





Part 2: Our inspections

Our PEEL inspections

In our 2019 annual assessment of policing in England and Wales, we set out how we intended to conduct our PEEL (police effectiveness, efficiency and legitimacy) assessments from 2020. We said we would move to an intelligence-led, continuous assessment model.

In March 2020, the pandemic required us to suspend all inspections which required appreciable work on the parts of police forces, including PEEL inspections. As a result, in 2020 we published no PEEL assessments.



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The re-start of inspections in autumn 2020 was necessarily limited. This included two follow-up inspections of Greater Manchester Police and Cleveland Police. Our previous PEEL inspection findings caused us concern about the service those forces provided to the public. Our follow-up findings were published in December 2020 for Greater Manchester and February 2021 for Cleveland.

In February 2021, we published a spotlight report following our review of the proportionality of the police use of stop and search and force.¹

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Inspecting the service provided to victims of crime

It is important that police forces provide the best possible service to victims² of crime, with the resources the public have provided, and as efficiently and effectively as possible. This should start at the point of contact and last throughout the criminal justice process. It includes recording the report of the crime, responding, and undertaking proportionate investigations, and making sure that any vulnerability is identified and properly evaluated, and that appropriate safeguarding measures are taken.

As part of this process, it is important that forces have high-quality crime data. This allows them to establish where, when and how often crime is occurring. This makes sure each force:

- offers victims of crime access to appropriate support services;
- gives the public accurate information about crime in their area;
- understands its current and future demand; and
- can plan its work in support of the community and carry out the necessary investigations.

Our updated annual PEEL programme includes an assessment – called a victim service assessment – that focuses on the victim's experience. It helps us understand the extent to which a force provides a good service. The updated programme incorporates our previous programme of inspection focusing on the integrity of crime data recorded by forces; that programme ended in spring 2020.

We applied our new approach to our autumn 2020 follow-up inspections of Greater Manchester Police and Cleveland Police. These inspections reviewed:

- force performance data;
- force documents relating to call handling, investigation and crime recording;
- incident reports and crime records, including the original calls for service;
- the initial response provided to victims;
- the approach to allocating crimes for investigation;
- a selection of investigation case files; and
- the recorded outcomes of reported crimes.

We also interviewed officers and staff.

These inspections took place during a pandemic lockdown period. Each force gave us remote access to incident and crime recording systems, investigation files and telephone recordings for us to carry out our assessments.



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Our findings

Greater Manchester Police

We found that, in too many cases, the service provided to victims of crime by Greater Manchester Police wasn't good enough.

The force urgently needs to make significant improvements to the service it provides to victims of crime, particularly those who are most vulnerable. We were pleased that the force records reports of rape and other sexual offences to a good standard. It has also started an ambitious programme of strategic change to better manage its service. The pace of change needs to increase. Our inspection established that the force:

- failed to answer approximately one in five 101 non-emergency calls for service;
- often failed to identify victims as vulnerable at the point of contact;
- failed to identify, record and investigate approximately one in four reports of violent crime, and failed to safeguard many victims of these crimes; these included behavioural crimes, such as harassment, stalking and coercive controlling behaviour, domestic abuse, and those crimes reported by other agencies involving vulnerable adults and children;
- failed to consistently document investigation plans; approximately one in three plans did not meet basic standards;
- in nearly half of cases, failed to supervise investigations effectively, or to complete the required senior-level supervisory reviews;
- too often failed to progress investigations when it should;
- failed properly to engage and consult with approximately four in five victims when proposing to use out-of-court disposals (cautions and community resolutions) when dealing with offenders; and
- wrongly and prematurely closed substantial numbers of recorded crime investigations, including a high proportion of crimes involving vulnerable victims, as complaints which lacked the victim's support, but without the evidence to show this to be the case.

The force still missed some opportunities to safeguard vulnerable victims.

Call handling and deployment of resources

Approximately one in five non-emergency 101 calls went unanswered. An appreciable proportion of these calls were unanswered because callers hung up and elected to use online reporting (as encouraged by the recorded message). When calls were answered, in more than half of cases, a victim's vulnerability was not assessed when it should have been. This meant that the force still missed some opportunities to safeguard vulnerable victims. And, in approximately half of cases, the force continued to miss opportunities to advise victims about securing evidence at the scene. This could lead to the loss of evidence that would support an investigation and could risk further harm to the victim.

The force generally prioritised calls well and in accordance with its resource allocation policy. This prioritisation was used appropriately in the initial response to victims.



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Crime recording, screening and allocation for investigation

Since our 2018 inspection, recording of reports of rape improved markedly. The force has maintained its good recording standard for reports of other sexual offences. This is welcome.

But since 2018 overall crime recording standards deteriorated significantly. Especially serious was the failure to record a high proportion of violent crime, including domestic abuse and behavioural crimes such as harassment, stalking and coercive controlling behaviour. In many cases, the force did not investigate these unrecorded offences or safeguard victims. This left many victims at risk. It is important that these shortcomings are put right as a matter of urgency.

Arrangements for allocating recorded crimes for investigation were generally in accordance with the force policy. In most cases, the crime report was allocated to the right department for further investigation. But we were concerned that the policy allows for some reported crimes with named suspects and clear investigative opportunities to be closed without further investigation, even if vulnerability and risk to the victim have been assessed. Further, we noted substantial delays in either contact with victims or the start of investigative work, without any apparent rationale for these delays. Such failures can harm victims' confidence in the police and may result in victims disengaging before the end of the investigation.

We found a common theme of a lack of documented supervision, control and direction.

Investigations

Even when reports of crimes were recorded and investigated, we found that in too many instances investigation plans were inconsistently recorded. Plans were recorded on different parts of the force information technology system or not documented at all. The standard of the plans varied greatly. Some failed to identify necessary actions and obvious investigative opportunities. And often victims of crime were left in the dark as to the progress of an investigation despite promises to keep them regularly updated.

Throughout, we found a common theme of a lack of documented supervision, control and direction. Without these, the standard of investigation was generally weak and the pace of investigation slow. By contrast, we found that good investigations were strongly supervised and well documented, and decision making was much clearer. The lack of documentation and supervision meant that the force could not adequately and reliably establish the extent to which it reduced the risk of harm to victims.

Investigation outcomes

Offenders can be given a caution or community resolution. To be correctly applied and recorded, the disposal must be appropriate for the offence and the offender, and the views of the victim should be taken into consideration. But, in approximately one in five of the cases we reviewed, the case did not meet the national criteria for these outcomes. In many cases, we found no evidence that the force had asked victims what they wanted or that it properly considered their wishes when it did ask.

When a suspect is identified but the victim doesn't support or withdraws support for police action, the force should have an auditable record of the victim's decision. This is so that it can close the investigation. But, in most cases we reviewed, evidence of the victim's decision was absent. This represents a risk that victims' wishes may not be fully considered before the case is finalised. Given that this outcome was used by the force in as many as seven in ten domestic abuse cases, this is a matter of concern.

Supervision and governance

Much of what we found during this inspection was already known to the force and presented to senior officers in its internal governance and performance oversight arrangements. But the effective and visible action of leaders – needed to address and overcome these known problems – was less evident. The force has established and is pursuing a programme of strategic change. This includes a significant investment in its communications function and a new centralised crime recording capability. However, the pace of change should be increased. The force has much to do to make sure that the internal supervision and governance it has invested in properly and adequately addresses these significant problems.

We made several recommendations that we will follow up during 2021 when we re-inspect as part of the PEEL inspection programme.



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Cleveland Police – Integrated vulnerability inspection post-inspection review

Between 2017 and 2019, in addition to a PEEL inspection we carried out a National Child Protection Inspection (NCPI) and a Crime Data Integrity (CDI) inspection. A common strand in the findings from these inspections was concerns about the force's ability to protect vulnerable people, including children. This follow-up inspection was a bespoke integrated vulnerability inspection, focused on how the force dealt with vulnerable people including victims, suspects and offenders.

We found that the service provided had improved in some respects, but we were still worried by the limited progress made in some other areas.



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Since our last inspection, the force has started a significant programme to make force-wide changes. As part of this, it has prioritised how it deals with vulnerable people, particularly victims of domestic abuse, and begun to develop an overall approach to vulnerability. In January 2020, the force began implementation of its vulnerability strategy, which focuses on “protecting vulnerable people in our communities with the objective of creating a vulnerability-centred approach to policing”.

The force improved its prioritisation of vulnerable victims to get to them as quickly as possible.

Call handling and deployment of resources

The level of service for someone who calls the force for help had improved, as had the initial assessment of the call, which informs the correct grading of the response. The force had also improved its prioritisation of vulnerable victims to get to them as quickly as possible. It is also getting better at managing its incident queues. While we are pleased to see this progress, there were still too many victims, including victims of domestic abuse, whose risk grading meant that they should have been responded to within an hour but who were left waiting.

Officers were better at establishing when and to what extent a person was vulnerable and understanding the need to assess his or her risk so that appropriate support and safeguarding could be sought. We found that the content of these referrals needed to continue to improve so that other agencies and the force have enough information to decide what support is required.

The initial response to cases involving missing children was poor. We found notable improvement in some of the investigations of cases where a child had gone missing regularly, but not all these cases were investigated further once the child was found.

Assessment and help

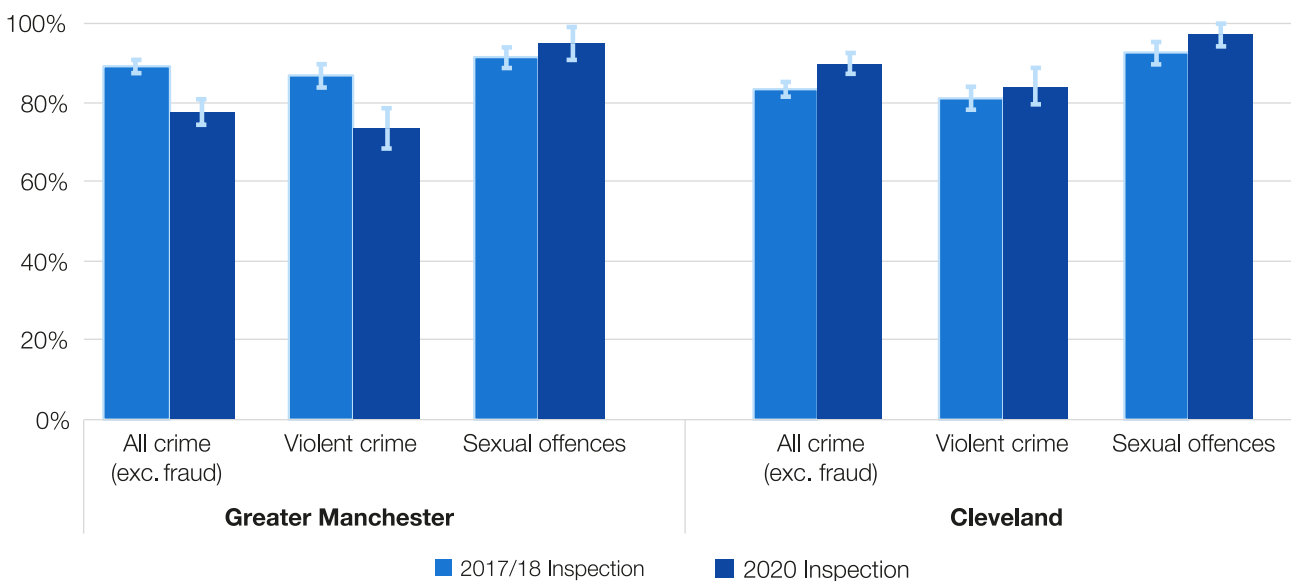
We found that more risk assessments were being submitted when officers attended incidents involving vulnerable victims. They were also submitted more often for children in custody or who went missing from home, so that appropriate support could be sought from other agencies. This is a positive development.

The force was better at providing timely and relevant information to other agencies and facilitated support through arrangements with multiple partnerships (agencies involved with safeguarding children). But, too often, child strategy meetings were not being held when they should have been.

Crime recording

We were pleased with the significant improvement the force had made in its overall recording of reported crime. It increased its workforce's knowledge and understanding of crime recording requirements, supported by good governance and audit arrangements. But it had made only marginal improvements to its poor recording standards for violent crime. This was particularly so for domestic abuse-related crimes such as coercive controlling behaviour, harassment and stalking, and many serious crimes involving elements of anti-social behaviour.

Figure 1: Estimated crime recording accuracy from 2020 inspection and 2017/18 inspection in Greater Manchester and Cleveland



Note: Data in chart represents crime recording accuracy \pm confidence interval
 Source: HMICFRS Crime Data Integrity inspection and PEEL inspection

Investigations

The overall quality of investigations had not sufficiently improved. We established that under half the force's investigations were of a good overall standard; this was substantially the same as the position we found in 2019. This was evident across all types of investigations, but more apparent this time in complex investigations involving vulnerable adults and children. While the force had made several changes to its systems and processes, at the time of inspection, these had not yet resulted in the necessary improvement.

Officers had improved the ways in which they engaged with victims, making contact regularly and providing updates. There were better relationships between officers and victims in investigated cases of domestic abuse. There was also a significant improvement in gaining the support of victims to progress prosecutions and bring offenders to justice.



The force was better at catching criminals and making more timely arrests.

Managing suspects and offenders

The force was better at catching criminals and making more timely arrests. Through its daily management meetings and regular reviews, the force prioritised wanted offenders and suspects who had not yet been arrested. It had improved its use of legal powers to prevent re-offending, through an increased arrest rate, the use of conditional bail, and better use of domestic violence protection notices.

Police detention

In many cases, detained children are vulnerable. We found that, too often, children spent the night in custody because of delays in the arrival of an appropriate adult to help them. For children who were charged and refused bail, we found that officers and staff rightly requested secure accommodation, but too often this could not be provided by the appropriate agencies.

Overall, we did not see sufficient improvements in how the force responded to, assessed, safeguarded and investigated cases involving vulnerable children, including cases relating to domestic abuse, missing children, and child abuse and exploitation.

