



west midlands  
police and crime  
commissioner



**Agenda Item 6**

**JOINT AUDIT COMMITTEE**

**29 June 2023**

**HMICFRS UPDATE**

**1. PURPOSE OF REPORT**

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

**2. WEST MIDLANDS POLICE PEEL INSPECTION & NATIONAL RECOMMENDATIONS**

2.1 The force continues to work through the 2023 PEEL inspection requirements from HMICFRS. Recently the PEEL document return has been completed and submitted. HMICFRS have commenced PEEL activities through observations of meetings, focus groups and interviews. Formal fieldwork<sup>1</sup> will take place on W/C 11<sup>th</sup> September 2023.

2.2 As part of the PEEL process, inspections based upon specific questions have been introduced. These include:

- Q7 - How good is the force at managing offenders and suspects?
- Stop & Search
- Victim Service Assessment (VSA).

2.3 The framework has added emphasis to recruitment, retention and performance management and the rest has the same themes as previous.

2.4 The Strategy, Delivery and Assurance department has conducted a self-assessment process with force departments to ensure readiness for PEEL and to collate best evidence to present to HMICFRS. This has also provided an opportunity to review the evidence available to support recommendations to be submitted for closure.

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<sup>1</sup> Fieldwork – a group of HMICFRS inspectors will dedicate 1 or 2 weeks to do reality testing in force

## **Recommendations, Causes of Concern and Areas for Improvement**

2.5 Since the last JAC, there have been a number of national thematic reports published and recommendations have been issued from these.

**Level 1** – Closed and archived by HMICFRS.

**Level 2** - Forces are able to close records when they have completed the work, including uploading a letter signed by the Chief Constable.

**Level 3** - Forces self-certify that the recommendation is complete, including uploading a letter signed by the Chief Constable.

HMICFRS follow-up/ verification via the next relevant planned inspection.

**Level 4** - No force self-certification.

HMICFRS follow-up work conducted via further bespoke fieldwork, with additional support / inspection when appropriate. In most cases this will be for forces moved to Engage.

2.6 Moving forwards the force will concentrate upon the Cause of Concern, Recommendations and Areas for Improvement held on the HMICFRS Portal.

The current figures held for WMP are :

	Open	Closed	Total
Cause of Concern	2	21	23
Recommendation Level 1	0	2	2
Recommendation Level 2	45	0	45
Recommendation Level 3	29	2	31
Recommendation Level 4	0	0	0
AFI Level 1	0	6	6
AFI Level 2	6	0	6
AFI Level 3	3	0	3
AFI Level 4	0	0	0
AFI Closed before Levels	0	0	18
Recommendation Closed before Levels	0	280	280

This is an increase of fourteen Level 2 Recommendations from the recently published reports.

2.7 SDA have created a new internal audit process to work towards submission of recommendations for closure however there is a high level of assurance required to ensure the closure threshold has been met and the learning has been embedded in the organisation to improve our service delivery to communities and partners. DCI Henley will be attending governance boards to support the progression of recommendations to closure. One cause for concern and three recommendations are currently being considered for closure through internal processes and will be submitted to the DCC on the 21<sup>st</sup> June.

