

PEEL: Police legitimacy 2015

An inspection of Dyfed-Powys Police



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

Overall judgment¹



Requires improvement

Throughout 2015, HMIC's PEEL legitimacy inspection programme has assessed the culture within Dyfed-Powys 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.

HMIC considers that Dyfed-Powys Police had not done enough to develop an ethical culture, to incorporate the Code of Ethics² into policy or practice, or to ensure complaints and misconduct cases were free of bias.

We found evidence that the force is developing systems to provide clear direction and coordinate engagement activity. However, we were concerned that officers and staff do not understand the National Decision Model³ and how it should be used in day-to-day activity.

We are pleased that Dyfed-Powys Police complies with the Best Use of Stop and Search scheme, and that its Taser use is fair and appropriate.

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

Summary

Dyfed-Powys Police was in a period of transition, between the previous change programme, and the development of a new force vision. However, it was clear to us that officers and staff were unaware of its existence. HMIC found that staff did not consistently feel able to challenge decisions or inappropriate behaviour.

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

³ *College of Policing - Authorised Professional Practice on National Decision Model*, College of Policing, December 2014. Available from: www.app.college.police.uk/app-content/national-decision-model/?s

The force monitored the psychological and physical wellbeing of police officers and staff. The force's occupational health unit was well-established, and those spoken to were clear about how and when referrals should be made to this unit.

The force had not provided effective training on the College of Policing's Code of Ethics, and we found little or no evidence of the force using the code to inform policy and practice.

When HMIC looked at how well the force understands and engages with all the people it serves, we found evidence that the force is developing systems to provide clear direction and coordinate engagement activity. A comprehensive engagement framework exists to support communication at both force and local levels. The force makes some use of community impact assessments to address local concerns.

Officers and staff we spoke to during the inspection do not understand the National Decision Model and how it should be used in day-to-day activity.

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 that the police use them fairly and appropriately. HMIC is pleased to see that Dyfed-Powys Police complies with the Best Use of Stop and Search scheme. The force should ensure that it completes Taser forms accurately and in accordance with the College Of Policing's guidance. Taser use is fair and appropriate in Dyfed-Powys Police.

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



Requires improvement

Dyfed-Powys Police was in a period of transition, between the previous change programme, and the development of a new force vision. However, it was clear to us that officers and staff were unaware of its existence.

HMIC found that there was an inconsistent view amongst staff on whether they felt able to challenge decisions or inappropriate behaviour.

The force did monitor the psychological and physical wellbeing of police officers and staff. The force's occupational health unit was well-established, and those spoken to were clear about how and when referrals should be made.

There had been no effective training on the Code of Ethics, and little

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



Requires improvement

HMIC found that Dyfed-Powys Police recognises the relationship between public engagement and legitimacy. There was evidence that the force is developing systems to ensure effective direction and coordination of engagement activity. A comprehensive engagement framework exists to support communication at both force and local levels. Some use is made of community impact assessments to address local concerns.

The force uses a number of methods of engagement; these include both traditional face-to-face meetings as well as the opportunities offered by modern social media. There was little evidence of formal

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



Good

HMIC is pleased to see that Dyfed-Powys Police complies with the Best Use of Stop and Search scheme, but officers are unaware of the full requirements of the Scheme. The force is delivering training on stop and search to supervisors, but is awaiting completion of the national College of Policing training package before extending this to all officers.

The force has introduced electronic recording of all stop and search encounters, and has improved data collection so that the outcome of the search is recorded. This now enables them to publish information which shows the occasions where officers have conducted a search, the occasions where the

or no evidence was found of the Code having been used to inform policy and practice. Knowledge of the Code was inconsistent.

Whilst our case file review showed no evidence of unfairness in dealing with public complaints and misconduct, it was clear to us that the force had made almost no attempt to ensure decisions were consistent or free of bias.

neighbourhood profiles being used and too much reliance may be being placed on individual knowledge of communities. There is limited evidence of a structured approach to gathering and updating information about neighbourhoods and communities. Officers and staff rely instead on the knowledge or understanding of their colleagues. Whilst this may work in some areas, it is unlikely to be effective overall. The force should reassure itself that neighbourhood teams have reliable access to relevant and structured information about the places and communities they serve.

HMIC is concerned that a number of officers and staff do not understand the National Decision Model and how it should be used in day-to-day activity. The force should seek to quickly address this.

expected object of the search was found or where the search failed to discover the suspected item. This data is published on the force website.

The force should ensure that Taser forms are completed accurately and in accordance with the College of Policing guidance, using the National Decision Model where appropriate.

Taser use is fair and appropriate in Dyfed-Powys Police.

Force in numbers



Ethnic diversity

Percentage of BAME in workforce 31 March 2015

overall workforce

1%

officers

1%

staff

1%

PCSOs

1%

Percentage of BAME in local population, 2011 Census

2%



Gender diversity

Percentage of females in overall workforce 31 March 2015

39%

Dyfed-Powys
Police

41%

England and Wales
force average

Percentage of females by role, Dyfed-Powys Police

officers

29%

staff

60%

PCSOs

49%

Percentage of females by role, England and Wales force average

officers

29%

staff

60%

PCSOs

47%



Public complaints

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

Dyfed-Powys
Police

615

Proportion of finalised allegations investigated 12 months to 31 March 2015

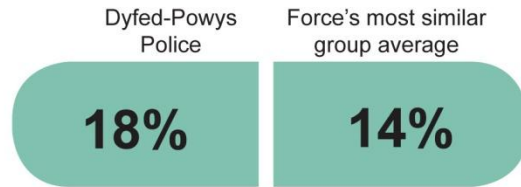
Dyfed-Powys
Police

52%

Force's most similar
group average

55%

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

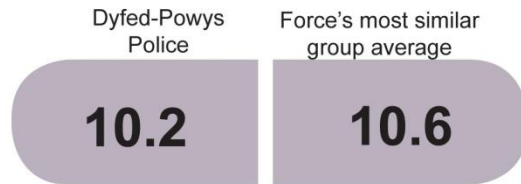


Stop and search

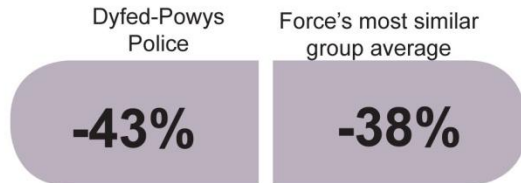
Number of stops and searches carried out 12 months to 31 March 2015