The force was better at identifying, assessing, protecting and supporting adult victims of domestic abuse. It had changed its processes to focus on these victims after we found in 2019 that it was putting them at risk. In 2019, levels of repeat victimisation were high, the force was failing to identify victims as vulnerable, and it didn't fully assess and safeguard them. Some victims got no response at all. The positive changes we found in 2020, such as the force's vulnerability desk and better officer engagement with victims, were starting to reduce the number of repeat domestic abuse victims. The force acknowledged that it needs to continue this positive progress to achieve a good overall standard and improve its investigation of domestic abuse-related crimes.

Through our monitoring and PEEL continuous assessment of the force during 2021 and 2022, we will revisit the areas where we have not yet seen sufficient improvements.



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The public rightly expect the police to protect them by using their powers effectively and fairly.

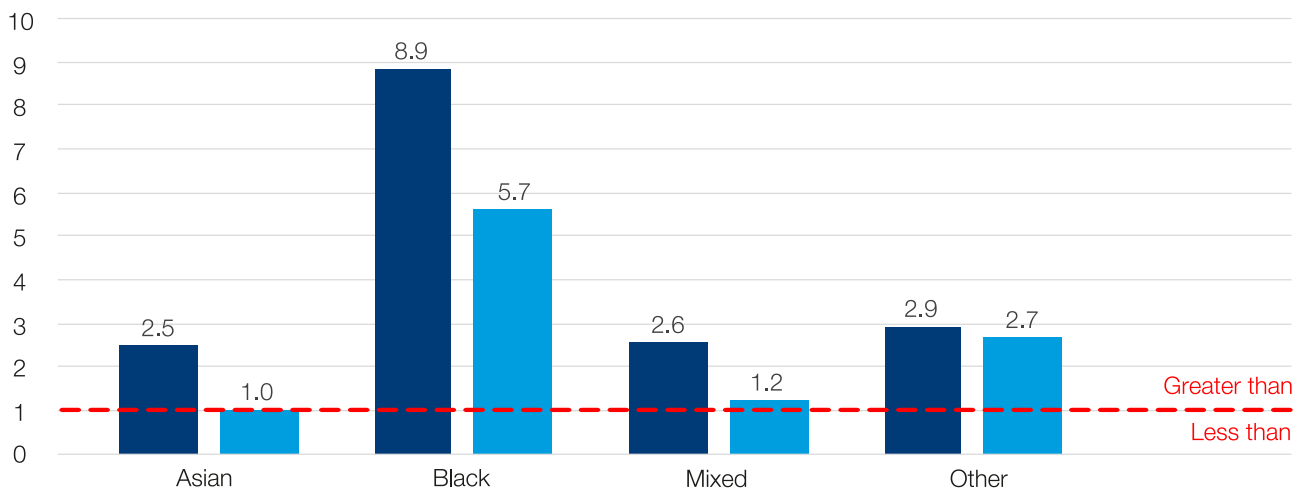
Disproportionate use of police powers

The murder of George Floyd in the USA in May 2020, and later protests, highlighted the significant adverse effect of police interaction with some groups of people. This is especially the case with people from Black, Asian and minority ethnic (BAME) communities.

There have been high-profile incidents of perceived unfairness in the UK, too. Examples include the traffic stop of Dawn Butler MP and the stop and search of athlete Bianca Williams. These incidents, widely reported in the media, were seen as having been initiated by racial profiling.

Some of the most intrusive and contentious police powers allow the police to use force and to stop and search people. The public rightly expect the police to protect them by using their powers effectively and fairly. But in very many cases force and stop and search have been used disproportionately against people from BAME communities for many years. In 2019/20, Black people were 5.7 times more likely to have force used on them than White people, and they were 8.9 times more likely to be stopped and searched.

Figure 2: Likelihood of being stopped and searched and having use of force tactics used, by Black, Asian and minority ethnic group, compared to those from White ethnic groups, England and Wales, April 2019 to March 2020



Source: Home Office

■ Stop and search ■ Use of force --- Likelihood if ethnicity is white



This disproportionality doesn't necessarily mean that the police discriminate against BAME communities. But forces should be able to explain any disproportionality and show the public evidence that they use their powers fairly, lawfully and appropriately.

Our spotlight report,³ published on 26 February 2021, reviewed how the police use stop and search and force. We drew on multiple sources of evidence, including:

- published national and force-level data on the use of force and stop and search;
- findings from our 2018/19 Integrated PEEL Assessments (IPAs) covering the effectiveness, efficiency and legitimacy of all 43 police forces in England and Wales; and
- a review of a representative sample of 9,378 stop and search records from 2019.

We recommended a national debate on how stop and search is used to police controlled drugs.

Our findings

No force fully understands how its use of powers affects individuals and communities. In some important respects, large numbers of drugs possession searches, especially those that find nothing, are likely to cause more harm than good to police relations with communities.

We recommended a national debate on how stop and search is used to police controlled drugs, informed by the evidence. The damage caused by disproportionate use that can't be explained can be far-reaching and long-lasting. It may lead more BAME people into the criminal justice system. It may feed public and police perceptions of Black people and crime. And it may influence how the police allocate and deploy resources.

Interactions with the public: culture and learning

Forces are getting better at training their officers and staff with the aim of preventing unfair behaviour. They do this by addressing unconscious bias (personal biases we all have that are influenced by our surroundings and backgrounds). Forces are also getting better at applying this training when interacting with the public. But research⁴ shows that training will only bring about lasting improvement if the culture in the force is one of diversity, inclusion and equality.

Investigations by the Independent Office for Police Conduct⁵ have found that some officers carrying out stop and search don't understand the effect their actions and words can have on BAME people. Nor in these cases do they understand why they may be seen as unduly discriminatory. This highlights how important it is that officers and staff can overcome their biases and prevent unfair behaviour.

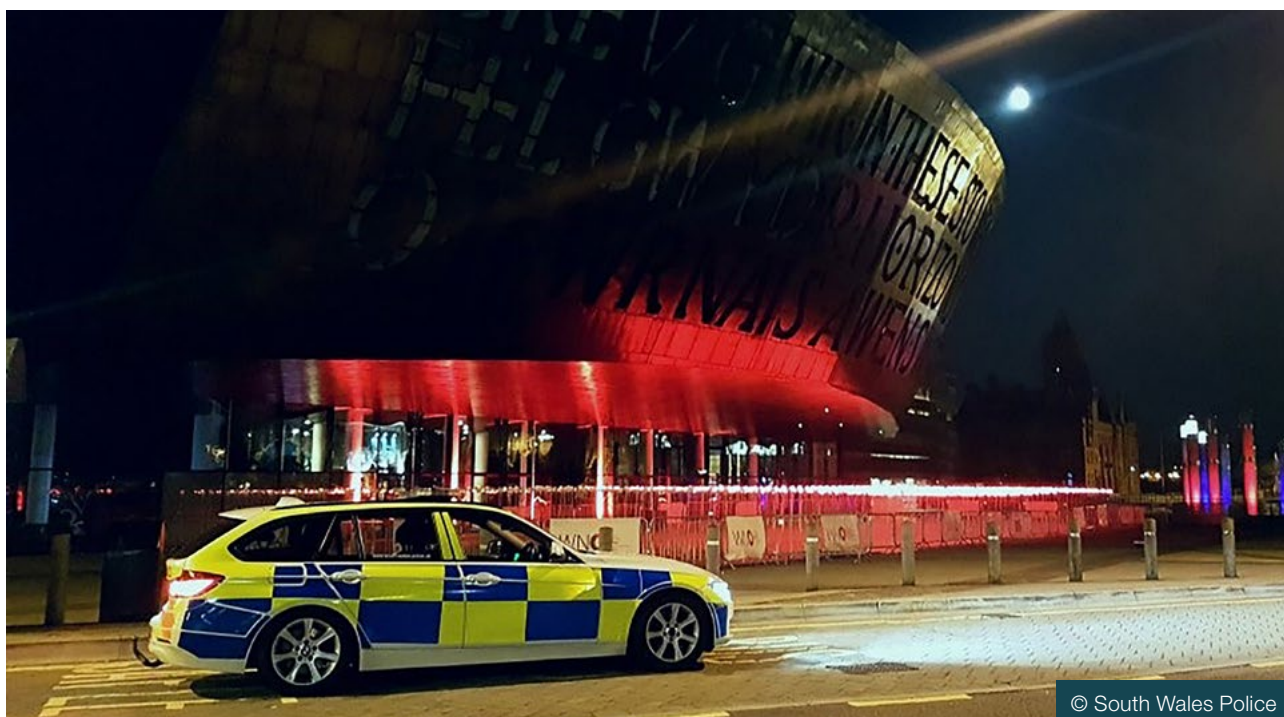
Use of force: forces still need to do more

Data about the use of force has only been systematically collected since 2017, except for data about the use of Tasers. It is important that forces properly understand how they use force. But, in too many cases, processes for monitoring use of force are still being developed.

This data isn't yet reliable enough to make definitive assessments. Forces need to analyse the data better and make sure that they record every occasion when they use force. But, despite these limitations, the data already suggests too many instances of the disproportionate use of force. This could mean that force is used on Black people with less justification than on White people, or there could be other explanations. Forces cannot yet adequately explain why, and it needs to be explored further.

Not all forces make enough effort to record each use of force. Incomplete records are also a problem. As part of our 2018/19 IPAs, we checked whether forces comply with the recording requirements introduced by the National Police Chiefs' Council (NPCC) in 2017. Four forces weren't giving detailed enough information about Taser use. Two more weren't recording compliant and non-compliant handcuffing separately.

In general, training in how to use force fairly and appropriately is good. But, in too many forces, the processes for monitoring, governing and scrutinising the use of force are ineffective or non-existent. These forces have a limited understanding of how fairly or appropriately their officers and staff use force.



Disproportionality exists and no force can satisfactorily explain why.

Stop and search: forces need to do more to understand disproportionality

We found that no force fully understands the impact of stop and search powers. Disproportionality exists and no force can satisfactorily explain why. In 2019/20, BAME people were over four times more likely to be stopped and searched than White people. And Black people were nearly nine times more likely to be stopped and searched. Moreover, failures to record some ethnicity data may be hiding the true stop and search disproportionality rate.

Most searches are for drugs, and most of those are for possession rather than supply. The prevalence of drug possession searches indicates that forces are addressing the effect of the problem, rather than the root cause. So, stop and search isn't always targeted at the most serious offences, or those of highest priority for forces and the public. It could be that forces have decided to target lower-level drugs possession over other crimes. Or they're failing to give officers enough direction and guidance on how best to use these powers.

Drug searches affect the disproportionality rate more than other types of search, and risk damaging police and community relations. There is a wide variation of approaches among forces. This suggests a need for a national approach to using stop and search to police drugs. The potential damage to public trust and police legitimacy is substantial.

Forces also differ in how they initiate searches. Some target local crime problems and force or local priorities; others leave searching decisions to the discretion of officers. Searches based on accurate and current intelligence or information are more likely to be effective. But we found a very low proportion of intelligence-led searches.

We found that training on stop and search has improved, with some examples of good practice, but there are gaps in too many officers' skills and knowledge. Supervisors, too, need more training on how best to supervise their officers' use of stop and search powers.

In general, forces are getting better at monitoring stop and search. But too many forces still don't analyse and monitor enough information to understand fully how fairly and effectively these powers are used. And not enough action is taken on the disparities they identify.

Most of the forces we inspected had good external scrutiny arrangements, involving a diverse panel of trained people.

Our recommendations

We recommended the following:

- Forces should make sure that officers and staff have effective communication skills, which should be reinforced as part of continuing professional development, and that supervisors should routinely debrief them on these skills using body-worn video footage.
- Forces should make sure that officers record all stop and search encounters from start to finish using body-worn video. They should regularly review the videos to identify lessons to be learned and hold officers to account. They should let external scrutiny panel members see samples of body-worn video footage.
- The Home Office and the NPCC should make sure that data on incidents involving force in stop and search is of good enough quality to be published quickly.
- Forces should have effective internal monitoring and external scrutiny processes on the use of force.
- Forces should make sure that all stop and search records include the self-defined ethnicity of the person stopped.
- The Home Office should establish a national minimum standard for monitoring the use of stop and search powers.

Force management statements

As part of our inspection process, each year we require forces to send us information they use in their planning processes in the form of force management statements (FMSs).

Each FMS shows how the force expects demand to change and how it will adapt to meet that change. Force management statements are self-assessments by chief constables (and their London equivalents). Each contains the chief's statement and explanation of:

- the demand (crime and non-crime, latent and patent) that the force expects to face in the next four years;
- how the force will develop and improve its workforce and other assets to cope with that demand;
- how the force will improve its efficiency to make sure the gap between future demand and future capability is as small as it can reasonably be made to be; and
- the money the force expects to have to do all this.

In 2020, because of the pressures faced by forces during the pandemic, we suspended the requirement for forces to provide FMSs and instead asked them to send us their FMSs by the end of May 2021.

Our PEEL questions have changed to match the structure of FMSs. This makes it easier to see where we use information from an FMS to inform our risk-based approach to PEEL fieldwork. So, for some forces, in the light of their FMSs the breadth and intensity of inspection were reduced. As forces become accustomed to producing FMSs, it will be easier for us to link the FMS information to our inspection work.

Why FMSs are important

So they can police communities effectively and efficiently, forces need to manage and deploy their assets well.

Its FMS provides the force with essential information which enables it to make better decisions about how it will meet future demand. But this is only if a force comprehensively assesses the demand it expects to face in the future, and makes a sound assessment of the present and future condition of its workforce and other assets. This knowledge means funds, resources and effort can be properly allocated. It also means the force can deal effectively and efficiently with the demand that poses the greatest risk.

