

PEEL: Police legitimacy 2015

An inspection of Devon and Cornwall Police



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Overview – How legitimate is the force at keeping people safe and reducing crime?

Overall judgment¹



Good

Throughout 2015, HMIC's PEEL legitimacy inspection programme has assessed the culture within Devon and Cornwall Police, and how this is reflected in the force's public engagement, use of Taser and compliance with the Best Use of Stop and Search scheme.

Devon and Cornwall Police was striving to develop and maintain an ethical culture, and the recently introduced mission statement, force standards and values were being provided to staff to ensure they were understood by all. The force has a good understanding of its communities and local officers and staff engage well with their neighbourhoods to understand the issues affecting them.

Devon and Cornwall Police is compliant with most aspects of the Best Use of Stop Search scheme, although the force is not yet publishing details of stop and search outcomes, and does not monitor the impact on young people.

Taser is used fairly, but the force must ensure that records properly reflect officers' decision-making.

This is the first time HMIC has graded forces on their legitimacy, so no year-on-year comparison is possible.

Summary

Devon and Cornwall Police was striving to develop and maintain an ethical culture, and the recently introduced mission statement, force standards and values were being delivered to staff to ensure they were consistently understood by all.

Staff wellbeing was a priority for the force, and there were a number of initiatives in place to advise and support the workforce. We found that officers and staff trusted the force to investigate complaints and misconduct allegations fairly, but were concerned about not being kept updated regularly.

¹ Outstanding, Good, Requires improvement or Inadequate – see Annex A.

When HMIC looked at how well the force understands and successfully engages with all the people it serves, we found that officers and staff work positively with the communities they serve. This enables them to understand the issues affecting local people and keep them informed of action taken to resolve problems. As a result, we are satisfied that Devon and Cornwall Police has a good understanding of the needs of its local communities and that most officers and staff treat people fairly and with respect.

Stop and search and Taser are two ways that the police can prevent crime and protect the public. However, they can be intrusive and forceful methods, and it is therefore vital the police use them fairly and appropriately. HMIC found that

Devon and Cornwall Police is compliant with most aspects of the Best Use of Stop Search scheme. Systems are in place to manage the deployment and use of Taser. However, the force must ensure that Taser-trained officers and supervisors properly understand and record their decisions using the National Decision Model, in accordance with the College of Policing training.

To what extent does practice and behaviour reinforce the wellbeing of staff and an ethical culture?



Good

HMIC found that Devon and Cornwall Police was striving to develop and maintain an ethical culture. It was clear that officers and staff had a good understanding of expectations in relation to their conduct and standards of behaviour.

The chief constable had recently launched a new mission statement, force standards and values, which included the Code of Ethics as an integral part of it. Some officers and staff were aware of the new mission and its relationship with the Code of Ethics; however, this was not consistently understood. We found posters and leaflets in some police buildings that promoted the previous force vision and standards

How well does the force understand, engage with and treat fairly the people it serves to maintain and improve its legitimacy?



Good

Devon and Cornwall Police demonstrates a good understanding of the importance of engaging with the public and how this helps to promote police legitimacy. Neighbourhood teams are working closely with their communities and partner organisations to identify and solve local problems.

The force has a good understanding of the communities it serves and engagement work is tailored to meet the needs of specific communities. Neighbourhood meetings and surgeries, surveys and social media are used to seek the views of local people and keep them informed. The force uses this understanding to assess the likely impact of community incidents or

To what extent are decisions taken on the use of stop and search and Taser fair and appropriate?



Good

HMIC found that Devon and Cornwall Police is compliant with most aspects of the Best Use of Stop Search scheme, although the force is not yet publishing details of stop and search outcomes, and does not monitor the impact on young people. The force has more to do to demonstrate that stop and search records include sufficient reasonable grounds to justify the lawful use of the power, and that officers fully understand the grounds required to stop and search.

The distribution of Taser officers and equipment is based on risk, demand and geography and is subject to regular review. Systems are in place to

which – although had synergies with the new mission statement and the force acknowledged this – could have led to this mixed picture.

HMIC found evidence that the wellbeing of staff was a priority for the force and a number of schemes were in place, such as one which provided mental health support.

We were told there were high levels of trust in the professional standards department in relation to the management of complaints and misconduct. However, some concern was expressed regarding staff being kept informed when complaints were managed at a local level.

problems on confidence in the police and respond effectively.

The public are encouraged to take part in local policing activities and there are a range of opportunities for them to do so. The force recognises the value that volunteers working within its communities can bring in improving engagement and trust in the police.

Call-handlers and front-desk staff in police stations were found to be consistently courteous, professional and helpful.

manage the deployment and use of Taser. However, the force must ensure that Taser-trained officers and supervisors properly understand and record their decisions using the National Decision Model, in accordance with the College of Policing training.

Force in numbers



Ethnic diversity

Percentage of BAME in workforce 31 March 2015

overall workforce

1%

officers

1%

staff

1%

PCSOs

1%

Percentage of BAME in local population, 2011 Census

2%



Gender diversity

Percentage of females in overall workforce 31 March 2015

Devon and Cornwall Police

39%

England and Wales force average

41%

Percentage of females by role, Devon and Cornwall Police

officers

28%

staff

57%

PCSOs

44%

Percentage of females by role, England and Wales force average

officers

29%

staff

60%

PCSOs

47%



Public complaints

Number of allegations made by the public that have been finalised 12 months to 31 March 2015

Devon and Cornwall Police

2,380

Proportion of finalised allegations investigated 12 months to 31 March 2015

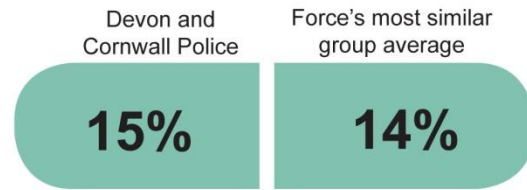
Devon and Cornwall Police

44%

Force's most similar group average

48%

Proportion of finalised allegations upheld after investigation 12 months to 31 March 2015

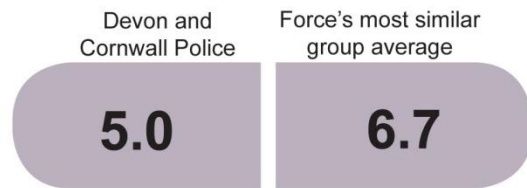


Stop and search

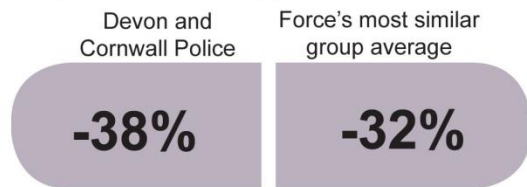
Number of stops and searches carried out 12 months to 31 March 2015



Stops and searches per 1,000 population 12 months to 31 March 2015



Change in number of stops and searches 12 months to 31 March 2014 to 12 months to 31 March 2015

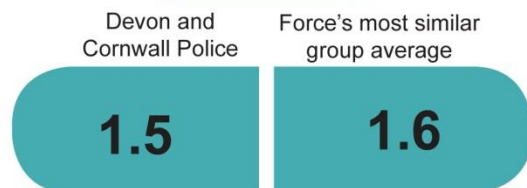


Tasers

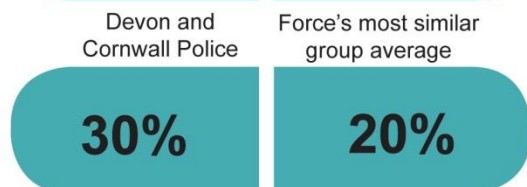
Number of times a Taser was used 12 months to 31 December 2014



Number of times a Taser was used per 10,000 population 12 months to 31 December 2014



Tasers 'discharged' (as proportion of overall use) 12 months to 31 December 2014



Data: for further information about the data used in this graphic see annexes B and D in this report and annex B in the national legitimacy report.

Introduction

Throughout 2015, HMIC has assessed the extent to which police forces are legitimate in how they keep people safe and reduce crime. This is one strand of the PEEL (police effectiveness, efficiency and legitimacy) all-force inspection programme.

A police force is considered to be legitimate if it has the consent of the public, and if those working in the force consistently behave in a way that is fair, reasonable, effective and lawful. The force must also generate the trust and co-operation of the public.

To reach a judgment on each force's legitimacy, HMIC examined three areas:

Spring 2015 inspection

- To what extent does practice and behaviour reinforce the wellbeing of staff and an ethical culture?

Autumn 2015 inspection

- How well does the force understand, engage with and treat fairly the people it serves to maintain and improve its legitimacy?
- To what extent are decisions taken on the use of stop and search and Taser fair and appropriate?

This report provides the main findings for Devon and Cornwall Police.

Methodology

During our inspection we interviewed relevant senior leaders, collected data and documentation from forces, surveyed the public to seek their views of the force, held focus groups for those at different grades and ranks, and undertook unannounced visits to individual police stations to gather evidence and speak with officers and staff.

Prior to inspection fieldwork we also reviewed a small number of Taser deployment forms, stop and search forms, and listened to calls for service from members of the public.

This work was informed by research on the two principal characteristics of a legitimate organisation – organisational justice and procedural justice.

