

PEEL: Police legitimacy 2015

An inspection of Gloucestershire Constabulary



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

Overall Judgment¹



Good

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

The chief officer team had put a significant amount of work into developing and maintaining an ethical culture across the organisation. The constabulary values and promotes positive engagement as a way of improving legitimacy.

The constabulary does not comply with the Best Use of Stop and Search scheme, and we had concerns that a high proportion of the records we checked did not sufficiently demonstrate that reasonable grounds existed to undertake a lawful stop and search. Taser is used fairly and appropriately.

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

Summary

In Gloucestershire Constabulary, HMIC found evidence that the chief officer team had put a significant amount of work into developing and maintaining an ethical culture across the organisation. Staff had a good understanding of the constabulary's values and ethics, were encouraged to challenge processes or decisions, and were confident to report inappropriate behaviour in the workplace.

We found evidence that there was inconsistent support for staff who had dealt with dangerous or traumatic incidents, with some staff reporting they had not received any support following their attendance at such incidents.

We were disappointed that misconduct information between staff and police officers was treated differently, and that the constabulary had made little effort to ensure that decisions were made fairly.

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

When HMIC looked at how well the force understands and successfully engages with all the people it serves, we found the constabulary values and promotes positive engagement with the public as a way of improving legitimacy. The continuous improvement team works alongside the training and communications and engagement team to promote knowledge and understanding of successful individual interactions and their importance in contributing to public confidence.

During the fieldwork there was a consistent finding that front office counter staff were courteous and helpful to their customers. HMIC was satisfied that officers and staff behaved fairly and with respect when they engaged with their 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. The constabulary does not comply with the Best Use of Stop and Search scheme, and we had concerns that a high proportion of the records we checked did not sufficiently demonstrate that reasonable grounds existed to undertake a lawful stop and search. Taser officers in Gloucestershire Constabulary are suitably trained and we did not find any evidence of inappropriate use of Taser.

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



Good

HMIC found evidence that the chief officer team had put a significant amount of work into developing and maintaining an ethical culture across the organisation. Staff had a good understanding of constabulary values and ethics, were encouraged to challenge processes or decisions, and were confident to report inappropriate behaviour in the workplace.

We found evidence of inconsistent support for staff who had dealt with dangerous or traumatic incidents, with some staff reporting they had not received any support following their attendance at such incidents.

We were surprised to find evidence that misconduct information relevant to police staff members was

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



Good

Staff at all levels and in all roles across the constabulary demonstrated good levels of knowledge and understanding and were able to explain how the National Decision Model was used to inform their own individual decision-making. The constabulary values and promotes positive engagement work as a way of improving legitimacy. The continuous improvement team works alongside the training and communications and engagement team. They promote knowledge and understanding of successful individual interactions with the public and their importance in contributing to public confidence.

The constabulary used a one week period of active

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



Requires improvement

HMIC found there is inconsistency in regard to the level of knowledge and understanding of the Best Use of Stop and Search scheme, and a number of officers we spoke to had not heard of the scheme at all.

The constabulary does not comply with the Best Use of Stop and Search scheme, and we had concerns that a high proportion of the records we checked did not sufficiently demonstrate that reasonable grounds existed to undertake a lawful stop and search.

Taser officers in Gloucestershire Constabulary are suitably trained and we did not find any evidence of inappropriate use of Taser.

removed from constabulary systems upon completion of any sanction imposed. This meant any future misconduct issues would be treated in isolation rather than in the context of patterns of behaviour. This was not the policy in respect of police officer misconduct cases.

We were also disappointed that the constabulary had made little effort to ensure consistency in how complaints or misconduct cases were dealt with, or to ensure that decisions were made fairly.

listening to and analysis of calls for service, to help inform decisions concerning the constabulary operating model. They also carried out additional analysis of the calls to establish how effective the constabulary was in providing a response to those with mental health needs. During the fieldwork there was a consistent finding that front office counter staff interacted in a courteous and helpful manner with their customers. HMIC was satisfied that officers and staff behaved fairly and with respect when they engaged with their communities.