When we introduced FMSs, there was considerable resistance from some chief constables and police and crime commissioners (PCCs). To facilitate the acceptance and orderly introduction of FMSs, we permitted forces significant latitude in how they explained their assessments of future demand and asset stewardship. This inevitably meant that there was very considerable variation in the quality of the first generation of FMSs. However, a very common shortcoming was in forces' assessments of demand and their evaluation of what they needed to do with their workforces and other assets efficiently to meet that projected demand.

Since then, a very great deal has changed. We have progressively tightened our requirement for more consistent specification of demand and asset stewardship, thus improving consistency and comparability. Many chief constables and a significant proportion of PCCs now fully accept the value of FMSs, and use them for their own purposes. They are no longer widely regarded as requirements of the inspectorate; rather, they are seen as essential management tools to ensure that planning is as sound as possible.

Force management statements are seen as essential management tools.

Forces have got better at assessing and managing demand.

Early observations from the 2021 FMSs

The timing of this year's *State of Policing* means we have yet fully to evaluate all this year's FMSs. But we can make some early observations.

We are pleased that several aspects of the third generation of FMSs have improved. Forces have got better at:

- assessing and managing demand;
- showing how they allocate resources to meet expected future demand;
- placing emphasis on how they will look after their workforces, both in respect of their physical wellbeing and their mental health having especial regard to the considerable pressures and strains on frontline officers and staff in particular;
- plans to tackle identified gaps, such as how forces will deploy the additional officers recruited as part of the Government's recruitment requirements (Operation Uplift); and
- harmonising FMSs with forces' planning cycles.

It is clear from the most recent FMSs that they have been used effectively to facilitate planning during the pandemic. Some FMSs have contained detailed analyses and assessments of the current and future effects of the pandemic on demand and resources.

As intended, we are using the third generation of FMSs to:

- inform our inspection plans;
- inform our assessments of forces' effectiveness and efficiency;
- evaluate how demand is likely to change; and
- establish more fully what forces are doing to reduce crime and respond to national priorities.

Maintaining the workforce

The second generation of FMSs highlighted the effects of long-term austerity on forces. Some forces described strain in supporting functions such as training, human resources and analysis.

The third generation of FMSs describe the change in workforce as a result of the increase in officer numbers from Operation Uplift.

Forces told us how they have met the requirement to increase officer numbers in the first year of Operation Uplift and support future recruitment.

Many forces also said they face challenges in recruiting and training the extra officers. Some forces describe the changes and problems they expect to face with a larger, less experienced workforce.



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It's important that forces analyse expected changes in their socio-demographic and economic profiles.

Current and future demand

Forces are good at assessing current demand, including the numbers of incidents attended and the numbers of crimes they deal with. However, in too many respects some forces continue to focus on historic and current demand with limited assessments of future demand. And yet FMSs are all about the future. Without an assessment of expected future demand, a force will find it difficult to explain why it has decided to make the changes it has. Demand projections are essential in planning.

The pandemic has had a significant effect on policing. Many forces describe how they are using remote working and new technology to maintain services.

Future FMSs should contain much more analysis of how demand is expected to change as lockdown restrictions ease. Forces should also analyse the expected changes in funding of police and other agencies, such as local authorities, other public services and charities. And it's important that forces analyse expected changes in their socio-demographic and economic profiles.

Workforce and other assets

Forces need to assess the condition, capacity, capability, serviceability, performance and security of supply of other assets, as well as workforce wellbeing. If a force understands these things and has soundly assessed expected future demand, the changes it needs to make will be far more apparent.

In their FMSs, forces were generally good at describing the capacity and capability of their workforces, including where they need training. They told us about the wellbeing of their staff and what they are doing to improve it.

The third generation of FMSs should have contained more candid assessments of the performance some forces are achieving with their available workforces and assets.

Changing to meet expected demand

When forces do not properly analyse their asset stewardship and have weak assessments of future demand, it is not surprising that they struggle to explain how they need to change to meet that demand. Generally, forces explained the actions they were taking. But the decision making behind these actions was not always clear.

In their FMSs, most forces failed to explain how they expect planned changes to affect the service they provide or their performance. This is an aspect which needs significant improvement.

Demand forces don't expect to meet

Most forces' FMSs included some evaluation of their expected ability to meet future demand. However, very few forces explained the extent and nature of projected demand they do not expect to meet. Some forces claimed that they will be able to meet future demand, but the supporting information was weak.



Developing FMSs

In the guidance for the fourth generation of FMSs, we have asked each force to provide further information on planning and performance management, including:

- an assessment of how the force expects demand to change because of the pandemic;
- an evidenced assessment of projected performance, including how effective it expects to be at reducing crime and meeting other national strategic priorities;
- how it will evaluate the effectiveness of planned changes and any expected interdependencies;
- the expected effect of any changes, any risks and the costs associated with the changes; and
- a candid assessment of the consequences of any unmet demand on risks to the community and service quality.

When a force meets these requirements effectively, its FMS will provide strong evidence that it is well run and has a good understanding of current and future demand.

We will continue to work with forces and leaders in different organisations further to develop FMSs to ensure they are as effective as possible in providing the best information needed by forces and those who depend upon them and hold them to account.



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Our child protection inspections

In these inspections, we put the experiences of children at the centre of our analysis.

National child protection inspections

We started our national child protection inspection programme in April 2014. By the end of March 2021, we had published reports on 31 police forces. We had also gone back to 26 of those forces to assess their progress against our recommendations.

How we carry out our national child protection inspections

In these inspections, we put the experiences of children at the centre of our analysis. We use this analysis to support learning and development. We assess decision making, leadership, training and forces' awareness of their safeguarding responsibilities. We don't make graded judgments but our reports give forces a detailed blueprint for recommended effective practice (the most effective way to work). We describe the strengths they should build on and where they can improve. We are pleased that, in every follow-up inspection, we have found improvements.

In March 2020, our child protection inspections stopped when we decided that we wouldn't carry out any inspection activity that needed appreciable contributions from police forces. This was to allow forces to turn their full attention to responding to the pandemic.

When the pandemic restrictions were relaxed, we considered how we could resume child protection inspections. We identified activities that could be carried out virtually. For example, we did interviews or focus groups using remote technology and we remotely analysed case files. This enabled us to carry out three further post-inspection reviews (which check on progress a force has made since our first full inspection there).

In 2021/22, we plan to conduct extra inspections to complete those delayed by the pandemic.

Forces have improved how they investigate some cases of children who repeatedly go missing from home.

Our post-inspection review findings

Senior officers are committed to protecting vulnerable people, including children, and to recognising and responding to areas of potential increased risk of abuse, harm and exploitation during the pandemic.

Our inspections continue to find examples of good work by individual frontline officers responding to incidents of concern involving children. We also find skilled and committed child protection staff, working in an increasingly demanding, complex and evolving environment.

The standard of some investigations of incidents where children are exploited online or exposed to harm remains inconsistent. Often, there are delays before police safeguard children – for example, not doing so until arrests are made. We found that this can lead to delays in children getting the support and protection they need.

Forces have improved how they investigate some cases of children who repeatedly go missing from home. Forces work with other agencies concerned with safeguarding to make sure that they fully understand the risk a child may be exposed to while missing and respond appropriately.

Custody officers and staff recognise the need to ask the local authority to provide accommodation for children who have been arrested, charged and refused bail. Local authorities are responsible for providing this accommodation, which, in rare cases, might need to be secure. But this accommodation often isn't available for children. This is a national problem that we have reported on before.

Forces are continuing to work with safeguarding agencies to improve outcomes for children. But sometimes, wider risks to other children and opportunities to contribute to their longer-term safeguarding are being missed.



Joint targeted child protection inspections in England

In 2016, we started a programme of joint child protection inspections. We carry them out with Ofsted, the Care Quality Commission and Her Majesty's Inspectorate of Probation. This programme is continuing. In these inspections, we consider how well police, education, health and social services work together to help children in need of protection.

This programme, too, was suspended in March 2020 because of the pandemic. All inspectorates have used the suspension to review the programme and build on the benefits of joint inspectorate working. In 2021/22, we intend to pilot a new approach. The final plans for this will be confirmed as each inspectorate returns to routine inspection.

Joint inspection of child protection arrangements in Wales

In Wales, child protection and safeguarding responsibilities are devolved to the Welsh government. The *All Wales Child Protection Procedures* set out what is expected of all organisations involved in child protection in Wales, including the police. This means that the joint inspections of child protection we conduct with Ofsted, the Care Quality Commission and HMI Probation don't take place in Wales.



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Throughout 2019, we worked with the Care Inspectorate Wales, Healthcare Inspectorate Wales, Eystn (the education and training inspectorate for Wales) and HMI Probation. Together, we developed a joint inspection programme to test the effectiveness of partnership working to protect children.

In December 2019, a pilot inspection took place and evaluated how local services in Newport, Gwent, handled child exploitation. Findings included the following:

- The police and local authority have co-located staff (staff who work together in the same building) to share information and improve joint decision making.
- The police adopted trauma-informed practice (understanding the effect of trauma) and adverse childhood experiences work (understanding traumatic childhood situations). This strengthened their understanding of the effect and appropriate response to children facing difficult situations.
- Together, agencies collectively recognised the broader aspects of abuse and exploitation, and were working together to protect children by disrupting organised crime gangs. This included sharing information before enforcement so schools and children's services could plan for disruption to a child's day and offer support when necessary.
- Agencies have worked together to develop a child exploitation assessment tool, which is used in cases of both the sexual exploitation of children and their criminal exploitation. Different agencies also work together at Multi-Agency Child Exploitation Meetings (MACEs) to oversee and co-ordinate work with children vulnerable to exploitation.

Like our other child protection inspections, we suspended this joint inspection programme in March 2020. We plan to start it again in summer 2021.

Some children wait intolerably long for their mental health needs to be identified.

Children living with mental health problems

In December 2020, we published a joint targeted area inspection thematic report covering six inspections of the multi-agency response to children with mental health problems.

The inspection investigated how local partnerships and services were responding to children and their families when children were living with mental ill health.

We investigated how different agencies worked. This involved reviewing the effectiveness of multi-agency working arrangements, including children's social care, health services, youth offending services, schools and the police.

We found that, when partnerships work well together, prioritise children's mental health and build a skilled and knowledgeable workforce, children get better support for their mental health.

We also found that knowing more about the local community, consulting with children, and working with a range of agencies leads to a better understanding of children's need for support with their mental health problems.

Individual professionals across a range of agencies can, and do, make a real difference to children with mental health needs. But some children wait intolerably long for their mental health needs to be identified and to access a specialist service.



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The pandemic vulnerability inspection

*Policing in the pandemic: The police response to the COVID-19 pandemic*⁶ reported on child protection.

We carried out as much as possible of this inspection remotely. We examined self-assessments and documents from all 43 forces, and carried out fieldwork including interviews and focus groups with officers.

On child protection, we found the following:

- As the pandemic progressed, there was a change in the level of demand faced by the police from child protection incidents. The police worked with safeguarding agencies to analyse the changing nature of risk, identify children at increased risk and put in place joint plans to protect them.
- The police made good use of external and internal communications to highlight the changing nature of risk and hidden harms experienced by children.
- Children were seen to be more at risk of online exploitation because they spent more time at home and online. However, the police didn't see an associated increase in reported offences. In other forms of exploitation, such as county lines, the police reacted to changes in perpetrator behaviour and reallocated resources to identify children at risk.
- The police made changes to the way that they managed registered sex offenders in the community. Following national guidance issued in March 2020, we found that some had stopped visiting low-risk, and some medium-risk, offenders. Instead, they phoned or did virtual visits. We were concerned that the police might not be managing dangerous offenders appropriately and that this could put vulnerable people at risk. We asked forces to make sure that officers understood this guidance correctly.

We will follow up on these findings as part of our rolling child protection programmes.

Children were seen to be more at risk of online exploitation.

Our specialist inspections

British Transport Police

In April 2019, the Minister of State for Transport commissioned us to inspect British Transport Police (BTP). British Transport Police has a Great Britain-wide jurisdiction, unlike other forces, and is focused on the rail network. But its principles of keeping people safe and reducing crime are the same as for other forces. We were asked to assess how well the force works with the rail industry to minimise disruption on the network.

We focused on police-related incidents that cause disruption, such as trespass, fatalities and cable theft. The fieldwork took place in June 2019 and our report was published in April 2020.



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We aimed to answer the question: “How well does the force minimise disruption on the railways, work with industry and reflect its priorities?” We considered how well the force:

- minimised the disruption to the railway network caused by trespass, fatalities, cable theft and other police-related matters; and
- aligned its policing priorities with those of the industry, while maintaining its operational independence.

British Transport Police was good at prioritising and minimising police-related disruption on the network.

Our findings

Minimising disruption

We found that BTP was good at prioritising and minimising police-related disruption on the network. The force had prevention plans and initiatives to reduce the effect of its response so that investigations of incidents cause minimum delay.

But these weren't consistently used across the force and weren't always supported by the rail industry. The force's recommendations to the industry about preventing disruption seemed mostly to be ignored. The force believed this was mainly because of cost. This meant that the force could not prevent some disruption, such as trespass.

Aligning force and rail industry priorities

The force tried to align its priorities better with those of the industry. But many organisations make up the rail industry, each with different priorities. The industry didn't fully see some of BTP's strategic priorities, such as safeguarding, firearms and counter-terrorism, as sufficiently relevant to them. It followed that some in the industry did not have a good enough understanding of the importance of these priorities for the force.

Operational independence

We were satisfied that the force remained independent when dealing with disruption and delay. Officers weren't affected by commercial pressures when deciding to allow the re-opening of the network. But we were worried about industry influence on senior officers. We saw some evidence of people in the industry trying to influence senior officers' decisions: for example, to re-open the railway network quickly after closure for a fatality.

The force had several initiatives to increase passenger confidence.

Passenger confidence

British Transport Police recognised that building public confidence and reducing fear of crime is a focus for the industry. The force had several initiatives to increase passenger confidence and improve its work with them. Examples were its ‘see it; say it; sorted’ campaign and its use of passenger surveys.

