

# PEEL: Police legitimacy 2015

An inspection of Hampshire Constabulary



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

## Overall judgment<sup>1</sup>



Good

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

The constabulary had a well-established set of values that promote ethical behaviour that had been personally championed by the chief constable. Staff understand these values and the importance of dealing with the public in a fair and polite way. Hampshire Constabulary is effective in engaging and communicating with its communities. The constabulary complies with the Best Use of Stop and Search scheme and Taser is used fairly and appropriately by the constabulary.

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

## Summary

Hampshire Constabulary had an established and well-promoted set of values that the workforce understood. It had taken the decision to maintain these values and to introduce the Code of Ethics<sup>2</sup> alongside them. The constabulary had a new health and wellbeing framework which provided a good range of support to the workforce. The constabulary dealt with public complaints and allegations of misconduct fairly and without bias.

When HMIC looked at how well the constabulary understands and successfully engages with all the people it serves, we found that the constabulary successfully works with communities and makes good use of social media.

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<sup>1</sup> Outstanding, Good, Requires improvement or Inadequate – see Annex A.

<sup>2</sup> The code of ethics sets out the standards of behaviour that the public can expect from officers and staff.

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

As a result, the constabulary understands local priorities, and keeps communities informed about how it is addressing them.

Stop and search and Taser are two ways that the police can prevent crime and protect the public. However, they can be intrusive and forceful methods, and it is therefore vital the police use them fairly and appropriately. HMIC found that the constabulary complies with the Best Use of Stop and Search scheme.<sup>3</sup> Officers clearly understand their responsibility to exercise good judgement when considering the use of Taser and the importance of recording that rationale to allow public scrutiny. Taser is used fairly and appropriately by the constabulary.

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<sup>3</sup> *Best Use of Stop and Search Scheme*, Home Office, 2014. Available from: [www.gov.uk/government/publications/best-use-of-stop-and-search-scheme](http://www.gov.uk/government/publications/best-use-of-stop-and-search-scheme)

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



**Good**

Hampshire Constabulary had an established and well-promoted set of values that the workforce understood. It had taken the decision to maintain these values and introduced the Code of Ethics alongside them. It had recently created an ethics committee whose role was to oversee how well ethics were understood in each area of the constabulary.

Staff had a good knowledge and understanding of the constabulary's values, but efforts to raise awareness of the Code of Ethics had not yet led to a consistently high level of knowledge and understanding about the police service-wide code.

The constabulary listened to its staff and responded

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



**Good**

Hampshire Constabulary officers and staff understand the importance of dealing with the public in a fair, polite and professional way and how this supports public confidence in the police. The constabulary undertakes wide-ranging activity at both force and local level to understand the views of the different communities it serves. Neighbourhood officers and police community support officers engage well with the community.

Officers and staff are clear about the need to reach out to all communities, using a range of methods to engage with the community, and these efforts and overall approach is supported by local partners, such as the community support

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



**Good**

Hampshire Constabulary takes the use of stop and search powers seriously with appropriate senior management oversight.

Officers have a good understanding of the importance of exercising stop and search powers in a lawful manner that is transparent and conducted with respect. However the constabulary needs to improve overall knowledge of the Best Use of Stop and Search scheme.

The constabulary is issuing all frontline uniform officers with body-worn video and these are used to record stop and search encounters.

The constabulary continues to monitor disproportionality of use of stop and search involving members of the black,

to their views. Following a staff survey, the chief constable personally sponsored a review of the constabulary's approach to leadership. This has led to their 'Leadership' programme which is Hampshire Constabulary's approach to developing a proud, confident and connected workforce.

The organisation was good at communicating with its staff. However, some staff were unaware of how to make suggestions or contribute ideas for improvements. There was a good level of provision to support workforce wellbeing and complaints and misconduct were dealt with fairly and consistently and investigations were free from bias.

officers.

Local officers and staff explain that direct contact encourages direct responses from the public with suggestions on what the local priorities should be. These responses, taken together with data held by the constabulary, are then published on local team websites as the agreed local priorities.

Hampshire Constabulary trains its workforce to understand the national decision model (NDM). A wide range of officers are very familiar with the model and clearly understand the importance of having a reasonable rationale for the decisions they make while serving the public. The constabulary makes a significant investment in the training of neighbourhood officers and staff to ensure that they are equipped to effectively engage and solve community problems.

Asian and minority ethnic (BAME) community; this is overseen by the assistant chief constable and checked by a dip-sample by the Strategic Independent Advisory Group.

All officers trained to use Taser are familiar with the National Decision Model. They clearly understand their responsibility to exercise good judgment when considering the use of Taser. They also understand the importance of recording that rationale to allow public scrutiny of actions taken.

Taser is used fairly and appropriately in Hampshire Constabulary.

## Force in numbers



### Ethnic diversity

Percentage of BAME in workforce 31 March 2015



Percentage of BAME in local population, 2011 Census



### Gender diversity

Percentage of females in overall workforce 31 March 2015



Percentage of females by role, Hampshire Constabulary



Percentage of females by role, England and Wales force average

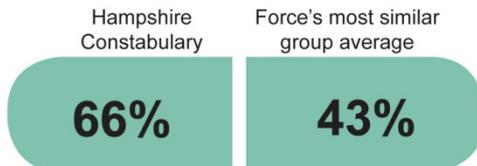


### Public complaints

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



Proportion of finalised allegations investigated 12 months to 31 March 2015



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

Hampshire Constabulary

Force's most similar group average

**17%**

**19%**



## Stop and search

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

**18,592**

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

Hampshire Constabulary

Force's most similar group average

**9.6**

**6.5**

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

Hampshire Constabulary

Force's most similar group average

**-37%**

**-41%**



## Tasers

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

**246**

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

Hampshire Constabulary

Force's most similar group average

**1.3**

**1.6**

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

Hampshire Constabulary

Force's most similar group average

**13%**

**16%**

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

## Introduction

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

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

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

### Spring 2015 inspection

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

### Autumn 2015 inspection

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

This report provides the main findings for Hampshire Constabulary.

## Methodology

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

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

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

## **Organisational justice<sup>4</sup>**

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

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

## **Procedural justice**

Research<sup>5</sup> has shown that for the police to be considered legitimate in the eyes of the public, people need to believe that the police will treat them with respect, make fair decisions (and take the time to explain these decisions), and be friendly and approachable. It also indicates that the way officers behave is central to policing as it can encourage greater respect for the law and foster social responsibility.

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

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<sup>4</sup> *It's a fair cop? Police legitimacy, public cooperation, and crime reduction*, Andy Myhill and Paul Quinton, National Policing Improvement Agency, London, 2011. Available from: [http://whatworks.college.police.uk/Research/Documents/Fair\\_Cop\\_Briefing\\_Note.pdf](http://whatworks.college.police.uk/Research/Documents/Fair_Cop_Briefing_Note.pdf)

<sup>5</sup> *Ibid.*

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

## Introduction

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

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

In spring 2015,<sup>6</sup> HMIC made an assessment of police force culture. The inspection asked:

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

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

### **Gender and black, Asian and minority ethnic (BAME) breakdown in Hampshire Constabulary**

A breakdown of the full-time equivalent (FTE) workforce<sup>7</sup> in Hampshire Constabulary as at 31 March 2015 is shown below.