Organisational justice²

Every day, people respond to the actions and decisions made by their organisation that affect them or their work. Research shows that an individual's perceptions of these decisions (and the processes that led to them) as fair or unfair can influence their subsequent attitudes and behaviours.

In a policing context, staff who feel they are treated fairly and with respect by their force are more likely to go on to treat the public with whom they come into contact fairly and with respect. This will increase the public's view that the police act legitimately.

Procedural justice

Research³ has shown that for the police to be considered legitimate in the eyes of the public, people need to believe that the police will treat them with respect, make fair decisions (and take the time to explain these decisions), and be friendly and approachable. It also indicates that the way officers behave is central to policing as it can encourage greater respect for the law and foster social responsibility.

There is also an economic benefit for a force which is seen as legitimate by the communities it serves. The more the public provides support to the police through information or intelligence, or becomes more active in policing activities (such as Neighbourhood Watch or other voluntary activity), the less the financial burden on police forces.

² *It's a fair cop? Police legitimacy, public cooperation, and crime reduction*, Andy Myhill and Paul Quinton, National Policing Improvement Agency, London, 2011. Available from: http://whatworks.college.police.uk/Research/Documents/Fair_cop_Full_Report.pdf

³ *Ibid.*

To what extent does practice and behaviour reinforce the wellbeing of staff and an ethical culture?

Introduction

As organisational justice has a direct relationship to procedural justice (we treat others as we are treated), it is critical that the culture inside police forces is an ethical one, where challenge and continual improvement are encouraged. It is also crucial that all officers and staff feel that they and others are treated fairly and consistently (for example, when an allegation is made against them by a member of the public or a colleague). Even if a system or process is fair, if people do not believe that it is, then organisational justice will not have been achieved.

Officers and staff who feel they are treated fairly and with respect by their force are more likely to go on to treat the public with whom they come into contact fairly and with respect. This will increase the public's view that the police act legitimately.

In spring 2015,⁴ HMIC made an assessment of police force culture. The inspection asked:

1. How well does the force develop and maintain an ethical culture?
2. How well does the force provide for the wellbeing of staff?
3. How well has the Code of Ethics been used to inform policy and practice?
4. How fairly and consistently does the force deal with complaints and misconduct?

In addition, HMIC also considered the number of females and black, Asian and minority ethnic (BAME) people at different ranks and grades, to determine the extent to which the diversity of the force reflects that of the communities it serves.

Gender and black, Asian and minority ethnic (BAME) breakdown in Devon and Cornwall Police

A breakdown of the full-time equivalent (FTE) workforce⁵ in Devon and Cornwall Police as at 31 March 2015 is shown below.

⁴ The inspection took place between March and June 2015.

⁵ Workforce comprises officers, staff and police community support officers (PCSOs).

Figure 1: Breakdown of full-time equivalent (FTE) workforce in Devon and Cornwall Police, 31 March 2015

FTE	Total	Of which	
		Female	BAME*
Total workforce	5,047	1,957 (39%)	58 (1%)
Total officers	3,068	870 (28%)	38 (1%)
Constables	2,333	735 (31%)	31 (2%)
Sergeants	517	91 (18%)	6 (1%)
Inspecting ranks	183	37 (20%)	1 (1%)
Superintendents and above	35	8 **	0 **
Staff	1,633	934 (57%)	17 (1%)
PCSOs	346	153 (44%)	3 (1%)

Note that numbers may not add up to totals because of rounding.

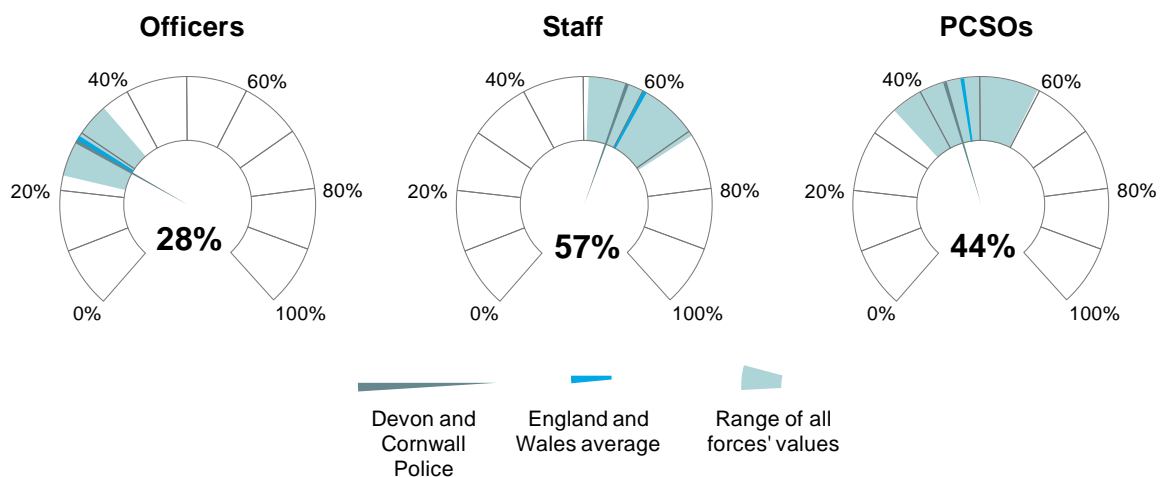
* Individuals are not required to record their ethnicity. As a result, BAME totals and percentages exclude officers/staff/PCSOs where the ethnicity is not stated.

** Where totals are very small, percentages have not been included.

Source: Home Office Police Workforce statistics

The figure below shows how the percentages of female officers, staff and PCSOs in Devon and Cornwall Police compared with the averages of all forces in England and Wales. It shows they were broadly similar for both officers and PCSOs yet lower for staff.

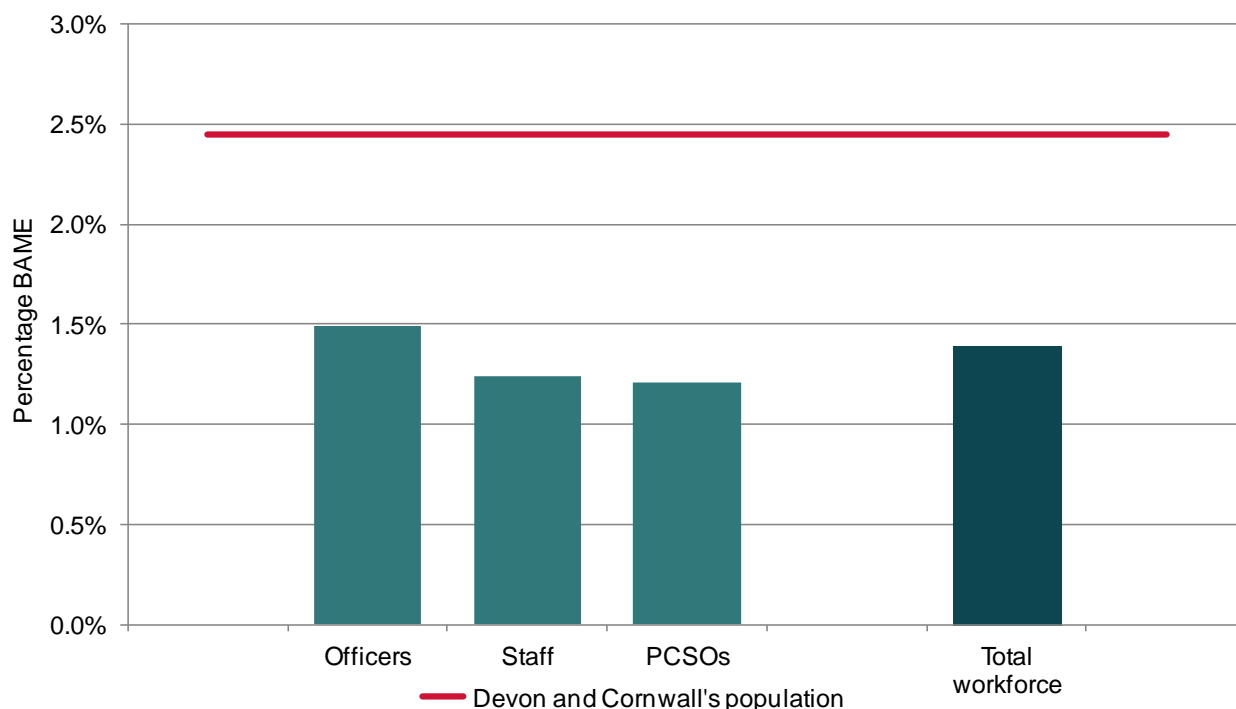
Figure 2: The percentage of female officers, staff and PCSOs in Devon and Cornwall Police compared with the force average for England and Wales, 31 March 2015



Source: Home Office Police Workforce statistics

We compared the percentages of (i) BAME officers, (ii) BAME police staff and (iii) BAME PCSOs in each force with the proportion of BAME people living in the force area. In Devon and Cornwall, around 2 percent of the local population were BAME. The figure below shows these comparisons. There was a statistically significant under-representation of BAME people in Devon and Cornwall Police's overall police workforce, as well as separately for officers and staff.