Force in numbers



Ethnic diversity

Percentage of BAME in workforce 31 March 2015

overall workforce

2%

officers

2%

staff

2%

PCSOs

3%

Percentage of BAME in local population, 2011 Census

5%



Gender diversity

Percentage of females in overall workforce 31 March 2015

Gloucestershire Constabulary

41%

England and Wales force average

41%

Percentage of females by role, Gloucestershire Constabulary

officers

31%

staff

57%

PCSOs

51%

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

Gloucestershire Constabulary

569

Proportion of finalised allegations investigated 12 months to 31 March 2015

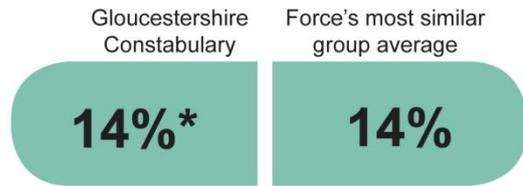
Gloucestershire Constabulary

14%

Force's most similar group average

41%

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

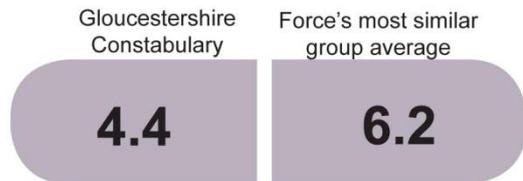


Stop and search

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

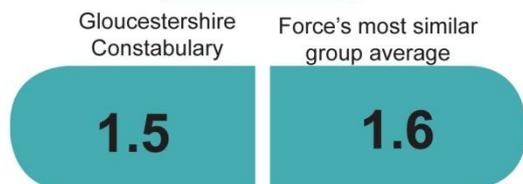


Tasers

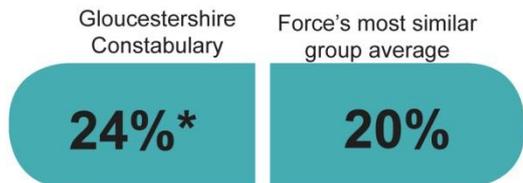
Number of times a Taser was used 12 months to 31 December 2014



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 Gloucestershire Constabulary.

Methodology

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

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

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

Organisational justice²

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

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

Procedural justice

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

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

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

³ *Ibid.*

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

Introduction

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

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

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

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

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

Gender and black, Asian and minority ethnic (BAME) breakdown in Gloucestershire Constabulary

A breakdown of the full-time equivalent (FTE) workforce⁵ in Gloucestershire Constabulary as at 31 March 2015 is shown below.

⁴ The inspection took place between March and June 2015.

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

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

FTE	Total	Of which	
		Female	BAME*
Total workforce	1,875	760 (41%)	39 (2%)
Total officers	1,165	362 (31%)	24 (2%)
Constables	884	303 (34%)	18 (2%)
Sergeants	188	42 (22%)	5 (3%)
Inspecting ranks	77	13 (17%)**	1 (1%)**
Superintendents and above	16	4 **	0 **
Staff	582	333 (57%)	11 (2%)
PCSOs	128	66 (51%)	4 (3%)

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

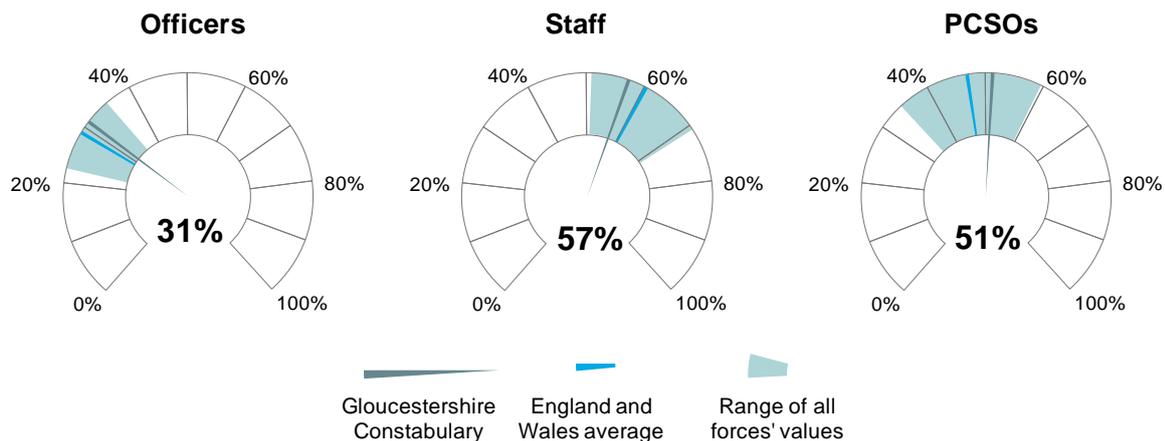
* Individuals are not required to record their ethnicity. As a result, BAME totals and percentages exclude officers/staff/PCSOs where the ethnicity is not stated.