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<sup>6</sup> The inspection took place between March and June 2015.

<sup>7</sup> Workforce comprises officers, staff and police community support officers (PCSOs).

**Figure 1: Breakdown of full-time equivalent (FTE) workforce in Hampshire Constabulary, 31 March 2015**

FTE	Total	Of which	
		Female	BAME*
<b>Total workforce</b>	<b>5,017</b>	<b>2,084 (42%)</b>	<b>125 (3%)</b>
<b>Total officers</b>	<b>3,064</b>	<b>934 (30%)</b>	<b>78 (3%)</b>
Constables	2,333	746 (32%)	65 (3%)
Sergeants	509	130 (25%)	8 (2%)
Inspecting ranks	188	47 (25%)	3 (2%)
Superintendents and above	33	11 **	2 **
<b>Staff</b>	<b>1,652</b>	<b>997 (60%)</b>	<b>39 (2%)</b>
<b>PCSOs</b>	<b>302</b>	<b>153 (51%)</b>	<b>8 (3%)</b>

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

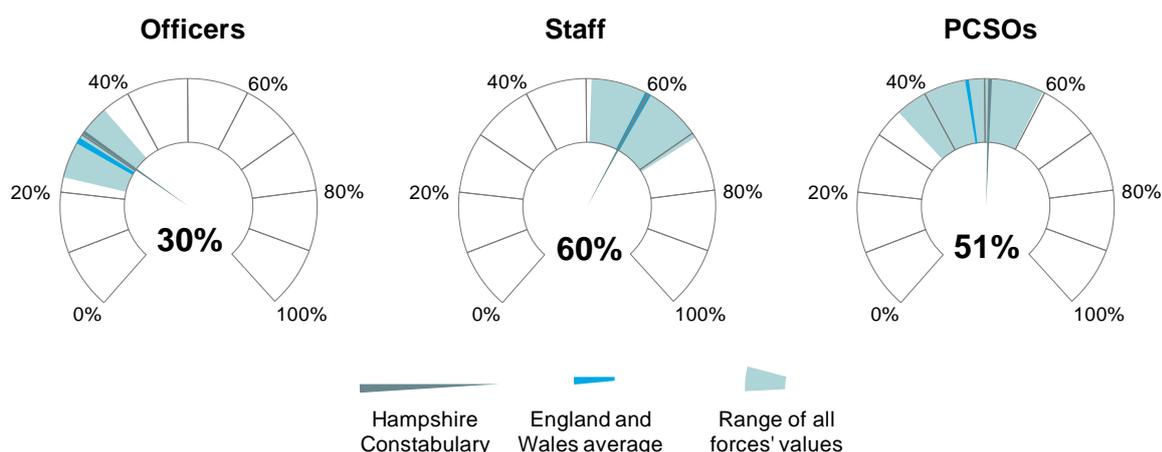
\* Individuals are not required to record their ethnicity. As a result, BAME totals and percentages exclude officers/staff/PCSOs where the ethnicity is not stated.

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

**Source: Home Office Police Workforce statistics**

The figure below shows how the percentages of female officers, staff and PCSOs in Hampshire Constabulary compared with the averages of all forces in England and Wales. It shows they were similar for staff yet higher for both officers and PCSOs.

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

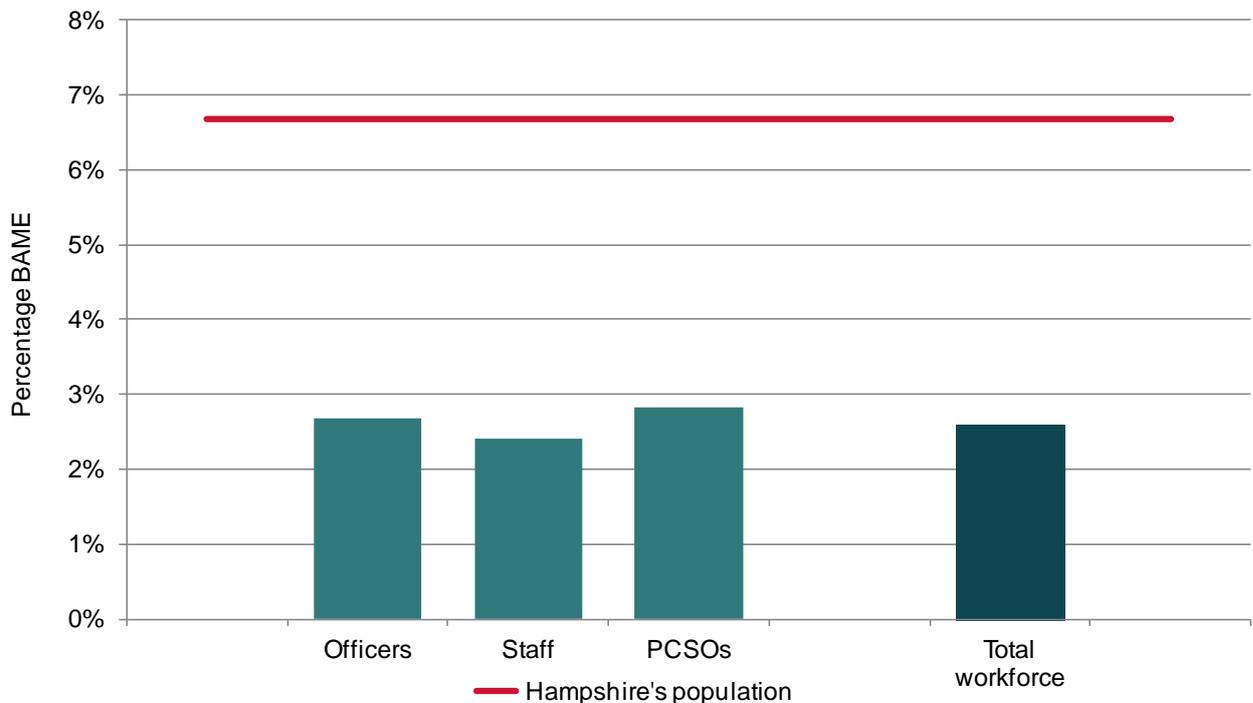


**Source: Home Office Police Workforce statistics**

We compared the percentages of (i) BAME officers, (ii) BAME police staff and (iii) BAME PCSOs in each force with the proportion of BAME people living in the force area. In Hampshire, around 7 percent of the local population were BAME. The figure below shows these comparisons.

There was a statistically significant under-representation of BAME people in Hampshire Constabulary's overall police workforce, as well as separately for officers, staff and PCSOs.

**Figure 3: Percentage of BAME people within Hampshire Constabulary's workforce (as at 31 March 2015) compared with its local population**



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

Police forces in England and Wales have experienced large reductions in their total workforce since the government's October 2010 spending review.<sup>8</sup> HMIC also examined how the percentages of BAME officers and staff, and females within the workforce had changed over this period.