Figure 3: Percentage of BAME people within Devon and Cornwall Police's workforce (as at 31 March 2015) compared with its local population



Sources: Home Office Police Workforce statistics and Office for National Statistics 2011 Census

Police forces in England and Wales have experienced large reductions in their total workforce since the government's October 2010 spending review.⁶ HMIC also examined how the percentages of BAME officers and staff, and females within the workforce had changed over this period.

Across all police forces in England and Wales, total workforce numbers decreased by 15 percent between 31 March 2010 and 31 March 2015. However, the percentages of BAME people and females within the overall workforce increased during the five-year period. Most notably, the proportion of female officers increased over 2 percentage points to 28 percent, and the proportion of BAME officers increased by nearly 1 percentage point to just under 6 percent. In contrast, the

⁶ Spending Review 2010, HM Government, October 2013. Available from: www.gov.uk/government/publications/spending-review-2010

proportion of BAME PCSOs decreased by nearly 2 percentage points to just over 9 percent.

The figure below shows how these volumes and proportions have changed in Devon and Cornwall Police over the spending review period.

Figure 4: Change in Devon and Cornwall Police's workforce (overall volume and the percentage of female and BAME people), 31 March 2010 to 31 March 2015

	Total change		Percentage point change	
			% female	% BAME
Total workforce	-943	(-16%)	+2 ●	+1 ●
Officers	-488	(-14%)	+3 ●	+0.5 ●
Staff	-439	(-21%)	+2	+1 ●
PCSOs	-17	(-5%)	0	0 *

Note that numbers may not add up to totals because of rounding.

● Denotes there has been a statistically significant change in the proportion (see Annex B for details).

* Due to small workforce figures, percentage point changes should be treated with caution.

Source: Home Office Police Workforce statistics

There was a statistically significant increase in the proportions of BAME people and females in Devon and Cornwall Police's overall workforce between 31 March 2010 and 31 March 2015. Specifically, there were statistically significant changes in the percentages of BAME officers and staff as well as female officers. In particular, the proportion of female officers increased by around 3 percentage points during the five-year period.

Overall, compared with other forces, as at 31 March 2015, the percentage of females within Devon and Cornwall Police's workforce was broadly similar for both officers and PCSOs yet lower for staff. By ethnicity, there was an under-representation in BAME officers and staff; however, for both groups (as well as the overall workforce), the proportions had seen statistically significant increases between 31 March 2010 and 31 March 2015.

How well does the force develop and maintain an ethical culture?

It is critical that the culture inside police forces is an ethical one, where challenge and continual improvement are encouraged and where staff feel that they and others are treated fairly and consistently. If it is not, the service provided to the public may be equally unfair and inconsistent. HMIC therefore considered the extent to which people at all levels and all ranks (or equivalent) were creating and maintaining an ethical culture.

HMIC found that Devon and Cornwall Police was striving to develop and maintain an ethical culture. The chief constable and his executive team were respected by officers and staff and seen as approachable and open.

Devon and Cornwall Police had recently introduced a new mission statement, force standards and values, and the Code of Ethics⁷ was an integral part of this programme. The chief constable and the executive team had clearly set out their expectations on ethical behaviour and standards, having used video and personal briefings to inform officers and staff.

Many officers and staff spoken to were aware of the new mission statement, and understood how the Code of Ethics and behavioural standards fitted into this new approach. However, HMIC found that not all staff were so well informed. For example, we found evidence of the previous force 'vision and standards' publications being prominent throughout police buildings. The messages communicated to officers and staff, therefore, were presented inconsistently.

Most officers and staff spoken to told us that they felt able to express their views and opinions, and were willing to challenge decisions and behaviour. This included challenging more senior managers, and staff were confident that they would be supported by their managers, and the organisation, if they did. Formal challenges were made mainly directly to line managers or other senior staff, but staff were also aware of the 'Safecall' anonymous reporting facility available to them.

How well does the force provide for the wellbeing of staff?

Police forces need to understand the benefits of having a healthier workforce – a happy and healthy workforce is likely to be a more productive one, as a result of people taking fewer sick days and having a greater investment in what they do. This inspection was concerned with what efforts were being made in forces to consider, and provide for, the wellbeing needs of their workforce.

HMIC found that Devon and Cornwall Police provided some effective services to support the wellbeing of officers and staff.

The force had a health and wellbeing delivery group, whose remit is to turn words into deeds through four quadrants of work; namely, Healthy Behaviours, Healthy Psychological Work Environment, Communication and Social Cohesion. Furthermore, the force has a wellbeing team that provides face-to-face guidance as well as online support for managers and supervisors.

⁷ *Code of Ethics – A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales*, College of Policing, London, July 2014. Available from: www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf

HMIC found that in some policing areas, staff wellbeing was included as an agenda item on their daily management meetings, which demonstrated an awareness and prioritisation of staff wellbeing issues. However, this was not in place across all areas.

A Devon and Cornwall Police mental wellbeing network was in place, which was chaired by a superintendent, with good representation from across the force. This provided the force with opportunities to reduce the stigma around mental health, raise awareness and encourage staff to recognise symptoms and to support those in need of help. The force had also introduced a peer-to-peer internal support network throughout the force. Staff who were selected to provide support to their colleagues had received specialist training through the Institute of Mental Health in Nottingham.

The force had good ways to support staff who had been involved in traumatic incidents. We found that frontline supervisors were aware of the impact of some of the incidents that their staff had to deal with and they could intervene, refer and support them when necessary.

Following internal surveys, the force wellness manager identified opportunities to improve the wellbeing of officers and staff. For example, a shift pattern was redesigned to improve the wellbeing of staff. The force conducted a police wellness survey recently and this had provided some useful information, which had been circulated across the force to assist managers to identify and manage staff wellbeing. However, the force had not conducted a staff survey in the past year.

How well has the Code of Ethics been used to inform policy and practice?

In April 2014, the College of Policing launched the Code of Ethics.⁸ This sets out nine policing principles that should be applied by all officers and staff: Accountability; Integrity; Openness; Fairness; Leadership; Respect; Honesty; Objectivity; and Selflessness. These principles should be used to underpin the decisions and actions taken by officers and staff.

This inspection considered the extent to which officers and staff were aware of the Code of Ethics, and how the force was working to make the code part of day-to-day practice.

HMIC found that Devon and Cornwall Police was integrating the Code of Ethics into organisational policy and practice. For example, the force was reviewing all training courses and lesson plans to ensure that the code was a core theme. The force had

⁸ *Code of Ethics – A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales*, College of Policing, London, July 2014. Available from: www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf

also recognised that the Code of Ethics was a crucial strand for recruitment and promotion processes. Most of the officers and staff we spoke to were able to show that they were aware of the code; this included examples provided of specific training inputs and awareness-raising presentations that had been given at force communication events. The professional standards department had delivered training on the Code of Ethics to new recruits, and had provided input at sergeant and inspector promotion courses.

We were told the force was in the process of developing Code of Ethics videos that would pose ethical dilemmas to challenge how officers and staff think. The videos will be made available on the force intranet and the force will be able to collect the responses of staff to the dilemmas. The force will be able to better understand the level of awareness of the code by officers and staff, and shape future training to ensure it is fully understood and accepted across the force.

How fairly and consistently does the force deal with complaints and misconduct?

Complaints made by the public against police officers, police staff, contracted police staff, and force procedures are recorded by individual police forces. Each complaint may have one or more allegations attached to it. For example, one complaint that an officer was rude and that they pushed an individual would be recorded as two separate allegations.

Each allegation can be dealt with, or resolved, in a number of ways. Some complaints, such as rudeness or incivility, may be dealt with through the local resolution process. The way these complaints are resolved should be adapted to the needs of the complainant – for example, they may involve an apology or an explanation of the circumstances in writing or in person. If the complaint is more serious, and assessed as not suitable for local resolution, it must be investigated by an appointed investigating officer who will produce a report detailing findings against each allegation. Under certain circumstances, some complaints do not proceed. These use processes known as disapplication or dispensation (for example, if the matter is already the subject of a complaint or if the complaint is repetitive or vexatious), discontinuance (for example, if the complainant refuses to co-operate or it is not reasonably practicable to investigate the complaint) or if they are withdrawn by the complainant.⁹

In the 12 months to 31 March 2015, Devon and Cornwall Police finalised 2,380 allegations from public complaints that were made against its officers and staff. Of these, 44 percent had been investigated and 39 percent had been locally resolved.

⁹ For a more complete outline of the definitions and potential outcomes resulting from public complaints, please see the Independent Police Complaints Commission's website: www.ipcc.gov.uk.