** 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 Gloucestershire Constabulary compared with the averages of all forces in England and Wales. It shows they were higher for both officers and PCSOs yet lower for staff.

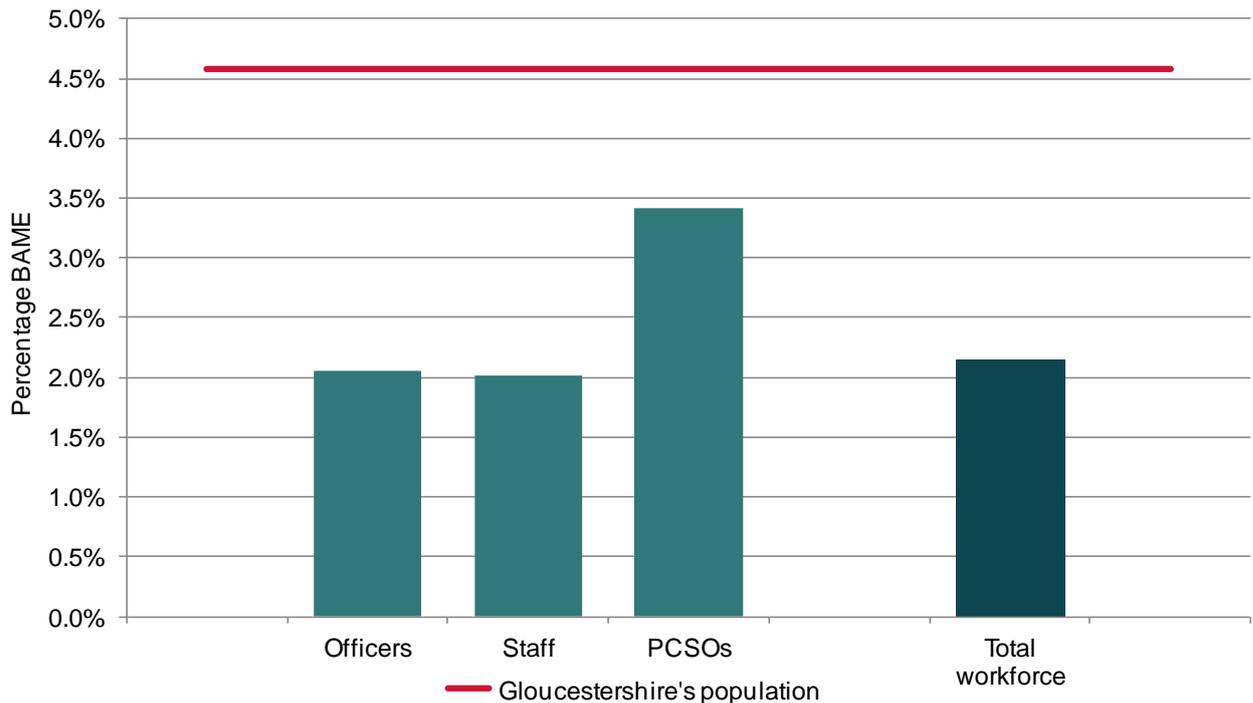
Figure 2: The percentage of female officers, staff and PCSOs in Gloucestershire Constabulary compared with the force average for England and Wales, 31 March 2015



Source: Home Office Police Workforce statistics

We compared the percentages of (i) BAME officers, (ii) BAME police staff and (iii) BAME PCSOs in each force with the proportion of BAME people living in the force area. In Gloucestershire, around 5 percent of the local population were BAME. The figure below shows these comparisons. There was a statistically significant under-representation of BAME people in Gloucestershire Constabulary's overall police workforce, as well as separately for officers and staff.

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



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

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

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

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

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 Gloucestershire Constabulary over the spending review period.

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

	Total change		Percentage point change	
			% female	% BAME
Total workforce	-311	(-14%)	+1	0
Officers	-144	(-11%)	+4 ●	0
Staff	-147	(-20%)	-1	0
PCSOs	-20	(-13%)	+1	-3

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).

Source: Home Office Police Workforce statistics

There were no statistically significant changes in the percentages of either females or BAME people within Gloucestershire Constabulary'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 4 percentage point increase.