Across all police forces in England and Wales, total workforce numbers decreased by 15 percent between 31 March 2010 and 31 March 2015. However, the percentages of BAME people and females within the overall workforce increased during the five year period. Most notably, the proportion of female officers increased over 2 percentage points to 28 percent, and the proportion of BAME officers increased by nearly 1 percentage point to just under 6 percent. In contrast, the proportion of BAME PCSOs decreased by nearly 2 percentage points to just over 9 percent.

<sup>8</sup> *Spending Review 2010*, HM Government, October 2013. Available from: [www.gov.uk/government/publications/spending-review-2010](http://www.gov.uk/government/publications/spending-review-2010)

The figure below shows how these volumes and proportions have changed in Hampshire Constabulary over the spending review period.

**Figure 4: Change in Hampshire Constabulary’s workforce (overall volume and the percentage of female and BAME people), 31 March 2010 to 31 March 2015**

	Total change		Percentage point change	
			% female	% BAME
<b>Total workforce</b>	<b>-1,501</b>	<b>(-23%)</b>	<b>0</b>	<b>+0.5 ●</b>
Officers	-684	(-18%)	+2 ●	0
Staff	-772	(-32%)	-1	0
PCSOs	-45	(-13%)	+2	+2 *

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

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

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

**Source: Home Office Police Workforce statistics**

There was a statistically significant increase in the proportion of BAME people in Hampshire Constabulary's overall workforce between 31 March 2010 and 31 March 2015. There was also a statistically significant change in the percentage of female officers – around a 2 percentage point increase during the five years.

Overall, compared with other forces, as at 31 March 2015, the percentage of females within Hampshire Constabulary's workforce was similar for staff yet higher for both officers and PCSOs. By ethnicity, there was an under-representation in BAME officers, staff and PCSOs and there was no statistically significant change in the proportions between 31 March 2010 and 31 March 2015 for any of these groups. The representation of BAME people had, however, showed a statistically significant increase for the overall workforce.

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

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

Hampshire Constabulary has been clear about developing and maintaining an ethical culture. The constabulary had previously communicated its own set of values, known as CARE (Commonsense and sound judgement, Act with integrity, courage

and compassion, Respect people and keep our promises, Experiences are used to learn and improve). It has checked these against the Code of Ethics to ensure that all its elements are contained within the CARE values.

The chief constable reinforced his view of what constitutes an ethical culture by leading workshops featuring body-worn video footage from Hampshire officers to promote discussions about behaviour.

The chief constable has introduced an ethics committee to progress actions to integrate the Code of Ethics. To ensure that the constabulary benefits from an external and independent perspective, the chair of the Independent Advisory Group (IAG) is a member of the ethic committee and the IAG has increased its remit to include advising on ethical issues. An IAG, comprises of members of the public who advise the police on issues related to police activity that affect the community. The constabulary reacted positively to results from a staff survey in 2014, commissioning further detailed research and consultation with staff to understand the reasons behind their perceptions. As a result the constabulary has developed, and commenced implementation of, a 'people priorities programme', which includes leadership training modules.

The constabulary was good at communicating with its staff and involving them in consultation about the change programme. However, there was no single method by which the constabulary could receive suggestions, or concerns, from the workforce. HMIC spoke to many staff who were unaware of how to contribute ideas for improvements or highlight problems, outside of scheduled road shows or senior officers' visits to stations.

The constabulary had set a target to recruit 5.5 percent of staff from under-represented groups. It had an internal equality, fairness and diversity strategic group and a 'diverse recruitment, progression and retention' plan', which included using members of under-represented groups on recruitment panels.

The constabulary had also implemented a positive action internship scheme. This scheme provided work experience along with learning and development opportunities to members of under-represented groups who wish to join Hampshire Constabulary. Successful applicants received financial support to help them achieve a Certificate in Knowledge of Policing qualification, after which they were expected to apply to become a police officer.

There were processes in place for officers and staff to report inappropriate behaviour. Reports can be made to supervisors and managers or to the professional standards department. There was also a confidential method of reporting such behaviour and calls to the confidential line increased following the chief constable's road-shows which promoted ethical behaviour. However, some staff members, including supervisors, were not always aware this existed.

The constabulary held a range of awards ceremonies, including awards for joint partnership working with community safety partnerships, volunteers and members of the public. Staff could also acknowledge the good work of their colleagues on the constabulary's intranet.

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

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

Hampshire Constabulary had a clear commitment towards staff wellbeing. The constabulary had a range of provisions in place to support staff wellbeing, including; gyms, occupational health services, support help-lines and TRiM counselling.<sup>9</sup>

As a result of the responses to a staff survey, the constabulary acknowledged that it needed to do more to support its workforce to cope with the organisational changes, and the additional workload pressure some of them will experience. In response, it had developed, and was implementing a programme to provide managers with the additional skills needed to manage change. It had developed a new health and wellbeing strategy for providing support to all staff, including stress management, lifestyle talks, and, peer support. There was also access to financial help through the welfare fund, access to gymnasiums, and workshops to increase resilience.

There were also additional measures in place for officers who may need extra support. For instance, those in some specialist units received regular psychological screening, and the head of the professional standards department monitored the welfare issues of officers who were subjects of serious complaints. This allowed the constabulary to identify when additional welfare support might be required.

There were appropriate arrangements in place to support the wellbeing of officers and staff.

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<sup>9</sup> TRiM (Trauma Risk Management) is a welfare led process intended to assess the response of a member of staff exposed to a potentially traumatic incident.

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

In April 2014, the College of Policing launched the Code of Ethics.<sup>10</sup> This sets out nine policing principles that should be applied by all officers and staff: Accountability; Integrity; Openness; Fairness; Leadership; Respect; Honesty; Objectivity; and Selflessness. These principles should be used to underpin the decisions and actions taken by officers and staff.

This inspection considered the extent to which officers and staff were aware of the Code of Ethics, and how the force was working to embed the code into policy and practice.

Hampshire Constabulary had used material produced by the College of Policing to publicise the Code of Ethics. This had included giving each officer a personal copy of the code, and computer-based training modules for operational staff. The code also featured in the chief constable's blog, had a permanent presence on the home page on the constabulary's intranet, and been the focus of the chief constable's workshops about ethical behaviour. In addition, the code had been integrated into the new leadership training as part of the 'People Priorities' programme.

The constabulary ethics committee had produced a draft Code of Ethics action plan to help integrate the code, and ensure that it applied to everyone in policing, and in everyday decision-making. Senior managers were required to attend the ethics committee to explain how they were working to help staff understand the code.

While the constabulary had taken steps to raise awareness of the code it had done so by building it onto its existing work on values, in what was described as a 'soft launch'. As a consequence, while we found some awareness of the Code of Ethics, the existing CARE values were more widely understood and consistently applied by the workforce.

The Code of Ethics had informed policy and practice although officers and staff were more familiar with the constabulary's CARE values.

