

PEEL: Police legitimacy 2015

An inspection of Bedfordshire Police



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

Overall judgment¹



Good

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

The chief officer team takes seriously the need to be an ethical and inclusive workforce. The force has some good examples of public engagement, but needs to do more to understand and engage with communities across Bedfordshire.

Decision-making by Taser-trained officers is fair and appropriate and the force complies with the Best Use of Stop and Search scheme.

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

Summary

The creation of a force-wide ethics committee was encouraging, and the chief officer team were committed to developing and maintaining an ethical culture in Bedfordshire Police. The force has made sufficient effort to establish the Code of Ethics,² and has incorporated them into its own statement of visions and values, called 'Our Force: Our Brand'. These ethical principles were understood by staff. The force effectively promoted the wellbeing of the workforce. However, there was a lack of a consistent approach in the assessment of internal misconduct allegations for police officers and police staff.

When HMIC looked at how well the force understands and successfully engages with all the people it serves, HMIC considers that the force should do more to reflect the good work that it is doing in Luton and ensure that it equally engages and understands other communities across the force area.

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

² *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

The force should take steps to ensure its local teams have sufficient information available to them to improve their understanding of local communities.

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. Officers understand the principles and features of the Best Use of Stop and Search scheme, and the force is complying with it. Taser use is fair and appropriate.

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



Good

The creation of a force-wide ethics committee was encouraging, and the chief officer team was committed to developing and maintaining an ethical culture in Bedfordshire Police. Overall, there was an understanding of the main aspects that underpinned the Code of Ethics among staff and this was informing force policy and practice. The integration of the code into the force's existing values was very positive. The force recognised there was more to do in developing a shared set of values and incorporating the code across collaborated teams.

The force effectively promoted the wellbeing of the workforce and there were positive comments from officers and staff

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



Requires improvement

Bedfordshire Police is committed to engaging and working with the public and it promotes values, including accountability and transparency and fair treatment, which are understood and supported by its staff.

There are some excellent examples of local engagement with people in the culturally and ethnically diverse community of Luton. Most neighbourhood teams are effectively using social media. However, the understanding of local communities is not consistent across the force. Police community support officers are in contact with people locally; they visit schools, and attend a range of different meetings to help address

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



Good

Bedfordshire Police is complying with the Best Use of Stop and Search scheme. However, too many search records do not clearly describe the grounds for the search, and this is something the force should address. There is a robust independent scrutiny process, which includes the review of an officer's body-worn video record. This process involves members of the black, Asian and minority ethnic community and young people.

Officers mainly understand the need to use the National Decision Model and a more intelligence led approach, when using stop and search powers and Taser, in order to achieve positive outcomes and maintain good

about wellbeing arrangements, although a reduction in funding had made them less accessible.

There were different approaches for police officers and police staff to the initial assessment of serious misconduct allegations. This could lead to police staff being dealt with more harshly than police officers. However, the force's professional standards department planned to standardise approaches for police staff and police officers.

Most staff felt confident to challenge poor behaviour but at a more senior level there were some concerns expressed about the impact of such challenges on future career development. This was concerning.

The force recognised that it needed to do more to increase the representation of black, Asian and minority ethnic (BAME) staff among its workforce, and it was taking a number of positive steps to do so.

local problems. They are also taking part in some initiatives that provide crime prevention advice and listen to residents' problems.

However, the force could do more to take steps to make sure that its local teams have sufficient information available to them to improve their understanding of their local communities.

community relations.

The force uses Taser more frequently but this reflects aspects of crime and disorder being dealt with by the force and the force applies effective scrutiny of every deployment to check Taser is being used fairly. All operational officers in Bedfordshire are being equipped with body-worn video cameras, which support greater accountability in the use of stop and search and Taser.

Overall, the use of stop and search and Taser by Bedfordshire Police is fair and appropriate.

Force in numbers



Ethnic diversity

Percentage of BAME in workforce 31 March 2015

overall workforce



officers



staff



PCSOs



Percentage of BAME in local population, 2011 Census



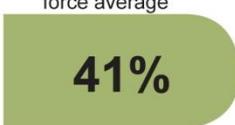
Gender diversity

Percentage of females in overall workforce 31 March 2015

Bedfordshire Police



England and Wales force average



Percentage of females by role, Bedfordshire Police

officers



staff



PCSOs



Percentage of females by role, England and Wales force average

officers



staff



PCSOs



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

Bedfordshire Police



Force's most similar group average



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

Bedfordshire Police Force's most similar group average

13%

18%



Stop and search

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

2,978

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

Bedfordshire Police

Force's most similar group average

4.6

5.7

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

Bedfordshire Police

Force's most similar group average

-54%

-37%



Tasers

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

105

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

Bedfordshire Police

Force's most similar group average

1.6

1.1

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

Bedfordshire Police

Force's most similar group average

25%

20%

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.

* These data are based on small numbers and so comparisons with the average should be treated with caution.

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 Bedfordshire Police.

Methodology

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

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

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

Organisational justice³

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

Research⁴ 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 become more active in policing activities (such as Neighbourhood Watch or other voluntary activity), the less the financial burden on police forces.

³ *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/150317_Fair_cop%20FINAL_REPORT.pdf

⁴ *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 2015,⁵ 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 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.

⁵ The inspection took place between March and June 2015.

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

A breakdown of the full-time equivalent (FTE) workforce⁶ in Bedfordshire Police as at 31 March 2015 is shown below.

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

| FTE | Total | Of which | |
|---------------------------|--------------|------------------|-------------------|
| | | Female | BAME* |
| Total workforce | 2,075 | 950 (46%) | 126 (6%) |
| Total officers | 1,073 | 333 (31%) | 65 (6%) |
| Constables | 816 | 255 (31%) | 53 (7%) |
| Sergeants | 163 | 54 (33%) | 7 (4%) |
| Inspecting ranks | 78 | 22 (28%)** | 4 (5%)** |
| Superintendents and above | 16 | 2 ** | 1 ** |
| Staff | 896 | 567 (63%) | 51 (6%) |
| PCSOs | 105 | 50 (48%) | 10 (11%)** |

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.