Overall, compared with other forces, as at 31 March 2015, the percentage of females within Gloucestershire Constabulary's workforce was higher for both officers and PCSOs yet lower for staff. By ethnicity, there was an under-representation in BAME officers and staff and there was no statistically significant change in the proportions between 31 March 2010 and 31 March 2015 for either group.

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

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

HMIC found that the chief officer team had put a significant amount of work into developing and maintaining an ethical culture across the organisation. Chief officers had achieved this by communication with staff through regular messages, intranet pages and discussion boards. For example, the ‘ask the expert’ page on the

constabulary intranet enables staff to seek advice and guidance about a number of ethical issues. The page is well used by a broad range of staff across the organisation. We observed that senior officers were active in responding to questions and queries.

At the time of the inspection, the constabulary had a Code of Ethics board, and encouraged staff to submit ethical dilemmas, or questions to the board for discussion and guidance. The constabulary intended to develop this initiative, so that a member of staff submitting an ethical dilemma would be invited to take part in the board's discussion.

The constabulary had tried to weave ethics throughout the core of the organisation, and had undertaken a staff survey which contained specific questions about standards and the Code of Ethics. It had also introduced an ethics handbook for operational staff and intended to include elements of standards and ethics in all training courses.

The constabulary intranet home page contained readily identifiable links to information and advice on how to address and challenge incorrect behaviours. The page also contained links to information on the Code of Ethics.

Staff we spoke to at all levels of the organisation felt there was a culture where they were encouraged to challenge processes or decisions. We were pleased to find evidence that the constabulary encouraged staff to identify areas for improvement.

We were told that staff were confident to report inappropriate behaviour in the workplace. However, we were disappointed that there was less evidence about arrangements for the structured wellbeing and support of whistleblowers once such reports had been made.

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

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

HMIC were told by staff that they had been kept well informed on the new operating model being implemented by the constabulary, as well as on the associated staff moves. Positively, we found evidence that the initial worry experienced by staff regarding potential long distance postings had been reduced in light of consultation and further information being provided. It was clear that negotiations to find the best compromise between the needs of the organisation, and the individual are being well received by those concerned.

Some of the staff we spoke to were complimentary about the new operating model, in particular response officers who highlighted an increased stability and consistency. However, control room staff expressed some concern that rostered shifts were regularly changed at short notice which they felt affected their overall wellbeing, although this was not directly related to changes in the operating model. There was also concern among neighbourhood officers and managers regarding the reduction of flexible rostering and working. For example, in the revised model there will be less flexibility for staff with specific domestic or personal needs. HMIC was informed that this is leading to increased anxiety among many affected members of staff with some expressing doubt as to how they will be able to continue in their role.

Disappointingly, we found evidence of inconsistent support for staff involved in dangerous or traumatic incidents. For example, the constabulary uses a designated trauma risk incident management (TRiM) process, but staff stated that the process is implemented inconsistently. Several members of staff gave accounts of where they had been left unaided and unsupported after attendance at traumatic or distressing incidents such as road collisions.

The constabulary recognises that there is strain on specialist occupational health resources. In order to assist with reducing demand on such resources, the constabulary established a wellbeing board, chaired by the chief constable, to assist in the quick identification and resolution of staff wellbeing issues.

The constabulary is also considering a range of further options to provide help for staff, such as refreshing the existing constabulary trauma support network and developing measures to better assist staff to return to work after a period of ill health.

Staff representative groups meet quarterly with chief officers and confirm a good relationship with the chief officer team. Representatives however expressed some concern regarding levels of support received from the constabulary in ensuring members are made aware of the various support networks available.

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.⁷ 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.

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

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.

HMIC found evidence that the Code of Ethics is well known and understood throughout the organisation. Staff spoken to confirmed that the chief officer team are particularly proactive in promoting the importance of the code through a variety of initiatives. The code features strongly on the intranet and constabulary bulletins and forms a major part of chief officer seminars and station visits.

There is however limited correlation between the national Code of Ethics and the constabulary's values statement. Material around the walls of constabulary premises concentrates on the constabulary's values statement. Existing communication material, showing older constabulary values, combined with the constabulary strategy to promote the Code of Ethics, was confusing for staff we spoke to.

Staff are managed through performance development reviews. We were pleased to find that each member of staff is required to have an objective related to the Code of Ethics.