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



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

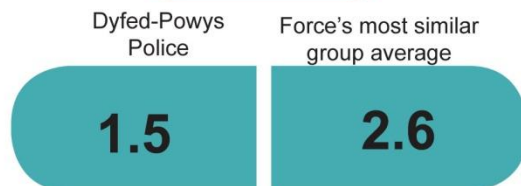


Tasers

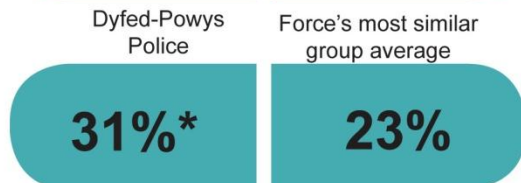
Number of times a Taser was used 12 months to 31 December 2014



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



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



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

* 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 Dyfed-Powys 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 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 justice⁴

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

Research⁵ 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.

⁴ *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

⁵ *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 2015,⁶ 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 Dyfed-Powys Police

A breakdown of the full-time equivalent (FTE) workforce⁷ in Dyfed-Powys Police as at 31 March 2015 is shown below.

⁶ The inspection took place between March and June 2015.

⁷ Workforce comprises officers, staff and police community support officers (PCSOs).

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

FTE	Total	Of which	
		Female	BAME*
Total workforce	1,858	731 (39%)	14 (1%)
Total officers	1,176	339 (29%)	8 (1%)
Constables	871	288 (33%)	7 (1%)
Sergeants	211	36 (17%)	1 (0%)
Inspecting ranks	79	14 (18%)**	0 (0%)**
Superintendents and above	15	2 **	0 **
Staff	536	319 (60%)	5 (1%)
PCSOs	147	72 (49%)	1 (1%)

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

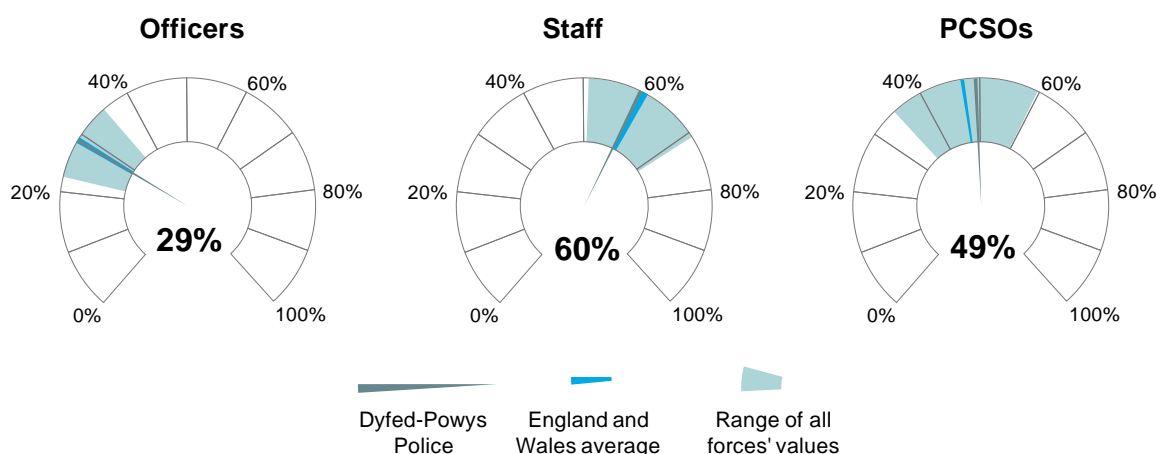
* Individuals are not required to record their ethnicity. As a result, BAME totals and percentages exclude officers/staff/PCSOs where the ethnicity is not stated.

** 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 Dyfed-Powys Police compared with the averages of all forces in England and Wales. It shows they were broadly similar for all of officers, staff and PCSOs. Please note, however, that because the numbers are small in Dyfed-Powys, the percentage of female PCSOs should be treated with caution.

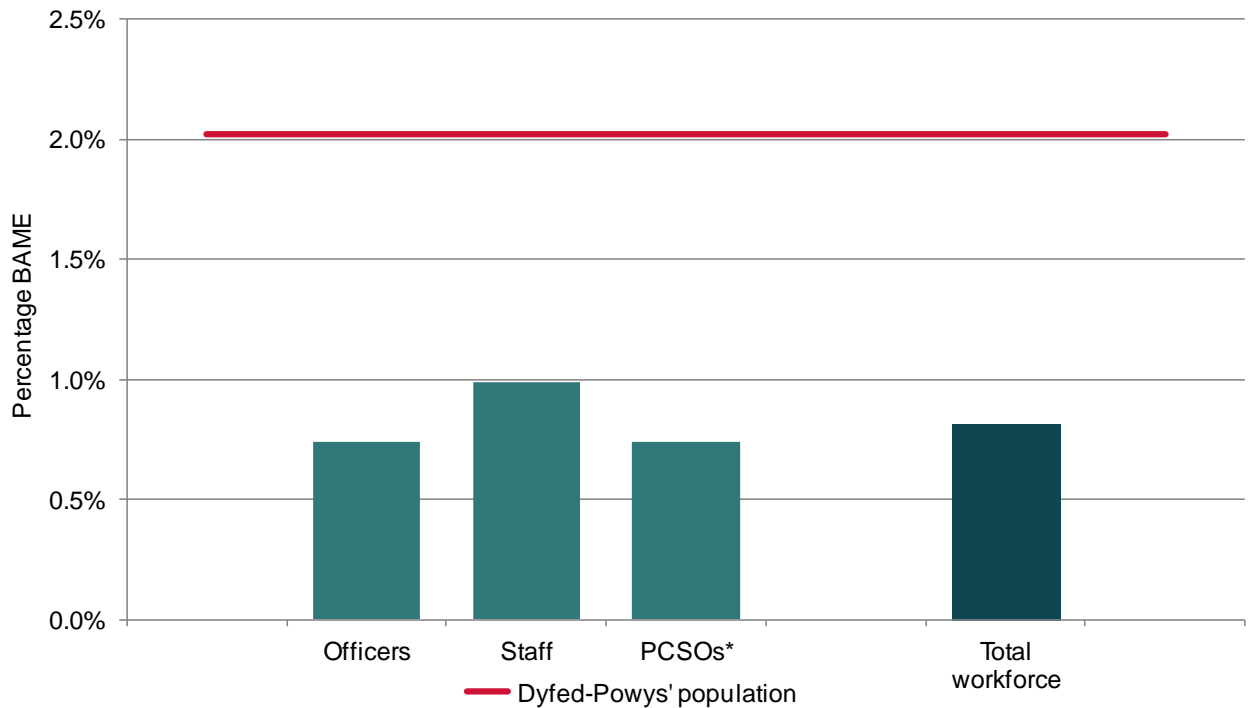
Figure 2: The percentage of female officers, staff and PCSOs in Dyfed-Powys Police compared with the force average for England and Wales, 31 March 2015