But we decided that more needed to be done to engage with passengers. Improved engagement helps the force understand what concerns the public most and what gives them confidence when using the rail network.

Trespass, fatalities and other police matters

British Transport Police makes responding to trespass and fatalities a priority. It has prevention plans in place and invests in training for all staff. The force recognised how trespass – especially by young people and people with mental health problems – affects the network. It worked with industry and other groups to reduce trespass and suicides. Many of the reasons for trespass and fatalities are complex and BTP can’t solve them alone.

British Transport Police has said it will reduce the disruptive effect of trespass at the top ten hotspots on the network. This is of course a sensible approach. Focusing police activity where it has the greatest effect is cost-effective and should reduce disruption and delay.

Using technology and data

The force understands the importance of data and technology in making operational decisions and informing prevention work. In its 2018–21 strategic plan, it pledged to improve how it uses technology. The force was good at collecting and analysing data to understand threats on the network. It had a clear national picture and understood police-related disruption. But we found that it could establish better ways to exchange information with the rail industry.

Our recommendations

We made five recommendations to make railway policing more effective. We said BTP should:

- consider how it works with the rail industry and find better ways to work with it strategically; closer working will help the force to better understand and thereby overcome the industry's complex, and often conflicting, priorities;
- review how it shares information with the rail industry; it should explain some of its functions, policies and procedures more, which will help the industry better understand important functions such as counter-terrorism;
- raise awareness among police forces of the effects of police-related disruption and the importance of returning the railway network to normal as quickly as possible;
- review its deployment model to make sure it can achieve the objectives of its National Policing Plan; and
- make available its training for police-related disruption, which is excellent, to more representatives from the rail industry and to police officers from other forces.



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Fewer than half of the relevant police and crime plans listed roads policing or road safety as priorities.

Roads policing

For over 30 years, the number of people killed on the roads in England and Wales was in steady decline. However, in 2013, that trend changed and began to show a gradual increase. In 2018, 1,624 people were killed and 23,931 suffered serious, often life-changing, injuries because of road traffic collisions.

This change coincided with a 34 percent cut (or £120m) in spending on roads policing. This meant that there were fewer dedicated roads policing officers and a substantial decrease in police enforcement work. Police were less able to target, in particular, offences known to cause road deaths – the ‘fatal four’ of drink and drug driving, not wearing a seat belt, excess speed and driving while distracted (by, for example, mobile phones).

In respect of the forces inspected, fewer than half of the relevant police and crime plans listed roads policing or road safety as priorities. With protection of life being the paramount objective, we sought to determine what forces were doing about this tragic loss of life on our roads.

Our findings

Strategy

Some forces adopted only parts of the national roads policing strategy, such as denying criminals use of the road. Some couldn’t show adequate evidence of a strategic approach to reducing road deaths.

Partnership working

Other public sector bodies – particularly local authorities – aren’t often involved in police road safety initiatives. This has resulted in a disjointed and inefficient approach to road safety. In too many respects, best practice, such as problem-solving approaches to reducing serious collisions, is not being disseminated effectively.

Engaging with those most at risk

On the roads, people older than 85 have the highest fatality rate of all age groups, and are more likely to be killed on the roads as pedestrians. Those in the 17 to 24 age group are more likely to be killed as vehicle occupants. Motorcycle users account for just 0.8 percent of vehicular traffic, but make up 26 percent of all those killed or seriously injured. In too many cases, forces fail sufficiently to engage with these groups to educate them.

In too many cases, forces fail sufficiently to engage with and educate those most at risk.

Reduced capacity

Between 2012/13 and 2019/20, annual expenditure on roads policing in England and Wales fell by about 34 percent in real terms. As a result, forces reduced their roads policing capability and capacity, whilst requiring the remaining roads policing officers to do other work, including responding to calls for assistance unrelated to roads policing.

Local response officers told us they are seldom briefed on, or directed towards, roads policing issues. Some feel discouraged from being proactive because it is seen as a distraction from their central role of responding to incidents. One officer told us that “No-one thanks you for being tied up with a drink-drive prisoner for two hours.” This culture has a negative effect on officers’ development. We were told that student officers usually complete their two-year probationary periods without getting much experience of basic roads policing work, such as making arrests for drink driving.

This is reflected in police enforcement of the four offences that are the prevalent causes of road deaths. As the visibility of road traffic police has reduced, so has the fear of being caught, which has led to more offending, collisions and deaths.

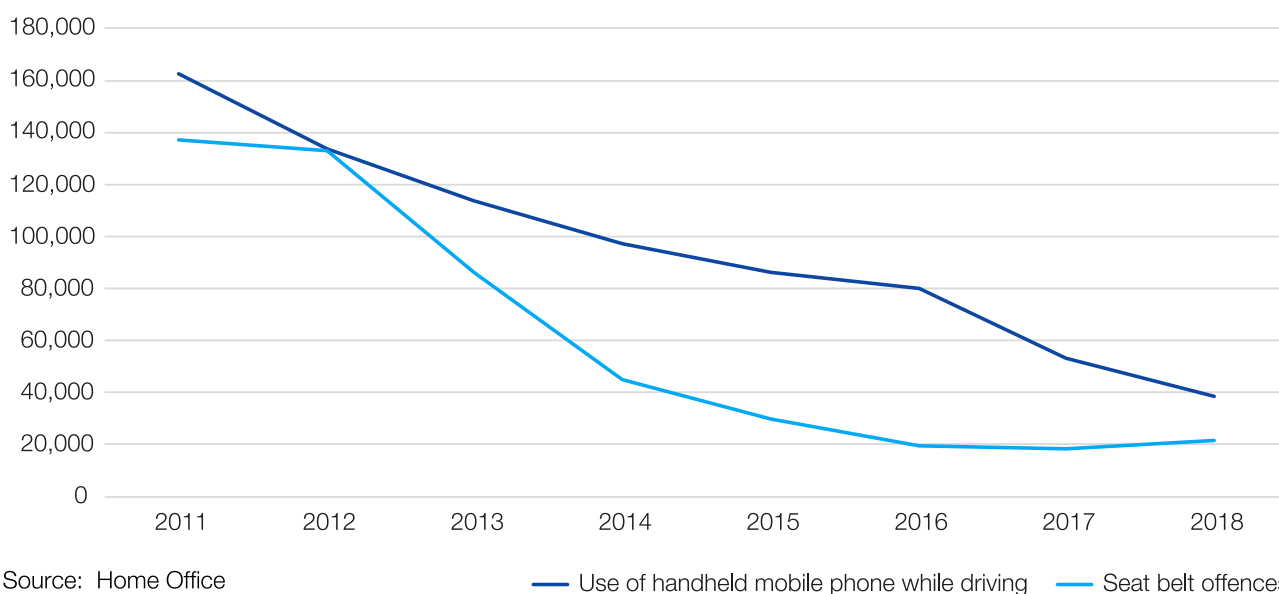
The number of roadside drug tests carried out as part of national campaigns has fallen.

Enforcement

Most forces cannot sufficiently show that their enforcement work is based on a sound understanding of the causes of deaths and serious injury on the roads in their areas.

- Between 2015 and 2018, the number of breathalyser tests carried out in England and Wales dropped by 25 percent, from 425,300 to 321,000. Since 2014, there has been a corresponding rise in people killed or seriously injured in road traffic collisions where the driver was over the legal blood alcohol limit.
- The number of roadside drug tests carried out as part of national campaigns has fallen. But, like breathalyser test data, the percentage of those failing the test has increased since 2016.
- Between 2011 and 2017, the number of fixed penalty notices issued for using a handheld mobile phone while driving dropped by just over 76 percent, from around 162,400 tickets to around 38,600.
- In 2013, just under 20 percent of car occupants killed in collisions were found not to have been wearing a seatbelt. By 2018, this figure had risen to almost 26 percent. Over the same period, the number of fixed penalty notices issued for not wearing a seatbelt reduced by 75 percent, from 86,300 to around 21,600.

Figure 3: Fixed penalty tickets issued for traffic offences in England and Wales, 2011 to 2018



Motorway patrols

The cost of all road traffic collisions is around £36 billion per year. Incidents or collisions on the road network can have severe economic consequences. In 2011 alone, the estimated cost of motorway closures due to road accidents was £1 billion. We found that motorway patrols have diminished, and some forces only enter the motorway to deal with collisions rather than to patrol to prevent them.

Criminals on the road

Targeting criminals using the road network and disrupting their activities is part of the national strategy. However, in too many respects criminals engaged in county line drug dealing have not been denied the use of motorways because many police patrols have been withdrawn.

Partnership working

In several force areas, the partnership approach to road safety is poor. (The partnership approach is a co-operative arrangement between the police and other public authorities, such as the Highways Agency.) This is often because the force and other agencies have different, or even contradictory, priorities and objectives. There is little evidence of data and analysis being used for problem solving with other agencies, or of engaging with them to reduce risk.



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Skills to deal with heavy goods vehicles

Heavy goods vehicles (HGVs) are involved in 28 percent of collisions that involve serious injury or death. In several forces, there was no sufficient evidence of effective succession planning or training in dealing with HGVs.

Training

There is no accredited national training programme for roads policing officers. The College of Policing has a range of modules, but they are not mandatory, and some forces have developed their own approaches. As a result, there is often inconsistency in how, when, and to what levels officers are trained. There is not enough continuing professional development of officers, and it is inconsistent.

Not all forces fully exploit developments in collision investigation, such as digital evidence available in vehicles, because staff are not adequately trained.

Welfare of roads policing officers

Roads policing officers are exposed to more death than any other police specialism. But in too many respects welfare provision for them is inadequate, particularly for liaison officers for bereaved families.



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Our recommendations

We recommended the following:

- The Department for Transport and the Home Office should publish a road safety strategy for the police, local authorities, highway agencies and other strategic agencies.
- The Home Office should revise the Strategic Policing Requirement to include roads policing.
- The Home Office should require reference to roads policing in all police and crime plans.
- Roads policing should be included in forces' strategic threat and risk assessments.
- The role and structure of national roads policing operations and intelligence should be reviewed to better co-ordinate national roads policing campaigns.
- Forces should have enough analytical capability to inform tactics to reduce collisions and evaluate their effectiveness.
- Speed cameras should, in line with guidance, be located where there is risk of speed-related collisions. Forces or local road safety partnerships should publish how revenue from speed cameras is used for road safety initiatives.
- Forces should have the resources to deal with dashcam recordings of offences submitted by the public.
- Forces should have enough patrols of motorways and main roads. They should have effective co-operative arrangements including intelligence sharing with highways agencies.
- The College of Policing should include a serious collision investigation module in its Professionalising Investigation Programme. This should include:
 - minimum national training standards; and
 - certification for all serious collision investigators.
- Forces should have suitable welfare support for specialist investigators and family liaison officers involved in investigating fatal road traffic collisions.
- The College of Policing and the NPCC should establish role profiles for specific functions in roads policing, and identify training requirements.

Roads policing should be included in forces' strategic threat and risk assessments.

Areas for improvement

- Forces should be better represented in national roads policing operations.
- Collision data should be exchanged more effectively with other bodies.
- Changes in the Professionalising Investigation Programme should be communicated better.



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Pre-charge bail and released under investigation: Striking a balance

We found that the 2017 legislative changes had been brought in too quickly.

The Policing and Crime Act 2017 established the presumption that the police should release detainees without bail; this practice is referred to as 'released under investigation' (RUI). Before this, suspects could be bailed for very long periods before they were charged or the investigation was ended without further action.

Pre-charge bail can still be used when it is necessary and proportionate. But the length of time suspects can spend on bail is limited, and requires extra authorisation (either by police officers at the rank of inspector or above, or magistrates if it is for more than three months).

In all police forces, these changes resulted in a huge reduction in the number of suspects who were released on pre-charge bail. This included suspects in cases of domestic abuse, and other high-risk crimes.

In late 2019 and early 2020, we carried out an inspection of the use of pre-charge bail and RUI. The inspection was done jointly with Her Majesty's Crown Prosecution Service Inspectorate. The report was published in December 2020.

Our findings

We found that the 2017 legislative changes had been brought in too quickly. One result of this was that forces were not given adequate guidance, which resulted in a range of interpretations of the legislation across England and Wales.

Guidance from the NPCC in January 2019 went some way to addressing this problem. It advised forces what they should do when they release suspects under investigation or on bail. But we found that, even 12 months later, many officers were unaware of the guidance.

We found that Crown Prosecution Service lawyers were often unaware that a suspect had been released under investigation.

We found that in many cases of domestic abuse and stalking, suspects were released under investigation instead of being formally bailed with conditions (such as requiring them to stay away from certain people or places). This was very worrying because of the high harm and risk associated with these types of crime, and it was clear through our research that victims of domestic abuse felt less safe since the changes were made.

The legislation was introduced to remedy the problem of suspects being on bail for long periods of time. But we found that investigations involving suspects released under investigation tended to take longer and were subject to less scrutiny than ones involving bail. And, when investigations ended without a charge, suspects weren't always told that there would be no further action.

We also found that there was no accurate national data about the use of bail and RUI, because forces recorded these things in different ways. This meant that in too many respects the police did not fully understand how many people were released under investigation.

We found that Crown Prosecution Service lawyers were often unaware that a suspect had been released under investigation, which adversely affected the advice prosecution lawyers were able to give.



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Our recommendations

We made two recommendations that were specific to police forces:

- Forces should develop processes and systems to clearly show whether suspects are on bail or released under investigation. This will help them to better understand the risk a suspect poses to victims and the wider community, and will help to increase safeguarding.
- Forces should record whether a suspect is on bail or released under investigation on the MG3 form when it is submitted to the Crown Prosecution Service. This should be regularly checked and any changes in bail or release under investigation passed to the Crown Prosecution Service. The Crown Prosecution Service should work with the police to make sure that they get this information.