### 3. National Published Reports and Recommendations

#### a.) An inspection of how well the police tackle serious youth violence

**Published on: 8 March 2023**

- 3.1 In 2018, the Home Office published its Serious Violence Strategy, setting out its response to increases in knife crime, gun crime and homicide. It stated its approach was not focused on law enforcement alone, but “depends on partnerships across a number of sectors such as education, health, social services, housing, youth services and victim services”.
- 3.2 The following year, the Home Office provided funding for 18 violence reduction units (VRUs) however there was a feeling that short term funding did not support objectives and long-term intervention programmes appropriately.
- 3.3 There is some early evidence that points to VRUs reducing violent crime. In 2021, the Home Office carried out an evaluation of VRUs. It estimated that, between April 2019 and September 2020, 41,377 violence without injury offences and 7,636 violence with injury offences were prevented in VRU areas, relative to non-funded areas.
- 3.4 In 2022 HMICFRS granted a 3-year funding programme to ensure stability around serious youth violence. An inspection was commissioned to review ten forces with VRUs and two without. The inspection remit was to review:
- How the police work with VRUs and partner organisations to reduce serious youth violence.
- How well the police use their powers to reduce serious youth violence, and whether they understand racial disproportionality.
- How well the police work with partner organisations and take a public health approach to serious youth violence.
- 3.5 The study defined serious youth violence as any incident involving people aged 14 to 24 that included: violence causing serious injury or death, violence with the potential for causing serious injury or death and/or carrying knives and/or other offensive weapons. WMP was an onsite evidence force for this inspection.

HMICFRS found that key themes from the report included:

- The funding arrangements for VRUs have been made longer-term but may benefit from further simplification. Some VRUs’ partnership arrangements work well to reduce serious youth violence, but in other VRUs these arrangements lack a coherent approach and complex local government structures can be a barrier to police and partner organisations working effectively to reduce serious youth violence.
- VRUs do not have a consistent approach for assessing emerging threats and allocating resources to reduce serious youth violence or for evaluating VRU intervention activity.

- VRUs are building positive relationships with voluntary organisations, but more work is needed. Information-sharing arrangements between partner organisations, but some need to share information more effectively.
- VRUs generally have good relationships with police forces, but some areas would benefit from better communication and consistent training in the processes and principles that are known to help reduce serious youth violence.
- Forces in areas without VRUs work with partner organisations to reduce serious youth violence, but lack of funding can be a problem. There tends to be less information sharing, less training and less evaluation. There is not consistency around sharing learning ( emphasis on what does work rather than sharing less successful initiatives therefore potentially wasting funds by duplicating these projects).
- There was good training for police around stop and search but other interventions such as gang injunctions to prevent gang-related violence and drug dealing were less well used. Staff found the application process bureaucratic and expensive.
- Forces and VRUs are working with schools to support children at risk of exclusion, but the relationships between these organisations would benefit from better communication. The work of school liaison officers needs to be evaluated.
- Forces were starting to use outcome 22 (suspect being diverted to a programme intended to reform them and prevent future offending) in relation to serious youth violence, but some officers had a flawed understanding of it, which undermined its use. This may disproportionately affect young people from ethnic minority backgrounds and contribute to them being more likely to be prosecuted than their White counterparts.
- There is insufficient recording or analysis of protected characteristics data in some forces. Consequently, there is a lack of understanding of the extent of racial disproportionality in relation to serious youth violence. Some forces cannot make fully informed plans to address it without this data. Government data shows that the chance of being a victim of homicide is six times higher for Black people than for White people but more information is needed around knife enabled crime.
- Data also shows that children and young people have one of the highest rates of homicide and most homicide victims are male. In the year ending March 2021, there were 72 homicide victims who were killed using a knife/sharp instrument aged 16 to 24. This was 31 percent of all homicides for the year period. Nearly half of Black victims of this crime type were aged 16 to 24, compared to 21 percent of White victims who were aged 16 to 24.
- And although children and young people are often victims of serious violence, they are also over-represented as perpetrators, particularly young males. In the 3 years to March 2021, 40 percent of all those convicted of homicide were males aged 16 to 24.
- More effective partnerships consider the factors that contribute to serious youth violence and implement a public health approach.
- Police generally identify vulnerability and take safeguarding measures, but they need to be more aware of vulnerable offenders. Police in some force areas are working with partner organisations to take a trauma-informed approach to serious youth

violence. The work with the Youth Offending teams is good but does not always result in the right help being given due to issues around capacity.