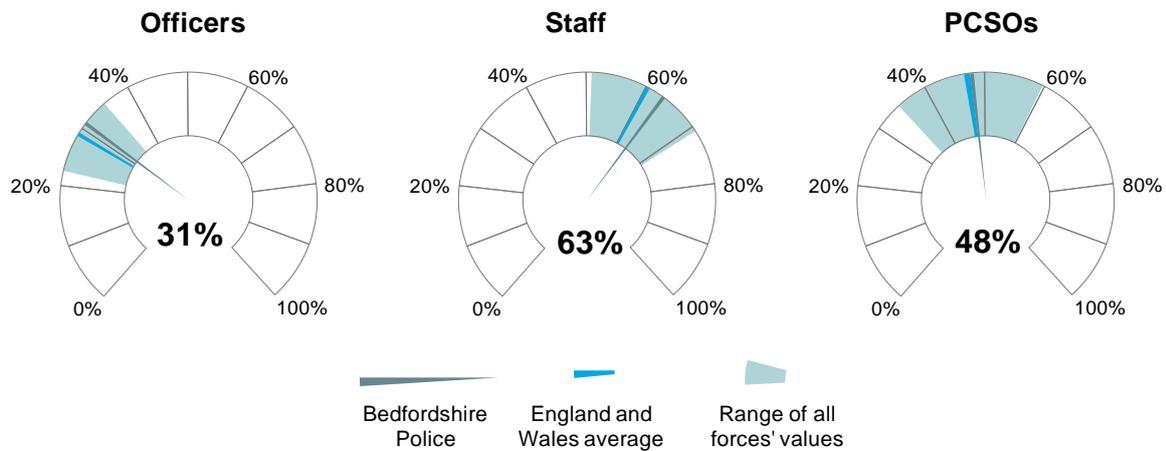
** Due to the figures being small, percentages should be treated with caution. In particular, percentages have not been included where totals are very small.

Source: Home Office Police Workforce statistics

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

⁶ Workforce comprises officers, staff and police community support officers (PCSOs).

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

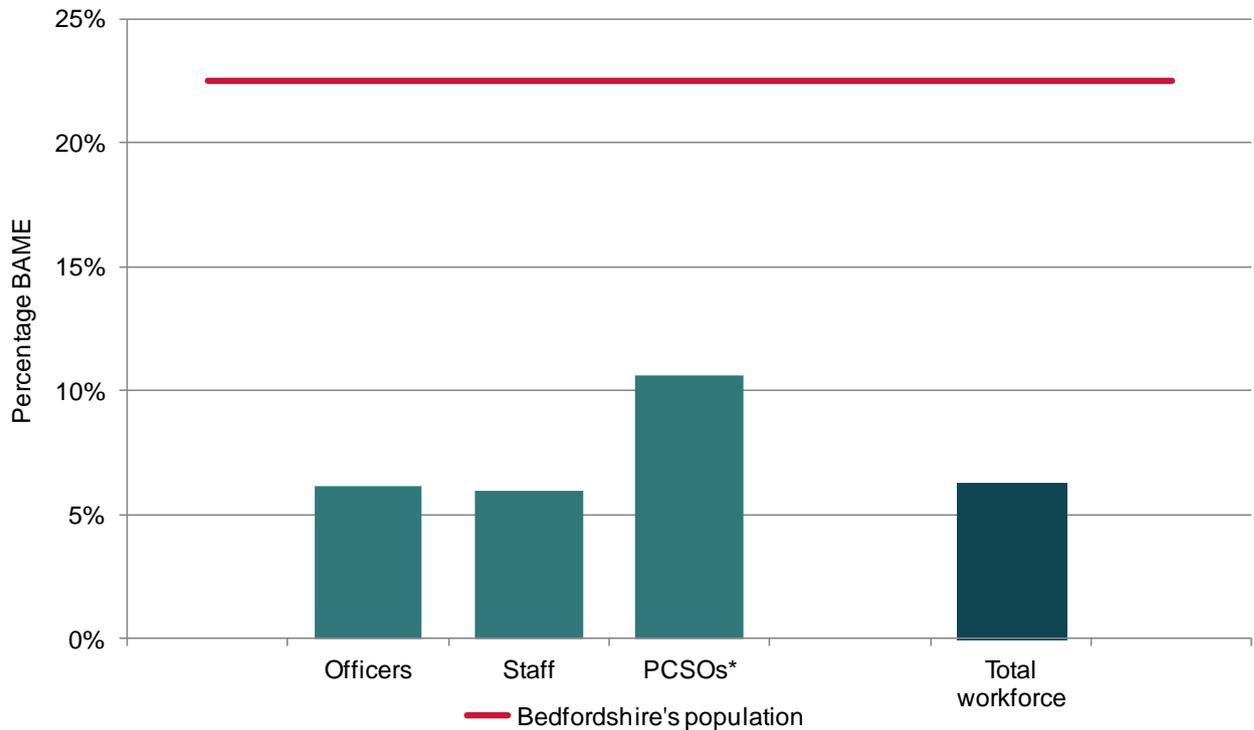


Source: Home Office Police Workforce statistics

We compared the percentages of (i) BAME officers, (ii) BAME police staff and (iii) BAME PCSOs in each force with the proportion of BAME people living in the force area. In Bedfordshire, around 23 percent of the local population were BAME. The figure below shows these comparisons. There was a statistically significant under-representation of BAME people in Bedfordshire Police's overall police workforce, which was reflected in the figures for officers and staff.⁷

⁷ HMIC was unable to analyse to a statistically significant degree the ethnicity of PCSOs in Bedfordshire Police, due to the small number of PCSOs. The figure 3 data that relates to PCSOs should be treated with caution.

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



***Due to the figures being small, the proportion of BAME PCSOs should be treated with caution.**

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.⁸ 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.

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

⁸Spending Review 2010, HM Government, October 2013. Available from: www.gov.uk/government/publications/spending-review-2010

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

| | Total change | | Percentage point change | |
|------------------------|--------------|--------------|-------------------------|----------|
| | | | % female | % BAME |
| Total workforce | -168 | (-8%) | +1 | 0 |
| Officers | -173 | (-14%) | +2 | 0 |
| Staff | +16 | (+2%) | -4 ● | -1 |
| PCSOs | -11 | (-10%) | -7 | 0 * |

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

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

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

Source: Home Office Police Workforce statistics

There were no statistically significant changes in the percentages of either females or BAME people within Bedfordshire Police's overall workforce between 31 March 2010 and 31 March 2015. However, there was a statistically significant change in the percentage of female staff - around a 4 percentage point decrease.