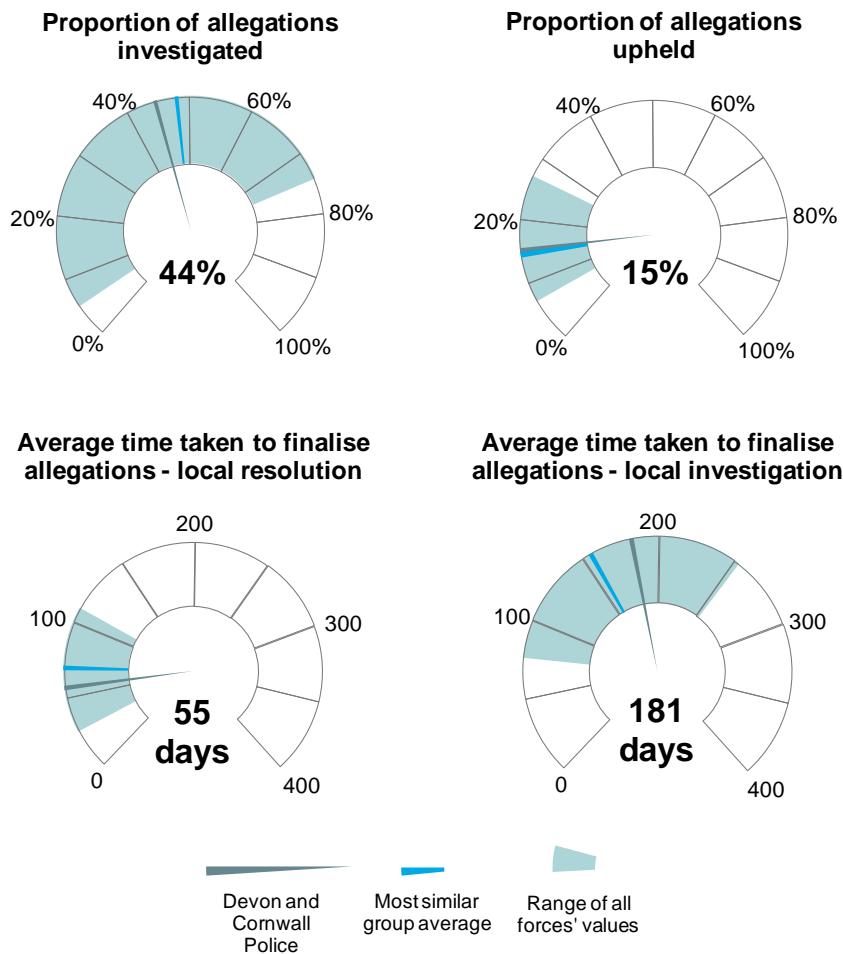
These proportions were broadly in line with the average of Devon and Cornwall's most similar group of forces.¹⁰

In the 12 months to 31 March 2015, the average time Devon and Cornwall Police took to complete a local resolution was 55 days, less than the average of its most similar group of forces (68 days). Over the same period, the average time a local investigation took to complete was 181 days, greater than the average of its most similar group of forces (154 days).

After local investigation, Devon and Cornwall Police closed 1,054 allegations in the 12 months to 31 March 2015. Of these, 15 percent were upheld, where it was concluded that the service provided by the police officer or police staff or the service as a whole did not reach the standard a reasonable person could expect. This was broadly in line with the average of Devon and Cornwall's most similar group of forces of 14 percent. The following figure shows how these values compare.

¹⁰ Most similar groups are groups of local areas that have been found to be most similar to each other using statistical methods, based on demographic, economic and social characteristics which relate to crime. See Annex B for more information.

Figure 5: Proportion of allegations investigated, proportion upheld, time taken to finalise allegations by local resolutions and investigations by Devon and Cornwall Police, 12 months to 31 March 2015



Source: Independent Police Complaints Commission

Overall, in the 12 months to 31 March 2015, Devon and Cornwall Police finalised 44 percent of allegations by investigation. The proportion of allegations it upheld after local investigation was broadly in line with the average of its most similar group of forces. Compared to its most similar group of forces, Devon and Cornwall took less time to complete local resolutions and longer to complete local investigations.

Are officers and staff, particularly those with protected characteristics, treated fairly following a complaint or allegation against them?

While it is very important that public complaints and allegations of misconduct or corruption are taken seriously, it is also important that those subject to these allegations or complaints are treated fairly and consistently, and that there is no bias or discrimination involved in any aspect of the decision-making process.

Building on the findings of HMIC's Police Integrity and Corruption inspection,¹¹ this inspection considered if public complaints and misconduct investigations were dealt with in a timely and consistent manner. The inspection also considered whether investigations were conducted fairly and whether officers and staff, particularly those with protected characteristics,¹² felt that they would be treated fairly following a complaint or allegation against them.

Before the fieldwork stage began, HMIC conducted a file review of 75 public complaints and internal misconduct allegations, to assess whether they had been considered fairly and consistently. The outcomes of the review were further examined during our fieldwork.

While not necessarily representative of all cases, in the small number of files we looked at we did not find any evidence of any bias in how complaints and internal misconduct allegations were dealt with, in respect of gender, ethnicity or rank.

HMIC found evidence that the force demonstrated fairness and consistency when dealing with complaints and misconduct.

HMIC was reassured that the force used the correct grade of staff to conduct each stage of assessment in order to comply with current complaint and misconduct legislation.

We were encouraged to hear that the force used a single senior staff member to assess and grade all internal misconduct allegations concerning both officers and staff at the initial and the final stages of the investigation. Severity assessments and decisions about whether a case constituted misconduct or gross misconduct were undertaken by a senior assessment officer who had been delegated the authority to do so by the chief constable. This approach has the potential to provide consistency and fairness across the organisation.

The force had a number of specialist staff across the organisation that made sure that local management of internal investigations was consistent. The selected staff members served a short secondment with the professional standards department and learned relevant ways of working. This scheme was intended to increase the quality of local resolutions although some of the files we reviewed did not always contain a copy of the form provided to record the outcome and action plan.

¹¹ *Integrity Matters - An inspection of arrangements to ensure integrity and to provide the capability to tackle corruption in policing*, HMIC, London, 2015. Available from: www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/

¹² Under the Equality Act 2010, it is against the law to discriminate against anyone because of: age; being or becoming a transsexual person; being married or in a civil partnership; being pregnant or having a child; disability; race including colour, nationality, ethnic or national origin; religion, belief or lack of religion/belief; sex; or sexual orientation. These are called 'protected characteristics'.

HMIC heard that some supervisory staff had finalised less serious complaints through a local resolution process without contacting the officer or staff member involved to let them know the outcome. This practice was not compliant with legislation.

A representative from the office of the police and crime commissioner regularly reviewed complaint and misconduct files to ensure fairness and consistency. This provided independent scrutiny on decisions and outcomes.

The professional standards department has improved its reputation over time and gained a greater trust and appreciation. Staff noticed that the number of investigations had increased, but while some cases had taken longer to be resolved, staff viewed the outcomes as fairer and more consistent. They were also reassured by the consistency in treatment between officers and staff, and in respect of gender and ethnicity. However, some staff in frontline operational roles expressed concern regarding the length of time taken to conclude some investigations.

Summary of findings



Good

HMIC found that Devon and Cornwall Police was striving to develop and maintain an ethical culture. It was clear that officers and staff had a good understanding of expectations in relation to their conduct and standards of behaviour.

The chief constable had recently launched a new mission statement, force standards and values, which included the Code of Ethics as an integral part of it. Some officers and staff were aware of the new mission and its relationship with the Code of Ethics; however, this was not consistently understood. We found posters and leaflets in some police buildings that promoted the previous force vision and standards which – although had synergies with the new mission statement and the force acknowledged this – could have led to this mixed picture.

HMIC found evidence that the wellbeing of staff was a priority for the force and a number of schemes were in place, such as one which provided mental health support.

We were told there were high levels of trust in the professional standards department in relation to the management of complaints and misconduct. However, some concern was expressed regarding staff being kept informed when complaints were managed at a local level.

How well does the force understand, engage with and treat fairly the people it serves to maintain and improve its legitimacy?

Introduction

The negative effect of poor police and community relations on public perceptions should not be underestimated. People who already have a poor opinion of the police are more likely to perceive their contact with the police as a negative experience. On the other hand, perceptions of fair decision-making and positive public interaction and engagement can improve perceptions and increase trust, leading to improved or enhanced police legitimacy. This, in turn, helps efforts to reduce crime by encouraging greater respect for the law and fostering social responsibility, by making people more likely to help the police and not break the law.

Community engagement should influence every aspect of policing. For engagement to be effective, the organisation should focus on the needs of citizens and be committed to ensuring that the results from engagement work are integrated into service design and provision, and that communities participate in that provision.

In autumn 2015, HMIC made an assessment of the extent to which police forces understand and engage with the people they are there to serve. Based on the College of Policing's Authorised Professional Practice on engagement and communication,¹³ the inspection asked:

1. How well does the force understand the people it serves and the benefits of engaging with them?
2. How well does the force engage with all the people it serves?
3. To what extent are people treated fairly and with respect when they come into contact with police officers and staff?

Before the fieldwork stage of the inspection, HMIC commissioned Ipsos MORI to survey the public in each force area, specifically seeking their views about their force. While the findings of the survey may not represent the views of everyone living in the force area, they are indicative of what the public in that police force area think.

¹³ *Integrity Matters - An inspection of arrangements to ensure integrity and to provide the capability to tackle corruption in policing*, HMIC, London, 2015. Available from: www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/

How well does the force understand the people it serves and the benefits of engaging with them?

HMIC's inspection considered the extent to which forces understand the relationship between positive public engagement and increased public confidence in the police. We also assessed the extent to which, at local and force levels, the force understands the needs and concerns of the people it serves.

The mission of Devon and Cornwall Police is to: safeguard neighbourhoods and communities; detect and prevent harm; protect the vulnerable and reduce crime by working with partners to safeguard communities. Senior leaders in the force understand the need for police legitimacy in order to successfully achieve this mission. HMIC found that most officers and staff spoken to understand the importance of positively engaging with their communities and how it can increase public confidence in the police.