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 Dyfed-Powys, around 2 percent of the local population were BAME. The figure below shows these comparisons. There was a statistically significant under-representation of BAME people in Dyfed-Powys Police's overall police workforce, as well as separately for officers.⁸

Figure 3: Percentage of BAME people within Dyfed-Powys 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.⁹ HMIC also examined how the percentages of BAME officers and staff, and females within the workforce had changed over this period.

⁸ HMIC was unable to analyse to a statistically significant degree the ethnicity of PCSOs in Dyfed-Powys Police, due to the small number of PCSOs.

⁹ Spending Review 2010, HM Government, October 2013. Available from: www.gov.uk/government/publications/spending-review-2010

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 Dyfed-Powys Police over the spending review period.

Figure 4: Change in Dyfed-Powys 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	-139	(-7%)	+2	0
Officers	-19	(-2%)	+3 *	0
Staff	-185	(-26%)	+3	0 **
PCSOs	+64	(+78%)	+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 Dyfed-Powys Police's overall workforce between 31 March 2010 and 31 March 2015. However, there was a statistically significant change in the percentage of female officers - around a 3 percentage point increase.

Overall, compared with other forces, as at 31 March 2015, the percentage of females within Dyfed-Powys Police's workforce was broadly similar for all of officers, staff and PCSOs. By ethnicity, there was an under-representation in BAME officers and there was no statistically significant change in this proportion between 31 March 2010 and 31 March 2015.

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

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

At the time of the inspection, Dyfed-Powys Police was in a period of transition, between the previous Public First change programme and the development of a new force vision, which the chief officer team had not yet communicated effectively to the workforce. The new vision was expected to be underpinned by the Code of Ethics and ensure that victims were at the heart of force activity, but it was clear that those spoken to were clearly confused and unaware of its existence. Some, including a senior police officer, quoted the outdated vision of the previous chief constable as the current vision for the force. We also found visible evidence on posters of the outdated 'Mission, Vision, and Values' from the previous chief constable.

We found recent initiatives to promote ethical conduct and high standards of behaviour. For example, the force published results of complaint and misconduct investigations, and staff were conscious of a shift towards a more ethical culture. However, HMIC found that staff inconsistently felt able to challenge decisions or inappropriate behaviour.

The force understood the need to support those who report wrongdoing, and had appropriate arrangements in place to protect such people and their identities. For example, the force identified and used alternative sources of evidence to support its investigations. Where this was not possible, the force stated that it provided those reporting wrongdoing with a robust support package. However, the consistency of provision of this support was not confirmed by our review of a small number of case files; two cases involved internal reports of wrongdoing, but there was no record of the support offered or provided. In addition, there was no force policy on supporting those reporting wrongdoing. As a result, some staff indicated their reluctance to become involved as they did not understand what would happen to them. Some staff suggested that if there was a clear written policy they would feel more comfortable about challenging decisions or reporting inappropriate behaviour.

The force had recently formed an ethics committee to consider and challenge policy and decision-making. Membership of the committee included broad representation of staff from across the force, and they had the remit to require senior managers to account for and explain the decisions they had made.

However, the meeting was chaired by an inspector. We were concerned that the inspector's lack of seniority might hinder the committee's ability to truly hold more senior ranks and grades to account.

Overall, while we recognised that a new vision for the force was in development, we concluded that not enough effort was being made to demonstrate the force's commitment to creating an ethical culture.

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.

Wellbeing is a primary focus for the force, managed at a strategic level by the Wellbeing Strategic Group. Force wellbeing events and health fairs take place annually, and there are links from the force intranet to specific help sites and organisations. Wellbeing surveys are undertaken and reported upon. Departmental and Divisional wellbeing action plans were updated in 2014-2015 and focus working groups have been formed in some areas to drive local wellbeing initiatives.

HMIC found good evidence that Dyfed-Powys Police monitored the psychological and physical wellbeing of its officers and staff. For example, the force:

- analysed officer fitness test health declarations;
- surveyed the wider team following an allegation of bullying, to see how colleagues may have been affected;
- looked for signs of workplace tension amongst staff who had high blood pressure; and
- carried out mandatory health screening for high-risk posts, such as those involved in the viewing of child abuse images, and offered voluntary screening for non-high-risk posts.

This was complemented by force policies relating to drug, alcohol and substance misuse, drug testing, sickness absence, flexible working and debt management, to advise and support officers and staff.

The force's occupational health unit was well-established and staff were clear about how and when referrals should be made. Sickness management was supported by policy. The force reported that it held annual awards for health, safety and wellbeing, however the staff we spoke to were unaware of this.

A questionnaire was being used by the force to assess the mental health of staff who were subject to gross misconduct investigations, and provide support where needed.