We noted that the constabulary's template for putting together a business has been amended to include a requirement for applicants to demonstrate how a potential initiative will help to make sure the Code of Ethics is part of everyone's day-to-day work. The initiative provides further opportunities for the constabulary to ensure the Code of Ethics is promoted and developed throughout the organisation.

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.⁸

In the 12 months to 31 March 2015, Gloucestershire Constabulary finalised 569 allegations from public complaints that were made against its officers and staff. Of these, 14 percent had been investigated and 66 percent had been locally resolved. A smaller proportion of allegations were investigated and a greater proportion were locally resolved in Gloucestershire compared with the average of its most similar group of forces.⁹

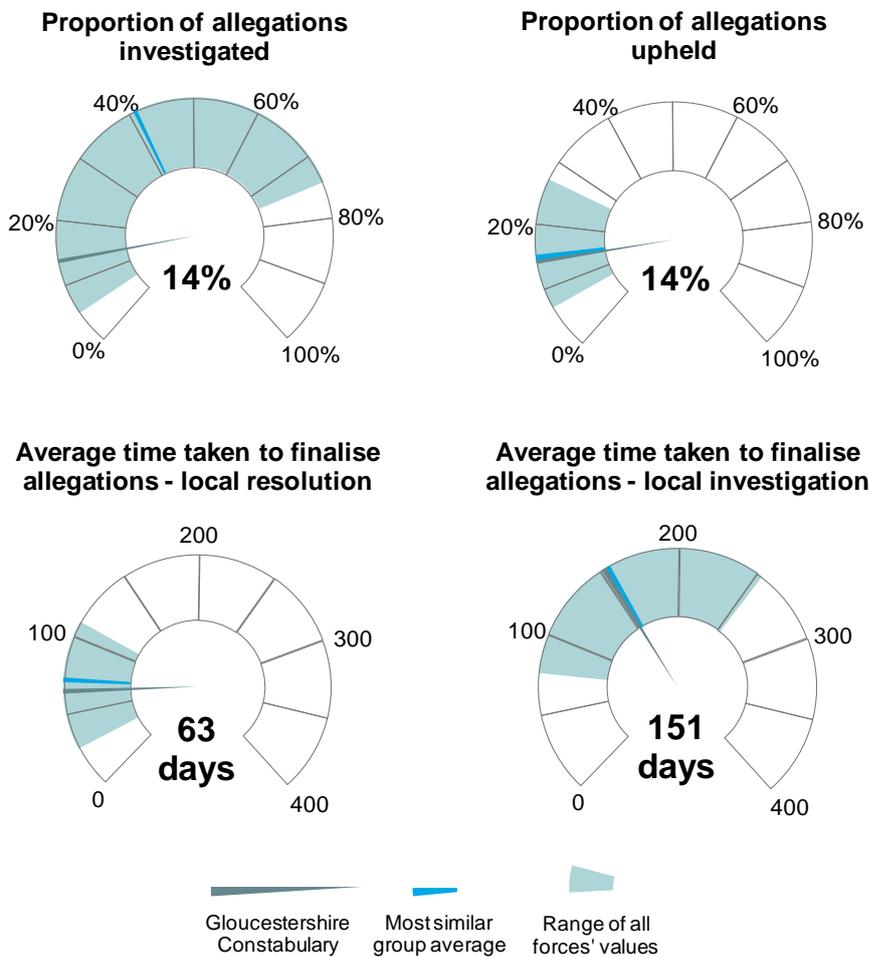
In the 12 months to 31 March 2015, the average time Gloucestershire Constabulary took to complete a local resolution was 63 days, broadly in line with the average of its most similar group of forces (70 days). Over the same period, the average time a local investigation took to complete was 151 days, broadly in line with the average of its most similar group of forces (154 days).

After local investigation, Gloucestershire Constabulary closed 77 allegations in the 12 months to 31 March 2015. Of these, 14 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 in line with the average of Gloucestershire's most similar group of forces of 14 percent. However, because of the low number of allegations locally investigated by Gloucestershire Constabulary, comparisons with other forces should be treated with caution. The following figure shows how all of these values compare.

⁸ 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.

⁹ 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 information.

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



Source: Independent Police Complaints Commission

Overall, in the 12 months to 31 March 2015, Gloucestershire Constabulary finalised 14 percent of allegations by investigation. The proportion of allegations it upheld after local investigation was in line with the average of its most similar group of forces. Compared to its most similar group of forces, Gloucestershire took a similar amount of time 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,¹⁰ 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,¹¹ 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 45 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 complaints and internal misconduct allegations were dealt with, in respect of gender, ethnicity or rank.