We made further recommendations for the Home Office, the College of Policing, the Crown Prosecution Service and the NPCC:

- The Home Office should work with the police and the College of Policing to review the legislation for bail and release under investigation.
- The Home Office should work with police and the College of Policing to make sure that forces have enough time and adequate resources to prepare for any future changes to the legislation which arise from the recent Home Office consultation on the use of bail. They should also give police forces comprehensive guidance and protocols on the changes.
- The Home Office and the NPCC should work together to develop and put in place data collection processes to give an accurate national picture of release under investigation and pre-charge bail.
- The Home Office should work with police forces and the College of Policing to develop and implement monitoring arrangements to make sure that changes resulting from the Home Office's bail consultation are effective.
- The Home Office should work with the NPCC, the Crown Prosecution Service and the College of Policing to make sure that any changes to the legislation secure improvements for victims of crime.

- The College of Policing should work with the NPCC to develop clear guidance for officers on updating suspects who are released under investigation about the progress of their cases.
- The College of Policing and the NPCC should work together to develop clear guidance for police forces so that all cases involving serious harm and risk, such as domestic abuse and stalking, are subject to bail with conditions to protect victims. The guidance should also require a new risk assessment before a suspect's bail status changes.
- The Crown Prosecution Service and the NPCC should work together to review their service level agreements and make sure that cases can be charged at the earliest opportunity.

We are monitoring the implementation of our recommendations. The Home Office has recently announced proposed changes to the legislation, which will likely be introduced in 2022/23.



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An inspection of the effectiveness of regional organised crime units

The purpose of this inspection was to assess how effectively and efficiently the regional organised crime units (ROCUs) tackle the threat from serious and organised crime.

We wanted to establish how well ROCUs led the response to serious and organised crime while working with local police forces and other law enforcement agencies.

The inspection began in February 2020 but wasn't completed until November 2020 because of the pandemic.

We found evidence of some good work, but we also found inconsistencies across England and Wales in the resourcing, leadership and operation of ROCUs.

The major finding from this report was the lack of a clear and sustainable funding model to make sure that the ROCUs are a central part of the Government's Serious and Organised Crime Strategy 2018.⁷

In 2015, we highlighted the ROCU funding model as a problem; the National Audit Office highlighted similar problems in its 2019 report on tackling serious and organised crime.⁸ This long-running problem needs to be resolved.

The report grouped our findings into three areas:

A single, whole-system approach

In general, we found that ROCUs had good access to intelligence and performed well, despite dealing with many disparate ICT systems. They remained focused on the pursue (prosecution and disruption) strand of the Serious and Organised Crime Strategy 2018. Each ROCU had developed performance regimens and was working to create a management information system to improve recording performance data.

We found evidence of some good work, but we also found inconsistencies across England and Wales.

More could be done to make sure that ROCUs implement good practice nationally.

Accountability and oversight

We found no effective national oversight framework capable of mandating what the ROCU network should do. There were inconsistencies in many areas of ROCU activity. All units had similar regional governance structures but they were inconsistently applied. This had the potential to undermine the national and regional tasking and co-ordination arrangements. We found that some ROCUs were dealing with lower-level threats than some police forces.

More needs to be done at the national and regional levels to make sure that the structure and leadership of the ROCU network are consistent and can effectively tackle the threat from serious and organised crime.

We found some examples of innovative work locally and between specialist officers. More could be done to make sure that ROCUs implement good practice nationally.

Across the ROCU network, we were troubled by the lack of awareness or evidence of counter-corruption measures. Some ROCUs had plans to tackle corruption but they weren't consistent across England and Wales.

We said there needed to be a more consistent approach to co-ordinate national messages to the public about serious and organised crime. This would help raise public awareness of the threat. The ROCU network could contribute to this by spreading consistent messages across all regions, adopting a similar approach to the one used for policing terrorism.

Resourcing, capacity and workforce

Given ROCUs' importance in the fight against serious and organised crime, we were disappointed that there was no long-term funding model for them. The lack of a sustainable funding plan made the ROCU network less effective than it could have been.

Despite the problems with funding and the need for greater co-ordination and collaboration, ROCUs have made substantial progress since our last inspection.

We published our report in February 2021. We made six recommendations and raised one cause of concern to further improve the effectiveness of the ROCU network.

Policing public protest

Introduction

Protests are an important part of our vibrant and tolerant democracy. Under human rights law, we all have the right to gather and express our views.

There have been long-running demonstrations against, for example, the badger cull, companies involved in fracking (a method of onshore oil and gas production), and the construction of the high-speed rail line HS2. Since the murder of George Floyd in the USA, Black Lives Matter protesters have taken to the streets in many British cities, sometimes meeting with counter-protests.

In recent years, increasing amounts of police time and resources have been spent dealing with protests. These protests have brought parts of some of Britain's busiest cities to a standstill, disrupted commercial activity and even toppled a statue. But a fair balance should be struck between individual rights and the general interests of the community.

Our inspection

Between October and December 2020, we inspected ten police forces in England and Wales and, alongside Her Majesty's Inspectorate of Constabulary in Scotland (HMICS), gathered evidence from Police Scotland.

The inspection took place during the pandemic. We examined the extra challenges that policing protests under the health protection (lockdown) regulations had brought.

Our findings

We found that the police generally attempt to balance the rights of protesters with those of the businesses and communities whose daily activities are disrupted. This balance is a difficult one to strike. Having reviewed the evidence, our conclusion is that the police do not strike the right balance on every occasion. The balance may tip too readily in favour of protesters when – as is often the case – the police do not accurately assess the level of disruption caused, or likely to be caused, by a protest.

In recent years, increasing amounts of police time and resources have been spent dealing with protests.

The police need intelligence to assess protest-related risks and prepare plans to make sure that protests are safe.



We separated our inspection into five areas:

- How well the police manage intelligence about protests.
- How well the police plan and prepare their response to protests.
- How well the police collaborate in relation to protests.
- How effective are decision-making processes and how they affect the police response to protests.
- The extent to which current legislation gives the police the powers they need to deal effectively with protests.

How well do the police manage intelligence about protests?

The police need intelligence to assess protest-related risks and prepare plans to make sure that protests are safe. Protest-related risks are recorded by each force and region in public order public safety strategic risk assessments. Despite the high level of protest seen in 2020, only three of the ten forces included in these strategic risk assessments the intelligence from protests they had recently policed.



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Managing protest-related intelligence at force level

Forces' intelligence units deal with many issues besides protest, including serious organised crime, modern slavery and child sexual exploitation. Intelligence units generally balance these competing priorities with the need for protest intelligence, and work closely with operational planning teams.

Covert sensitive intelligence-gathering methods

The police can use covert sensitive intelligence-gathering methods to prevent protest-related crime and disorder if they meet stringent legal requirements. The police use most of these methods, such as directed surveillance, in a limited way.

Until September 2020, counter terrorism policing was responsible for managing protest-related covert human intelligence sources (CHIS). Since then, this responsibility has passed to forces. We have concerns about how well this will work without central co-ordination and whether forces will meet the demand. Local forces haven't managed protest-related CHIS since the 1990s.

How well do the police plan and prepare their response to protests?

Police planning teams are usually skilled, experienced and effective at preparing for their response to protest. Unsurprisingly, we found the forces that regularly deal with protest tend to have the best planning practices.

Working with organisers and others

Forces work with the companies and organisations affected by protest to help plan the police response. They also work with protest organisers, most of whom collaborate with the police to make sure that protests are safe. But this isn't always the case. Organisers who don't notify the police about a protest can jeopardise the safety of those involved and hamper the police's ability to plan. They also miss an opportunity to agree with the police on an acceptable level of disruption.

Specialist training

The police have developed a range of specialist roles relating to protest. For example, protester removal teams are trained to remove protesters from lock-on devices.



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But forces don't have a consistent way of identifying how many trained officers they need. As a result, the number of specialists available varies widely across England and Wales.

We heard that not enough officers put themselves forward for training in specialist protest policing roles. Frequent weekend working, exposure to risky operations, and the relentless insults and abuse officers often face when dealing with protests deter them. Interviewees told us about the extra stress caused by footage or photographs being posted on social media. Some officers fear this might put their families at risk.

Guidance and advice

The College of Policing's authorised professional practice has 30 tactical options for public disorder and protests. But it is out of date and doesn't include recent relevant case law or information on certain new and emerging tactical options.

We are pleased that the NPCC and the College of Policing have produced comprehensive and detailed operational advice for protest policing. But we found problems with some of its legal explanations, particularly how it sets out the police's obligations under human rights law. We raised these points with the NPCC.

Using equipment and technology

The police use equipment and technology well in relation to protest. Drones have significantly improved police commanders' ability to monitor protesters and deploy officers accordingly. We were impressed by the work of protester removal teams in dealing with the very complex lock-on devices used by some protest groups.

The police's use of facial recognition technology divides opinion. Opponents point to its potential to violate human rights; supporters believe it could help the police to identify those intent on causing crime, significant disruption and disorder. A recent Court of Appeal judgment has helped to clarify what steps the police must take to ensure that they eliminate discrimination (under the Equality Act 2010) and that applying it doesn't interfere with a person's right to privacy by law. But more policy development work is needed.

We heard that not enough officers put themselves forward for training in specialist policing roles.

Forces usually work well with other organisations and individuals to police protests.

How well do the police collaborate in relation to protests?

The police generally collaborate well in relation to protests. But we found some problems with the processes that forces use to learn from experience and exchange knowledge with other forces.

Mutual aid and collaboration between forces

Mutual aid arrangements usually work well. Resources and specialists regularly move across force boundaries to deal with protests. The police regularly test how they mobilise resources nationally and they identify opportunities for improvement.

Larger forces tend to have their own trained and equipped specialist resources. For economy, smaller forces tend to have a collaborative agreement with neighbouring forces or arrangements to buy in resources from larger forces.

Debriefing and learning from experience

Forces don't always pass on information from protest-related debriefs as effectively as they should. Internal debriefs after controversial or high-profile protests are generally good but forces often don't debrief after smaller or lower-profile protests.

The College of Policing and the National Police Coordination Centre have set up what should be an effective process for submitting and passing on information from debrief forms. But forces often don't comply properly with this process.

Working with other organisations

Forces usually work well with other organisations and individuals to police protests. These include local authorities, fire and rescue and ambulance services, other public services and other police forces, councillors and community representatives.

Forces involve these parties at the early stages of protest planning and continue working with them throughout the event. They also encourage representatives from these organisations to work alongside police gold or silver commanders during events. Local authorities often provide facilities during protest, such as for road closures or barriers, water and toilets for protesters, lighting, advice and information, and access to CCTV networks.

How effective are decision-making processes and how do they affect the police response to protests?

It is no easy task for the police to strike the right balance between the rights of protesters and those of local residents and businesses in responding to protests. The police inevitably attract criticism both for being too soft on protesters and too hard on them by unacceptably restricting the right to protest.

Human rights legislation and case law

In deciding how to respond to a protest, public order commanders must consider UK human rights legislation. And they must also consider European case law, which has established precedents on issues such as how long protests can reasonably go on for and the level of disruption that is acceptable.



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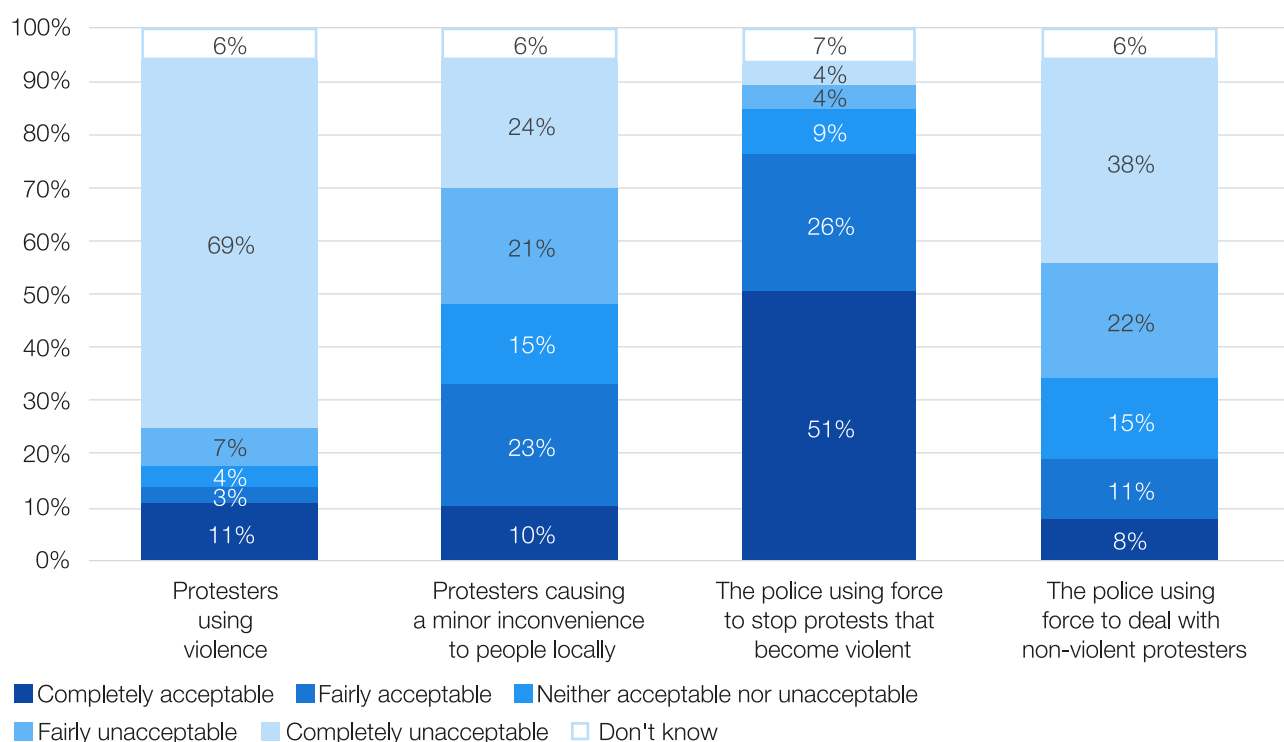
Although police commanders generally showed a grasp of human rights legislation, we didn't see evidence that they consistently consider the wider legal picture. For example, the European Court of Human Rights has ruled that police have a wider margin of appreciation when protesters deliberately set out to cause disruption. This means that the police can – and in our view should – take into account protesters' intentions when deciding the proportionate extent (if any) to which a protest should be restricted.