Overall, compared with other forces, as at 31 March 2015, while the percentage of females within Bedfordshire Police's workforce was broadly similar for PCSOs, it was higher for both officers and staff. By ethnicity, there was an under-representation in BAME officers and staff. There was no statistically significant change in the proportion of BAME staff between 31 March 2010 and 31 March 2015 for either of these groups.

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.

Bedfordshire Police’s ‘Our force: our brand’ clearly sets out in a one-page document the force purpose, vision, values, culture, corporate identity and policing principles. Under ‘cultural change’ the force emphasises its aims to be highly ethical and highlights values and behaviours, employee engagement and wellbeing.

The force has conducted surveys, seeking the views of the workforce, the most recent was in 2013. The chief constable set out the force's response to the issues raised including: leadership; recognition of good work; force facilities; and collaboration with other forces. The force was updating its understanding of the views of its workforce and was planning a joint force staff survey with Cambridgeshire Constabulary and Hertfordshire Constabulary.

The deputy chief constable chaired a force-wide ethics committee, where staff were encouraged to bring ethical dilemmas for discussion. This committee also oversaw the implementation of the Code of Ethics in the force.

Representatives from a number of staff groups, for example the women's network and the black police association felt they had good access to and support from the chief officer team.

There were mixed views among staff about the consultation process undertaken by the force in developing its new operating model. This model was the way in which the force saw how it was going to provide a future policing service against budget changes and it was felt that the force could have done more to engage with the workforce.

The force has been working to increase the number of black, Asian and minority ethnic (BAME) staff, through improvements to its recruitment, promotion and postings processes. There was a disproportionately high drop-out rate of BAME applicants during a recent recruitment process, and the force was seeking to understand the reasons for this. The force was also taking steps to encourage potential BAME applicants through local radio and work with local schools and universities.

Staff were able to raise concerns through a variety of channels, including through their line managers and through the 'Ask the Exec' link on the force intranet. Those we spoke to gave examples of issues they raised being resolved. Ideas had also been used to inform collaboration discussions between the chief constables and police and crime commissioners of Bedfordshire, Hertfordshire, and Cambridgeshire. Officer and staff concerns could also be raised anonymously on a telephone reporting line.

Some staff felt that the promotion processes in the force were unfair, and that success was too dependent on 'who you knew' rather than merit. The force has responded to this concern and it has raised awareness of unconscious bias with promotion board members, and needs to communicate this initiative to reduce the perception of unfairness among staff.

Most staff felt confident in challenging poor behaviour and gave some examples of this happening. However, at a more senior level there were some concerns expressed about the impact of such challenges on future career development.

The creation of a force-wide ethics committee was encouraging, and the chief officer team were committed to developing and maintaining an ethical culture in Bedfordshire Police.

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.

A good range of welfare services were available, for example health checks were provided for staff aged 40 years and above; although recent reductions in funding for the force's occupational health unit has reduced the availability of some of these services. Some staff explained that access could be problematic, waiting times lengthy, and that the administration of the services was not as streamlined as it could be. They also felt that the services were too reliant on self-referral; with referral by supervisors being variable. However, staff who had received welfare support reported that the service was very good.

The force used a video, produced by Lancashire Constabulary, which encourages staff and their line managers to recognise signs and symptoms of stress-related illness. Many of the staff had seen this video and said that it was helpful in promoting awareness of these issues.

To reduce the incidence of long-term traumatic stress, the force had introduced a screening process for staff who had witnessed or had dealt with potentially traumatic incidents or crimes. The process is used to identify whether the member of staff may be in need of further support or counselling. To identify those who may be in need of support, control room staff can flag an incident log that may have been particularly traumatic and frontline supervisors can make a direct referral. We found a number of examples where this process had been used to provide positive and practical support to staff.

A welfare officer system had been put in place in Luton, which provided a single point of contact on each team to collate issues and pass them on for a response from the force. This was well received by staff and expanding this initiative further to other areas and departments could be considered.

Staff explained that there had been problems about applications for flexible working arrangements. Many stated that their line managers had rejected their applications because of a '32 hours a week minimum' policy. There was no such policy, which indicated a lack of awareness about flexible working among line managers. The force recognised this issue and was raising awareness to ensure that line managers support officers and staff who want to be considered for flexible working.

Staff, provided two good examples where managers had taken staff welfare into account when making decisions. The first was an instruction issued by the deputy chief constable that staff will no longer routinely be required to work on some of their rest days, and the second was that the force allowed staff to vote on which of three alternative shift patterns they wanted to work.

There were good arrangements in place to support the wellbeing of officers and staff although reduced funding had made them less accessible. When these services had been used the workforce was positive about this provision.

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.⁹ 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 incorporate the code into policy and practice.

The Code of Ethics had been understood and accepted by officers and staff across the force. A copy of the code was e-mailed to every member of the force, and it asked them to confirm they had received a copy of the code and that they agreed to comply with it. When promoting the Code of Ethics, the force retained its own code and statement setting out the purpose, vision, values, culture, and corporate identity known as 'Our Force: Our Brand' and had successfully integrated the policing principles from the Code of Ethics into this. The force had begun incorporating the code into its policies and practices. Where these policies included collaborated policy and practices with Cambridgeshire Constabulary and Hertfordshire Constabulary an agreement had been reached, to ensure that all new policies, as they fell due for renewal were assessed against the Code of Ethics to ensure compliance across the three forces.

⁹ *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

There was an inconsistent detailed knowledge of all aspects of the code among staff, but they were aware of the main principles underpinning the code, and of the National Decision Model (NDM),¹⁰ both of which they considered when they were dealing with incidents in an operational environment. We found good examples of the NDM being properly applied in officers' witness statements and on body-worn video footage showing interactions with the public.