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<sup>10</sup> *Code of Ethics – A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales*, College of Policing, London, July 2014. Available from: [www.college.police.uk/What-we-do/Ethics/Documents/Code\\_of\\_Ethics.pdf](http://www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf)

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

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

Each allegation can be dealt with, or resolved, in a number of ways. Some complaints, such as rudeness or incivility, may be dealt with through the local resolution process. The way these complaints are resolved should be adapted to the needs of the complainant – for example, they may involve an apology or an explanation of the circumstances in writing or in person. If the complaint is more serious, and assessed as not suitable for local resolution, it must be investigated by an appointed investigating officer who will produce a report detailing findings against each allegation. Under certain circumstances, some complaints do not proceed. These use processes known as disapplication or dispensation (for example, if the matter is already the subject of a complaint or if the complaint is repetitious or vexatious), discontinuance (for example, if the complainant refuses to cooperate or it is not reasonably practicable to investigate the complaint) or if they are withdrawn by the complainant.<sup>11</sup>

In the 12 months to 31 March 2015, Hampshire Constabulary finalised 1,561 allegations from public complaints that were made against its officers and staff. Of these, 66 percent had been investigated and 26 percent had been locally resolved. A greater proportion of allegations were investigated and a smaller proportion were locally resolved in Hampshire compared with the average of its most similar group of forces.<sup>12</sup>

In the 12 months to 31 March 2015, the average time Hampshire Constabulary took to complete a local resolution was 73 days, greater than the average of its most similar group of forces (60 days). Over the same period, the average time a local investigation took to complete was 107 days, less than the average of its most similar group of forces (152 days).

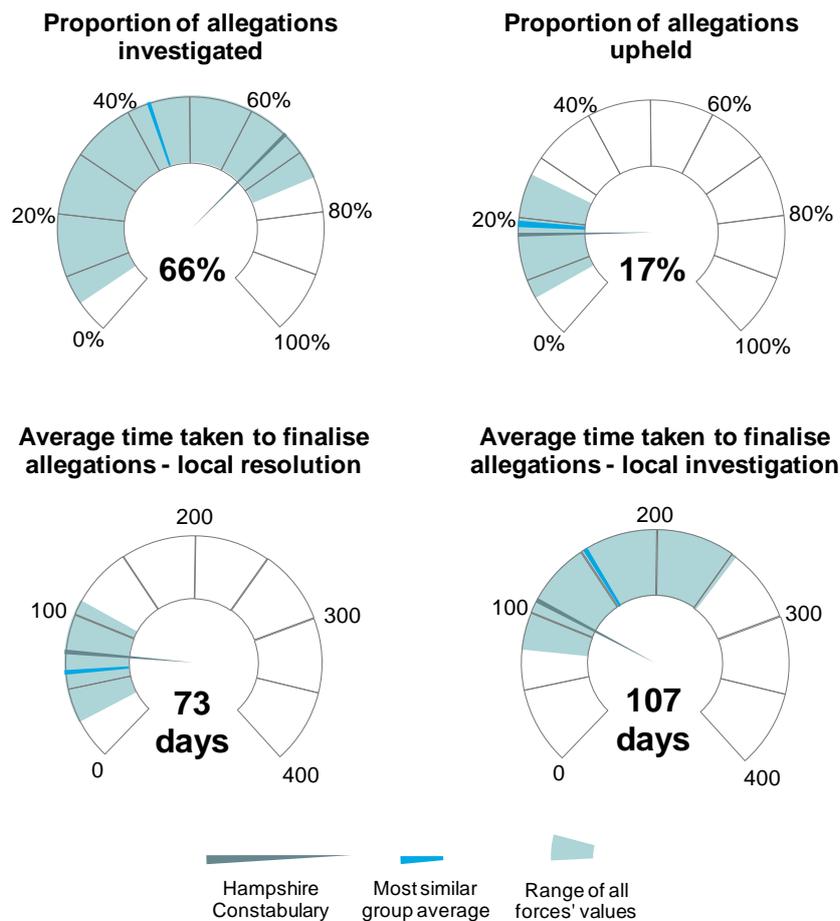
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<sup>11</sup> For a more complete outline of the definitions and potential outcomes resulting from public complaints, please see the Independent Police Complaints Commission's website: [www.ipcc.gov.uk](http://www.ipcc.gov.uk).

<sup>12</sup> Most similar groups are groups of local areas that have been found to be most similar to each other using statistical methods, based on demographic, economic and social characteristics which relate to crime. See Annex B.

After local investigation, Hampshire Constabulary closed 1,030 allegations in the 12 months to 31 March 2015. Of these, 17 percent were upheld, where it was concluded that the service provided by the police officer or police staff or the service as a whole did not reach the standard a reasonable person could expect. This was broadly in line with the average of Hampshire's most similar group of forces of 19 percent. The following figure shows how these values compare.

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



**Source: Independent Police Complaints Commission**

Overall, in the 12 months to 31 March 2015, Hampshire Constabulary finalised 66 percent of allegations by investigation. The proportion of allegations upheld after local investigation was broadly in line with the average of its most similar group of forces. Compared to its most similar group of forces, Hampshire took longer to complete local resolutions and less time to complete local investigations.

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

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

Building on the findings of HMIC's Police Integrity and Corruption inspection,<sup>13</sup> this inspection considered if public complaints and misconduct investigations were dealt with in a timely and consistent manner. The inspection also considered whether investigations were conducted fairly and whether officers and staff, particularly those with protected characteristics,<sup>14</sup> felt that they would be treated fairly following a complaint or allegation against them.

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

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

Hampshire Constabulary had taken a consistent approach to assessing the severity of public complaints and misconduct allegations for both police officers and police staff. One person, of sufficient seniority within the professional standards department, had responsibility for conducting the initial assessment. Public complaints and misconduct allegations against police officers were dealt with by the professional standards department, whereas those involving police staff were dealt with by the human resources department from the H3 partnership. This entity, called H3, had been created by merging business support services in Hampshire County Council, Hampshire Fire and Rescue and Hampshire Constabulary and provided all three organisations with human resources, finance and administration services. The H3 service increased the potential for inconsistencies and unfairness in the outcomes applied to police officers and police staff.

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

<sup>14</sup> Under the Equality Act 2010, it is against the law to discriminate against anyone because of: age; being or becoming a transsexual person; being married or in a civil partnership; being pregnant or having a child; disability; race including colour, nationality, ethnic or national origin; religion, belief or lack of religion/belief; sex; or sexual orientation. These are called 'protected characteristics'.

The constabulary had recognised this and introduced a monthly meeting between the head of the professional standards department and the head of the human resources department to review cases and ensure consistency. The head of the professional standards department monitored the timeliness of investigations, although, staff perceived that dealing with complaints took too long. The case file review supported this view and suggested that some cases, which were suitable for resolution locally, were nevertheless investigated and this was likely to be more time-consuming for all those involved.

The professional standards department provided management information about complaints and guidance to staff about professional standards and behaviour through its 'Reputation Matters' journal, which was circulated regularly to staff. It also gave training to staff who deal with complaints, in an effort to improve the standard of investigations.

The constabulary dealt with complaints and misconduct fairly and consistently and investigations were free from bias.

## Summary of findings



**Good**

Hampshire Constabulary had an established and well-promoted set of values that the workforce understood. It had taken the decision to maintain these values and introduced the Code of Ethics alongside them. It had recently created an ethics committee whose role was to oversee how well ethics were understood in each area of the constabulary.