Our public survey

On our behalf, YouGov surveyed public perception of the policing of protests. Between 27 and 29 November 2020, it surveyed 2,033 adults in England and Wales (on a sample of this size, random sampling error is up to 2 percent).

Most respondents felt it was unacceptable for protests to involve violence or serious disruption to residents and businesses. But their views were more divided when protest causes only minor inconvenience to people locally. The survey showed less support for police use of force when protesters aren't violent.

Figure 4: Public perceptions of protest activity. Respondents were asked 'Thinking about protests in the UK, to what extent, if at all, do you think each of the following are acceptable or unacceptable?'



Source: HMICFRS survey of 2,033 adults in England and Wales carried out by YouGov between 27 and 29 November 2020

Briefing and communicating

Forces usually have good protest-related briefing processes. But their plans often don't set out the limits of acceptable behaviour on the parts of protesters. Better explanations of these limits would help officers to understand what is expected of them. Many, particularly those with less training or experience, lack sufficient confidence in using police powers.

Some officers are anxious about attracting complaints and being filmed in protest situations. It is important that forces provide good-quality training and briefing before deploying officers into these situations.

Some officers are anxious about attracting complaints and being filmed in protest situations.

Assessing the effect of protests

Forces should make better use of community impact assessments to evaluate the effects of protests on those who live in, work in or visit the area in question. We found little evidence that forces sufficiently consider the degree of disruption experienced by people not involved in a protest and the adverse financial effect of protest on affected businesses.

Does the current legislation give the police the powers they need to deal effectively with protests?

We found a wide range of views within the police on whether current legislation is adequate to deal effectively with protests. For many protests, the police don't have to resort to enforcement. Forces that have experienced significant disruption, confrontation and civil disobedience consider the current legislation inadequate. This is particularly the case for the Metropolitan Police Service because most large-scale protests take place in London. The Metropolitan Police uses its enforcement powers at protests more often than any other force.

The effectiveness of the criminal justice system in dealing with protest

We found evidence to support the view expressed by many officers that the criminal justice system is ineffective in dealing with the challenges presented by protests. Some believe that the current sentencing, sanctions and penalties are ineffective, with little or no deterrent value, and could encourage unlawful behaviour at protests.

However, we also found significant evidence of the Crown Prosecution Service bringing protest-related cases to court. These include fracking cases (mainly in Lancashire and Greater Manchester) and, more recently, cases from Extinction Rebellion, Black Lives Matter and public health protests.



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Five proposals for new legislation

In recent years, protest-related legislation has attracted considerable scrutiny and debate in Parliament, the Home Office and across the police service. As part of our inspection, we were asked to review and offer an opinion on five areas for legislative change proposed by the Home Office. We concluded that, with some qualifications, all five proposals would improve police effectiveness without eroding the right to protest.

The proposals are to:

1. widen the range of conditions that the police can impose on assemblies (static protests), to match existing police powers to impose conditions on processions;
2. lower the fault element for offences relating to the breaching of conditions placed on a protest of either kind (assembly or procession);
3. widen the range of circumstances in which the police can impose conditions on a protest of either kind;
4. replace the existing common law offence of public nuisance with a new statutory offence, as recommended by the Law Commission in 2015; and
5. create new stop, search and seizure powers to prevent serious disruption caused by protests.

Our recommendations

Our 12 recommendations and four areas of improvement were designed to:

- improve national co-ordination of protest-related intelligence;
- review and align national guidance, professional practice and continuing professional development;
- improve post-protest debriefs, and the exchange of lessons and good practice between forces;
- improve the police assessment of the effect of protests on others; and
- make clear our views on current and proposed legislation.

In recent years, protest-related legislation has attracted considerable scrutiny and debate.

The Sarah Everard vigil

After the murder of Sarah Everard in March 2021, people wanted to pay their respects and raise awareness of the problem of violence against women and girls.

A vigil was planned for Clapham Common on 13 March 2021. The organisers held meetings with the Metropolitan Police Service and the local authority to discuss the legality of the vigil in the context of the pandemic lockdown regulations. Faced with the prospect of significant fines, the organisers reluctantly cancelled the vigil.

Despite this, on 13 March 2021 people gathered on Clapham Common to lay flowers and pay their respects. The event passed peacefully until the evening, when a rally began. The Metropolitan Police started to enforce the lockdown regulations and made nine arrests. Photographs and video footage of police arresting women were widely circulated online, and extensively covered by newspapers and television. Widespread condemnation of the police quickly followed, including from senior politicians.

Shortly after, the Home Secretary and the Mayor of London separately commissioned us to inspect how the Metropolitan Police had handled the policing of the vigil.



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Our findings

Overall, we found that the Metropolitan Police were justified in adopting the view that the risks of transmitting the virus at the vigil were too great to ignore.

We reviewed hundreds of documents, hours of body-worn video from police officers, and video footage taken by those attending the vigil. We interviewed police officers, the vigil organisers, some of those who were at the vigil, and politicians. We found that police officers at the vigil:

- did their best to peacefully disperse the crowd;
- remained calm and professional when subjected to abuse; and
- did not act inappropriately or in a heavy-handed way.

However, we found that there wasn't enough communication between police commanders about changing events on the ground.

In our inspection, we addressed four fundamental questions about the Metropolitan Police's handling of the event:

- Did the force's desire to maintain consistency of approach to policing lockdown restrictions justify its stance towards the vigil?
- Should the force have done more work with Reclaim These Streets organisers or Lambeth Council to plan the vigil, particularly after the decision of the High Court in the relevant litigation?
- Were police actions at the event proportionate?
- What factors contributed to this event?

We found that officers at the vigil did not act inappropriately or in a heavy-handed way.

Did the force's desire to maintain consistency justify its stance towards the vigil?

Any blanket ban on gatherings, in the context of the lockdown regulations in force at that time, is incompatible with human rights. Decisions must be taken on the specific facts of each event.

We concluded that the Metropolitan Police acted appropriately in taking as its starting point the desire to achieve consistency in the policing of mass gatherings during lockdown. But, in order to adopt a lawful approach, it was essential for the Metropolitan Police to go beyond that starting point and to consider the specific facts regarding the events planned for 13 March 2021, and then the events as they unfolded on the day. The analysis and actions of the Metropolitan Police satisfied this requirement.

Should the force have done more work with Reclaim These Streets organisers or Lambeth Council to plan the vigil, particularly after the High Court case?

A vigil on Clapham Common could have been lawful because the right to protest remains during the pandemic. But we found in this case that holding a COVID-friendly event was not realistic because of:

- the high number of people expected to attend;
- the limited time available to plan the event; and
- the possibility that protest groups may attend (which would mean planning for civil disobedience and for a failure to observe social distancing).

Were police actions at the event proportionate?

The '4Es' approach (engage, explain, encourage, enforce) is a well-publicised framework used by police forces to respond proportionately to breaches of the lockdown regulations. In most cases, enforcement is used as a last resort. From our inspection, the evidence is clear that the officers on duty at Clapham Common did their level best to peacefully engage with those present, explain the regulations and encourage the crowd to disperse. They only took enforcement action when the number of people present and the public health risks were too great for the crowd to be safely allowed to remain in place.

We found evidence that officers were patient and professional in the face of severe provocation and in difficult circumstances. We found nothing to suggest that officers acted inappropriately or in a heavy-handed manner.

What factors contributed to this event?

In our view, there are four factors that contributed to a loss in confidence in the police because of the vigil.

The first factor relates to some of the decisions taken by the police. We observed that their case for officers' actions at Clapham Common made little favourable impression on public confidence when set against the effect of the images of women under arrest that were rapidly published on social media. Had the Metropolitan Police issued a more conciliatory response after the event, it might have been received better by the public.

The second factor relates to the law. It needs to establish rules that can be readily understood and consistently applied. Only then will the law attract a high degree of public acceptance and voluntary compliance.

The third factor is the behaviour of a minority of those present at the vigil. While most people at Clapham Common were dignified and respectful, after 6.00pm a few in the crowd became aggressive and abusive, and vented their hostility towards the police.

The fourth factor is the unwarranted condemnation of the actions of the police from those in authority without a full understanding of the facts.

After reviewing a very large body of evidence – rather than the snapshot seen in the newspapers, on television and on social media – we concluded that the police could have done some things better. However, we found no evidence to suggest that police officers acted in anything but a measured and proportionate way in difficult circumstances.

We found no evidence to suggest that police officers acted in anything but a measured and proportionate way in difficult circumstances.

The NCA should improve how it communicates intelligence within and beyond its organisation.

An inspection of the National Crime Agency's criminal intelligence function

In our sixth National Crime Agency (NCA) inspection,⁹ we examined the effectiveness of its criminal intelligence function, one of its two principal responsibilities.

We inspected its:

- current capabilities;
- resourcing;
- alignment with the Serious and Organised Crime Strategy and the National Strategic Assessment;
- ability to provide a single, authoritative, strategic assessment of the threat from serious and organised crime; and
- compliance with national intelligence standards and legislation.



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Our findings

We found that the NCA has the capability to discharge its criminal intelligence function. But there are areas it should improve, including how it:

- receives, collates and assesses intelligence; and
- communicates intelligence within and beyond its organisation.

To meet these challenges, we recommended further investment in premises, staff training for managing sensitive intelligence, and intelligence systems. Previous problems getting access to the Police National Database (PND) have been resolved after the NCA reviewed its PND licences.

The NCA has problems recruiting and retaining staff in all departments. It has made a large effort to make sure that new units such as the National Targeting Centre and National Data Exploitation Centre (NDEC) are properly staffed.

The NCA is aligning its intelligence management capability and structures to meet the requirements of the 2018 Serious and Organised Crime Strategy. It is putting more resources into core intelligence units, including the National Targeting Centre and NDEC, in response to the National Strategic Assessment.

The NCA is effective at providing a single, authoritative assessment of the threat from serious and organised crime. It has strong links with ROCUs, police forces and other national agencies. It uses information and intelligence from them when producing the National Strategic Assessment of the national threat from serious and organised crime. We recommended better co-ordination of the process to make sure regional assessments can inform the national picture quickly.

We found that, overall, the NCA's intelligence processes are good. They comply with national intelligence standards and current legislation.

Forces were adaptable in their working methods but also highly resilient.

Inspection of the police response to the pandemic

The pandemic had a significant and unprecedented effect on policing. HMICFRS had a role in assessing the police response as the pandemic evolved. We co-ordinated with other bodies with similar aims, such as the NPCC and the College of Policing, and we decided to conduct a thematic inspection of the national and local policing response from March to November 2020.

The inspection was developed and completed very quickly to be as relevant and helpful to policing as possible. In December 2020, soon after the inspection, we issued a bulletin of findings and suggestions to policing bodies. We published our full report in April 2021.

Our findings

We recognised and paid tribute to all those in policing who had shown commitment and dedication in these extraordinary times.

Overall, the police service responded well to the challenge of policing the pandemic. Policing managed effectively to balance the safety of officers and staff with minimising any effect on service standards. Forces were adaptable in their working methods but also highly resilient – stepping in where, on some occasions, other agencies stepped back.

The pandemic highlighted the importance of co-operation between the government and police leaders. This was recognised very early on by the NPCC, which set up Operation Talla to work closely with the Home Office on the pandemic response. We identified some regional variation in co-operation and areas where it could be further enhanced.

Policing generally didn't feel well consulted and found the short notice they were given about changes in the lockdown regulations extremely challenging. The evolving nature of the regulations, geographical variations, and confusion about which government announcements were enforceable in regulations and which were unenforceable guidance made things worse.

However, in general, lockdown measures were effectively policed. On the rare occasions where police decision-making has been criticised, we are confident that the appropriate lessons were learned.

Operation Talla and the NPCC quickly developed a national approach for enforcing regulations. This was known as the '4Es' (engage, explain, encourage, enforce) and was adopted across England and Wales. Forces made strong efforts to communicate their approaches and the changing requirements to their communities, and thereby to retain public support.

Changes to policing brought about by its pandemic response have the potential to improve policing permanently. Forces now need to review all the changes to see which will be beneficial in the future. In particular, the pandemic has accelerated the use of technology by police forces and other public sector agencies, including local authorities, health authorities and criminal justice bodies. In many cases, these are welcome changes, such as those enabling quicker interventions and promoting more cost-effective practices. When innovations alter the way that the police respond to the public, there is a risk that service standards will be affected. These changes will have been necessary during the pandemic but must be reviewed and assessed before they can be adopted in the long term.



Our recommendations

Our report made five recommendations to police forces.

Managing registered sex offenders

Forces must immediately make sure that officers understand and correctly implement the guidance for managing registered sex offenders during the pandemic.

Legislation and guidance

Forces must immediately make sure they can manage their responses to changes in coronavirus-related legislation that are enforceable. They must be clear about the difference between legislation and guidance.

Test, track and trace

Forces must immediately put in place a policy to make sure that they follow the guidance and self-isolation directions when members of the workforce come into contact with someone with coronavirus symptoms.



Custody records

Forces must immediately make sure that they clearly and consistently record on custody records information about how, when and if detainees are informed of the temporary changes to how they can exercise their rights to legal advice and representation.

Overall scale and impact of changes

Within six months, forces must assess the sustainability of any temporary measures introduced during the pandemic that change the way they work.

We also made two recommendations to national bodies and gave each force learning points to consider, based on best practice we had encountered.

Next steps

The recommendations from this inspection are largely specific to the pandemic response and therefore will, it is hoped, soon be historical.