HMIC found the constabulary resolved 73 percent of complaints through the local resolution procedure for the nine-month period to December 2014. This was high when compared to the national average. Appeals on local resolution outcomes and the percentage of appeals upheld were low. This position reflected well on the constabulary as it demonstrated compliance with Independent Police Complaints Commission statutory guidance, effectiveness in resolving public issues of concern and a commitment to reduce periods of anxiety for staff who were the subject of complaints.

We found there was inconsistent practice in relation to the initial assessments that were carried out in respect of allegations of misconduct involving police officers and those involving police staff. In all the police officer cases we examined, initial assessments had been completed by a chief inspector which is the correct level of seniority. This however was not the case with police staff misconduct, where very few initial assessments were being conducted. The initial assessments examined were generally of a poor quality, with no rationale included, consisting of merely a view that the matter amounted to misconduct or gross misconduct.

There were two very distinct processes in place for the resolution of misconduct cases in Gloucestershire Constabulary.

¹⁰ *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/

¹¹ 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'.

Those run by the professional standards department for police officers, and those by human resources for police staff members. There was little evidence to suggest that the constabulary had made efforts to ensure consistency in decision-making.

HMIC were surprised to find that misconduct information relevant to police staff members had been removed from constabulary systems upon completion of any sanction having been imposed. This meant that future misconduct issues would be treated in isolation rather than in the context of patterns of behaviour and there was also a risk that valuable intelligence might have been lost. There was a danger that as a result of this procedure, police officers may have been treated differently to police staff colleagues.

Summary of findings



Good

HMIC found evidence that the chief officer team had put a significant amount of work into developing and maintaining an ethical culture across the organisation. Staff had a good understanding of constabulary values and ethics, were encouraged to challenge processes or decisions, and were confident to report inappropriate behaviour in the workplace.

We found evidence of inconsistent support for staff who had dealt with dangerous or traumatic incidents, with some staff reporting they had not received any support following their attendance at such incidents.

We were surprised to find evidence that misconduct information relevant to police staff members was removed from constabulary systems upon completion of any sanction imposed. This meant any future misconduct issues would be treated in isolation rather than in the context of patterns of behaviour. This was not the policy in respect of police officer misconduct cases.

We were also disappointed that the constabulary had made little effort to ensure consistency in how complaints or misconduct cases were dealt with, or to ensure that decisions were made fairly.

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,¹² 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.

¹² *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.

The constabulary's 'service user engagement strategy' sets out how the constabulary develops communication channels to draw in feedback, both internally and externally, using a range of methods such as community meetings, social media, and focus groups. To make sure that the ethos of engagement was incorporated into day-to-day work, the strategic aim has been to ensure that officers and staff recognise that this engagement work is not a mechanical process. The constabulary conducts engagement work for the specific purpose of developing legitimacy through continual and concerted community contact.

A model, developed by the College of Policing, has been used to assist in communicating with staff and educating them to help them to understand the vital link between engagement and legitimacy. The continuous improvement team have used a variety of methods to communicate this both externally and internally. The feedback is then collated by the team and used to define service delivery. An example of the positive results that have been achieved has been its analysis of the engagement work with BAME communities across the county, which demonstrated improved trust and satisfaction rates. The constabulary conducted analysis of one week's calls for service, which was used to inform the construction of the new constabulary operating model. The constabulary uses an external company to conduct a public satisfaction survey. This has recently been revised to focus more on obtaining community intelligence rather than the current sets of question which cover quality of service issues. The aim is to understand local problems better and to ascertain how effective the constabulary is in tackling them. It is intended that this will be accessible through an application on a mobile device and will be available to all staff. A further example of survey work that was carried out involved some 200 victims of domestic abuse. It was undertaken so the constabulary could understand the services victims had been receiving and areas of potential improvement. The feedback was analysed to identify areas of training for officers and as a result, it held workshops on this topic to improve officers' understanding of policing domestic abuse incidents. We saw some evidence of the constabulary using neighbourhood profiles and there were good examples of community impact assessments, which are designed to shape police responses following incidents which might have compromised confidence in the police.

HMIC was satisfied that Gloucestershire Constabulary understood the positive contribution to police legitimacy, at a strategic and local level, of engaging positively with their communities.

