach and pathways for referral.

- 4.) *PEEL Police Legitimacy (Recommendation 8539). HMICFRS is concerned that forces cannot demonstrate that the use of Stop and Search Powers is consistently reasonable and fair. In particular there is overrepresentation of BAME people and particularly black people in stop and search data which forces cannot explain.*

HMICFRS found that WMP has made progress against many areas of this recommendation with regular meetings to monitor and understand stop and search data. Fairness and proportionality of searching is recorded to individual level and scrutinised at various forums including the bi-monthly Silver Stop and Search Structure and the Fairness in Policing Board. This information is shared with Community Scrutiny Panels through to the PCC's office. WMP use the QLIK Business Insights to identify the differing numbers of searches for the varying powers (PACE v Misuse of Drugs Act) and comprehensive data in relation to find rates. WMP has trained its staff on unconscious bias and body worn video reviews plus reflective practise form part of supervisors duties which were highlighted by HMICFRS as best practise.

- 5.) *Stalking and Harassment (Recommendation 9472). Within six months the NPCC and CPS leads should consider whether they can do more to inform police officers and*

lawyers of the importance of treating breaches of orders (as evidence of a wider pattern of offending or when it is evidence of stalking and harassment).

The Stalking and Harassment lead commissioned a six month audit of repeat cases of offences recorded as 'Breach of Non-Molestation Order' or 'Breach of Restraining Order', under the categorisation of domestic abuse to identify the points at which approaches could be improved. These have been incorporated into the new Domestic Abuse Policy which is currently in draft form, guided by the College of Policing Authorised Professional Practise. The Force Crime Registrar has confirmed that a national review of recording in relation to breaches is under consideration and in the interim has commissioned a further force audit of breaches to take place in July. In July, WMP staff are visiting national Stalking, Threat, Assessment Centres to capture best practise and learning opportunities.

An assessment of training needs across Domestic Abuse, Stalking and Harassment is being undertaken by the Public Protection Unit (PPU) Prepare hub. Identifying breaches as part of a wider pattern of offending will be addressed in training programmes which are currently being written. Introductory awareness events for all PPU staff took place in June and the training programme will build on these. The programme will be supported by a Forensics lead in July, who will focus on victim strategy including wider victimisation and victim support.

These are reviewed every three months and evidence of progress shared with the FLL. Where further support is required, the FLL meets directly with the recommendation owner to offer guidance.

3. HMICFRS INSPECTIONS & OTHER ENGAGEMENTS

Since the last JAC report was produced there have been two inspections within WMP.

1.) Thematic Inspection of Digital Forensics (W/C 4th April).

During the hot debrief HMICFRS complimented the force on the overall digital forensics capability and the willingness of staff to engage in the inspection process. They acknowledged the following areas as particularly positive:

- Overall Capability and capacity
- Cloud storage Capability
- Management of child sexual exploitation images
- Warwickshire collaboration
- Strategic leadership and professionalism of staff

HMICFRS considered that retention of staff should be reviewed along with the current operating model to manage the high number of devices requiring information downloads. The demand and processing times of the current kiosk provision requires further attention.

HMICFRS concluded in saying they would seek support from WMP to write the final thematic report as subject matter experts.

2.) Police Super-complaint: Police use of Section 60 stop and search powers (W/C 18th April).

HMICFRS felt that WMP had an established and well understood process when authorising the use of Section 60. There is a good appreciation of the need to involve communities when the power is adopted and implement other reassurance and engagement measures as an accompanied feature such as increased use of scrutiny panels.

The WMP process enables Corporate Communications to be fully sighted both on the implementation and outcome of these events. Traditional communications methods such as Independent Advisory Groups (IAGs) were completed by the use of digital pins – an instant messaging process via mobile networks.

The WMP data analysis platform Qlik allows supervisors to easily access insights to better understand the frequency of stop and search and results from their officers. This data is extremely versatile and is on demand. The data is used to inform local scrutiny panels of stop and search activity on an area wide basis. HMICFRS feel there is scope to use the platform for a much greater level of analysis such as monitoring if specific individuals have been subjected to repeat stop and searches, compliant handcuffing analysis and assessing individual officer search and outcome rates.

HMICFRS recognise that WMP is still on journey to understand disproportionality and how stop and search is affecting different communities across the West Midlands. Research undertaken by Warwick University and the force Data Analytics Lab are supporting progress on this journey with oversight from the Fair & Effective Use of Police Powers board and the Fairness & Belonging Our Communities sub-group. The introduction of two youth IAGs is a step forward in helping the force to understand the impact on those that are most likely to experience the application of Section 60 and stop and search.

HMICFRS found that the work of scrutiny panels and organisational learning from their findings could be improved, as could officers' understanding of how scrutiny groups support police accountability to the public.

The formal findings of these reports will be published during summer 2022.

There has also been the biennial request for force data – the Spring Data Request. This request is for performance data for all portfolios and is discussed with business leads and the Force Executive Team prior to submission to ensure appropriate commentary is provided to describe significant changes in the data since the previous reporting period. The data will be available for forces to view through the Power BI system hosted by HMICFRS and can be used, much like the Force Management Statement that is currently being drafted, to form the basis of future inspections.

We have received notification of one inspection post Commonwealth Games.

- Thematic Inspection of ROCU – (October – Date TBC)

4. **PUBLISHED INSPECTION REPORTS**

Since the last JAC, there have been no new reports published by HMICFRS relating to West Midlands Police.

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

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BACKGROUND DOCUMENTS