Staff had a good knowledge and understanding of the constabulary's values, but efforts to raise awareness of the Code of Ethics had not yet led to a consistently high level of knowledge and understanding about the police service-wide code.

The constabulary listened to its staff and responded to their views. Following a staff survey, the chief constable personally sponsored a review of the constabulary's approach to leadership. This has led to their 'Leadership' programme which is Hampshire Constabulary's approach to developing a proud, confident and connected workforce.

The organisation was good at communicating with its staff. However, some staff were unaware of how to make suggestions or contribute ideas for improvements. There was a good level of provision to support workforce wellbeing and complaints and misconduct were dealt with fairly and consistently and investigations were free from bias.

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

## Introduction

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

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

In autumn 2015, HMIC made an assessment of the extent to which police forces understand and engage with the people they are there to serve. Based on the College of Policing's Authorised Professional Practice on Engagement and Communication,<sup>15</sup> the inspection asked:

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

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

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<sup>15</sup> *Authorised Professional Practice on Engagement and Communication*, College of Policing, 2015. Available from [www.app.college.police.uk/app-content/engagement-and-communication/?s](http://www.app.college.police.uk/app-content/engagement-and-communication/?s)

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

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

Officers and staff in Hampshire Constabulary understand the importance of dealing with the public in a fair, polite and professional way, and that this supports public confidence in the police.

The constabulary undertakes activity, at both force and local levels to understand the views of the different communities it serves. At a force level it operates the Hampshire Alert with over 13,000 people signing up to receive messages in the first year. It also has 90,000 followers on Facebook and over 85,000 on Twitter. Officers and staff at neighbourhood level have access to the constabulary-wide digital platforms so they can post locally targeted information. Independent advisory groups<sup>16</sup> (IAGs) operate at both a force and local levels and provide advice and guidance so that the constabulary understands concerns and issues.

Social media is used well to engage the public. For example, where there is difficulty gaining conventional media coverage for a case involving a high risk missing person, social media is used to appeal directly to the public, using short recorded videos, and a recent example shows how this method reached 390,000 people within 12 hours and then 500,000 people from the video being shared. This contributes to finding missing people quickly and keeps them safe.

At the local level, officers and staff make contact with the community and partners through a range of channels to reach different community groups and communicate information. Neighbourhood teams understand the importance of working with the public and see it as part of their core role, together with problem solving. The constabulary makes use of community profiles and officers and staff better understand their local communities. Officers are confident in completing community impact assessments which are used to manage community concerns over high profile incidents.

Neighbourhood issues are managed using the safety net system<sup>17</sup> to record case activity and provide supervisory oversight. Officers and staff can also enter new information which can be shared through social media platforms to inform the public

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<sup>16</sup> An Independent Advisory Group, IAG, comprises members of the public who advise the police on issues related to police activity that affect the community.

<sup>17</sup> Safety Net is a web-based IT system used by Hampshire Constabulary. It allows the force and its partners to share information between themselves about how they are addressing local problems

about action being taken. Some partners such as housing associations and the local authority also have access to safety net and are positive about the benefits of sharing information on a single system. The constabulary is now trying to encourage other partners to use the system to improve information sharing and partnership working.

Of the 1,002 survey responses from the area covered by Hampshire Constabulary, 54 percent agree that the police understand the crime and anti-social behaviour issues within their force area and 11 percent disagree. The remainder neither agree nor disagree or do not know. Although not directly comparable because of the small force sample size, of the responses from all forces across England and Wales, 49 percent agree versus 14 percent who disagree.

Officers and staff understand the importance of working with all local communities to maintain and increase police legitimacy.

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

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

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

Our inspection looked at the different ways that forces engage with their communities.

At a senior level, the constabulary, in consultation with the police and crime commissioner (PCC), undertakes community engagement to explain its new ways of working and listen to the views of the public.

The constabulary does not carry out county-wide public surveys, which might hinder its ability to identify issues of concern at a force level. However, it use a wide range of tools to engage with the communities it serves, making extensive use of local surveys to gather the views of communities and their issues.

'How to engage with communities' forms part of the neighbourhood training course for officers and staff and neighbourhood officers broaden their understanding of their communities, for example by regular public meetings called Police and Communities Together (PACT) where local priorities are discussed. In areas where meetings are poorly attended local officers and staff increase public contact using alternative routes such as; residents associations meetings, calling door to door on housing estates, 'coffee with cops' drop-in sessions and being present at local community events. The constabulary is aware that despite these efforts, there are still some areas where it is not as well engaged with the community as it wishes to be. It is working with the local authority to address these gaps and the local authority is supportive of this approach. Several hundred public responses suggesting what the local priorities should be come through the direct contact between neighbourhood staff and the community. These responses taken together with data held by the constabulary are then published on local team websites as the agreed local priorities.

Actions carried out to deal with issues, and the results achieved, are then posted on the individual neighbourhood team websites under the title 'you said, we did' and are updated regularly. Local Twitter accounts are also used to keep people updated on activity with, for example, 14,500 followers for the Portsmouth area.

From the survey, 35 percent of the respondents from the area covered by Hampshire Constabulary speak highly of the police in their local area while 13 percent speak critically. The remainder have mixed views or do not know. Although not directly comparable because of the small force sample size, of the responses from across all forces in England and Wales, 32 percent speak highly and 16 percent speak critically.

We consider that Hampshire Constabulary has good arrangements for engaging with its communities.

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

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

This inspection looked at whether all members of the public (including those with protected characteristics) are treated (and perceive that they are treated) fairly and with respect by the police. We also assessed the extent to which officers understand

the National Decision Model,<sup>18</sup> the framework by which all policing decisions should be made, examined and challenged. The Code of Ethics is a central component of the National Decision Model.

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

Although not necessarily representative of all calls responded to by Hampshire Constabulary, from the 40 calls assessed, HMIC was satisfied that the call handlers were polite, respectful and effective. They showed empathy when dealing with more vulnerable callers.

During our fieldwork we also observed front counter staff in their interaction with visitors at police stations, and found that they were polite and helpful.

All officers and neighbourhood PCSOs within Hampshire Constabulary have received training on the use of the National Decision Model (NDM). In addition, they receive refresher training as part of annual personal safety courses and specialist officers, such as Taser and firearms officers, receive additional inputs. We spoke to frontline officers and staff, including supervisors, and they were very familiar with the model and the importance of having a reasonable rationale for the decisions they make while serving the public.

The constabulary has satisfied itself that its own CARE values align with the College of Policing's Code of Ethics. These values have using 'good judgment, fairness and respect' at their core, and the chief constable leads the implementation of the code. To support this, the constabulary has launched an ongoing leadership programme for all supervisors and all neighbourhood officers and PCSOs attend a one week classroom based training course to better equip them to engage with their communities and solve problems.

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<sup>18</sup> *College of Policing – Authorised Professional Practice on National Decision Model*, College of Policing, December 2014. Available from: [www.app.college.police.uk/app-content/national-decision-model/?s](http://www.app.college.police.uk/app-content/national-decision-model/?s)

This is a significant investment by Hampshire Constabulary and shows that the organisation recognises the importance of giving officers and staff the knowledge to engage effectively and treat people fairly and with respect.