Within the force control room, staff had been trained on the model in the context of an approach called THRIVE (threat, harm, risk, investigation, vulnerability and engagement), which the force uses to risk assess and review incidents reported to it. When reviewing incident logs and listening to live incidents we found that this approach was being used appropriately only some of the time. The force recognised that it needed to do more to record its decision-making on logs on how the force assessed vulnerability.

HMIC found awareness of the Code of Ethics was generally good in Bedfordshire Police, but was less so for staff working in units that involve collaboration with staff from Hertfordshire Constabulary and Cambridgeshire Constabulary. These staff were working to the same set of standards of professional behaviour and Code of Ethics, but each had differing messages from their respective chief constables. The collaboration programme team recognised the different approaches and was addressing this by developing a set of shared values across the three forces.

Overall, there was an understanding of the main aspects that underpinned the code among staff and it was informing current force policy and practice. The integration of the code into the force's existing values was very positive. The force recognised there was more to do in developing a shared set of values and incorporating the code across collaborated teams.

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.

¹⁰ National Decision Model is 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 (NDM).

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 co-operate or it is not reasonably practicable to investigate the complaint) or if they are withdrawn by the complainant.¹¹

In the 12 months to 31 March 2015, Bedfordshire Police finalised 809 allegations from public complaints that were made against its officers and staff. Of these, 22 percent had been investigated and 69 percent had been locally resolved. A smaller proportion of allegations were investigated and a greater proportion were locally resolved in Bedfordshire compared with the average of its most similar group of forces.¹²

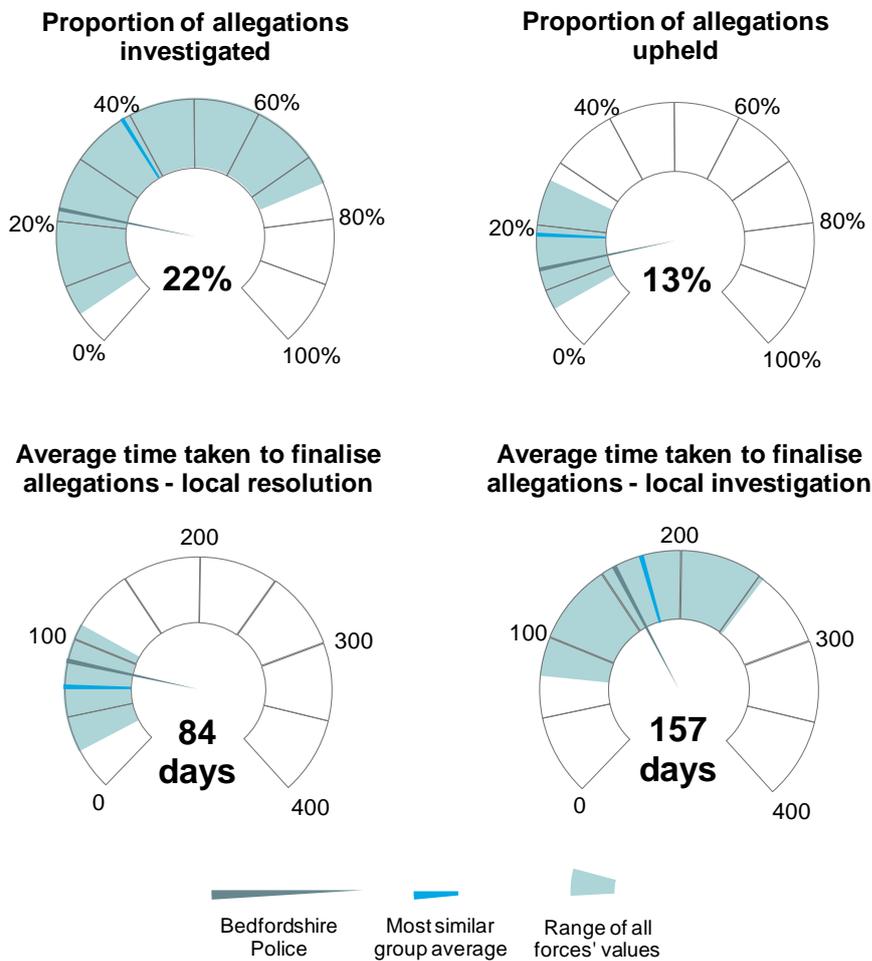
In the 12 months to 31 March 2015, the average time Bedfordshire Police took to complete a local resolution was 84 days, greater than the average of its most similar group of forces (68 days). Over the same period, the average time a local investigation took to complete was 157 days, broadly in line with the average of its most similar group of forces (174 days).

After local investigation, Bedfordshire Police closed 174 allegations in the 12 months to 31 March 2015. Of these, 13 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 less than the average of Bedfordshire's most similar group of forces of 18 percent. The following figure shows how these values compare.

¹¹ 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.

¹² 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.

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



Source: Independent Police Complaints Commission

Overall, in the 12 months to 31 March 2015, Bedfordshire Police finalised 22 percent of allegations by investigation. The proportion of allegations it upheld after local investigation was less than the average of its most similar group of forces. Compared to its most similar group of forces, Bedfordshire took longer to complete local resolutions and a similar amount of 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 the HMIC Police Integrity and Corruption inspection,¹³ 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,¹⁴ 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 78 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 there were none which had any bias in how complaints and internal misconduct allegations were dealt with, in respect of gender, ethnicity or rank.

Bedfordshire Police shared a professional standards department with Cambridgeshire Constabulary and Hertfordshire Constabulary and this provided consistency in the initial assessment of public complaints. Regulations require that complaints are assessed by an officer of the rank of chief inspector or above. However, HMIC found that complaints were assessed in Bedfordshire by a member of staff within the professional standards department who was below the rank of chief inspector. This was to establish if the complaint was suitable for local resolution and while, in the majority of cases, the decision made was correct, the force needs to ensure that it is complying with the legislation that governs this area of work.

Public complaints were initially assessed by the professional standards department and, if they were not assessed as a very serious issue – which could result in an officer losing their job – they were initially passed to local managers to investigate and deal with.

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

¹⁴ 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'.