3.6 HMICFRS made four recommendations, two for Home Office partners and two for chief constables or chief officers as described below:

**Recommendations for Chief Officers and Chief Constables:**

Recommendation 3

By 31 March 2024, chief constables should make sure their officers are trained in the use of Home Office crime outcome 22.

Recommendation 4

By 31 March 2024, chief constables should make sure their forces, through data collection and analysis, understand the levels of racial disproportionality in serious youth violence in their force areas.

- 3.7 Alongside that report, HMICFRS also commissioned User Voice to conduct research on the lived experience of those who have committed, and been on the receiving end, of serious youth violence. The findings were published in a complimentary report 'Young People's Experiences'. The report documented the thoughts of 13 young people aged between the ages of 18 and 24 who were in prison, in young offender institutions or on probation.
- 3.8 The young people spoken to had extensive experience, both as the perpetrators and targets of serious violence. They expressed having no confidence in the police and other services. Their negative experiences with these systems documented a feeling that the police cannot protect or help them. There were several accounts of manipulative practices, blame, assault, and police putting them in danger, for example, by dropping them in their 'enemies' area. The young people stated that they were not always offered or did not always accept support. The young people felt that those without lived experiences did not understand their circumstances and that many initiatives were a 'tick box' exercise.
- 3.9 In conclusion, the young people stressed the importance of not criminalising children. Many believed that the root cause of the behaviour should be established and dealt with. They expressed that early criminal activity could be addressed by care and support to address the wider issues around family relationships, mental health, education and employment.

**b.) An inspection of how well the police and National Crime Agency tackle the online sexual abuse and exploitation of children**

**Published on: 5 April 2023**

3.10 HMICFRS inspected the police response to online child sexual abuse and exploitation between February and August 2022. WMP was an onsite evidence gathering inspected force for this national thematic inspection.

3.11 The terms of reference for this inspection addressed the following question:

How effective are police forces, the National Crime Agency and regional organised crime units at identifying and safeguarding children affected by online sexual abuse and exploitation?

3.12 The inspection also assessed how effectively these organisations prevented and investigated this type of crime.

3.13 HMICFRS made 17 recommendations aimed at improving the consistency of the police approach and the timeliness of their investigations, reducing the availability of child sexual abuse material, and getting better outcomes for children.

The key themes from the report found that:

- There are no nationally agreed minimum standards of practice.
- There is limited guidance for staff about online CSAE and some of it is outdated. Some forces have developed guidance locally, which results in inconsistent approaches.
- There is not a definitive training requirement for specialist online abuse investigators. For most other specialist roles (such as child abuse investigation, managing sex offenders, and intelligence officers), the training requirement has been defined.
- Most forces do not have enough performance information to allow senior leaders to understand risk levels, demand or timeliness of investigations.
- Response officers are usually assigned the initial response to self-generated image and grooming cases. Most do not then consider the wider risk posed by a suspect to other children or follow important lines of inquiry.
- Risk assessment and the subsequent prioritisation of cases is often poorly managed, with recommended timescales ignored or not measured.
- There is more demand on the police and law enforcement bodies as the number of offences, images and tech industry reports increase. But police leaders often do not understand in enough detail the risk to children and the impact on resources. This means they cannot always arrange, allocate or increase resources to meet that demand.
- Most forces do not share information with their statutory safeguarding partners at the time when significant risk to children is first known. In most cases, information sharing takes place after the police have carried out activity such as a search warrant. This can be many weeks or months after the force first knew about the risk.
- There is not enough collaboration between the NCA and local forces to make sure the most appropriate people investigate cases.
- The police service is not using the Child Abuse Image Database to its full potential. Some forces are not fulfilling their obligations to contribute to it, and there are not enough victim identification investigators.

However, there were national strengths highlighted in the report;

- There were many examples of officers and staff responding quickly to pursue suspects and protect children when risk was identified. They often work extremely long hours and on their days off to achieve the best outcome.
- In the selected forces, the NCA and the regional organised crime units were all aware of the psychological demands placed on these officers and staff. All had enhanced welfare support available to their personnel and monitor their well-being

over time. Some had innovative approaches to supplementing this support, such as gradual exposure to images, time away from the office, and well-being days.