From the survey, 57 percent of respondents from the area covered by Hampshire Constabulary agree that the police in their local area treat people fairly and with respect versus 5 percent who disagree. The remainder neither agree nor disagree or do not know. Although not directly comparable because of the small force sample size, across all forces in England and Wales, the figures are 54 percent and 7 percent respectively.

Officers and staff of Hampshire Constabulary treat people fairly and with respect including over the phone and at the front desk.

## Summary of findings



**Good**

Hampshire Constabulary officers and staff understand the importance of dealing with the public in a fair, polite and professional way and how this supports public confidence in the police. The constabulary undertakes wide-ranging activity at both force and local level to understand the views of the different communities it serves. Neighbourhood officers and police community support officers engage well with the community.

Officers and staff are clear about the need to reach out to all communities, using a range of methods to engage with the community, and these efforts and overall approach is supported by local partners, such as the community support officers.

Local officers and staff explain that direct contact encourages direct responses from the public with suggestions on what the local priorities should be. These responses, taken together with data held by the constabulary, are then published on local team websites as the agreed local priorities.

Hampshire Constabulary trains its workforce to understand the national decision model (NDM). A wide range of officers are very familiar with the model and clearly understand the importance of having a reasonable rationale for the decisions they make while serving the public. The constabulary makes a significant investment in the training of neighbourhood officers and staff to ensure that they are equipped to effectively engage and solve community problems.

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

## Introduction

Fairness, and the perception of fairness, is crucial to police legitimacy. It is therefore important that fairness is demonstrated in all aspects of policing, including the use of police powers. Some of the most intrusive powers available to the police are those involving stopping and searching people and the use of Taser.<sup>19</sup>

In autumn 2015, HMIC assessed the use of Taser and stop and search powers (specifically, compliance with the Best Use of Stop and Search scheme<sup>20</sup> and how well reasonable grounds were recorded) to determine whether officers were using their powers fairly and in accordance with legal requirements and Authorised Professional Practice.

The inspection asked:

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

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

### Background

The primary role of the police is to uphold the law and maintain the peace. Unfair, unlawful or unnecessary use of stop and search powers make this task harder, with one of the direct consequences being a reduction in public trust and police legitimacy, and people being more likely to break the law and less willing to co-operate with the police. The purpose of stop and search powers are to enable officers to dismiss or confirm suspicions about individuals carrying unlawful items without exercising their power of arrest. The officer must have reasonable grounds for carrying out a search.

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

<sup>20</sup> *Best Use of Stop and Search Scheme*, Home Office, 2014. Available from: [www.gov.uk/government/publications/best-use-of-stop-and-search-scheme](http://www.gov.uk/government/publications/best-use-of-stop-and-search-scheme)

In our 2013 inspection on stop and search,<sup>21</sup> HMIC concluded that few forces could demonstrate that use of stop and search powers was based on an understanding of what works best to cut crime and rarely was it targeted at priority crimes in their areas. Forces had reduced the amount of data collected, to reduce bureaucracy, but this had diminished their capability to understand the impact of the use of stop and search powers on crime levels and community confidence.

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

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

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

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

### **Use of stop and search in Hampshire Constabulary – Stop and search by volume**

In the 12 months to 31 March 2015, Hampshire Constabulary carried out 18,592 stops and searches. The table below shows this number per 1,000 population for Hampshire Constabulary and the average of its most similar group of forces, as well as the change from the 12 months to 31 March 2014. The figures indicate that the force's use of stop and search powers is currently greater than the average of its most similar group of forces.

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<sup>21</sup> *Stop and Search Powers – are the police using them effectively and fairly?*, HMIC, July 2013. Available from: [www.justiceinspectorates.gov.uk/hmic/media/stop-and-search-powers-20130709.pdf](http://www.justiceinspectorates.gov.uk/hmic/media/stop-and-search-powers-20130709.pdf)

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

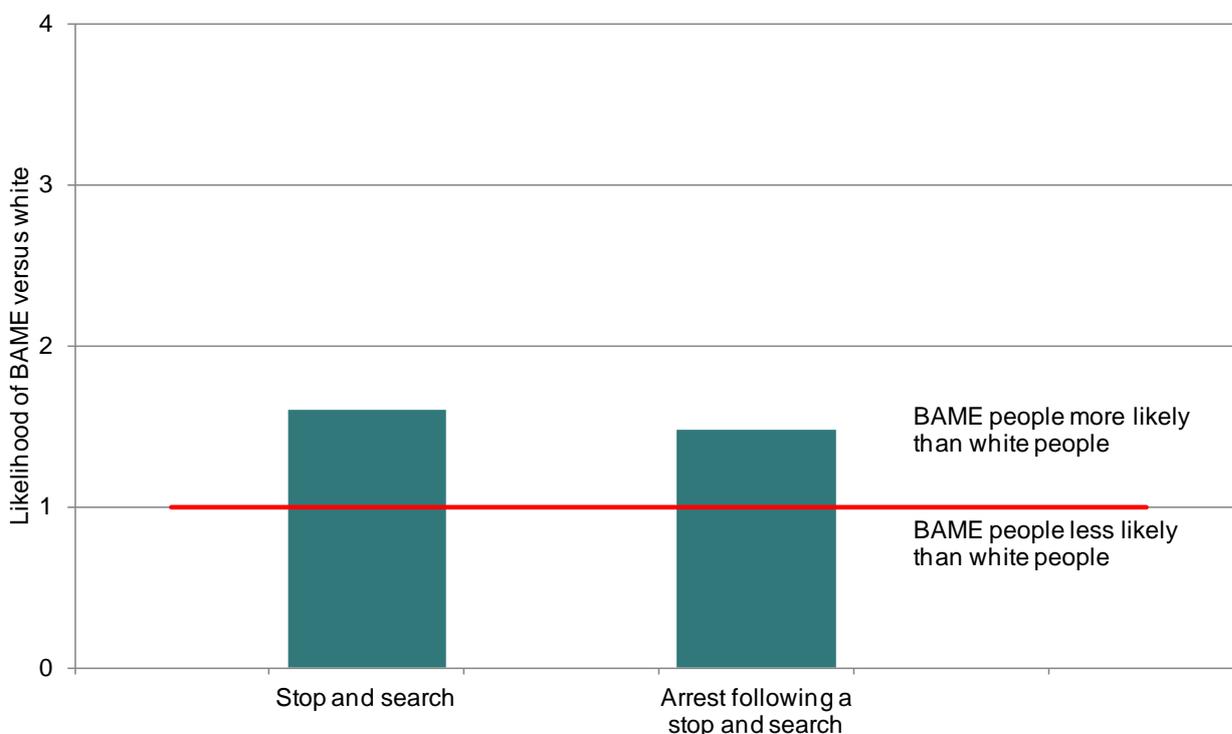
	<b>Stops and searches per 1,000</b>	<b>Change from previous year</b>
Hampshire	9.6	-37%
Hampshire's MSG average	6.5	-41%

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

### Use of stop and search in Hampshire Constabulary – Stop and search by ethnicity

HMIC looked at the published data on stops and searches by ethnicity and compared them with the most recent local population data by ethnicity (the 2011 Census). The data suggested that BAME people were statistically more likely to be stopped and searched by Hampshire Constabulary than white people. Also, of the individuals who had been stopped and searched, BAME people were statistically more likely to be arrested by the force than white people.