For internal misconduct cases involving police officers, local senior police officers made an initial assessment about how serious an allegation was. If it could justify dismissal, it was passed to the professional standards department for investigation or if the most severe outcome was assessed as a final written warning and without the likelihood of dismissal, local senior police officers arranged their own investigation. However, for all internal misconduct cases involving members of police staff, the human resources department made all decisions in conjunction, albeit with the head of the professional standards department.

The professional standards department reported monthly on the progress of more serious misconduct cases. However, it was not clear how the force kept an overall view of the outcomes of the lower-level misconduct cases to ensure all assessors were applying the same standards. Without this overview, there was the potential for a lack of consistency and unfairness between police officers and members of police staff, as decision makers were acting without a common decision-making framework.

The force recognised the issue and was seeking to achieve greater consistency by standardising paperwork to support the assessment process. The three forces also planned to collaborate and reduce the number of decision makers from three to one but the decision makers only made decisions for police staff misconduct. It was not clear how the force planned to standardise the decision-making between police officer and police staff misconduct decisions.

The force oversaw complaints and misconduct matters through the tri-force governance board, which was attended by the three deputy chief constables, and representatives of the three police and crime commissioners. This meeting provided oversight of professional standards issues at a senior level and provided a way to help understand patterns of behaviour and trends in public complaints.

There was also a fortnightly meeting between the tri-force head of professional standards and the deputy chief constable, who also had regular contact with his counterparts in the other two forces to discuss any ongoing issues of relevance to each force.

There was a member of staff who was dedicated to identifying opportunities for the organisation to learn from individual investigations. The force had introduced a process whereby staff who were the subject of public complaints or of internal misconduct allegations, were given an opportunity to provide feedback to the professional standards department at the end of the investigation.

There were different approaches for police officers and police staff to the initial assessment of serious misconduct allegations. This meant there was an inconsistency in how officers and police were being dealt with, however, the collaborated forces' professional standards department planned to standardise approaches for police staff and police officers.

Summary of findings



Good

The creation of a force-wide ethics committee was encouraging, and the chief officer team was committed to developing and maintaining an ethical culture in Bedfordshire Police. Overall, there was an understanding of the main aspects that underpinned the Code of Ethics among staff and this was informing force policy and practice. The integration of the code into the force's existing values was very positive. The force recognised there was more to do in developing a shared set of values and incorporating the code across collaborated teams.

The force effectively promoted the wellbeing of the workforce and there were positive comments from officers and staff about wellbeing arrangements, although a reduction in funding had made them less accessible.

There were different approaches for police officers and police staff to the initial assessment of serious misconduct allegations. This could lead to police staff being dealt with more harshly than police officers. However, the force's professional standards department planned to standardise approaches for police staff and police officers.

Most staff felt confident to challenge poor behaviour but at a more senior level there were some concerns expressed about the impact of such challenges on future career development. This was concerning.

The force recognised that it needed to do more to increase the representation of black, Asian and minority ethnic (BAME) staff among its workforce, and it was taking a number of positive steps to do so.

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,¹⁵ 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.

¹⁵ *College of Policing: Authorised Professional Practice on engagement and communication*. Available from: 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 a local and force level, the force understands the needs and concerns of the people it serves.

Officers and staff mainly understand the relationship between doing a good job, and public confidence in the police. The force has a plan, which sets out its values, and underlines the relationship between the behaviour of officers and meeting public expectations. The force actively promotes these values through its 'streetwise max' training programme and leadership seminars.

Most local officers engage positively with the communities they serve, but better information could be provided to officers, to enhance their understanding of local people and their needs. The force places some regularly updated information on the force's internal intranet site, which contains information on force priorities, progress on local anti-social behaviour plans, vulnerable victims and notable wanted or suspected criminals in the area. This is a good form of operational briefing, although not all officers understand and use the information. However, there is no single comprehensive source of information available to officers that provides reliable profiles of the local area, its community, key networks or contacts within other agencies, or which uses significant information from other agencies. Local teams require sufficient information to improve their understanding of local communities.

Local officers mainly demonstrate sensitivity and an ability to identify and manage tensions. Where an event or incident is anticipated that may give rise to concerns or tension the community cohesion unit produce a 'community tensions summary' and an 'engagement plan', which is a document used to identify issues and guide officers in their response. We found good examples being used in Luton, where the community cohesion team play an important role in engaging black, and minority ethnic people. Of the 406 survey responses from the area covered by Bedfordshire Police, 38 percent agree that the police understand the crime and anti-social behaviour issues within their force area while 24 percent disagree. The remainder neither agree nor disagree or do not know. Although not directly comparable because of the small sample size from the force area, of the responses from all forces across England and Wales, 49 percent agree versus 14 percent who disagree. Overall, Bedfordshire Police understand the benefits for police legitimacy that are gained by engaging positively with their communities.

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

In order 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 (e.g. social exclusion, location, low confidence in the police) to seek the views of all the people they serve and to 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 their communities.

Bedfordshire Police effectively engages with people who are victims of crime, and it has developed good processes to ensure victims are kept informed of the progress of their investigation.

There are some excellent examples of local engagement by the police community cohesion unit, in the culturally and ethnically diverse community of Luton. The unit are consulted about planned operations by the force to help understand tensions that may exist; for example during carnival events in Luton. This unit provides a valuable service to the community, and unit members are acting as mentors to successfully develop the skills of potential black, and minority ethnic police recruits.

Police community support officers are in regular contact with people locally; they visit schools, and attend a range of different meetings to help address local problems. They are also participating in some initiatives that provide crime prevention advice and listen to resident's problems.

While the force website provides some useful information to the public, there is a lack of information to let the public know what the force is doing about their concerns, and the website does not include sufficient information about actions taken to resolve local problems. Officers and staff need to be better supported to identify local concerns and inform the public about how the force is responding.

Bedfordshire Police recognise the value of volunteers and employ a member of staff to recruit and co-ordinate volunteers. There are 1,257 volunteers. This includes 251 special constables, 65 police cadets and 39 vetted police service volunteers and members of Watch groups. Volunteers are involved in a wide range of activities such as dog patrols at Luton airport, engaging black, Asian and minority ethnic communities in Luton, assisting in the management of offenders, crime scene

investigation, and a wide range of 'Watch' initiatives. This provides the police with extra capacity and also improves public engagement and confidence.

