

Her Majesty's Inspectorate of Constabulary  
Northern Region

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**Michael Cunningham QPM**  
HM Inspector of Constabulary

20 September 2016  
By email:

Mr Jerry Graham  
Chief Constable  
Cumbria Constabulary

Dear Jerry,

**HMIC Best Use of Stop and Search (BUSS) scheme revisit assessment**

Further to my letter dated 23 June 2016, I am writing to inform you of our assessment of your force's compliance with the BUSS scheme. The revisit was carried out between 24 June 2016 and 5 August 2016, and included a review of your website and force documentation and consultation with relevant staff. Thank you for the assistance provided by your staff for this revisit.

HMIC's 2015 legitimacy inspection found that your force was not complying with three features of the scheme in 2015. Our recent assessment found that, at the time of our revisit, Cumbria Constabulary was still not complying with one feature of the scheme: implementing a community complaints trigger which, when activated, leads to explanation to local communities. Our detailed assessment is set out at Annex A.

I am aware that, since our revisit, the force has taken action to address this issue and is now compliant with all features of the scheme. You will see that we have referred to this progress in our assessment, so the Home Secretary can take this into account when making decisions on continuing scheme membership.

Yours sincerely



**Michael Cunningham**  
**HM Inspector of Constabulary**

cc. PCC  
Force Liaison

**Annex A: 2016 Best Use of Stop and Search (BUSS) scheme revisit assessment of Cumbria Constabulary**

| BUSS scheme feature   | 2016 HMIC assessment   |
|---|--|
| <p><b>Recording and publishing the full set of outcomes including showing the connection between outcomes and objects</b></p> | <p><b>The force is compliant with this feature</b></p>   |
|   | <p>The force records and publishes the full range of stop and search outcomes, including whether the outcomes of searches were linked to the object(s) searched for.</p> <p>The data are published on the police.uk website and there is a clear link from the force’s website to the Cumbria Constabulary stop and search overview page on the police.uk website.</p>   |
| <p><b>Providing opportunities for the public to observe the use of stop and search powers</b></p>                             | <p><b>The force is compliant with this feature</b></p>   |
|   | <p>The force has a ride-along scheme, promoted on its website. Members of the public who live in the force area and are over 17 years old can apply to participate in the scheme.</p> <p>The force gathers feedback from the observer and uses this to improve procedures. The force would benefit from outlining these feedback mechanisms in its stop and search procedure and its stop and search policy statement.</p> <p>The force has measures in place designed to ensure the safety of observers.</p>  |
| <p><b>Implementing a community complaints trigger</b></p>   | <p><b>The force was not compliant with this feature at the time of the revisit</b></p>   |
|   | <p>The force has a community complaints trigger. However, the force does not routinely bring each complaint about stop and search to the attention of a local scrutiny group – doing so only when the force deems it necessary – therefore, it was not compliant with this feature of the scheme at the time of the revisit.</p> <p>The force’s website includes details of how to make a complaint about stop and search. The stop and search form the force gives to people whom it stops and searches also provides details about how to make a complaint.</p> <p>The force also instructs officers to tell those people they stop and search how to make a complaint.</p> <p>We are aware that, since our revisit, the force has amended the policies and procedures relating to its community complaints trigger, and is now compliant with this feature of the scheme.</p> |

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| <p><b>Reducing stop and search encounters made under section 60, Criminal Justice and Public Order Act 1994</b></p>  | <p style="text-align: center;"><b>The force is compliant with this feature</b></p> <p>The force's template section 60 authority form and its section 60 flowchart are compliant with the Best Use of Stop and Search Scheme.</p> <p>However, the force's procedures document has not been updated. It still states that authorisation "must be based on a reasonable belief that...incidents involving serious violence may take place and it is expedient to use these powers to prevent their occurrence" rather than a belief that serious violence 'will' take place.</p> <p>The force has a policy of communicating with the community before, if possible, and after its use of the power. However, the two section 60 authorisations provided by the force (dated August 2015 and July 2016) simply recorded "Social Media – Post Authorisation" with no further explanation of how the force targeted the communication or why it did not do so before it used the powers.</p> |
| <p><b>Monitoring the use of stop and search powers, with particular regard to the impact on black, Asian and minority ethnic people and young people</b></p> | <p style="text-align: center;"><b>The force is compliant with this feature</b></p> <p>The force monitors data on ethnicity and age.</p> <p>However, the analysis and subsequent monitoring could be enhanced by the inclusion of data on:</p> <ul style="list-style-type: none"> <li>• the reason for searches (e.g. drugs) by ethnicity and age;</li> <li>• the rate at which the item searched for is found, by ethnicity and age; and</li> <li>• individual officer/team data – totals, outcomes and find rate, by ethnicity and age.</li> </ul>  |