Devon and Cornwall Police uses a range of methods to understand the needs of its communities including tailoring their methods of engagement to specific communities. We found some good examples of work to communicate with, and better understand, hard-to-reach communities; one scheme provides specially trained PCSOs to support migrant workers and another uses a tailored face-to-face service to support domestic abuse victims from a minority group. This work helps to promote public trust and confidence in the police.

Neighbourhood officers and staff engage well with their communities to understand their needs and work with them, and other agencies to identify and solve local problems. During the inspection HMIC met with community partners who spoke of a positive working relationship between local police and other agencies to solve community issues.

We found that neighbourhood officers use their knowledge and understanding to identify and manage incidents with the potential to affect community confidence in the police. The likely impact of the incident is assessed and an appropriate response is put in place. HMIC examined a number of these assessments and there was clear evidence of management of activity at a local level and good oversight by senior officers. This builds confidence in the police.

In addition to utilising the force website to engage with the public, the force also makes good use of social media, such as Twitter and Facebook. These are particularly well used by neighbourhood teams and individual officers to engage with their local communities. This increases the opportunities for the force to communicate, understand and solve problems with local people.

Surveys are undertaken by the force and the office of the police and crime commissioner, to better understand the concerns of the public, particularly in relation to the local police and crime plan priorities. The information gathered is analysed and

used to inform how policing services are provided across the force. The force also uses independent advisory groups and panels to help improve its understanding of the needs of the communities, particularly minority groups.

Of the 841 survey responses from the area covered by Devon and Cornwall Police, 50 percent agree that the police understand the crime and anti-social behaviour issues within their force area and 12 percent disagree. The remainder neither agree nor disagree or do not know. Although not directly comparable because of the small force sample size, of the responses from all forces across England and Wales, 49 percent agree versus 14 percent who disagree.

HMIC is satisfied that Devon and Cornwall Police recognises the benefits of engaging with the public to build trust and confidence in the police.

How well does the force engage with all the people it serves?

For the police to find the most cost effective and efficient ways of communicating with the public, they should tailor their methods of engagement in a way that meets the needs and preferences of those they serve. The police should ensure they overcome any barriers to successful engagement (for example, social exclusion, location, low confidence in the police) to seek the views of all the people they serve and keep them informed. Our inspection looked at the different ways that forces engage their communities.

Devon and Cornwall Police uses a range of methods to seek the views of its communities, the issues affecting them, and to keep the public informed. These methods include parish and district council meetings, residents' association meetings and community surgeries, "have your say" forums, and police and community together meetings. Neighbourhood officers attend these meetings to identify community issues and concerns, discuss ways to address them and update the public on progress to address previous problems. This provides a range of opportunities for the police to help the public resolve local issues.

The force makes good use of social media, such as Twitter and Facebook, to engage with, and better understand the needs of, a wider audience than traditional community meetings. In particular, neighbourhood officers and staff are encouraged to use social media to communicate with the public, enabling messages to be more directed, personal and timely. The force monitors feedback from the public on social media to improve its understanding of its communities. The force internet site also provides a good, easily accessible source of information for the communities of Devon and Cornwall. This use of technology and social media increases the opportunities for the force to work closely with a wide range of people.

The force informs the public about what has been done to address community concerns by using updates on the internet, social media, neighbourhood watch schemes, community meetings and leaflet drops.

Devon and Cornwall Police is encouraging the participation of local people in policing activities. Special constables and police cadets are supporting neighbourhood colleagues, particularly in policing more rural locations across the force. Community volunteers are involved in a range of roles, including assisting community 'watch' schemes, supporting the needs of the elderly in the community and wider reassurance activity.

From the survey, 34 percent of the respondents from the area covered by Devon and Cornwall Police speak highly of the police in their local area while 14 percent speak critically. The remainder have mixed views or do not know. Although not directly comparable because of the small force sample size, of the responses from across all forces in England and Wales, 32 percent speak highly and 16 percent speak critically.

From the survey, fewer than 10 percent of respondents report that they have, within the previous 12 months, been asked about their views on crime and anti-social behaviour issues that matter most to them where they live. Similarly, in most forces, fewer than 20 percent of respondents have been told, within the previous 12 months, how their force is tackling these issues.

We are satisfied that Devon and Cornwall Police is engaging well with the people it serves.

To what extent are people treated fairly and with respect when they come into contact with police officers and staff?

Public bodies (including the police and other public authorities), are required to consider all individuals when carrying out their work, and understand how different people will be affected by their activities. The duty requires the police to show evidence of this in their decision-making.

This inspection looked at whether all members of the public (including those with protected characteristics) were treated (and perceived that they were treated) fairly and with respect by the police. We also assessed the extent to which officers understood the National Decision Model,¹⁴ the framework by which all policing decisions should be made, examined and challenged. The Code of Ethics is a central component of the National Decision Model.

¹⁴ *College of Policing - Authorised Professional Practice on National Decision Model*, College of Policing, December 2014. Available from: www.app.college.police.uk/app-content/national-decision-model/?s

The police have thousands of interactions with the public on a daily basis. Research indicates that the quality of the treatment received during encounters with the police is more important to individuals than the objective outcome of the interaction. Before we began our fieldwork activity, we listened to around 40 calls made from members of the public to the 101 (non-emergency) and 999 (emergency) numbers to assess the quality of the treatment received. In order to determine the overall quality of the call, we considered a number of criteria including whether the call-handler remained polite, professional and respectful throughout the call, whether he or she took the caller's concerns seriously appropriately assessing the risk and urgency of the call, and how well he or she established the caller's needs, managed the caller's expectations and explained what would happen next.

Although not necessarily representative of all calls responded to by Devon and Cornwall Police, from the 40 calls assessed, HMIC was generally satisfied that the call-handlers were polite, respectful and effective. Where call-handlers identified that the caller may be more vulnerable, they were good at letting them know what to do if they needed to make further contact with the force.

During our fieldwork we also observed front-counter staff in their interaction with visitors at police stations, and this reinforced the finding that staff treat those they come into contact with in a friendly and courteous manner.

We found that there is a very good understanding of the National Decision Model (NDM) by all officers and staff we spoke to and that the Code of Ethics is readily identified as being at the core of the decision-making process. This high level of understanding was consistent through discussions with neighbourhood, investigative and response officers, control room staff and Taser officers. The model is used throughout the organisation and staff could articulate not only their comprehension of it, but could also provide evidence of how they have applied it in a variety of operational and non-operational situations.

The National Decision Model is promoted through a range of training programmes; including initial and personal safety training and Taser and firearm courses. Learning is reinforced through an online training resource and effective use is made of videos depicting moral and ethical dilemmas for staff to discuss. A video has been produced featuring the chief constable, in which he emphasises the importance of its use alongside the Code of Ethics. It was clear that officers and staff have a good understanding of the NDM and use it on a regular basis.

HMIC found, throughout the inspection, that officers and staff we interacted with were consistently courteous and helpful, and have the skills and knowledge to treat people professionally and fairly. The force provides some focus on customer service skills during some courses, such as initial and call-handler training, and expectations of behaviour and professional standards are reinforced within a number of training courses and awareness programmes conducted by the force.

From the survey, 55 percent of respondents from the area covered by Devon and Cornwall Police agree that the police in their local area treat people fairly and with respect versus 5 percent who disagree. The remainder neither agree nor disagree or do not know. Although not directly comparable because of the small force sample size, across all forces in England and Wales, the figures are 54 percent and 7 percent respectively.

HMIC is satisfied that officers and staff behave fairly and with respect when they engage with their communities.

Summary of findings



Good

Devon and Cornwall Police demonstrates a good understanding of the importance of engaging with the public and how this helps to promote police legitimacy. Neighbourhood teams are working closely with their communities and partner organisations to identify and solve local problems.

The force has a good understanding of the communities it serves and engagement work is tailored to meet the needs of specific communities. Neighbourhood meetings and surgeries, surveys and social media are used to seek the views of local people and keep them informed. The force uses this understanding to assess the likely impact of community incidents or problems on confidence in the police and respond effectively.

The public are encouraged to take part in local policing activities and there are a range of opportunities for them to do so. The force recognises the value that volunteers working within its communities can bring in improving engagement and trust in the police.

Call-handlers and front-desk staff in police stations were found to be consistently courteous, professional and helpful.

To what extent are decisions taken on the use of stop and search and Taser fair and appropriate?

Introduction

Fairness, and the perception of fairness, is crucial to police legitimacy. It is therefore important that fairness is demonstrated in all aspects of policing, including the use of police powers. Some of the most intrusive powers available to the police are those involving stopping and searching people and the use of Taser.¹⁵

In autumn 2015, HMIC assessed the use of Taser and stop and search powers (specifically, compliance with the Best Use of Stop and Search scheme¹⁶ and how well reasonable grounds were recorded) to determine whether officers were using their powers fairly and in accordance with legal requirements and Authorised Professional Practice.

The inspection asked:

1. To what extent does the force ensure that it complies with the Best Use of Stop and Search scheme?
2. To what extent does the force ensure that Tasers are used fairly and appropriately?
3. To what extent does the force ensure that it complies with the Best Use of Stop and Search scheme?