From the survey, 19 percent of the respondents from the area covered by Bedfordshire Police speak highly of the police in their local area while 21 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.

Bedfordshire Police engages well with some of its communities and the involvement of some local people in policing activities is positive. The force needs to ensure it is communicating across all the communities it serves to explain how it is responding to their issues.

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

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

This inspection looked at whether all members of the public (including those with protected characteristics) were treated (and perceived that they were treated) fairly and with respect by the police. We also assessed the extent to which officers understood the National Decision Model,¹⁶ 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 (NDM).

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 the fieldwork activity commenced, we listened to around 40 calls made from members of the public to the 101 (non-emergency) and 999 (emergency) numbers to assess the quality of the treatment received. In order to determine the overall quality of the call, we considered a number of criteria including whether the call-handler remained polite, professional and respectful throughout the call, whether they took the caller's concerns seriously, appropriately assessing the risk and urgency of the call, and how well they established the caller's needs, managed their expectations and explained what would happen next.

¹⁶ *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

Although not necessarily representative of all calls responded to by Bedfordshire Police, from the 40 calls assessed, call-handlers are polite, respectful and effective. They display a great deal of empathy and understanding towards callers who appear more vulnerable.

HMIC also observed the way that staff at front counters deal with the public, and staff are polite, friendly and helpful.

Bedfordshire Police staff and officers are well trained in the use of the NDM, and there is a good level of understanding of how it should be used. Control room staff, including the control room inspector who decides firearms or Taser deployments, clearly use the model to decide on deploying officers to an incident. Officers are also able to describe how they use the NDM in a wide range of operational situations.

From the survey, 47 percent of respondents from the area covered by Bedfordshire Police agree that the police in their local area treat people fairly and with respect versus 13 percent who disagree. The remainder neither agree nor disagree or do not know. Although not directly comparable because of the small sample size from the force area, across all forces in England and Wales, the figures are 54 percent and 7 percent respectively.

Officers and staff in Bedfordshire Police are mainly treating people fairly and with respect. There is a good understanding and application of the national decision model.

Summary of findings



Requires improvement

Bedfordshire Police is committed to engaging and working with the public and it promotes values, including accountability and transparency and fair treatment, which are understood and supported by its staff.

There are some excellent examples of local engagement with people in the culturally and ethnically diverse community of Luton. Most neighbourhood teams are effectively using social media. However, the understanding of local communities is not consistent across the force. Police community support officers are in contact with people locally; they visit schools, and attend a range of different meetings to help address local problems. They are also taking part in some initiatives that provide crime prevention advice and listen to residents' problems.

However, the force could do more to take steps to make sure that its local teams have sufficient information available to them to improve their understanding of their local communities.

Areas for improvement

- The force should ensure teams have access to information on force priorities, progress on local anti-social behaviour plans, vulnerable victims and notable wanted or suspected criminals in the area. The force should take steps to ensure its local teams have sufficient information available to them to improve their understanding of local communities.

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.¹⁷

In autumn 2015, HMIC assessed the use of Taser and stop and search powers (specifically, compliance with the Best Use of Stop and Search scheme¹⁸ 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 stops and searches 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.

¹⁷ *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/

¹⁸ *Best Use of Stop and Search scheme*, Home Office, 2014. Available from: www.gov.uk/government/publications/best-use-of-stop-and-search-scheme

In our 2013 inspection on stop and search,¹⁹ HMIC concluded that few forces could demonstrate that use of stop and search powers was based on an understanding of what works best to cut crime, and rarely was it targeted at priority crimes in their areas. Forces had reduced the amount of data collected to reduce bureaucracy, but this had diminished their capability to understand the impact of the use of stop and search powers on crime levels and community confidence.

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

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

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

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

Use of stop and search in Bedfordshire Police - Stop and search by volume

In the 12 months to 31 March 2015, Bedfordshire Police carried out 2,978 stops and searches. The table below shows this number per 1,000 population for Bedfordshire Police and the average of its most similar group of forces, as well as the change from the 12 months to 31 March 2014. The figures indicate that the force's use of stop and search powers is currently less than the average of its most similar group of forces.

¹⁹ *Stop and Search Powers – are the police using them effectively and fairly?*, HMIC, July 2013
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 Bedfordshire Police compared to the average of its most similar group (MSG) of forces, 12 months to 31 March 2015, and the percentage change from the 12 months to 31 March 2014

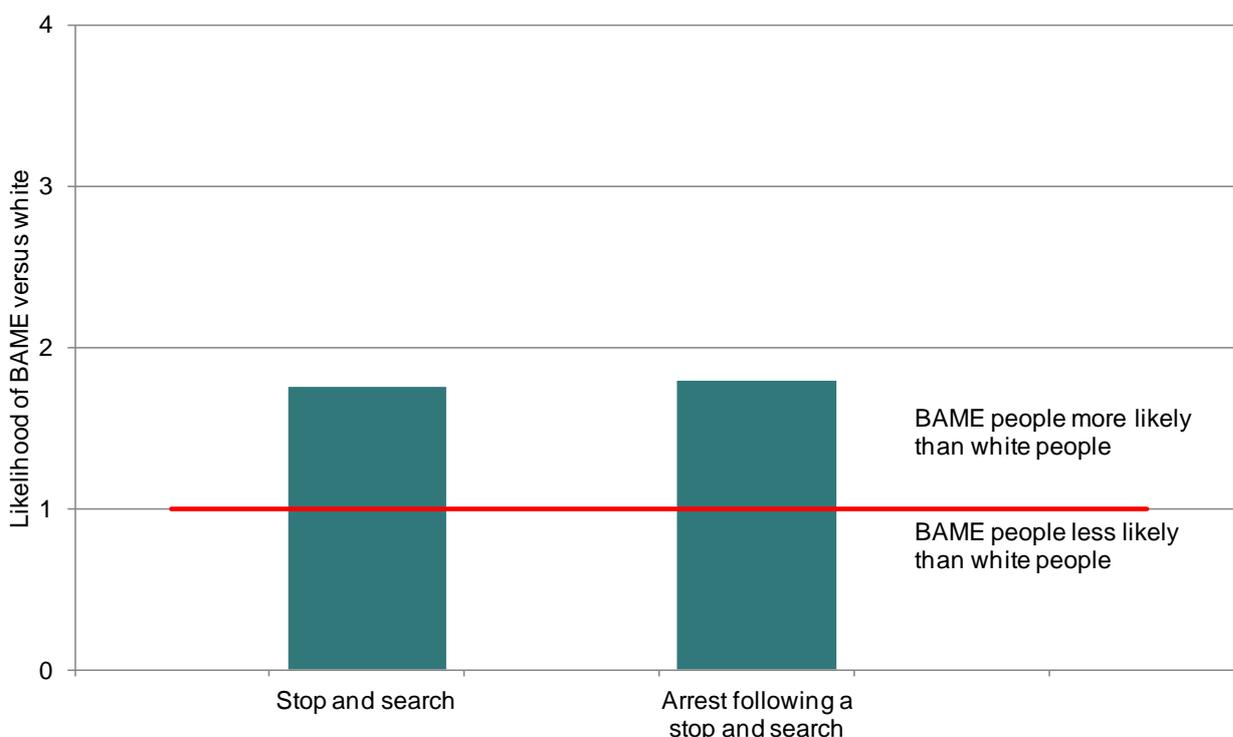
| | Stops and searches per 1,000 population | Change from previous year |
|----------------------------|--|----------------------------------|
| Bedfordshire | 4.6 | -54% |
| Bedfordshire's MSG average | 5.7 | -37% |

