

PEEL 2021/22 – An inspection of West Midlands Police

On 24th November 2021, Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) published West Midlands Police’s PEEL 2021/22 inspection report.

HMICFRS graded West Midlands Police’s performance across 11 areas of policing and found the force was ‘good’ in five areas, ‘adequate’ in three areas and ‘requires improvement’ in three areas. HMICFRS said the areas requiring improvement included how the force investigates crime, how it supports victims and how it protects vulnerable people.

Outstanding	Good	Adequate	Requires improvement	Inadequate
	Preventing crime	Responding to the public	Investigating crime	
	Recording data about crime	Managing offenders	Supporting victims	
	Treatment of the public	Developing a positive workplace	Protecting vulnerable people	
	Disrupting serious organised crime			
	Good use of resources			

The PEEL inspection 2021/2022 shows that the police funding model is failing to allocate resources appropriately to address threat, risk and demand. West Midlands Police is an efficient police force, yet, as the Inspector’s commentary notes, lacks the capacity and resources to cope with the demand it faces. The national failure to fully implement the existing police funding formula, coupled to the historic legacy of a failure by the former Police Authority to raise precept in line with other areas, has left West Midlands Police structurally underfunded. The Inspectorate’s acknowledgement of the Force’s position is long overdue but still welcome.

The consequence is that the 1,200 officers gained in the Police Uplift Programme will not match the 2,221 Police Officers which have been lost following the financial cuts imposed after 2010. Thus, while some forces will soon be larger than they have ever been, West Midlands Police in 2023 will have a thousand or so less officers than it had in 2010.

The performance in context section highlights the level of demand faced within the West Midlands and the challenges faced by West Midlands Police. For the 2020/21 financial year, West Midlands Police recorded 29.8 domestic abuse related incidents per 1,000. HMICFRS note that this is much higher than other forces, although it is in line with other similar force areas, such as West Yorkshire and Merseyside. West Midlands Police are also tackling higher levels of serious crime, such as firearms and knife crime offences, than that of other force areas. Some forms of violence have been rising in the West Midlands

for several years, driven in no small part by poverty, deprivation and inequality. Local authorities in more deprived, urban areas, have seen much greater cuts to funding than those serving more affluent areas. It is no surprise then that forces like West Midlands Police were faced with a more challenging environment than forces in less disadvantaged areas.

Whilst robust policing is key, the prevention and tackling of violence can only be achieved through strong and sustained partnership activity, in which communities play a leading role. The West Midlands Violence Reduction Unit continues to play a key role; drawing upon the expertise of partners in public health, criminal justice, sports, education, and policing in order to take on a collaborative approach towards reducing violence.

Serious youth violence will be the subject of an upcoming HMICFRS thematic inspection. I trust that HMICFRS will consider the wider systemic factors in relation to violence. I await the insights that result from this inspection and, in particular, any examples of best practice in regards to partnerships and in implementing the serious violence strategy. Beyond the ongoing problem with short-term funding, a major concern is that violence prevention – and the metrics used to measure success – focus excessively on policing and tertiary intervention, rather than primary and secondary prevention and early intervention.

I welcome acknowledgement of the concerted work that has been done to improve crime recording. West Midlands Police has improved the speed within which crime is recorded and the accuracy of its recording. As noted by HMICFRS, this is positive for victims as it demonstrates that West Midlands Police takes their reports of crimes seriously. However, Chief Constable Sir David Thompson has reported that the crime recording standards can contribute to perverse outcomes, notably regarding the ability to “de-crime” an incident. The consequences of moving to a model whereby incidents are recorded as crimes as a prelude to investigation – rather than the reverse – need to be fully understood. It appears, for example, that when comparing like-for-like crimes, police now record more crimes than the public self-reports via the Crime Survey for England and Wales. This development is unprecedented and is in part linked to the falling criminal justice outcome rates

Simon Foster

West Midlands Police and Crime Commissioner

A handwritten signature in black ink, appearing to read 'Simon Foster'. The signature is stylized and cursive, with a large initial 'S' and 'F'.

The report outlined four areas for improvement (AFI), the remainder of the response will focus on these.

AFI 1:

The force needs to improve how it investigates reported crimes and must make sure that its investigations are proportionate, thorough and prompt.

The force isn't investigating crime well enough due to a lack of capacity and capability in investigation teams. Too often, there are delays in allocating cases to investigators; and investigation plans are missing or not followed or updated. Supervisors aren't overseeing investigations effectively. The force doesn't act with enough care to victims. It doesn't explore all reasonable lines of enquiry. And it misses opportunities to pursue evidence-led prosecutions. A force can pursue an evidence-led prosecution when victims no longer support police action, which can happen in domestic abuse cases.