The force had a number of other services to support the wellbeing of its staff, including a counsellor at the police headquarters, a chaplaincy service and the use of a trauma risk management screening process to identify staff who had experienced trauma and may need counselling or occupational health intervention. The trauma incident risk management process was activated for staff through a daily management meeting.

Based on findings of its own research, the force reported that 70 percent of all referrals to the occupational health department were due to work or work/personal issues.

The force's leadership training programme was designed specifically to provide supervisors with an insight into the effects of bad leadership on staff, and to develop skills to improve leadership and management. However, the force provided insufficient training for supervisors in relation to welfare issues.

The force had not conducted a survey of staff since 2012, and was not in a position to know if staff felt valued or engaged. We found evidence of the force introducing and implementing policy without any consultation with staff. An example of this, mentioned widely by staff, was a policy restricting officer postings to within the force boundary and within 30 miles of their home. The policy had been introduced to protect the wellbeing of operational staff, by limiting their travelling time to and from work, and it had been welcomed by some staff. However, other staff provided examples of how they perceived it had unfairly hindered their opportunities and career progression.

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.¹⁰ 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.

¹⁰ 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 had recently started to train new starters on the Code of Ethics, but HMIC found little evidence that the code had been systematically introduced, that it was being used throughout the force, or that staff used it to guide them in their everyday work. For example, we found no evidence that the code had been used to inform policy, and little evidence that it had been used to inform practice or training, or that it had been used or referred to during complaint or misconduct investigations. We were particularly disappointed to find that not all senior leaders were aware of the detail of the code, and that some senior police staff believed that complying with the Code of Ethics was an operational issue and not their responsibility.

We were disappointed that staff told us they had not yet received any formal training on the Code of Ethics and had received only an email and an electronic training package.

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.¹¹

In the 12 months to 31 March 2015, Dyfed-Powys Police finalised 615 allegations from public complaints that were made against its officers and staff. Of these, 52 percent had been investigated and 15 percent had been locally resolved.

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.

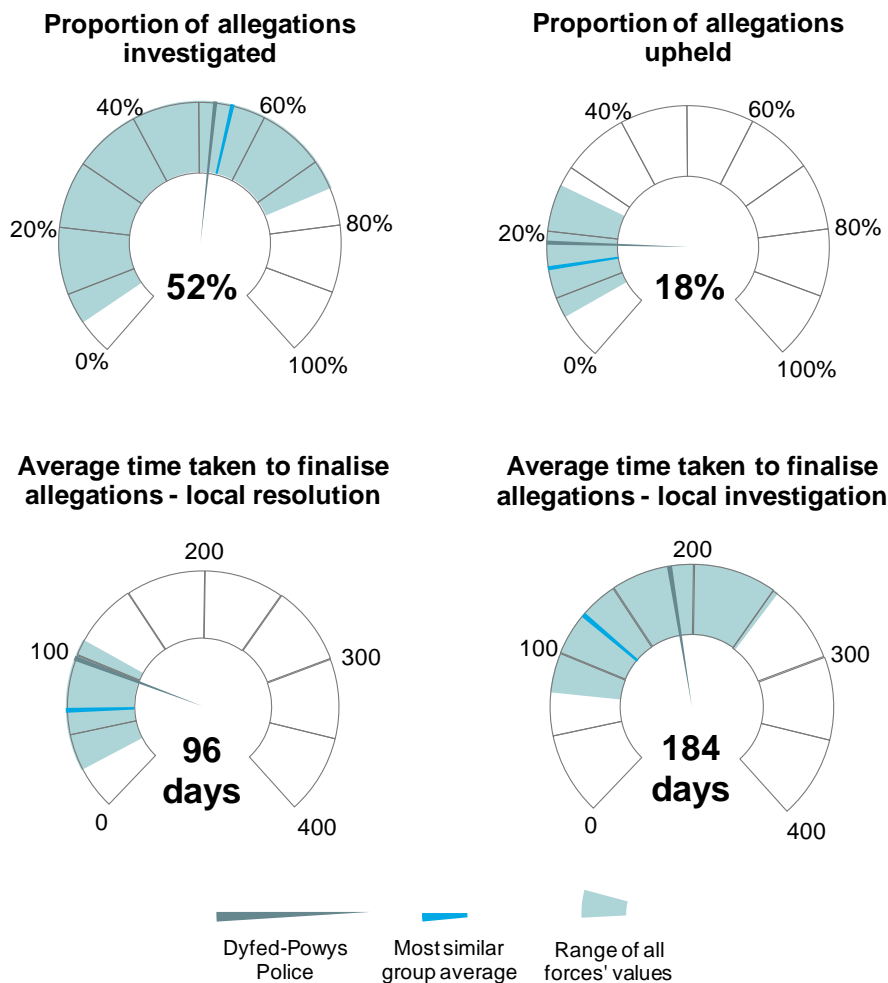
A similar proportion of allegations were investigated and a smaller proportion were locally resolved in Dyfed-Powys compared with the average of its most similar group of forces.¹²

In the 12 months to 31 March 2015, the average time Dyfed-Powys Police took to complete a local resolution was 96 days, greater than the average of its most similar group of forces (64 days). Over the same period, the average time a local investigation took to complete was 184 days, greater than the average of its most similar group of forces (125 days).

After local investigation, Dyfed-Powys Police closed 320 allegations in the 12 months to 31 March 2015. Of these, 18 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 greater than the average of Dyfed-Powys' most similar group of forces of 14 percent. The following figure shows how these values compare.

¹² Most similar groups (MSGs) are groups of local areas that have been found to be most similar to each other using statistical methods, based on demographic, economic and social characteristics which relate to crime. See Annex B for more information.

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



Source: Independent Police Complaints Commission

Overall, in the 12 months to 31 March 2015, Dyfed-Powys Police finalised 52 percent of allegations by investigation. The proportion of allegations it upheld after local investigation was greater than the average of its most similar group of forces. Compared to its most similar group of forces, Dyfed-Powys took longer to complete both local resolutions and 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,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 65 public complaints and internal misconduct allegations, to assess whether they had been considered fairly and consistently. We examined further the outcomes of the review 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 the force dealt with complaints and internal misconduct allegations, in respect of gender, ethnicity or rank.