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



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

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

- the 2011 ethnicity figures no longer being representative of the force's local population;
- the difference between the ethnicity of the street population available to be stopped and searched at any given time with the general force population;
- stops and searches being carried out on people who are not resident in the area (and so are not counted as part of the population);
- disparity in the crime rates between different ethnicities;
- disparity in the number of repeat stops and searches carried out on individuals by ethnicity; or
- difficulties with the recorded data by ethnicity (while forces always record ethnicity when arresting a person as a result of being stopped and searched, they do not always record it when the encounter does not involve an arrest).

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

### **Recording reasonable grounds for suspicion**

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

For Hampshire Constabulary, the 2013 inspection showed that 16 of 200 records reviewed (8 percent) did not have sufficient reasonable grounds recorded.

For this inspection we reviewed 100 stop and search records provided by the constabulary. As in the 2013 inspection, we reviewed the records to determine if reasonable grounds were recorded. All of the records we reviewed had been endorsed by a supervisor. We found that 10 of the 100 records (10 percent) did not have reasonable grounds recorded.

In our fieldwork we heard that officers have been trained in what information needs to be recorded, and that supervisors check completed stop search forms. The pre-inspection review of the records suggests that some officers, and some supervisors given the task of reviewing records, may still not understand fully what constitutes reasonable grounds.

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

### **Compliance with the Best Use of Stop and Search scheme**

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

Officers have a good understanding of the importance of exercising stop and search powers in a lawful manner that is transparent and conducted with respect. However the constabulary needs to improve overall knowledge of the Best Use of Stop and Search scheme.

The constabulary has recently redesigned its stop and search form to include data on whether the item searched for is the item actually found. This supports the Best Use of Stop and Search scheme. It is also trying to reach young people using short videos on social media to explain stop and search activity. The constabulary is issuing all frontline uniform officers with body-worn video, and they are used to record stop and search encounters. A sample of these videos is being made available to the strategic independent advisory group<sup>22</sup> (SIAG) to increase transparency. SIAG operates at a force level and provides advice and guidance so that the constabulary understands concerns and issues.

The constabulary introduced a community observer scheme in August 2015 and at the time of inspection had received 60 applicants. Six took part in 'ride along' schemes, where members of the public may have an opportunity to observe a stop and search encounter, have already been carried out.

The constabulary operates a community trigger policy for any stop and search complaint which is then subject to scrutiny at local level by a senior officer. The complaint is also reviewed by the assistant chief constable (ACC) who is responsible for neighbourhood policing and it is referred to the SIAG for consideration.

It carries out analysis on the use of stop and search powers to support their legitimate use. This analysis, identifies if people from a black, Asian and minority ethnic (BAME) background are more likely to be searched than white people. It carries out further analysis to identify the areas in the county where this is taking place. Senior officers responsible for these areas are required to put in place a system by which every stop and search that involves a member of the BAME community is subject to an individual review by an Inspector. This is to ensure that the grounds for the search are reasonable and appropriate. The constabulary

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<sup>22</sup> An Independent Advisory Group, IAG, comprises members of the public who advise the police on issues related to police activity that affect the community.

continues to monitor any disproportionality involving members of the BAME community.

The process is overseen by the assistant chief constable responsible for neighbourhood policing, and the information is dip-sampled by the SIAG. It is clear that Hampshire Constabulary takes the use of stop and search powers seriously with appropriate senior officer oversight – although our review of stop and search records suggests there is more to do to ensure that all have reasonable grounds recorded.

The constabulary is complying with the Best Use of Stop and Search scheme, and officers are aware of some of the principles of the scheme.

<b>Feature of Best Use of Stop and Search scheme</b>	<b>HMIC assessment of compliance</b>
Recording and publishing the outcomes following a stop and search	<p>The constabulary complies with this feature of the scheme.</p> <p>Hampshire Constabulary record all outcomes required by the scheme.</p> <p>The constabulary has a dedicated stop and search page, and stop and search data page, on its website. We were pleased to find comprehensive outcome data published by local area.</p>
Providing opportunities for the public to observe officers using the power	The constabulary complies with this feature of the scheme.
Explaining to communities how the powers are being used following a 'community complaint'	The constabulary complies with this feature of the scheme.
Reducing the number of people stopped and searched without suspicion under Section 60 <sup>23</sup> of the Criminal Justice and Public Order Act 1994	The constabulary complies with this feature of the scheme.
Monitoring the impact of stop and search – particularly on young people and black, Asian	The constabulary complies with this feature of the scheme.

<sup>23</sup> 'No suspicion' searches are provided for under section 60 of the Criminal Justice and Public Order Act 1994. Available from: [www.legislation.gov.uk/ukpga/1994/33/section/60](http://www.legislation.gov.uk/ukpga/1994/33/section/60)

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

### **Background**

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

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

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

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

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

HMIC has not previously inspected how Taser is used either in, or between, forces. This inspection considered whether chief officers understand how Taser is being used across the force area, to satisfy themselves that it is being used fairly and appropriately, and whether Taser-trained officers are acting in accordance with the College of Policing's Authorised Professional Practice and the legal framework each time it is used.<sup>24</sup>

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<sup>24</sup> *College of Policing: Authorised Professional Practice on armed policing – legal framework and Taser*. Available from: [www.app.college.police.uk/app-content/armed-policing/conducted-energy-devices-taser/](http://www.app.college.police.uk/app-content/armed-policing/conducted-energy-devices-taser/)

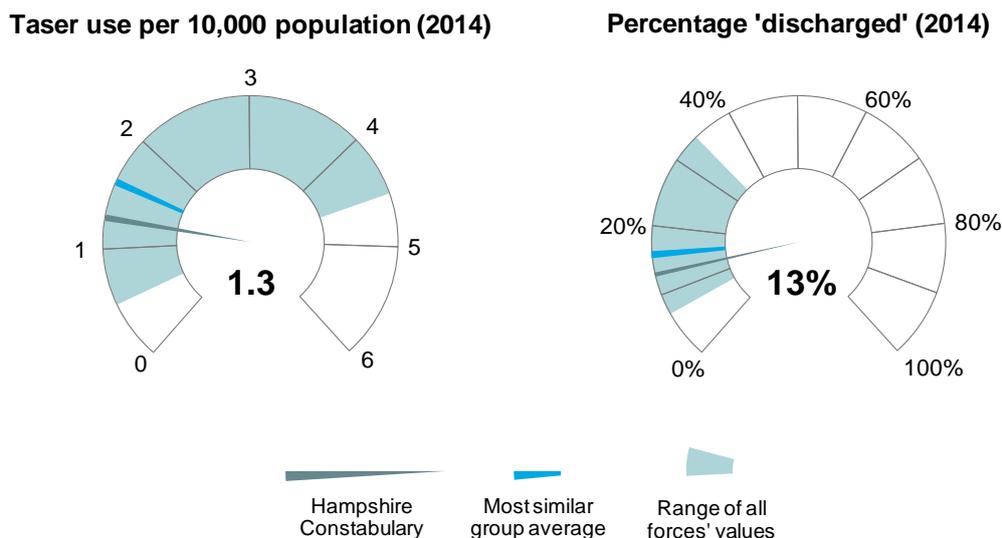
## Use of Taser in Hampshire Constabulary

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

Between 1 January and 31 December 2014, Taser was used in some capacity 246 times by Hampshire Constabulary, representing 1.3 times for every 10,000 people in the force's area. This was broadly in line with the average for Hampshire Constabulary's most similar group of forces, which was 1.6 times per 10,000 population.