Due to the above factors, it is less likely that investigations will result in positive criminal justice outcomes. And it means that some offenders aren't brought to justice, and victims are let down.

PCC Response:

These findings echo what is already known to be the case locally and nationally; evident in findings from many reports published by the National Victims Commissioner, Vera Baird. Elements of this are also reflected upon within the Ministry of Justice's consultation on improving victims' experiences of the justice system to inform the development of a Victims' Bill, to which the OPCC will consult with local partners and provide a response. The structural underfunding of the Force limits its capacity to conduct investigations.

Findings from our own first ever Vulnerable Victims Review (VVR) carried out in 2020 by the former Deputy Police and Crime Commissioner, heard from victims directly, or through their independent advocates, of their experience of West Midlands Police and other agencies from the wider criminal justice system. This review focused on victims who have been subject to Stalking and Harassment, Domestic Abuse and/or Sexual Assault and Abuse. The VVR report can be found [here](#). Overall the voices of victims who participated in this process felt more could have been done and their experiences have been used to form an action plan for improvements in the system for victims and witnesses of those particular crime types, which should also improve experiences of victims and witnesses of many other crime types.

I am working with West Midlands Police to improve performance in relation to non-positive outcomes, such as outcomes 10/15/16, to implement a robust system for measuring compliance against the Victims Code, and to improve victim satisfaction within West Midlands Police. It is to be noted that the current requirements for crime recording, coupled to the DG6 CPS guidance – which in effect requires a trial ready file before a charging decision is made – are relevant factors to have regard to when assessing progress made by West Midlands Police in connection with these matters.

The inspection refers to a lack of resourcing and ability to retain trained and experienced staffing within investigations teams. These issues are being escalated and discussions progressed to incentivise and support the recruitment, support and development of officers within investigations to ensure an improvement in both the level of investigation, but also reassurance to victims that their officers are trained and have the right qualifications.

I would support an action plan over the next six months to address the capacity and capability challenges the force faces but would agree with West Midlands Police that the focus on simply increasing staffing, without additional resources, is not possible to achieve. As noted above, investigation teams are one of the areas being prioritised as part of the uplift programme, but the recruitment and training of investigation staff will take time.

AFI 2:

The force should review how it manages sex offenders to make sure it has the capacity and capability to mitigate the risks they pose to the public.

This includes its ability to proactively identify further offences and breaches of preventative orders.

It should assess:

- *the opportunities and risks presented by the introduction of new technical equipment;*
- *the effectiveness of current monitoring capabilities in identifying breaches;*
- *the processes staff follow to determine how digital devices should be examined;*
- *training requirements for sex offender managers (SOMs);*
- *the management of investigative demand by online child sexual exploitation and SOMs teams; and*
- *the suitability of training and welfare support for staff who view images during investigations.*

During our inspection we reviewed how well the force manages sex offenders. We found that it doesn't use preventative or ancillary orders as well as other forces. It fails to exploit all opportunities to identify new offences or breaches of preventative orders. This is because it doesn't yet have the same technical capabilities as some other forces, despite support from its digital forensic unit. Some staff who manage or investigate sex offenders lack confidence in the processes they should follow when examining digital devices. We identified examples of investigations being handled by SOMs who don't have the training they need to investigate cases involving indecent images of children effectively. As well as affecting the quality of investigations, this is affecting SOMs' welfare

PCC Response:

We welcome these findings, which will support our efforts to continue to improve the management of sex offenders. An earlier Internal Audit report highlighted similar issues, and steps are underway to address the recommendations it contained. There is a particular concern with the process followed to determine how digital devices should be examined; we will continue to work with West Midlands Police to address this so as to mitigate the impacts caused by increased demand.

I will work with West Midlands Police to improve the training and awareness for new and existing officers on violence against women and girls and domestic abuse, to ensure a consistent high-quality response, incorporating feedback from victims;

- This includes specifically: MOSOVO; VISOR; PIP Level 1OSP Sexual Reoffending Predictor. Ensuring that a mandatory training regime is implemented for all who need it.

As with other areas within West Midlands Police, serious offender management (SOM) teams are experiencing increased demand. Whilst the ratio of team members to serious offenders has improved recently, it is still slightly above the national target of 1:50. An additional issue is that, in some cases,

SOM teams are required to undertake investigations in relation to inappropriate material found, due to the lack of capacity within investigation teams. I will continue to work with West Midlands Police to address these matters.