To what extent does the force ensure that it complies with Best Use of Stop and Search scheme?

Background

The primary role of the police is to uphold the law and maintain the peace. Unfair, unlawful or unnecessary use of stop and search powers make this task harder, with one of the direct consequences being a reduction in public trust and police legitimacy, and people being more likely to break the law and less willing to co-operate with the police. The purpose of stop and search powers is to enable officers to dismiss or confirm suspicions about individuals carrying unlawful items

¹⁵ *College of Policing: Authorised Professional Practice on armed policing – legal framework and Taser*. Available from: www.app.college.police.uk/app-content/armed-policing/conducted-energy-devices-taser/

¹⁶ *Best Use of Stop and Search Scheme*, Home Office, 2014. Available from: www.gov.uk/government/publications/best-use-of-stop-and-search-scheme

without exercising their power of arrest. The officer must have reasonable grounds for carrying out a search.

In our 2013 inspection on stop and search,¹⁷ HMIC concluded that few forces could demonstrate that use of stop and search powers was based on an understanding of what works best to cut crime and rarely was it targeted at priority crimes in their areas. Forces had reduced the amount of data collected to reduce bureaucracy, but this had diminished their capability to understand the impact of the use of stop and search powers on crime levels and community confidence.

The report was clear that, for a stop and search encounter to be effective and lawful, a police officer must have reasonable grounds for suspicion (based on specific and objective information) that a person is in possession of a stolen or prohibited item. Those grounds should be fully explained to the person being stopped and searched, and the person should be treated with fairness, courtesy and respect. In such circumstances, finding the item and arresting the offender or, alternatively, eliminating the suspicion and avoiding an unnecessary arrest are both valid and successful outcomes.

Following HMIC's 2013 inspection, on 26 August 2014 the Home Office published guidance to police forces on implementing the Best Use of Stop and Search scheme.

The principal aims of the scheme are for the police: to establish greater transparency and community involvement in the use of stop and search powers; and to make sure that the powers are used in an intelligence-led way to achieve better outcomes for the public.

All police forces in England and Wales have signed up to the Home Office's Best Use of Stop and Search scheme. This inspection considered the extent to which forces are complying with the scheme.

Use of stop and search in Devon and Cornwall Police – Stop and search by volume

In the 12 months to 31 March 2015, Devon and Cornwall Police carried out 8,542 stops and searches. The table below shows this number per 1,000 population for Devon and Cornwall Police and the average of its most similar group of forces, as well as the change from the 12 months to 31 March 2014. The figures indicate that the force's use of stop and search powers is currently less than the average of its most similar group of forces.

¹⁷ *Stop and Search Powers – are the police using them effectively and fairly?*, HMIC, July 2013
Available from: www.justiceinspectorates.gov.uk/hmic/media/stop-and-search-powers-20130709.pdf

Figure 6: Number of stops and searches per 1,000 population carried out by Devon and Cornwall Police compared to the average of its most similar group (MSG) of forces, 12 months to 31 March 2015, and the percentage change from the 12 months to 31 March 2014

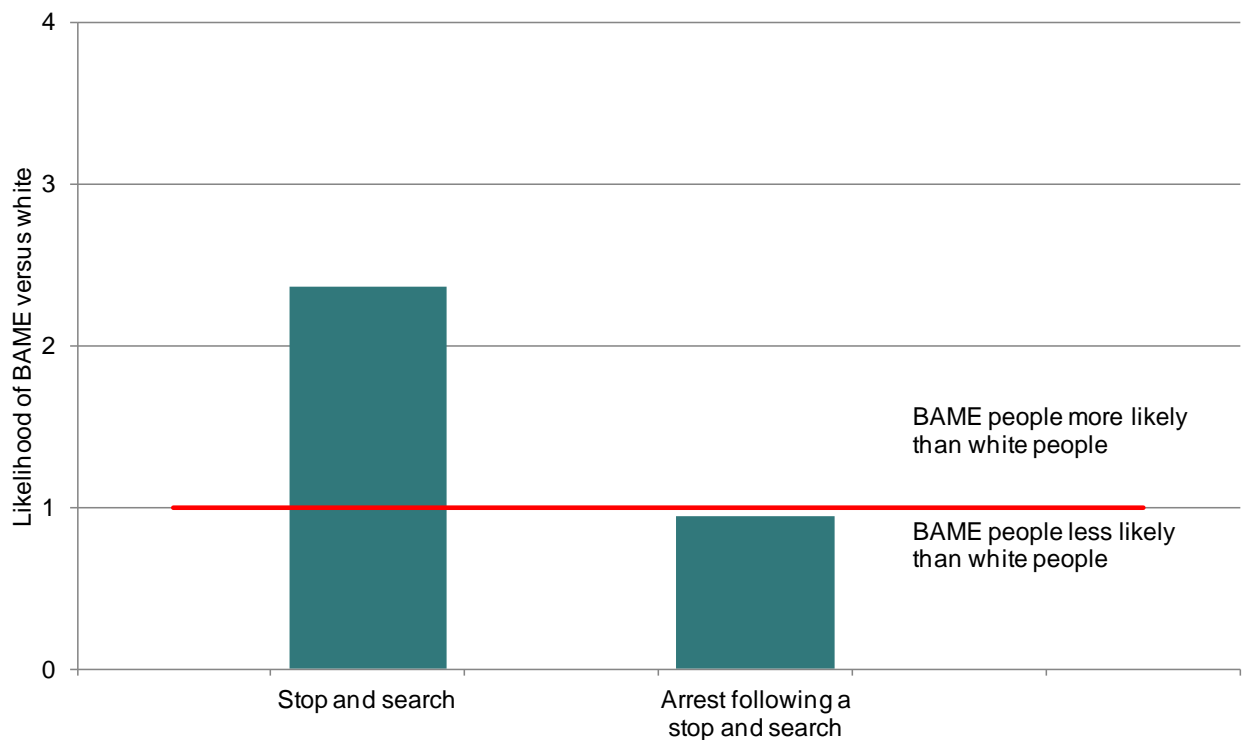
	Stop and searches per 1,000	Change from previous year
Devon and Cornwall	5.0	-38%
Devon and Cornwall's MSG average	6.7	-32%

Sources: Home Office Stop and Search data, Police Powers and Procedures 2014/15 and Office for National Statistics mid-2014 population estimates

Use of stop and search in Devon and Cornwall Police – Stop and search by ethnicity

HMIC looked at the published data on stops and searches by ethnicity and compared them with the most recent local population data by ethnicity (the 2011 Census). The data suggested that BAME people were statistically more likely to be stopped and searched by Devon and Cornwall Police than white people. However, of the individuals who had been stopped and searched, there was no statistical difference in the likelihood of arrest by the force between BAME people and white people.

Figure 7: A comparison between the likelihood of BAME and white people being stopped and searched and, separately, arrested following stop and search by Devon and Cornwall Police, 12 months to 31 March 2015



Sources: Home Office Stop and Search data, Police Powers and Procedures 2014/15 and Office for National Statistics 2011 Census

Caution needs to be taken before drawing assumptions from these data, especially where they might appear to suggest that forces are unfairly targeting particular ethnicities in their use of stop and search powers. Although that is one possible explanation, there are a number of other factors which could result in any disparity, including:

- the 2011 ethnicity figures no longer being representative of the force's local population;
- the difference between the ethnicity of the street population available to be stopped and searched at any given time with the general force population;
- stops and searches being carried out on people who are not resident in the area (and so are not counted as part of the population);
- disparity in the crime rates between different ethnicities;
- disparity in the number of repeat stops and searches carried out on individuals by ethnicity; or

- difficulties with the recorded data by ethnicity (while forces always record ethnicity when arresting a person as a result of being stopped and searched, they do not always record it when the encounter does not involve an arrest).

It is important that forces understand their data along with reasons for any apparent disparity to ensure that their use of the powers is fair.

Recording reasonable grounds for suspicion

In our 2013 inspection, we were concerned to see that, of the 8,783 stop and search records we examined across all forces in England and Wales, 27 percent did not include sufficient reasonable grounds to justify the lawful use of the power.

For Devon and Cornwall Police, the 2013 inspection showed that 30 of 200 records reviewed (15 percent) did not have sufficient reasonable grounds recorded.

For this inspection we reviewed 95 stop and search records provided by the force. As in the 2013 inspection, we reviewed the records to determine if reasonable grounds were recorded. We found that 91 of the records we reviewed had been endorsed by a supervisor and 12 of the 95 records reviewed (13 percent) did not have reasonable grounds recorded.

This suggests that some officers, and some supervisors given the task of reviewing records, do not understand fully what constitutes reasonable grounds.

While the records reviewed may not be representative of all stop and search records completed by the force, the result indicates that still too many records do not have reasonable grounds recorded.

Compliance with the Best Use of Stop and Search scheme

There are several aspects to the Best Use of Stop and Search scheme. As part of this inspection, HMIC considered the extent to which the force complied with each aspect of the Scheme. Our analysis is set out in the table below.

HMIC found that Devon and Cornwall Police is compliant with most aspects of the Best Use of Stop Search scheme, although the force is not yet publishing details of stop and search outcomes, and does not monitor the impact on young people. The strategic lead has established a stop and search working group; areas for development have been identified and are being progressed.