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 Bedfordshire Police - Stop and search by ethnicity

HMIC looked at the published data on stops and searches by ethnicity and compared them with the most recent local population data by ethnicity (the 2011 Census). The data suggested that BAME people were statistically more likely to be stopped and searched by Bedfordshire Police 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 Bedfordshire Police, 12 months to 31 March 2015



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

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

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

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

Recording reasonable grounds for suspicion

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

For Bedfordshire Police, the 2013 inspection showed that 44 of 200 records reviewed (22 percent) did not have sufficient reasonable grounds recorded.

For this inspection we reviewed 100 stop and search records provided by the force. As in the 2013 inspection, we reviewed the records to determine if reasonable grounds were recorded. All of the records reviewed have been endorsed by a supervisor, and 14 of the 100 records (14 percent) did not have reasonable grounds recorded. This suggests that some officers, and some supervisors given the task of reviewing records, do not understand fully what constitutes reasonable grounds.

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

Of the 100 records reviewed, 19 involved the finding of an item, of which 18 were the item searched for.

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, the extent to which the force complied with each aspect of the scheme is considered. Our analysis is set out in the following table.

In Bedfordshire Police the officers are mainly aware of the Best Use of Stop and Search scheme and understand their powers; the need for an intelligence-led approach; and the role the National Decision Model (NDM) plays in making good decisions. Following the 2013 HMIC inspection, Bedfordshire Police provided training to all operational officers in the use of stop and search. This training includes seminars led by a superintendent, which officers are required to attend.

Public scrutiny of stop and search by the force is provided by an independently-chaired panel, which meets bi-monthly to examine a sample of search records they have selected in liaison with the force lead for stop and search. This sample includes the body-worn video records of two searches which are viewed by the panel and assessed against a checklist of the proper procedure. The panel give their views about compliance with published procedure and examine the manner in which the officer treats the person involved and this feedback is provided to the officer concerned.

Bedfordshire officers are required, wherever possible, to ensure stops and searches they carry out are recorded using body-worn video.

Officers fully understand the Best Use of Stop and Search scheme and the force is compliant with all aspects of it.

| Feature of the Best Use of Stop and Search scheme | HMIC assessment of compliance |
|---|---|
| Recording and publishing the outcomes following a stop and search | <p>The force complies with this feature of the scheme.</p> <p>The force accurately records and publishes the required outcomes on its website; including identifying whether the item searched for was found. The police.uk website holds information and data for many forces in relation to the use of stop and search powers. However, no such data is published on the police.uk website for Bedfordshire Police.</p> |
| Providing opportunities for the public to observe officers using the power | <p>The force complies with this feature of the scheme.</p> <p>There is a well established 'ride along' scheme to allow members of the public to accompany officers on patrol. It was launched in November 2014 and so far 124 people have used the scheme. Each person doing so is invited to provide feedback on their experience and many are positive.</p> |
| Explaining to communities how the powers are being used following a "community complaint" | <p>The force complies with this feature of the scheme.</p> |
| Reducing the number of people stopped and searched without suspicion under Section 60 of the Criminal Justice and Public Order Act 1994 | <p>The force complies with this feature of the scheme.</p> |
| Monitoring the impact of stop and search – particularly on young people and black, Asian and minority ethnic groups | <p>The force complies with this feature of the scheme.</p> <p>Independent Scrutiny panels are held in different locations around the force area to include neighbourhoods with a high black, Asian and minority ethnic population. HMIC was particularly pleased to note that each scrutiny panel includes two young people from the area and they participate in the assessment of the body-worn video search records.</p> |

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

Background

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

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

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

The way a Taser is used by police officers is categorised into a range of escalating actions from drawing the device, through to it being 'discharged' (i.e. 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.²⁰

Use of Taser in Bedfordshire Police

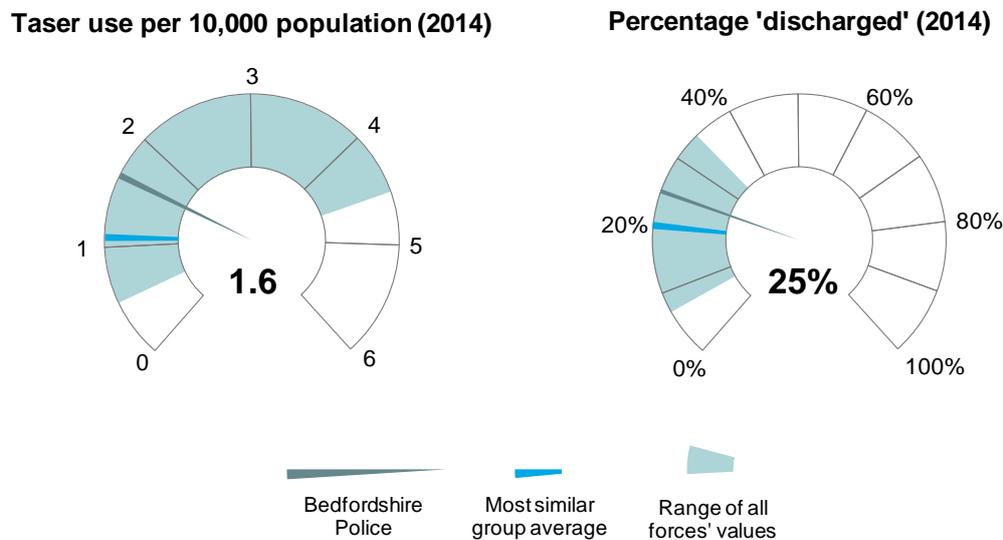
Every time a Taser is used in some capacity (this includes a full range of use from being drawn to being 'discharged') a record of its 'highest use' is made by the police officer and a short form is completed.