In my Police and Crime Plan, I have a specific measure of success for increasing the use of protection notices and orders, including Domestic Violence Protection Notices and Orders, restraining and non-molestation orders, Forced Marriage Protection Orders and Female Genital Mutilation Orders, within West Midlands Police and to ensure that breaches are dealt with proportionately, including use of powers of arrest.

I am committed to working with partners to prevent these crimes and respond to them effectively when they take place, and together we will develop an “Ending Male Violence Against Women and Girls Alliance”. West Midlands Police has a key role, and I will work with the Force to make sure they use all of the powers available to them to safeguard victims and survivors and ensure that perpetrators are held to account.

AFI 3:

West Midlands Police should make sure it has effective processes for identifying, understanding and prioritising serious and organised crime (SOC), including mapping and scoring.

During our inspection, we identified that local teams were gathering and acting on intelligence when investigating SOC. This is positive. But some investigations had not been mapped and scored properly. So they weren't being tackled using the force's full capabilities.

As of 31 March 2021, the force had the lowest number of active organised crime groups (OCGs) compared with its most similar forces. Our fieldwork found the force hasn't completed the nationally recognised risk assessment tool (MoRiLE) for all identified OCGs, which means it won't fully understand the risks and demand they present.

PCC Response:

We have a well-developed regional and local processes for the routine oversight of both SOC threats and disruptions using a range of tactics. We encourage forces to send through demand requests and support from the ROCU. The single point of entry (SPOE) provides accountability to Forces to demonstrate what the ROCU is delivering. We have recently seen an increase in requests through SPOE which is positive.

We will work with WMP and our regional partners to look at both the mapping and scoring of SOC and the use of 'Management of Risk in Law Enforcement' (MoRiLE) system to assess the threat levels of organised crime groups (OCGs). The aim is to assist decision makers in identifying and prioritising Threat, Risk and Harm.

This scoring process is undertaken by analysts within the ROCU to provide a degree of consistency in the scoring, MoRiLE is well regarded as the best way to measure the threat of an OCG. ROCU WM maintain that national disruption results for West Midlands do not give the true picture of the results, the reason the number is low is due to the way in which they have been classified.

AFI 4:

The force should make sure that when it responds to changes in demand, it assesses how these decisions may affect its ability to address its priorities.

The force understands the problem of responding to changes in demand. These pressures have become more acute during the pandemic. Sophisticated data analytics capabilities provide a comprehensive picture of demand and reflect its investments in new technology. So the force can identify and respond to new threats and risks effectively.

Investigation teams are stretched and the force has allocated more resources to support homicide investigations. Levels of serious crime, including homicide, are exceeding the force's predictions and are affecting its ability to manage demand effectively. The force recognises that it must make sure it has enough trained investigators so it can investigate crime effectively. Officers are being posted to investigation roles, but many new investigators aren't yet accredited. So, the force has to rely more on those who are accredited to carry out complex investigations. And tutors often don't have enough capacity to give support.

The shortage of investigators is a national problem. The force has taken action in this respect and posted neighbourhood officers into investigation roles. The reason why it had to do this was because some officers didn't want to volunteer for these roles. The force invests significantly in neighbourhood policing and is supplementing its teams by recruiting more officers. But moving experienced neighbourhood officers is likely to have consequences in the short term. Neighbourhood teams frequently support response officers in responding to calls from the public. They stop crimes from being committed in the first place and solve problems.

Serious violence and offences affecting young people are force priorities, but the consequences of posting officers away from neighbourhood work on crime reduction and community engagement are unclear. The force needs to make sure that it minimises the negative effects these moves might have. And it must make sure that officers and staff understand the reasons behind the decisions that affect them.

PCC Response:

I have been assured that any officers moved from neighbourhood posts were done so at a point where the force was above its current establishment and that there was not any 'real' reduction in the number of neighbourhood police officers. Any dynamic re-direction of neighbourhood resource takes place by exception and is overseen by the Mission Support Resource Cell, who prioritise via a daily, real-time resourcing overview.

The report acknowledges that the shortage of investigators is a national problem, not one which is unique to West Midlands Police. Given the financial cuts imposed on the Force and consequential reduced officer numbers – even after implementation of the national police uplift in 2023, West Midlands Police will still have 1,000 less police officers than it did in 2010 - as well as the finite number of resources available to manage unprecedented levels of demand, I would welcome guidance on how best Police Force's can shift resource to meet demand in multiple areas, without adequate, increased funding and/or support from central government.