3.14 Sixteen recommendations were made in the report, five for National Police Councils or partners and eleven for chief constables or chief officers as described below.

### **Recommendations for Chief Officers and Chief Constables:**

#### Recommendation 1

By 31 October 2023, the National Police Chiefs' Council lead for child protection should work with chief constables and chief officers with responsibilities for regional organised crime units to introduce regional collaboration and oversight structures to support the Pursue board. This should improve the link between national and local leadership and the frontline response; provide detailed, consistent scrutiny of performance; and meet chief constables' obligations for tackling online child sexual abuse and exploitation, as set out in the Strategic Policing Requirement.

#### Recommendation 2

By 31 October 2023, chief constables, the director general of the National Crime Agency and chief officers with responsibilities for regional organised crime units should make sure they have effective data collection and performance management information. This is so they can understand the nature and scale of online child sexual abuse and exploitation in real time and its impact on resources, and so forces and the National Crime Agency can react quickly to provide adequate resources to meet demand.

#### Recommendation 5

By 30 April 2025, chief constables should make sure officers and staff dealing with online child sexual abuse and exploitation have completed the right training to carry out their roles.

#### Recommendation 8

By 31 July 2023, chief constables should satisfy themselves that they are correctly sharing information and making referrals to their statutory safeguarding partners in cases of online child sexual abuse and exploitation. This is to make sure they are fulfilling their statutory obligations, placing the protection of children at the centre of their approach and agreeing joint plans to better protect children who are at risk.

#### Recommendation 9

By 31 October 2023, chief constables and police and crime commissioners should make sure their commissioned services for children, and the process for referring them for support or therapeutic services, are available for children affected by online sexual abuse and exploitation.

#### Recommendation 11

By 31 July 2023, chief constables and police and crime commissioners should review the advice they publish, and, if necessary, revise it, to make sure it is consistent with the National Crime Agencies ThinkUKnow (Child Exploitation and Online Protection) material.

#### Recommendation 12

By 31 October 2023, chief constables in England should satisfy themselves that their forces' work with schools is consistent with the national curriculum and National Crime Agency educational products on online child sexual abuse and exploitation. They should also make sure this work is targeted based on joint analysis with their safeguarding partners.

#### Recommendation 13

With immediate effect, chief constables should satisfy themselves that their crime allocation policies make sure online child sexual abuse and exploitation cases are allocated to those with the necessary skills and training to investigate them.

#### Recommendation 14

With immediate effect, chief constables should make sure their force meets any existing recommended timescales for activity targeting online child sexual abuse and exploitation, and arrange their resources to meet those timescales. Then, six months after the new prioritisation tool is implemented, they should carry out a similar review.

#### Recommendation 15

By 31 October 2023, the National Police Chiefs' Council lead for child protection, chief officers with responsibilities for regional organised crime units and the director general of the National Crime Agency (NCA) should review the process for allocating online child sexual abuse and exploitation investigations, so they are investigated by the most appropriate resource. This should include a prompt way of returning cases to the NCA when forces establish that the case needs NCA capabilities to investigate it.

#### Recommendation 16

By 31 October 2023, chief constables should work with their local criminal justice boards to review and, if necessary, amend the arrangements for applying for search warrants. This is to make sure the police can secure warrants quickly when children are at risk. This review should include the feasibility of remote communication.