However, the force had limited formal processes in place to ensure a consistent approach to the treatment of officers and staff. The professional standards department handled and investigated all complaints and then made a final decision on cases involving police officers. Cases relating to police staff were passed to the head of the human resources department for a final decision.

While the deputy chief constable had oversight of all suspensions, to ensure consistency between the two processes being used to deal with police officer and police staff misconduct investigations, there was no formal process to compare the results of these two decision-making processes. In addition, the force did not undertake any analysis to ensure consistency of decisions. We also found an inconsistent approach to the recording of the rationale for decisions, with an absence of recording of a clear structured approach to decision-making in police staff cases.

HMIC found that Dyfed-Powys Police had developed a public-focused system to investigate low-level public complaints, with the objective of resolving those complaints at the earliest possible opportunity. Although the aim of this was to improve satisfaction, HMIC was concerned that the system did not comply with regulations or the Independent Police Complaints Commission Statutory Guidance. For example, some complaints that were resolved in this way, were not recorded as complaints when they should have been. We also found that some cases reported

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'.

to, and dealt with, by the force as dissatisfaction, met the definition of a complaint within the Police Reform Act 2002 and the Independent Police Complaints Commission Statutory Guidance. These cases should therefore have been recorded as complaints.

Summary of findings



Requires improvement

Dyfed-Powys Police was in a period of transition, between the previous change programme, and the development of a new force vision. However, it was clear to us that officers and staff were unaware of its existence.

HMIC found that there was an inconsistent view amongst staff on whether they felt able to challenge decisions or inappropriate behaviour.

The force did monitor the psychological and physical wellbeing of police officers and staff. The force's occupational health unit was well-established, and those spoken to were clear about how and when referrals should be made.

There had been no effective training on the Code of Ethics, and little or no evidence was found of the code having been used to inform policy and practice. Knowledge of the code was inconsistent.

While our case file review showed no evidence of unfairness in dealing with public complaints and misconduct, it was clear to us that the force had made almost no attempt to ensure decisions were consistent or free of bias.

Areas for improvement

- The chief officer team should set out clearly the expectations and behaviours required for all officers and staff across Dyfed-Powys Police, and ensure this is clearly communicated. Leaders at all levels should reinforce these messages to ensure good understanding from the workforce.
- The chief officer team should ensure that all officers and staff in Dyfed-Powys Police are aware of and understand the Code of Ethics. The chief officer team should also reinforce continually the need for ethical behaviour; not assume that it is understood within the force.
- The chief officer team should ensure that appropriate processes are in place to ensure that complaints and misconduct cases are dealt with consistently and fairly, for officers and staff, and those with protected characteristics. All complaints and misconduct cases must be conducted in accordance with IPCC statutory guidance, Home Office guidance, and other relevant legislation.

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 Authorised Professional Practice on Engagement and Communication, College of Policing, 2015. 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 local and force levels, the force understands the needs and concerns of the people it serves.

Dyfed-Powys Police recognises the relationship between public engagement and legitimacy. We found clear evidence that local officers and staff work effectively with local people and organisations. The force has protected police community support officer numbers, and it is now developing new structures to ensure the necessary oversight, and direction, to coordinate more effective engagement activities.

Although not yet in place, the force has devised a neighbourhood engagement and confidence advisory board, which the assistant chief constable is to chair.

We found effective partnerships in place. Staff we spoke with were able to give examples of changes in approach by the force, such as more collaborative ways in dealing with young people, and diverting them away from crime.

The force has introduced a neighbourhood hub, led by a superintendent and two partnership chief inspectors. This team has responsibility for maintaining strategic links with partner organisations, and for supporting initiatives that may encompass several neighbourhood areas or the whole force. These changes are promising, but not yet fully effective. For example, we heard evidence that some previously-understood links with partner organisations have changed in the midst of other developments, and this has left partners less sure of their point of contact with the force. The introduction of the neighbourhood hub represents a significant change within the force, and undoubtedly offers scope for more co-ordinated, and therefore more effective, engagement activities. However, more centralised control may affect adversely the number and success of local initiatives, and the force needs to reassure partners that this will be avoided.

The force is using community impact assessments, which describe the effects on the community of a particular event, or series of incidents or crimes, to reduce concern and keep people safe. Although there is no central repository or reference system, the officers we met understand the importance of impact assessments and are aware of those currently active. Officers also recognise that the force could use these assessments more effectively. Several officers expressed the view that, if used more often, the force would better understand demand and the need to deploy resources to potential hot spots.

Of the 382 survey responses from the area covered by Dyfed-Powys Police, 50 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.

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 their communities.

HMIC found that the headquarters communications team within Dyfed-Powys Police demonstrates a clear focus on effective engagement. The team maintains a comprehensive engagement framework to support both corporate and neighbourhood communication. The force has invested in a system that is capable of providing up-to-date information by text message.

Neighbourhood policing teams maintain local pages on the force's website. Currently 200 officers can update the pages, and relevant training is now being given to all newly-recruited police officers and PCSOs. Neighbourhood teams are also trained in the use of Twitter or Instagram, and routinely use these systems to exchange information with local people. The force uses neighbourhood newsletters, local newspapers and media outlets effectively.

However, we examined a sample of neighbourhood internet pages and found that the the force neither updates them regularly, nor oversees rigorously how the updates are being made. Each neighbourhood page identifies the priorities and issues of concern to people in that area, and about which local officers are taking action. Some of these contain regular updates, for example the Carmarthen town page. However, many of the other neighbourhood pages are not frequently updated, and some contain language that is technical or uninformative.

Face-to-face contact, through various structured meetings and surgeries, is a principal means of community engagement. In Llanelli, for example, the force meets with the Polish community and BAME groups in that area. Meetings are often held in

busy places, like supermarkets, and the force has recently taken delivery of four new mobile police stations which will increase access. A significant proportion of officers live in the communities they serve, and consequently provide a range of contacts when on and off duty.