The force's stop and search training emphasises the focus on legitimacy, the National Decision Model and Code of Ethics, as the principle decision-making processes. Most officers and staff spoken to understand their powers and the use of the National Decision Model when considering carrying out a stop and search.

The force has created an independent scrutiny group, with independent members representing a diverse range of community groups. This group is actively engaged in all of the stop and search development work currently being undertaken in the force, including reviewing officer training and consulting on the new stop and search policy.

The force has designed a new form for recording stops and searches, incorporating changes to improve the accuracy of recording the grounds for the search, and supervisory oversight.

Overall, HMIC found that Devon and Cornwall is compliant with most aspects of the Best Use of Stop and Search scheme, although there is more to be done to ensure it is fully incorporated into day-to-day practice in the force.

Feature of the Best Use of Stop and Search scheme	HMIC assessment of compliance
Recording and publishing the outcomes following a stop and search	The force does not comply with this feature of the scheme. The force records the full range of outcomes required by the scheme. The force on its website publishes data on the number of times stop and search powers had been used, broken down by local area and ethnicity. However, no data were published at the time of the inspection in respect of outcomes. Consequently, there was no information published relating to the connection between outcomes and the items searched for. No data were published on the police.uk website.
Providing opportunities for the public to observe officers using the power	The force complies with this feature of the scheme. The force has a ride-along scheme, which gives members of the public the opportunity to join officers on patrol. All members of the independent scrutiny group have also participated in the scheme.
Explaining to communities how the powers are being used following a "community complaint"	The force complies with this feature of the scheme. Any complaint made to the force about stop and search incidents activates the community trigger, this is in addition to the investigation of the complaint. The force also encourages third-party reporting and there is a recent example of a complaint made via a charity. All triggers are reviewed by the Force Stop and Search Working Group and independently examined by the Independent Scrutiny Group to address potential community issues or tensions.

<p>Reducing the number of people stopped and searched without suspicion under Section 60¹⁸ of the Criminal Justice and Public Order Act 1994</p>	<p>The force complies with this feature of the scheme.</p>
<p>Monitoring the impact of stop and search – particularly on young people and black, Asian and minority ethnic groups</p>	<p>The force does not comply with this feature of the scheme. The force monitors the ethnicity of people stopped and searched and publishes ethnicity data. However, there is no formal monitoring by the force to determine the impact of the use of the powers on young people.</p>

To what extent does the force ensure that Tasers are used fairly and appropriately?

Background

Taser is a device designed to temporarily incapacitate a person through use of an electrical current which temporarily interferes with the body's neuromuscular system. This usually causes the person to freeze or fall over, giving officers time to restrain them.

It projects a pair of barbs or darts attached to insulated wires which attach to the subject's skin or clothing. The device has a maximum range of 21 feet and delivers its electrical charge in a five-second cycle which can be stopped, extended or repeated.

It is one of a number of tactical options available to police officers when dealing with an incident where there is the potential for harm – to potential victims and/or the public, the police officers themselves, or the subject.

The way a Taser is used by police officers is categorised into a range of escalating actions from drawing the device, through to it being 'discharged' (that is, fired, drive-stunned or angled drive-stunned). A table in Annex D outlines the definitions of the different levels of use.

¹⁸ 'No suspicion' searches are provided for under section 60 of the Criminal Justice and Public Order Act 1994. Available from: www.legislation.gov.uk/ukpga/1994/33/section/60

When police are required to use force to achieve a lawful objective, such as making a lawful arrest, acting in self-defence or protecting others, that force must be reasonable in the circumstances. If it is not, the officer is open to criminal or misconduct proceedings. It may also constitute a violation of the human rights of the person against whom the force was used.

HMIC has not previously inspected how Taser is used either in, or between, forces. This inspection considered whether chief officers understand how Taser is being used across the force area, to satisfy themselves that it is being used fairly and appropriately, and whether Taser-trained officers are acting in accordance with the College of Policing's Authorised Professional Practice and the legal framework each time it is used.¹⁹

Use of Taser in Devon and Cornwall Police

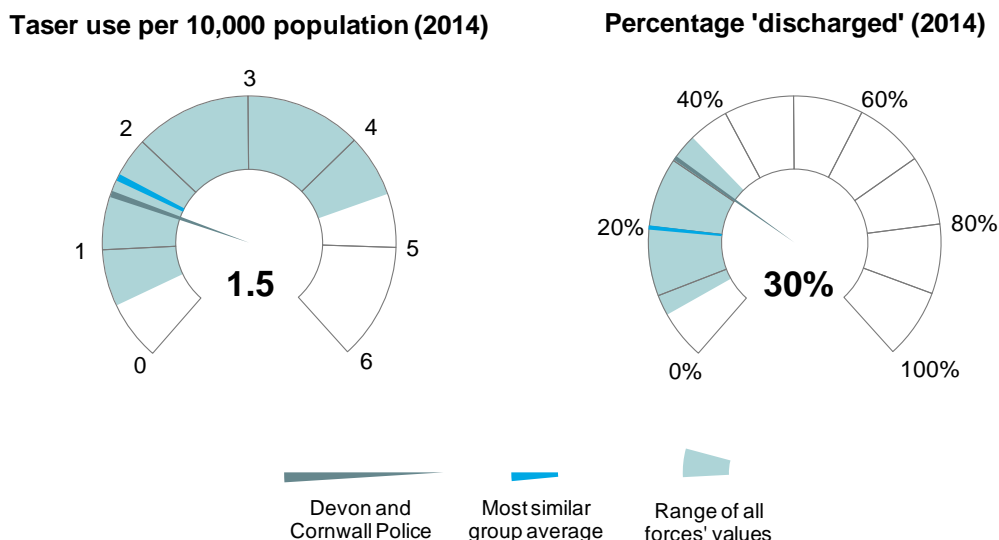
Every time a Taser is used in some capacity (this includes a full range of use from being drawn to being 'discharged') a police officer makes a record of its 'highest use' on a Taser deployment form..

Between 1 January and 31 December 2014, Taser was used in some capacity 253 times by Devon and Cornwall Police, representing 1.5 times for every 10,000 people in the force's area. This was broadly in line with the average for Devon and Cornwall Police's most similar group of forces, which was 1.6 times per 10,000 population.

During the same time period, Taser was 'discharged' on 77 occasions (out of the 253 times it was used in some capacity). This equated to 30 percent of overall use, greater than the force's most similar group average of 20 percent. The following figure shows the comparisons.

¹⁹ *College of Policing: Authorised Professional Practice on armed policing – legal framework and Taser*. Available from: www.app.college.police.uk/app-content/armed-policing/conducted-energy-devices-taser/

Figure 8: Use of Taser per 10,000 population and the proportion 'discharged' by Devon and Cornwall Police, 12 months to 31 December 2014²⁰



Sources: Office for National Statistics mid-2014 population estimates and Home Office Police use of Taser statistics

The Taser deployment form is a national document for gathering research information about the operational effectiveness of the Taser device, and any medical implications of its use. If officers fire the Taser, or if they use it in drive-stun or angled drive-stun mode, they are required to complete the full form, including a detailed description of the incident from commencement to resolution. The National Decision Model (NDM) is used on the form as a structure for officers to record this description. For any other use, such as 'drawn', 'aimed', 'red-dotted' or 'arced', officers are only required to provide brief details of the incident. A detailed description, structured around the National Decision Model, is not required.

Before the fieldwork stage of the inspection, HMIC conducted a review of 20 Taser deployment forms provided by Devon and Cornwall Police. Although the findings of this review are not necessarily representative of all Taser forms completed by the force, they do provide an indication of the force's Taser activity. The forms showed that Taser had been fired five times, red-dotted 13 times, and drawn twice. On the five times the Taser was fired (two of which were during the same incident), we found evidence that other tactics had been considered by the officers before deciding to use Taser.

Overall officers used Taser to protect themselves or others from a range of weapons, including kitchen knives, a sledgehammer, an air rifle, and a screwdriver.

²⁰ City of London Police data was removed from figure 8 because of the very low number of times Taser was used by the City of London Police in 2014.

The 'brief details' and the NDM sections of the forms provided us with evidence to suggest that the use of Taser was fair, lawful, and appropriate in 19 cases of the 20 cases reviewed. One of the forms, which recorded the use of the Taser red-dot tactic, contained insufficient information in the 'brief details' section to make an assessment.

Where officers had been required to complete the NDM section, we found that some appeared to be unclear about how to record their use of the NDM, which is concerning. None of the forms contained any mention of the national Code of Ethics for the police service which is at the heart of the NDM and should be considered at each stage, particularly under the powers and policy section. This appears to be a national issue and is considered in our national Legitimacy report.

HMIC found that the deployment and use of Taser in Devon and Cornwall Police is the subject of effectively managed and governed to ensure that it is fair and appropriate.

Devon and Cornwall Police can provide clear justification for the distribution and availability of its Taser-trained officers and equipment. This has been considered as part of the force's Strategic Threat Risk and Harm Assessment and takes into consideration influencing factors, such as levels of risk and demand, and the geography of the force area. This demonstrates a proportionate approach to the use of this tactic.