²⁰ *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/

Between 1 January and 31 December 2014, Taser was used in some capacity 105 times by Bedfordshire Police, representing 1.6 times for every 10,000 people in the force's area. This was greater than the average for Bedfordshire Police's most similar group of forces, which was 1.1 times per 10,000 population.

During the same time period, Taser was 'discharged' on 26 occasions (out of the 105 times it was used in some capacity). This equated to 25 percent of overall use, greater than the force's most similar group average of 20 percent. The following figure shows the comparisons.

Figure 8: Use of Taser per 10,000 population and the proportion 'discharged' by Bedfordshire Police, 12 months to 31 December 2014²¹



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

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

Before the fieldwork stage of the inspection, HMIC conducted a review of 18 Taser deployment forms provided by Bedfordshire Police. Although the findings of this review are not necessarily representative of all Taser forms completed by the force, they do provide an indication of the force's Taser activity.

²¹ City of London Police data was removed from figure 8 because of the very low number of times Taser was used by the City of London Police in 2014.

The forms show that Taser has been fired six times, drive-stunned once, red-dotted four times, aimed twice, and drawn five times.

Overall officers used Taser to protect themselves or others from a range of weapons, including several knives, two machetes, a baseball bat, a pair of scissors, and a meat cleaver. Of the six times the Taser was fired or drive-stunned, we found that consideration of other tactics had been recorded in five cases, and that one had been poorly recorded. The 'brief details' and the National Decision Model (NDM) sections of the forms show that the use of Taser was fair, lawful, and appropriate in all of the 18 cases reviewed.

Where officers had been required to complete the National Decision Model section of the form, none of them 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.

However, the force did supply us with a control room incident log relating to the use of a Taser where it could be seen that the firearms commander had made reference to the Code of Ethics when considering the tactical options available. Taser-trained officers and control room staff involved in their deployment have a good understanding of the NDM and the central role of the Code of Ethics. They also have a good understanding of the relevant legislation. This supports effective decision-making in relation to the use, or non-use, of Taser. There is a clear rationale for the number of, and distribution of Taser-trained officers. The force has achieved quicker deployment times for Taser by locating a significant proportion of trained officers in areas where they have identified a higher number of potentially violent incidents may occur. This helps better protect the public and police. The force effectively oversees the use of Taser. Each incident where Taser is used is immediately reviewed by the force duty senior officer. Subsequently the report of use is examined by specialist Taser trainers, who consider the appropriateness of the deployment, use of the device and any lessons learned. This supports fair and appropriate use of this tactic.

Bedfordshire Police, Cambridgeshire Constabulary and Hertfordshire Constabulary collaborate on Joint Protective Services (JPS) which includes tri-force roads policing, firearms and dog handlers. These officers provide additional Taser capability across the three forces. Recording, monitoring and evaluation of Taser-use is effectively reviewed through the tri-force arrangements for police use of firearms and by force chief officers. This includes the numbers of occasions where Taser is 'discharged'. To further improve its understanding about the deployment and use of Taser the force also examines incidents where use of Taser is authorised and officers are deployed, but the device is not used. The force uses appropriate methods to check Taser is used fairly and identifies opportunities to improve practice. Bedfordshire Police publishes very little information about the use of Taser, although a publication policy is being considered jointly with Cambridgeshire Constabulary and

Hertfordshire Constabulary. The force could be more transparent about how it uses Taser; both for individual high profile cases, and for use overall. Based on our assessment of the Taser forms and our fieldwork findings, Taser is being used fairly and appropriately by Bedfordshire Police.

Summary of findings



Good

Bedfordshire Police is complying with the Best Use of Stop and Search scheme. However, too many search records do not clearly describe the grounds for the search, and this is something the force should address. There is a robust independent scrutiny process, which includes the review of an officer's body-worn video record. This process involves members of the black, Asian and minority ethnic community and young people.

Officers mainly understand the need to use the National Decision Model and a more intelligence-led approach, when using stop and search powers and Taser, in order to achieve positive outcomes and maintain good community relations.

The force uses Taser more frequently but this reflects aspects of crime and disorder being dealt with by the force and the force applies effective scrutiny of every deployment to check Taser is being used fairly. All operational officers in Bedfordshire are being equipped with body-worn video cameras, which support greater accountability in the use of stop and search and Taser.

Overall, the use of stop and search and Taser by Bedfordshire Police is fair and appropriate.

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 Bedfordshire Police's MSG: Leicestershire, Nottinghamshire, Hertfordshire, Kent, Hampshire, Essex and South Yorkshire.
- Comparisons with averages – For some data sets, we state whether the force's value is 'below', 'above' or 'broadly in line with' the average. To calculate this, the difference to the mean average, as a proportion, is calculated for all forces. After standardising this distribution, forces that are more than half a standard deviation from the mean average are determined to be above or below the average, with all other forces being broadly in line.

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

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

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

Ipsos MORI survey

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

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

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

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

Annex C – The Best Use of Stop and Search scheme

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

Recording and publishing outcomes

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

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

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

Providing opportunities for the public to observe stop and search encounters

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

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

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

Implementing a community trigger for complaints

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

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

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

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

Monitoring the use of stop and search powers

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

Annex D – Types of use of Taser

Type of use Definition²²

| | |
|-------------------|--|
| 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.

²² *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.