We found limited evidence of a structured approach to gathering and updating information about neighbourhoods and communities. Officers and staff rely instead on the knowledge or understanding of their colleagues. While this may work in some areas, it is unlikely to be effective overall. The force should reassure itself that neighbourhood teams have reliable access to relevant and structured information about the places and communities they serve.

The force is encouraging local people to support policing. For example, the force has established a 'speedwatch' scheme, a scheme for banning shoplifters from local shops (called Steal and be Banned), and rural crime initiatives. The force currently has 147 special constables and has recently introduced a cadet scheme.

From the survey, 35 percent of the respondents from the area covered by Dyfed-Powys Police speak highly of the police in their local area while 19 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.

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,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.

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

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 Dyfed-Powys Police, from the 40 calls assessed, HMIC was very satisfied that the call-handlers are polite, respectful and effective. They display a great deal of empathy towards callers and are good at identifying those who appear more vulnerable.

During our fieldwork we also observed front counter staff in their interaction with visitors at police stations. The staff are dressed smartly in uniform and use a call system to manage the flow of callers effectively. They listen, are polite, and take an obvious interest in the concerns. From speaking to a member of the public who had been dealt with, we were assured that the staff member had properly assessed what was required. Based on the interactions we observed, HMIC concludes that members of the public can expect to receive a good service at police station counters in Dyfed-Powys.

Dyfed-Powys Police has provided training in the National Decision Model (NDM) for its officers and staff, and many, although not all, of the staff we spoke to had heard of it. Most staff said they use the NDM day-to-day. For example, it is reflected in the way the force structures its operational briefings. However, while staff are aware of the NDM, we found little evidence that the NDM is understood and being used effectively. We found that some staff perceive NDM as something of interest to people seeking promotion, while others observed that it was not something being reinforced in the routine conversations between staff and their supervisors. From the incident logs we examined in the force control room, it was unclear whether call-takers always use the NDM effectively when grading and allocating calls. In some instances, when the call-taker had considered but not taken action, we found no indication in the record that the NDM had been used to support the decision. Some officers we spoke to saw the NDM as only for use in justifying action that had already been taken. HMIC is very concerned by these views.

Apart from initiatives to train officers in updating the social media and mental health awareness web pages, we found training was limited. For instance in respect of partnership working; some officers reported having not received any training for some time. New members of staff are much better provided for within a well-

designed programme of training. Officers understand the skills they need to treat members of the public fairly and with respect. However, neighbourhood officers we spoke to perceive there is an overreliance on the individual to research and develop his or her own skills and knowledge, which they achieve mainly through on-the-job learning and by talking with more experienced officers. Officers felt that more opportunity should be made available to shadow neighbourhood officers so that they could more easily understand the role. The force needs to reassure itself that its officers and staff are updating and maintaining their skills and understanding effectively.

From the survey, 58 percent of respondents from the area covered by Dyfed-Powys Police agree that the police in their local area treat people fairly and with respect versus 8 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.

Summary of findings



Requires improvement

HMIC found that Dyfed-Powys Police recognises the relationship between public engagement and legitimacy. There was evidence that the force is developing systems to ensure effective direction and coordination of engagement activity. A comprehensive engagement framework exists to support communication at both force and local levels. Some use is made of community impact assessments to address local concerns.

The force uses a number of methods of engagement; these include both traditional face-to-face meetings as well as the opportunities offered by modern social media. There was little evidence of formal neighbourhood profiles being used and too much reliance may be being placed on individual knowledge of communities. There is limited evidence of a structured approach to gathering and updating information about neighbourhoods and communities. Officers and staff rely instead on the knowledge or understanding of their colleagues. Whilst this may work in some areas, it is unlikely to be effective overall. The force should reassure itself that neighbourhood teams have reliable access to relevant and structured information about the places and communities they serve.

HMIC is concerned that a number of officers and staff do not understand the National Decision Model and how it should be used in day-to-day activity. The force should seek to quickly address this.

Areas for improvement

- The chief officer team should ensure that the force's officers and staff have a good understanding of the National Decision Model, and how to use it in day-to-day activity.

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 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.

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 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 Dyfed-Powys Police – Stop and search by volume

In the 12 months to 31 March 2015, Dyfed-Powys Police carried out 5,269 stops and searches. The table below shows this number per 1,000 population for Dyfed-Powys 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 in line with 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. Available from: www.justiceinspectorates.gov.uk/hmic/media/stop-and-search-powers-20130709.pdf

Figure 6: Number of stops and searches per 1,000 population carried out by Dyfed-Powys 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