We found in both the NCA and in ROCUs there were significant difficulties in recruiting and retaining staff.

An inspection of the National Crime Agency's relationship with regional organised crime units

The NCA is a national law enforcement agency in the UK. It is the UK's lead agency against organised crime, human trafficking, weapon and drug trafficking, cybercrime and economic crime that crosses regional and international borders.

Our inspection established how effectively the NCA works with one of its most important partners, the ROCU network, to tackle serious and organised crime.

Our terms of reference were to consider how well the NCA works with the ROCU network to reduce the impact of serious and organised crime on the UK and its communities.

Our findings

The NCA and ROCUs have an effective meeting structure that we found helped maintain strong organisational links. In some regions, this is reinforced by local meetings, informal relationships and effective regional organised crime co-ordinator (ROCC) engagement. But we found in both the NCA and in ROCUs there were significant difficulties in recruiting and retaining staff.

We recommended a change to legislation which will allow the Director General of the NCA to formally commission the ROCUs and set appropriate priorities.

ROCCs will play an important part in the NCA tasking process, when fully developed. Past under-investment in this role will need to change if this is to work effectively. We recommend revising and publishing the job description of the ROCC to make sure they contribute fully to the serious and organised crime system.

Local policing bodies (PCCs and their mayoral equivalents) and chief constables hold ROCUs to account and are responsible for their main funding. ROCUs therefore face pressure to operate to local rather than national priorities. Funding is complex, with ROCUs also receiving national funding. This sometimes creates a tension between the NCA's work and that of the ROCU network. We recommended the Home Office reviews ROCU funding arrangements and increases the emphasis local policing bodies and chief constables place on serious and organised crime.

The NCA provides specialist services to the ROCU network, such as witness protection and responding to cases of kidnap and extortion. Generally, these services couldn't be provided effectively or efficiently at a force or regional level.

The NCA and ROCUs have different ways of defining threat. A common definition would help the two organisations to prioritise work and to allocate the right resources for operations and investigations.

We found that the teams are generally better integrated when they are co-located, but this wasn't always the case. We believe that co-location can make integration easier. But good professional relationships and strong leadership can achieve good operating integration even when co-location isn't practical.



Our specialist rolling inspections

Criminal justice joint inspection rolling police custody programme

Our rolling custody inspection programme

We inspect police custody suites jointly with HM Inspectorate of Prisons. We do this as a member of the UK's National Preventive Mechanism (NPM). Members of NPM monitor and inspect places of detention, in compliance with the UK's obligations under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Our inspections take place on a rolling programme so that all police custody suites are visited regularly.

In March 2020, our custody inspections stopped when we decided that we wouldn't carry out any inspection work that required appreciable contributions from police forces. This was to allow forces to turn their full attention to responding to the pandemic.



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When the pandemic restrictions were relaxed, we considered how to resume custody inspections. Some of our activities, such as interviews and focus groups, could be conducted virtually. But, to meet our obligations under the NPM, we must visit custody suites to see the facilities and observe how detainees are treated. Because of the continuing pandemic restrictions, we couldn't visit forces for this work. This prevented us from resuming our rolling inspections during 2020/21. We will start again during 2021 and 2022.

In April and May 2020, we published the last two police custody inspection reports from our 2019/20 programme. Our findings continued to reflect those we reported on in our 2019/20 annual report.

Follow-up visits to forces

One year after we have inspected them, we make follow-up visits to forces to assess their progress in response to our findings. Between April 2020 and March 2021, we made eight visits remotely by holding discussions with forces.

Our findings showed that forces continued to improve their custody services. Most were progressing well with our recommendations and, when improvements could be made quickly, many forces did so. Forces continued to work and engage well with their health and local authority counterparts. But we weren't seeing much improvement in outcomes for detainees. Children often still stayed in custody when they were remanded rather than being moved to local authority accommodation. And, too often, detainees who needed mental health assessments still waited too long. The capacity of other agencies to help forces meet the needs of detainees, and meet their own statutory responsibilities, remained a difficult problem.

All forces are committed and work hard to improve their custody services and outcomes for detainees. We were generally pleased with the progress made.

All forces are committed and work hard to improve their custody services and outcomes for detainees.

We found that forces generally identified the virus-related risks for detainees well.

Pandemic custody inspection

Custody services was one of the themes of our wider thematic inspection of *Policing in the pandemic: The police response to the COVID-19 pandemic*.¹⁰ We published our custody report along with this in April 2021.

We did as much inspection work as possible remotely. We examined self-assessments and documents from all 43 forces and did fieldwork in five (Gloucestershire, Lancashire, Metropolitan Police Service, Norfolk and South Wales Police), which included examining cases and interviewing and holding focus groups with officers. We also asked staff in four forces to complete a survey.

Our findings

We found that:

- detainee care continued as it was before the pandemic and forces have made custody suites as virus-safe as possible;
- forces generally identified the virus-related risks for detainees well;
- changes to the ways in which legal advice and representation were provided weren't always implemented with the best interests of the detainee in mind;
- more detainees were released on pre-charge bail because their cases could not be dealt with while they were in custody;
- virtual remand hearings worked well but forces had withdrawn them because they could not afford to support them; and
- forces did not collect enough information to show how the pandemic had affected custody services.

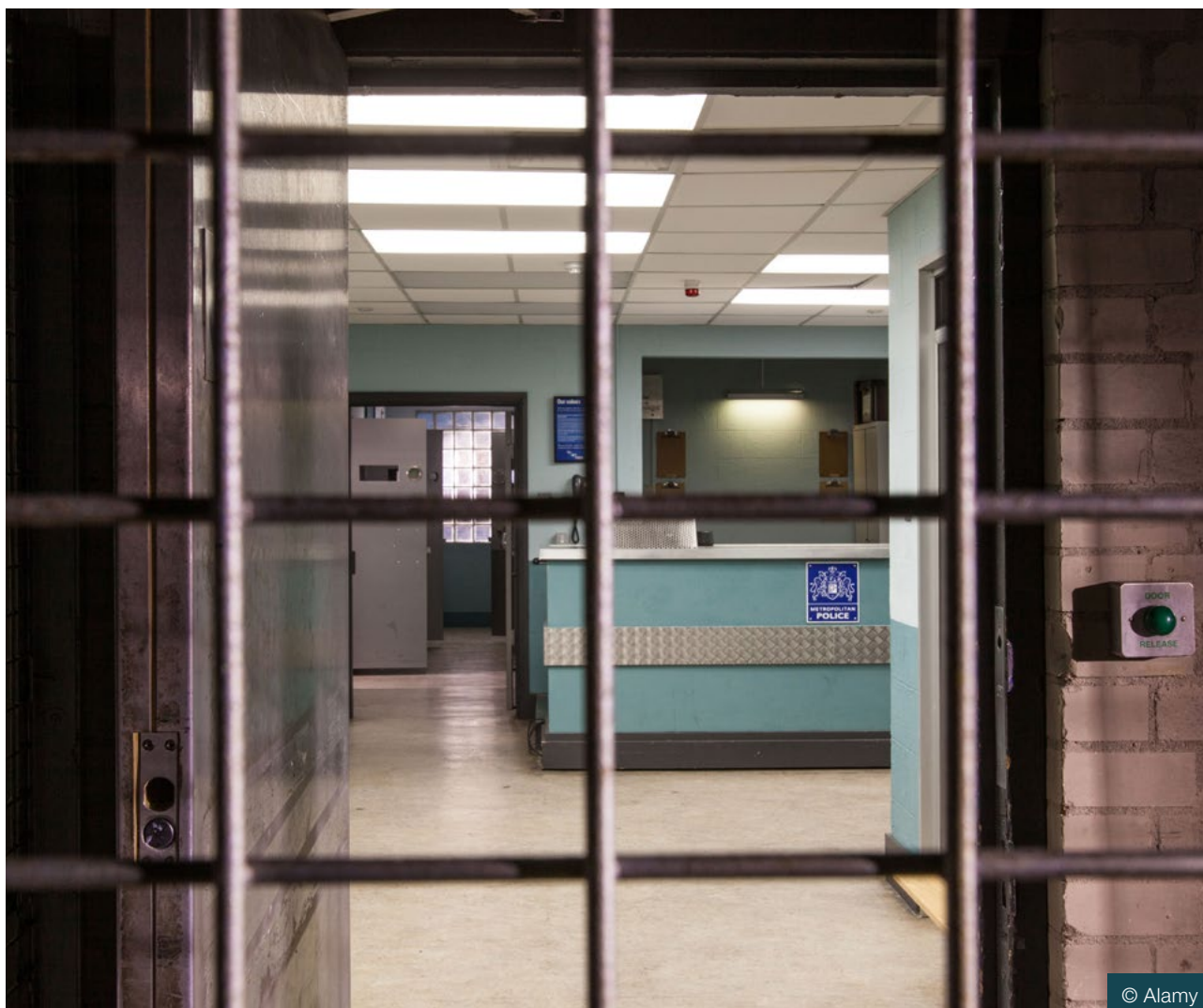
In many ways, custody work carried on as usual during the pandemic. Fewer detainees than usual entered custody during the first lockdown. But detainee numbers later returned to normal. The pandemic led to some important changes.

Caring for detainees

Caring for detainees and looking after their welfare needs continued very much as before the pandemic. Support from mental health services to help detainees with mental health problems was also largely the same, despite increasing demand. Some forces told us that the pandemic had led to better joint working with other organisations.

Making custody suites virus-safe

Forces invested in their custody suites to make them as virus-safe as possible for staff, detainees and visitors. They changed some suites by, for example, installing plastic screens, and made custody procedures safer. Cleaning was to a much higher standard. Social distancing remained the main problem – for example, when taking fingerprints from detainees. And, in some circumstances, it wasn't possible.



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Managing risks from detainees

Forces were generally good at managing virus-related risks from detainees. Risk assessments got better so that, if a detainee had or might have had the virus, spread of the virus was minimised. Detainees were kept as isolated as possible in the custody suite and looked after safely.

Forces also tried to release detainees safely. But we and they worried that, if detainees refused to co-operate with arrangements made, there was little choice but to release them with a mask and tell them to go home and self-isolate.

Legal advice and representation

The pandemic meant that forces had to manage some significant custody changes. Forces adopted the temporary protocol (agreed by the NPCC, the Crown Prosecution Service, the Law Society, the Criminal Law Solicitors' Association and the London Criminal Courts Solicitors' Association) to allow detainees' legal advice and representation to be provided virtually.



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But the way the protocol was being implemented varied. The records we examined didn't clearly show how detainees had been told about the custody changes or that they had agreed with how they were to get legal advice and representation. We were worried that the arrangements weren't always made with the best interests of detainees in mind.

There are advantages and disadvantages to remote hearings.

Pre-charge bail

The use of pre-charge police bail increased significantly. Forces struggled to get Crown Prosecution Service advice on investigating cases while a detainee was in custody, and in too many cases they could only get charging decisions when they wanted to remand the detainee in custody for the next available court. We were also told that greater use of prepared statements meant that more detainees were released on bail to return for interview later.

This was troubling because, if greater use of pre-charge bail meant that some cases weren't completed in time, the bail period ran out along with any bail conditions placed on the suspect. This was a problem, especially regarding safeguarding victims in domestic abuse cases.

Virtual remand hearings

Faced with court closures, most forces introduced or extended virtual remand hearings so that detainees could have these hearings from the custody suite. However, these hearings generated significant extra costs for forces, which told us they could not afford to maintain this way of working.

Most forces have stopped virtual remand hearings since our inspection. The exception is for detainees who have, or might have, the virus. We found little planning throughout the wider criminal justice system about managing these arrangements in future. There are advantages and disadvantages to remote hearings.

We recommended that forces evaluate their use of virtual remand hearings better to inform working arrangements throughout the criminal justice system.

Monitoring the effect of the pandemic

Forces did not collect enough of the right information to help them manage demand on custody services in the conditions created by the pandemic. They should have recorded the number of detainees entering custody who had, or were suspected of having, the virus, and how many detainees had been provided with their legal rights and representation virtually rather than having had solicitors attend in person.

We recommended that forces improve the information they gather. This would have helped them decide what resources they needed to manage custody services during the pandemic. It would also have helped them better understand how detainees were affected by the changes to the provision of legal advice and representation.



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Our inspections of non-Home Office forces

The RGP offers a good level of service, but there are areas where it could improve.

Royal Gibraltar Police

In 2019, the Gibraltar Police Authority commissioned us to inspect the Royal Gibraltar Police (RGP). We examined the progress the RGP had made since our 2016 inspection, and we reviewed ethical and lawful behaviour.

Our findings

Gibraltar is a relatively safe place and the RGP offers a good level of service to the public. But there are areas where it could improve. It has made some progress in meeting the areas for improvement we highlighted in 2016. Limited resources and poor-quality technology and infrastructure have delayed progress, as have competing demands. However, when we revisited in 2019 we expected to see that rather more had been achieved.

We expected the force to have done more to assess and understand demand, risk and vulnerability. We also expected it to be better at supervising investigations and managing capacity. We made five new recommendations relating to these problems.

The second part of the report was a new inspection of the force's legitimacy (how it treats the public and its own workforce). It included eight areas for improvement and made five recommendations intended to help the force better promote ethics, fairness and openness.

The force can do more to give even better care to victims and vulnerable people.

St Helena Police Service

In 2019, His Excellency The Governor of St Helena, Ascension and Tristan da Cunha commissioned us to inspect the St Helena Police Service. We examined the force's arrangements, policies and practice for:

- armed policing;
- detention and custody;
- investigation and victim care/support; and
- neighbourhood and community policing, public engagement and communication.

Our findings

St Helena Police provides its community with a very good investigatory service. It investigates all reported crimes and conducts thorough investigations into most of them. However, there are areas for improvement. The force can do more to increase the effectiveness of its investigatory processes, and to give even better care to victims and vulnerable people.