The force has a rigorous selection process for Taser officers, which includes a detailed personal assessment of the individual's character, skills, relevant knowledge and experience. Taser training is provided in accordance with national standards and fully incorporates the National Decision Model and, at its core, the Code of Ethics. Refresher training is delivered annually with a pass or fail, scenario-based, qualification shoot. Learning, updates and relevant legislative changes are fed into this training as required. All firearms officers receive Taser-specific training as a less lethal option within the wider firearms process.

Taser-trained officers we spoke to during our inspection displayed a good understanding of the NDM, and the ethical considerations within it. We are therefore surprised that the NDM section of the Taser forms was not being completed correctly.

HMIC is satisfied that the force has an effective way to manage the deployment, use, and review of Taser. On each occasion a Taser is deployed, the officer concerned is debriefed by their supervisor, to understand and assess their rationale. Taser recording forms are reviewed by supervisors to highlight any issues of note or concerns before being further scrutinised by the force Taser lead. All of the forms are examined by the Taser working group to identify potential trends or emerging issues. Taser deployments also feature in the daily chief officer briefing for strategic oversight.

The only published information that the force provides to the public is in response to the annual national publication of Taser use statistics.

Based on our assessment of the Taser forms and our fieldwork findings, HMIC is satisfied that, on the whole, Taser is being used fairly and appropriately by Devon and Cornwall Police.

Summary of findings



Good

HMIC found that Devon and Cornwall Police is compliant with most aspects of the Best Use of Stop Search scheme, although the force is not yet publishing details of stop and search outcomes, and does not monitor the impact on young people. The force has more to do to demonstrate that stop and search records include sufficient reasonable grounds to justify the lawful use of the power, and that officers fully understand the grounds required to stop and search.

The distribution of Taser officers and equipment is based on risk, demand and geography and is subject to regular review. Systems are in place to manage the deployment and use of Taser. However, the force must ensure that Taser-trained officers and supervisors properly understand and record their decisions using the National Decision Model, in accordance with the College of Policing training.

Areas for improvement

- The force should comply with the Best Use of Stop and Search scheme in relation to publishing details of stops and searches outcomes, and monitoring the impact on young people.
- The force must ensure that Taser-trained officers and supervisors properly understand and record their decisions using the National Decision Model, in accordance with the College of Policing training.

Annex A – HMIC judgments

The categories are:

- outstanding;
- good;
- requires improvement; and
- inadequate.

Judgment is made against how legitimate the force is at keeping people safe and reducing crime, it is not an assessment of the overall legitimacy of policing. In applying the categories HMIC considers whether:

- the legitimacy of the force is achieving is good, or exceeds this standard sufficiently to be judged as outstanding;
- the legitimacy of the force requires improvement, and/or there are some weaknesses; or
- the legitimacy of the force is inadequate because it is considerably lower than is expected.

Annex B – Data methodology

Please note the following for the data.

- The sources of the data are provided in each section. For the force in numbers data, please see the relevant section.
- Workforce figures (based on full-time equivalents) were obtained from the Home Office annual data return 502. Most of these are available from the Home Office's published *Police workforce England and Wales statistics*, although figures may have been updated since the publication.
- Police staff includes section 38 designated officers (investigation, detention and escort).
- Data from the Office for National Statistics 2011 Census were used for the number and proportion of black, Asian and minority ethnic (BAME) people within each force area. While the numbers may have since changed, more recent figures are based only on estimates from surveys or projections.
- HMIC has been made aware of updates from particular forces on their Taser and stop and search data. However, for fairness and consistency, we have presented the data as published by the relevant sources.

Please note the following for the methodology applied to the data.

- Comparisons with most similar group of forces – In most cases, comparisons are made with the average of the force's most similar group (MSG) of forces. These are forces that have been found to be the most similar to the force in question, based on an analysis of demographic, social and economic characteristics which relate to crime. The following forces are in Devon and Cornwall Police's MSG: Wiltshire, Suffolk, Warwickshire, North Wales, West Mercia, Norfolk and North Yorkshire.
- Comparisons with averages – For some data sets, we state whether the force's value is 'below', 'above' or 'broadly in line with' the average. To calculate this, the difference to the mean average, as a proportion, is calculated for all forces. After standardising this distribution, forces that are more than half a standard deviation from the mean average are determined to be above or below the average, with all other forces being broadly in line.

In practice this means that, very approximately, a third of forces are above, a third are below, and the remaining third are in line with the average for each measure. For this reason, the distance from the average required to make a

force's value above or below the average is different for each measure so may not appear to be consistent.

- Statistical significance – When commenting on statistical differences, we use a significance level of 5 percent.

Ipsos MORI survey

The national survey was conducted with a sample of 26,057 people aged 16 plus across England and Wales, between 15 July and 6 August 2015. All interviews were conducted online through Ipsos MORI's online panel.

The Ipsos MORI online panel consists of a pre-recruited group of individuals or multiple individuals within households who have agreed to take part in online market and social research surveys. The panel is refreshed continually using a variety of sources and methods.

Respondents to this survey were recruited using an email invitation including a link to the online questionnaire. The survey invitations were managed to achieve robust numbers of interviews in each force area in order to provide indicative results at a force level. Final numbers of responses per force area ranged from 353 to 1,278.

Responses are based on all participants completing the relevant survey question. Results are weighted within the force area to the local age, gender and work status profile of the area, and an additional weight has been applied to the overall total to reflect the population breakdown by force area.

Annex C – The Best Use of Stop and Search scheme

The scheme includes a number of features with the aim of achieving greater transparency, community involvement in the use of stop and search powers and supporting a more intelligence-led approach, leading to better outcomes.

Recording and publishing outcomes

The Best Use of Stop and Search scheme requires forces to record and publish the following outcomes from the use of stop and search powers:

- Arrest;
- Summons/charged by post;
- Caution (simple or conditional);
- Khat or cannabis warning;
- Penalty notice for disorder;
- Community resolution; and
- No further action.

Forces adopting the scheme should therefore be providing the public with a much richer picture of how their use of stop and search powers are enabling them to reduce crime rates. The scheme also requires forces to show the link, or lack of one, between the object of the search (what the officer was looking for) and the outcome. This link helps to show how accurate officers' reasonable grounds for suspicion are by showing the rate at which they find what they were searching for during the stop and search.

Providing opportunities for the public to observe stop and search encounters

A core element of the scheme is the requirement that participating forces will provide opportunities for members of the public to accompany police officers on patrol when they might use stop and search powers.

It is important for the public, particularly young people and people from black, Asian and minority ethnic communities, to be able to see the police conducting their work in a professional way. Equally, it is also important for the police to understand the communities they serve – as this enables more effective policing through community co-operation and exemplifies 'policing by consent'.

By introducing 'lay observation', a process of two-way learning can take place, bringing the police closer to the public.

Implementing a community trigger for complaints

The scheme requires forces to implement a community complaints trigger to signpost the appropriate mechanism for members of the community to raise any concerns or complaints that they have with the way that a stop and search has been carried out by their police force. When the trigger is activated, the scheme requires forces to explain the use of the powers to community scrutiny groups.

Authorising searches under section 60 Criminal Justice and Public Order Act 1994

Section 60 stop and search powers are among the most controversial of all such powers by virtue of the fact that individual police officers can stop and search a person without the need to have reasonable grounds for suspicion.

Once a section 60 authorisation is in place, officers do not need to have suspicions about a particular individual prior to stopping them; though an officer must explain to an individual who has been stopped that a section 60 authorisation is in place. This can lead to a large number of searches which result in community and police tensions. The scheme introduces a set of requirements that, when combined, will ensure that participating forces improve their use of this type of stop and search power. These include raising the authorisation level from inspector to senior officer (assistant chief constable or above), restricting the time a section 60 authorisation can be in force to 15 hours and communicating the purpose and outcomes of each section 60 authorisation in advance (where possible) and afterwards.

Monitoring the use of stop and search powers

The scheme requires forces to monitor the use of stop and search powers, in particular to determine their impact on black, Asian and minority ethnic people and young people.

Annex D – Types of use of Taser

Type of use Definition²¹

Fired	The Taser is fired with a live cartridge installed. When the trigger is pulled, the probes are fired towards the subject with the intention of completing an electrical circuit and delivering an incapacitating effect.
Angled drive-stun	The officer fires the weapon with a live cartridge installed. One or both probes may attach to the subject. The officer then holds the Taser against the subject's body in a different area to the probe(s), in order to complete the electrical circuit and deliver an incapacitating effect.
Drive-stun	The Taser is held against the subject's body without a live cartridge installed, and the trigger is pulled with no probes being fired. Contact with the subject completes the electrical circuit which causes pain but does not deliver an incapacitating effect.
Red dot	The weapon is not fired. Instead, the Taser is deliberately aimed and then partially activated so that a laser red dot is placed onto the subject.
Arcing	Sparking of the Taser as a visible deterrent without aiming it or firing it.
Aimed	Deliberate aiming of the Taser at a targeted subject.
Drawn	Drawing of Taser in circumstances where any person could reasonably perceive the action as a use of force.

Tasers that have been 'discharged' are those that have been fired, angled drive-stunned or drive-stunned.

²¹ *Police use of Taser statistics, England and Wales: 1 January to 31 December 2014*, Home Office, 2015. Available from www.gov.uk/government/statistics/police-use-of-taser-statistics-england-and-wales-1-january-to-31-december-2014.