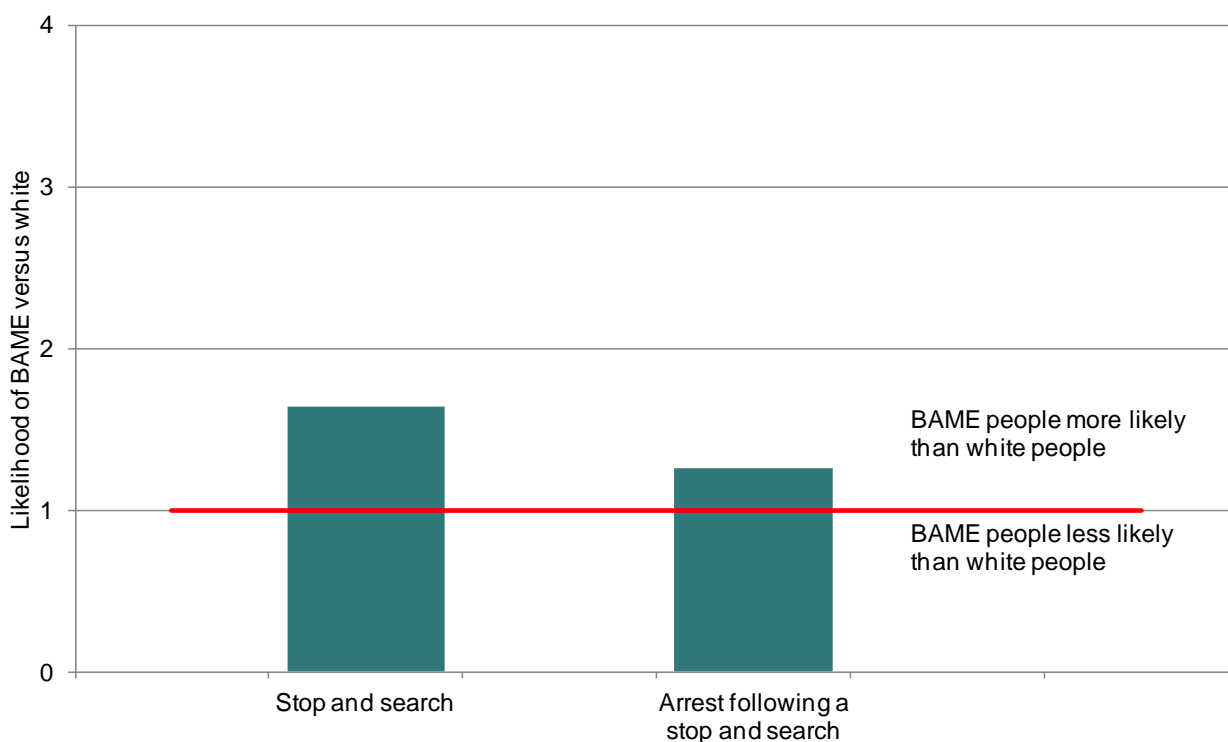
	Stops and searches per 1,000	Change from previous year
Dyfed-Powys	10.2	-43%
Dyfed-Powys' MSG average	10.6	-38%

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 Dyfed-Powys 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 Dyfed-Powys Police than white people. However, of the individuals who had been stopped and searched, there was no statistical difference in the likelihood of arrest by the force between BAME people and white people.

Figure 7: A comparison between the likelihood of BAME and white people being stopped and searched and, separately, arrested following stop and search by Dyfed-Powys 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 Dyfed-Powys Police, the 2013 inspection showed that 50 of 200 records reviewed (25 percent) did not have sufficient reasonable grounds recorded.

For this inspection we reviewed 98 stop and search records provided by the force. As in the 2013 inspection, we reviewed the records to determine if reasonable grounds were recorded. Only 20 of the records we reviewed had been endorsed by a supervisor. We found that 21 of the 98 records (21 percent) did not have reasonable grounds recorded of which six had been endorsed by a supervisor.

This suggests that some officers, and some supervisors given the task of reviewing records, do 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 force, the result indicates that still far too many records do not have reasonable grounds recorded and the force must address this through more robust oversight.

Compliance with the Best Use of Stop and Search scheme

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

HMIC found that operational officers within Dyfed-Powys Police are unsure what is involved in the Best Use of Stop and Search scheme. The force is planning to provide training on stop and search to officers in April 2016, and is waiting for the College of Policing to complete its work on designing a training package and developing guidance. In the meantime, the force is training sergeants and other supervisors as part of the force leadership programme. This training includes the need for more stringent examination of the use of stop and search powers by its staff.

The force has introduced electronic recording of all stop and search encounters, and has improved data collection so that the outcome of the search is recorded. This now enables the force to publish information which shows the occasions where officers have conducted a search, the occasions where the expected object of the search was found or where the search failed to discover the suspected item. The force publishes this data on its website.

The force monitors the use of stop and search, and has recently analysed data indicating a disproportionate use of the powers on members of the BAME community. The force reported to the police and crime commissioner (PCC) that searches being carried out on people living outside of the force area were affecting the figures.

Feature of Best Use of Stop and Search scheme	HMIC assessment of compliance
Recording and publishing the outcomes following a stop and search	The force complies with this feature of the scheme
Providing opportunities for the public to observe officers using the power	The force complies with this feature of the scheme
Explaining to communities how the powers are being used following a “community complaint”	The force complies with this feature of the scheme
Reducing the number of people stopped and searched without suspicion under Section 60 ²⁰ of the Criminal Justice and Public Order Act 1994	The force complies with this feature of the scheme
Monitoring the impact of stop and search – particularly on young people and black, Asian and Minority Ethnic groups	The force complies with this feature of the scheme

²⁰ ‘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

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.²¹

Use of Taser in Dyfed-Powys Police

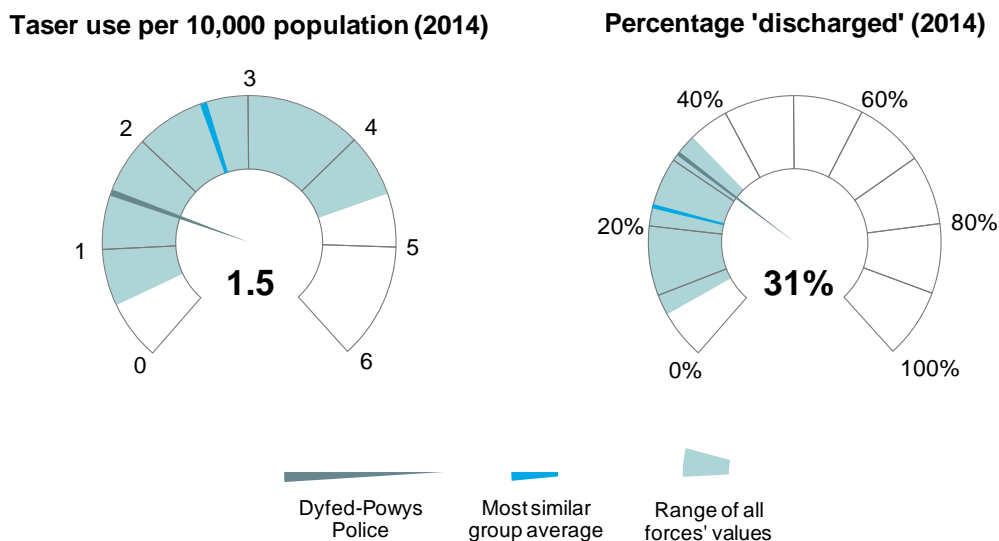
Every time a Taser is used in some capacity (this includes a full range of use from being drawn to being 'discharged') a police officer makes a record of its 'highest use' on a Taser deployment form.