Some of the force's armed policing structures and practices work well. Armed officers are professional and mostly make the best of the situation in which they operate. However, we did identify several areas for improvement.

St Helena doesn't have a dedicated custody suite; custody facilities are located within Her Majesty's Prison (HMP) Jamestown (the island's only prison). Built in 1827, HMP Jamestown was first condemned in 1850. It has been repeatedly condemned ever since. The police and the prison service are acutely aware that the prison isn't fit for purpose. They have worked hard to make 60 improvements to the facility and to secure funding for a new prison and a separate custody facility. However, the new custody facility wasn't due to be open until early 2021.

The Police Service of Northern Ireland

Section 41(2) of the Police (Northern Ireland) Act 1998 requires us to inspect and report to the Department of Justice (Northern Ireland) on the efficiency and effectiveness of the Police Service of Northern Ireland (PSNI) each year.

In accordance with the Act, in 2020, we were commissioned to inspect the service. We were asked specifically to examine how much the service inspires confidence among its workforce and the people it serves.

We carried out our inspection of PSNI in January 2020. We asked three main questions, supported by seven subsidiary questions:

Does the service inspire public confidence?

We asked: Does the service treat the public with fairness and respect? Does the service use its powers, particularly use of force and stop and search powers, fairly and proportionately?

Is the behaviour of the service's workforce ethical and lawful?

We asked: Does the service foster an ethical culture? How effectively does it tackle corruption?

Does the service inspire the confidence of its workforce?

We asked: How effectively does the service identify and resolve unfairness at work? Does it support the wellbeing of its employees? How fairly and effectively does it monitor staff performance, and conduct recruitment?

We were also asked to inspect the effectiveness and efficiency of the service. Our findings were produced in Annex A of our report.

We assessed PSNI as good at treating the public with fairness and respect.

Our findings

Does the service inspire public confidence?

We assessed PSNI as good at treating the public with fairness and respect; that inspires public confidence. We were pleased to see that improvements in the security situation in Northern Ireland have helped relations between PSNI and some communities. The service uses a variety of communication channels and initiatives to engage with all communities. For example, it has worked with a local university on a research programme to better understand police use of stop and search powers. The research made several recommendations that PSNI accepted and implemented. We found that, in some respects, the service had good knowledge of how officers used stop and search powers.



We identified the following areas for improvement:

- Officers are not consistently submitting the correct form after incidents where they have used force. This means that the service is not recording its use of force accurately. It needs to establish and operate a system that identifies when a form is missing and prompts officers to submit one.
- The service should consult widely on making conducted energy devices (such as Tasers) available to more frontline uniformed officers.
- The service should improve its recording of stop and search data and the quality of its scrutiny, particularly external scrutiny, into the use of this power and its effect on communities.

Is the behaviour of the service's workforce ethical and lawful?

We assessed the behaviour of the PSNI workforce as good. We found the service has a strong culture of ethical and lawful behaviour. Officers and staff understand the importance of ethical behaviour. The service has a good learning culture. Decisions about workforce conduct are balanced and appropriate. The service has a well-organised vetting procedure and a counter-corruption strategic threat assessment. The anti-corruption unit is well resourced and run by properly trained staff. PSNI recognises that abuse of position for a sexual purpose is serious corruption. We found that the workforce had a good understanding of the seriousness of that type of corruption.

We identified the following areas for improvement:

- The service should make better use of its computer monitoring software.
- The service should develop a process, such as a People's Intelligence Board, of the kind that some other forces use. That process would deal with welfare and performance matters, and act on intelligence about personnel who may be at risk of corruption.
- The service should consider giving briefings about abuse of position for a sexual purpose to existing supervisors, not just those who have been promoted recently.

PSNI works hard to identify and resolve problems or perceptions of unfairness.

Does the service inspire the confidence of its workforce?

We found that PSNI treats its workforce fairly. That inspires the confidence of the workforce. We found that PSNI works hard to identify and resolve problems or perceptions of unfairness. The service analyses a wide range of data to understand its workforce's perceptions about fairness at work. It has made considerable efforts to create a more representative police service for Northern Ireland. The work the service has done in this area is impressive. It seeks to understand the wellbeing of its workforce using a range of methods. It has looked to other organisations for good practice and has commissioned a university in Northern Ireland to identify barriers to wellbeing that exist within PSNI.

We identified the following areas for improvement:

- The service should provide its workforce with better information about its grievance procedures.
- The service should introduce a more consistent process for managing poor performance.
- The service should seek to reduce waiting times for mental health support.

Efficiency and effectiveness

Our report largely focuses on how well PSNI inspires confidence in its workforce and the people it serves. But various sections also contain material relevant to efficiency (understanding demand and planning for the future) and effectiveness (preventing and investigating crime, protecting the vulnerable, and tackling serious and organised crime).



Other work

Impact of the pandemic on the criminal justice system

A joint view of the Criminal Justice Chief Inspectors on the criminal justice system's response to the pandemic

In January 2021, the Chief Inspector of Constabulary joined the chief inspectors of prosecution, prisons and probation in a report on the criminal justice system's response to the pandemic.

The report was a cross-system view of how the criminal justice system responded to the first national lockdown (23 March to 10 May 2020), and of how the system had managed since.

This was the first joint Criminal Justice Chief Inspectors report since 2015. It was followed by the chief inspectors appearing together at a hearing of the House of Commons Select Committee on Justice on 18 January 2021.



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Our findings

Our contribution to the report was based on what we found in our inspection into the police response to the pandemic.

We praised the determined efforts and commitment of the police and everyone who works in the criminal justice system. Decisions were swift and substantially effective. There was a focus on the health and safety of people working in, with or being dealt with in the system.

Unsurprisingly, the pandemic had had an adverse effect on victims, witnesses and defendants alike. We gave our condolences to the families and friends of those in the criminal justice system who had died from the virus.

Our main finding was that the pandemic had resulted in significant backlogs in the Crown Court in particular, and that these delays were having an adverse consequential effect on all parts of the system. The problems were compounded by the criminal justice system already being excessively fragmented and under-resourced.

All criminal justice agencies should take stock, individually and together, and review the changes they have made and the lessons which have been learned. This will help make sure the innovations they wish to retain (or further expand) can be properly evaluated, and the resources and training needed to sustain them can be worked out and planned for.

The report recommended that all agencies should work together so the criminal justice system can recover from the extreme pressures caused by the pandemic. We also urge the Government to provide the funding, time and resources that will be needed to achieve this.

The pandemic had resulted in significant backlogs in the Crown Court in particular.

Super-complaints focus on systemic problems of local, regional or national significance which may not be addressed elsewhere.

Super-complaints

Super-complaints are complaints about a feature, or combination of features, of policing in England and Wales by one or more than one police force which is, or appears to be, significantly harming the interests of the public.

The police super-complaints system came into effect on 1 November 2018. For the evaluation and investigation of super-complaints, it brings together the inspectorate, the College of Policing and the Independent Office for Police Conduct (IOPC). Each body contributes its expertise and experience.

The system is not designed to handle complaints about the actions of individual police officers; it does not replace the existing police complaints systems. Nor is it a way to investigate complaints from those systems. It instead focuses on systemic problems of local, regional or national significance, which may not be addressed elsewhere.

Super-complaints can be made about:

- any one or more of the 43 police forces in England and Wales;
- the National Crime Agency;
- the Ministry of Defence Police;
- the Civil Nuclear Constabulary; and
- the British Transport Police.

Only bodies designated by the Home Secretary can make a super-complaint. In June 2018, 16 bodies were designated, with interests in a variety of aspects of public protection and law enforcement.

First super-complaint report published

In December 2018, Liberty and Southall Black Sisters submitted a super-complaint about the treatment of victims of crime and witnesses with insecure or uncertain immigration status. It focused on how information about these people is passed to the Home Office for immigration enforcement purposes. It also focused on a culture of policing that was said to prioritise immigration enforcement over the investigation of crime and safeguarding.

In December 2020, the inspectorate, the College of Policing and the IOPC published a joint report¹¹ on the investigation of this super-complaint. The investigation found that there are inconsistent approaches to information sharing between police and the Home Office about victims and witnesses to crime.

The investigation's recommendations included:

- Where officers only have concerns or doubts about a domestic abuse victim's immigration status, they should immediately stop passing that information to Home Office immigration enforcement.
- The Home Office should review the relevant legal framework and policy to establish sound and fair priorities regarding migrant victims of crime and migrant witnesses to crime with insecure or uncertain immigration status.
- The Home Office and the NPCC should establish a safeguarding protocol about the police approach to migrant victims and witnesses of crime.
- The police should establish safe reporting pathways for all migrant victims and witnesses of crime.

The inspectorate, the College of Policing and the IOPC may individually, or as a group, monitor the extent to which these recommendations are implemented and, within the limits of their powers, take further steps if they consider a feature of policing continues to cause harm.



Each super-complaint is different, and how best to investigate each needs individual consideration.

Current super-complaint investigations

On 19 March 2019, we received a super-complaint from the Centre for Women's Justice about police use of protective measures in cases of violence against women and girls. The Centre for Women's Justice is concerned about the police's use of bail conditions, their treatment of breach of non-molestation orders, and their use of domestic violence protection notices and orders and restraining orders.

On 25 March 2019, we received a super-complaint from Hestia, a charity supporting people in crisis. It focuses on how police treat victims and survivors of modern slavery and human trafficking.

On 6 March 2020, we received a second super-complaint from the Centre for Women's Justice. It sets out concerns about forces' response to alleged domestic abuse perpetrated by police officers or staff.

On 7 August 2020, the Tees Valley Inclusion Project submitted a super-complaint about the police's treatment of BAME victims of sexual abuse where the perpetrator is also from the BAME community.

Super-complaint investigations usually gather information from a variety of sources, fieldwork in forces, policy reviews, data analyses and expert views. Each super-complaint is different, and how best to investigate each needs individual consideration. Throughout every investigation, we maintain regular contact with the designated body that made the super-complaint.

The system is still relatively new. We are using our collective experience so far to inform current and future work, and we are continually evaluating the process.

There is up-to-date information about police super-complaints on GOV.UK.¹²

Future super-complaints

We expect to receive further super-complaints in 2021/22. We will continue to work with the IOPC and the College of Policing to establish the eligibility of super-complaints and to allocate responsibility for their investigation.

The Rape Monitoring Group

The Rape Monitoring Group is a multi-agency group in England and Wales. It was established to promote improvements in the response to rape across all the agencies that make up the criminal justice system.

We publish criminal justice system data on rape on the group's behalf. This shows the number of rapes reported, arrests made, prosecutions brought and successful convictions for each force, as well as other relevant data. We want those who are involved in preventing rape and supporting victims to use this data to understand better what improvements they should focus on within their local areas.

Special grants

Forces should include reasonable contingencies in their policing and budget plans for unexpected events. However, from time to time there may be exceptional events that could threaten a force's financial position. In these cases, local policing bodies can apply to the Home Office for special grant funding to ease the financial burden.

The Home Office may refer applications to us to assess. We are normally asked to determine whether the resources deployed were reasonable and proportionate to the aims of the operation or investigation and its associated risks. Our reports aren't published but, based on our findings, Home Office officials advise ministers, who then make the final decision about funding.

Special grants work in 2020

In 2020, we produced six reports on applications for funding from six forces. These involved major or critical incidents and serious criminal offences, such as policing protests, child sexual exploitation, investigating the deaths of immigrants in a lorry container, and investigating deaths in hospitals.

Value-for-money profiles

Every year since 2009, the inspectorate has produced and published a value-for-money profile for each force. Every profile contains a set of comprehensive information about:

- the force's overall expenditure according to personnel (police officers, police staff, and police community and support officers), and non-staff costs (land and buildings, vehicles, ICT, forensics, equipment, horses, dogs, aircraft and professional services);
- the force's income from its central government grant, council tax and reserves, and private sources for services such as policing sporting events, and how that funding has changed over time;
- the force's costs of individual, specific policing functions such as call-handling, response, investigation, neighbourhood policing, serious and organised crime, public order and corporate functions (sometimes known as back-office functions);
- the composition of the workforce according to numbers of police officers (including their ranks) and other personnel, their spans of control and responsibility, length of service, sickness rates and turnover;
- the volumes of crime, classified according to type, such as homicide, violence with injury, violence without injury, rape, other sexual offences, robbery, burglary, vehicle offences, shoplifting, theft from a person, bicycle theft, shoplifting and other theft offences, criminal damage and arson, drug trafficking, possession of drugs, possession of weapons, public order offences and other crimes against society;
- the results of police action, for example offences charged, out-of-court disposals (such as cannabis warnings), and offences taken into consideration; and
- circumstances in which no police action is taken, for example because of evidential difficulties (such as a decision of the complainant not to co-operate), and determinations by the Crown Prosecution Service that a prosecution is not in the public interest.

The principal purpose of the profile is the presentation of information which permits the inspectorate and others to make comparisons. The comparisons, in the main, are made according to the relevant costs or other numbers per 1,000 of the force area's resident population.

The comparisons are made between comparator forces which are members of the most similar group (MSG) of forces. MSGs are groups of forces that have been found to be the most similar to each other using statistical methods based on demographic, economic and social characteristics which relate to crime. Areas which have similar demographic, social and economic characteristics will generally have reasonably comparable levels of crime.

So, for example, in the case of the Metropolitan Police, the comparator forces (i.e. members of the relevant MSG) are Greater Manchester Police, West Midlands Police and West Yorkshire Police. Similarly, Norfolk Constabulary's MSG members are Suffolk, North Wales, North Yorkshire, West Mercia, Devon and Cornwall, Lincolnshire and Wiltshire. Bedfordshire's MSG includes Leicestershire, Nottinghamshire, Hertfordshire, Kent, Hampshire, Essex and South Yorkshire.

In other words, the comparisons are made so that like cases are treated alike. Making comparisons in this way provides the best indicators of where and to what extent forces deviate from the MSG in the relevant respects (i.e. costs, funding, workforce, crimes and outcomes).