During the same time period, Taser was 'discharged' on 32 occasions (out of the 246 times it was used in some capacity). This equated to 13 percent of overall use, less than the force's most similar group average of 16 percent. The following figure shows the comparisons.

**Figure 8: Use of Taser per 10,000 population and the proportion 'discharged' by Hampshire Constabulary, 12 months to 31 December 2014<sup>25</sup>**



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

The Taser deployment form is a national document for gathering research information about the operational effectiveness of the Taser device, and any medical implications of its use. If officers fire the Taser, or if they use it in drive-stun or angled drive-stun mode, they are required to complete the full form, including a detailed description of the incident from commencement to resolution. The National Decision Model is used on the form as a structure for officers to record this description. For any other use, such as 'drawn', 'aimed', 'red-dotted' or 'arced', officers are only

<sup>25</sup> City of London Police data was removed from figure 8 because of the very low number of times Taser was used by the City of London Police in 2014.

required to provide brief details of the incident. A detailed description, structured around the National Decision Model, is not required.

Before the fieldwork stage of the inspection, HMIC conducted a review of 20 Taser deployment forms provided by Hampshire Constabulary. Although the findings of this review are not necessarily representative of all Taser forms completed by the constabulary, they do provide an indication of the constabulary's Taser activity. The forms showed that Taser had been fired 2 times, red-dotted 12 times, aimed 3 times, and drawn 3 times. On both of the occasions that Taser was fired, we found evidence that consideration of other tactics had been recorded.

Overall officers used Taser to protect themselves or others from a range of weapons, including several knives, a machete, a chisel, a glass bottle, and a gun.

The 'brief details' and the National Decision Model (NDM) sections of the forms provided us with evidence to suggest that the use of Taser was fair, lawful, and appropriate in all of the 20 cases reviewed.

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

All Hampshire Constabulary officers trained to use Taser are familiar with the National Decision Model. Given the findings from our review of Taser use forms, HMIC specifically asked Taser-trained officers to identify their level of knowledge of the model. They receive both general NDM training and an additional input on the Taser training course. Officers understand their responsibility to exercise good judgment when considering the use of Taser and the importance of recording the rationale for use to allow public scrutiny of actions taken.

The constabulary requires officers to complete the national recording form in full for any use of Taser from drawing to discharge. Requiring the completion of all six pages does add some extra administration but this is offset by increased transparency and supervisor oversight. Taser-trained officers undergo a selection process to be considered for the role and a minimum standard of competence must be achieved; with a failure rate for the course of about 9 percent.

The constabulary collaborates with Thames Valley Police on the training and oversight of the use of Taser and the two forces operate a joint Taser working group which receives data on use and individual incidents for review if appropriate. The working group then reports its findings to the Strategic Firearms Board, chaired by the joint (Hampshire Constabulary and Thames Valley Police) lead ACC, who also reviews other information such as complaint data. The constabulary carried out a

review of the provision of Taser in July 2013. The end result is an additional 200 officers as Taser operators. A further review in November 2014 made a further recommendation for an additional 60 officers being trained. There is a governance process in place to ensure that the number of officers trained to use Taser is sufficient to manage the level of threat and this is regularly reviewed.

The only published information that the constabulary provides to the public is in response to Freedom of Information requests. HMIC suggests that the constabulary should be more transparent about how it uses Taser by publishing data regularly; both for individual high profile cases, and for use overall. This could enhance public confidence in the use of this tactic.

Based on our assessment of the Taser forms and our fieldwork findings, HMIC is satisfied that on the whole Taser is being used fairly and appropriately by Hampshire Constabulary. Officers understand and comply with Taser authorised professional practice and there is comprehensive strategic oversight of its use.

## Summary of findings



**Good**

Hampshire Constabulary takes the use of stop and search powers seriously with appropriate senior management oversight.

Officers have a good understanding of the importance of exercising stop and search powers in a lawful manner that is transparent and conducted with respect. However the constabulary needs to improve overall knowledge of the Best Use of Stop and Search scheme.

The constabulary is issuing all frontline uniform officers with body-worn video and these are used to record stop and search encounters.

The constabulary continues to monitor disproportionality of use of stop and search involving members of the black, Asian and minority ethnic (BAME) community; this is overseen by the assistant chief constable and checked by a dip-sample by the Strategic Independent Advisory Group.

All officers trained to use Taser are familiar with the National Decision Model. They clearly understand their responsibility to exercise good judgment when considering the use of Taser. They also understand the importance of recording that rationale to allow public scrutiny of actions taken.

Taser is used fairly and appropriately in Hampshire Constabulary.

## Annex A – HMIC judgments

The categories are:

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

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

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

## Annex B – Data methodology

Please note the following for the data.

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

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

- Comparisons with most similar group of forces – In most cases, comparisons are made with the average of the force's most similar group (MSG) of forces. These are forces that have been found to be the most similar to the force in question, based on an analysis of demographic, social and economic characteristics which relate to crime. The following forces are in Hampshire Constabulary's MSG: Hertfordshire, Sussex, Essex, Leicestershire, Thames Valley, Avon and Somerset and Staffordshire.
- Comparisons with averages – For some data sets, we state whether the force's value is 'below', 'above' or 'broadly in line with' the average. To calculate this, the difference to the mean average, as a proportion, is calculated for all forces. After standardising this distribution, forces that are more than half a standard deviation from the mean average are determined to be above or below the average, with all other forces being broadly in line.

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

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

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

## **Ipsos MORI survey**

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

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

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

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

## Annex C – The Best Use of Stop and Search scheme

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

### Recording and publishing outcomes

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

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

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

### Providing opportunities for the public to observe stop and search encounters

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

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

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

## **Implementing a community trigger for complaints**

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

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

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

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

## **Monitoring the use of stop and search powers**

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

## Annex D – Types of use of Taser

### Type of use Definition<sup>26</sup>

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

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

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<sup>26</sup> *Police use of Taser statistics, England and Wales: 1 January to 31 December 2014*, Home Office, 2015. Available from [www.gov.uk/government/statistics/police-use-of-taser-statistics-england-and-wales-1-january-to-31-december-2014](http://www.gov.uk/government/statistics/police-use-of-taser-statistics-england-and-wales-1-january-to-31-december-2014).