²¹ *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 77 times by Dyfed-Powys Police, representing 1.5 times for every 10,000 people in the force's area. This was less than the average for Dyfed-Powys Police's most similar group of forces, which was 2.6 times per 10,000 population.

During the same time period, Taser was 'discharged' on 24 occasions (out of the 77 times it was used in some capacity). This equated to 31 percent of overall use, greater than the force's most similar group average of 23 percent. However, because of the low number of times Taser was used in Dyfed-Powys Police, comparisons with other forces should be treated with caution. The following figure shows these comparisons.

Figure 8: Use of Taser per 10,000 population and the proportion 'discharged' by Dyfed-Powys Police, 12 months to 31 December 2014²²



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

²² City of London data was removed from figure 8 because of the very low number of times Taser was used by the City of London Police during 2014.

Before the fieldwork stage of the inspection, HMIC conducted a review of 20 Taser deployment forms provided by Dyfed-Powys Police. Although the findings of this review are not necessarily representative of all Taser forms completed by the force, they do provide an indication of the force's Taser activity. The forms showed that Taser had been fired three times, red-dotted 10 times, and drawn seven times. See Annex B for an explanation of the types of Taser usage.

On the three occasions the Taser was fired, we found evidence that consideration of a small number of other tactics had been recorded, but that there was no evaluation of each alternative, and no indication of the preferred option or why. We are concerned that in one incident, where two officers had each fired their Taser against the same subject with one delivering a charge and the other failing, their Taser deployment forms were exact copies of each other. It is important that officers record their own account of an incident where they have used force, as use of force is an individual decision and an individual responsibility. Two officers at the same incident will see and experience things differently. One may be justified in the use of force, whereas the other may not.

Overall officers used Taser to protect themselves or others from a range of weapons, including several kitchen knives, a craft knife, broken glass, and scissors.

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

Where officers had been required to complete the NDM 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 NDM, and should be considered at each stage, particularly under the 'Powers and Policy' section. This appears to be a national issue and is considered in our national Legitimacy report.

Dyfed-Powys Police issues Taser devices to Authorised Firearms Officers (AFOs) and other specialist firearms officers, including those within the Specialist Taser Units (STUs). The training provided to these officers emphasises the requirements of the Authorised Professional Practice, including the need for clear assessment in decisions to use Taser. The officers we spoke to during focus group sessions and reality testing understand clearly these requirements and refer to the NDM approach, as set out in the evaluation report they are required to complete following any use of Taser.

The force provides quarterly refresher training to AFOs, as part of an overall training regime which includes the use of all the weapons they are authorised to use. STU officers only attend an annual refresher course, which is supplemented by a personal protection training day. Many of the non AFO trained officers have rarely, if ever, used the Taser.

The infrequency of use and training may create a risk of uncertainty amongst STU officers when they are deployed, and the force should reassure itself that all its Taser-trained officers maintain their knowledge and understanding of the use of the device.

Operational armed support within Dyfed-Powys is provided by a South Wales Joint Firearms Unit (JFU) involving SFOs from Dyfed-Powys, South Wales and Gwent Police forces. Every Taser deployment is examined, and the force has an effective process to review each use; including those by non Dyfed-Powys officers from the JFU.

All uses of Taser are reported in accordance with national guidance, and on the nationally-agreed report forms, which the force reviews. In addition to the Taser use report, AFOs also create an entry on a regional computer database, which contains the record of all firearms incidents. The force has noted a difference in the quality of report forms being submitted by STU officers, when compared to those submitted by AFOs. The most likely cause in the difference of quality is that the AFOs perceive Taser as not requiring as much justification in its use as conventional firearms.

The force's current Taser action plan is being used to address this, and to achieve a consistent quality in the forms submitted by all users of Taser.

HMIC noted that incidents where Taser deployment may have been considered, but decided against, are not systematically recorded, but it is clear the force has effective scrutiny procedures in place for the occasions when Taser is deployed.

The force does not routinely publish information on the use of Taser but responds to Freedom of Information Act requests which it publishes on its website.

Based on our assessment of the Taser forms and our fieldwork findings, HMIC is satisfied that on the whole Dyfed-Powys Police is using Taser fairly and appropriately.

Summary of findings



Good

HMIC is pleased to see that Dyfed-Powys Police complies with the Best Use of Stop and Search scheme, but officers are unaware of the full requirements of the Scheme. The force is delivering training on stop and search to supervisors, but is awaiting completion of the national College of Policing training package before extending this to all officers.

The force has introduced electronic recording of all stop and search encounters, and has improved data collection so that the outcome of the search is recorded. This now enables them to publish information which shows the occasions where officers have conducted a search, the occasions where the expected object of the search was found or where the search failed to discover the suspected item. This data is published on the force website.

The force should ensure that Taser forms are completed accurately and in accordance with the College of Policing guidance, using the National Decision Model where appropriate.

Taser use is fair and appropriate in Dyfed-Powys Police.

Areas for improvement

- The force should ensure that its stop and search records include sufficient reasonable grounds to justify the lawful use of the power, and that officers understand fully the grounds required to stop and search.
- The force should ensure that it supervises adequately the accuracy of its stop and search records and ensures they contain the required information in respect of reasonable grounds for the force's use of this power.

Annex A – HMIC judgments

The categories are:

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

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

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

Annex B – Data methodology

Please note the following for the data.

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

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

- Comparisons with most similar group of forces – In most cases, comparisons are made with the average of the force's most similar group (MSG) of forces. These are forces that have been found to be the most similar to the force in question, based on an analysis of demographic, social and economic characteristics which relate to crime. The following forces are in Dyfed-Powys Police's MSG: Lincolnshire, Cumbria and Norfolk.
- 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 Definition²³

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.

²³ *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.