### **c.) Vetting, misconduct and misogyny in the police service: review of progress**

#### **Published on: 11<sup>th</sup> May 2023**

- 3.15 On 18 October 2021, HMICFRS were commissioned by the Home Secretary to carry out a thematic inspection to assess current vetting and counter-corruption arrangements in policing across England and Wales. The inspection included assessing forces' abilities to detect and deal with misogynistic and predatory behaviour. The report was published in 2<sup>nd</sup> November 2022 and resulted in 43 recommendations made to Chief Constables.
- 3.16 Forces were asked to conduct a rapid self-assessment against the HMICFRS criteria of inspection for twenty-eight recommendations. These results were then assessed against the findings of a further review by HMICFRS. The findings have been published and graded Red, Amber, Green according to the progress.



### 1.) Vetting

Nine vetting-related recommendations were made to each of the 43 police forces in England and Wales. HMICFRS cautiously, estimate that 73 percent have been or are likely to be addressed by the deadline.

### 2.) Counter Corruption and Misconduct

Nineteen counter corruption and misconduct recommendations related to counter-corruption and misconduct were made to each of the 43 police forces in England and Wales. With a reasonable degree of confidence, HMICFRS estimate that at least 90 percent have been or are likely to be addressed by the deadline.

### 3.) WMP Findings

WMP has achieved the following progress status in the 28 assessed categories:

Red	Amber	Green	Ungraded
2	7	16	3

WMP has made progress against the required criteria however risk remains high around:

- Improving the way police assess and investigate allegations of misconduct.
- Establishing better processes for assessing, analysing and managing risks relating to corruption investigations and information security.

## 4. Inspection Activity

4.1 Since the last JAC, WMP has hosted the following inspection activity in force. These reports will be published later in 2023.

- 1.) WMP – No Notice Custody Inspection – Draft report issues to us for accuracy checks. Expected to be published towards the end of June 2023.
- 2.) HMICFRS National Thematic - Homicide Inspection

### Forthcoming HMICFRS Activity & Inspections

- **1<sup>st</sup> May** – No notice custody inspection – Report due to be published end of June
- **31<sup>st</sup> May** - Force Management Statement Submitted to HMICFRS – **Completed.**
- **5<sup>th</sup> – 9<sup>th</sup> June 2023** – **WMP PEEL Inspection Activity**

Managing Suspects and Offenders, PEEL Question 7.2. The MOSOVO and Polit teams will be exclusively inspected. – **Completed.**

- **19<sup>th</sup> – 23<sup>rd</sup> June** – **Victim Service Assessment Inspection (VSA)** – Review of the VSA process as part of PEEL 2023.

- **19<sup>th</sup> – 23<sup>rd</sup> June - Stop and Search Review - PEEL 2023**
- **14<sup>th</sup> July – HMICFRS Spring Data Return**
- **10<sup>th</sup> – 14<sup>th</sup> July 2023 - HMICFRS Inspection of Serious Organised Crime inspection (SOC)**

HMICFRS inspect regional organised crime units (ROCU) and each of the forces that form part of that region. Graded judgements and findings will be published in a regional SOC report. Relevant findings and gradings will be published on the HMICFRS website linked to force PEEL reports 2023 and 14 July 2023.

- **17<sup>th</sup> - 21<sup>st</sup> July - Regional Organised Crime Unit (ROCU) Inspection**
- **21<sup>st</sup> August – 1st September - Super-complaint on the police response to Stalking and Harassment**

Investigation of the super-complaint submitted by the Suzy Lamplugh Trust, on behalf of the National Stalking Consort about the police response to stalking and harassment. WMP are an assessed force.

**11<sup>th</sup>- 23<sup>rd</sup> September - PEEL Onsite Evidence Gathering Phase.**

#### **CONTACT OFFICER**

Name: Inspector 6828 Rachel Jones-Burns

Title: HMICFRS Force Liaison Officer,  
Strategy, Delivery & Assurance

#### **BACKGROUND DOCUMENTS**

Nov 2022 – HMICFRS Report - An inspection of vetting, misconduct, and misogyny in the police service

March 2023 - An inspection of how well the police tackle serious youth violence.

April 2023 - An inspection of how well the police and National Crime Agency tackle the online sexual abuse and exploitation of children.