Of the 435 survey responses from the area covered by Gloucestershire Constabulary, 49 percent agree that the police understand the crime and anti-social behaviour issues within their force area and 13 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.

Our inspection looked at the different ways that forces engage with their communities. HMIC found neighbourhood teams were actively involved in work to engage their communities across the county with evidence of contact to discuss, identify and resolve local problems. Although results from such engagement work are used to inform local policing delivery, it is not evident that these were collated at a strategic level to shape the constabulary's understanding and response. Public engagement and legitimacy has also been driven by a research and consultation team which has undertaken satisfaction and confidence surveys and other activities such as mystery shopping and attending community events.

To reach those difficult to engage with groups, a number of methods have been employed. Effective use is made of the constabulary website and mobile data devices which allow members of the public to directly input information. In addition, information is collected from police community support officers who conduct surveys utilising their local knowledge and contacts, and assistance has been provided by safer Gloucestershire who help by providing business contacts. They work closely in partnership with schools to provide better accessibility and engagement with young people and funding has been identified for 'Rant and Rave' which is a way to obtain fast feedback through text messaging. We found limited evidence at either a strategic or local level, of the constabulary communicating successes or informing the people it serves of what action it had taken in response to engagement with them which is crucial in fostering confidence and understanding. There were examples of communities being encouraged to take part in policing activities and of partnership involvement.

The police and crime commissioner's fund was identified by voluntary and community groups as being a critical factor in enabling them to become actively involved in working with the police to deliver crime reduction and public safety. It has awarded £6.5 million of funding to over 220 projects aligned with the police and crime plan.

The constabulary's community harm reduction team has actively engaged with and supported community partnership activities. These have included Project Avenger, Great Expectations and Operation Solace all of which include the aim of diverting young people at all levels of the criminal justice system. These examples display effective multi-agency partnerships, positive evaluations and funding that is sustainable. One example of success was the way the constabulary undertook analysis of youth gang culture, making use of an academic model that outlined the benefits of tailored and individual mentoring with the young people concerned to identify and deliver diversion. The constabulary trained mentors, and made use of its community groups to identify potential subjects and to assist in the management of the programmes. There have been strong governance processes and high quality community engagement to bring about a wide range of diversion opportunities making full use of multi-agency and partnership contributions of resources (including facilities, participation and funding). The evaluation has demonstrated real success. From the survey, 36 percent of the respondents from the area covered by Gloucestershire Constabulary speak highly of the police in their local area while 13 percent speak critically. The remainder have mixed views or do not know. Although not directly comparable because of the small force sample size, of the responses from across all forces in England and Wales, 32 percent speak highly and 16 percent speak critically.

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

We were satisfied that Gloucestershire Constabulary has engaged well with those they serve.

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,¹³ the framework by which all policing decisions should be made, examined and challenged. The Code of Ethics is a central component of the National Decision Model.

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

Although not necessarily representative of all calls responded to by Gloucestershire Constabulary, from the 40 calls assessed, HMIC was generally satisfied that the call handlers were polite, respectful and effective. We found that in most cases, call handlers clearly explained to the caller what would happen next, especially when ongoing service and support was required.

During our fieldwork we also observed front counter staff in their interaction with visitors at police stations. We found that staff were, on all occasions, helpful, polite and courteous to those they interacted with.

HMIC found that the National Decision Model (NDM) was thoroughly part of the everyday work by officers and staff in Gloucestershire Constabulary and that the Code of Ethics was identified as being a core element of it. Staff at all levels and in all roles across the constabulary demonstrated good levels of knowledge and understanding and were able to explain how the model was used to inform their own individual decision-making. This applied to both the operational and non-operational areas.

The constabulary promotes positive engagement work with the public as a method of improving legitimacy. The continuous improvement team works alongside the training and communications and engagement team to promote knowledge and understanding of successful interactions by individual officers and staff and their

¹³ *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

importance in contributing to public confidence. A positive development is the planned delivery of a customer service training programme and an associated opportunity for staff to work to qualify for an externally accredited qualification.

The constabulary used a one week period of actively listening to and analysing calls for service, to help inform decisions concerning the constabulary operating model. In addition, it took the opportunity to conduct an analysis of the calls at the same time to establish how effective the constabulary was in providing a response to those with mental health needs. As a result of this work the constabulary was able to identify significant learning that was used to establish a workshop to improve the knowledge and skills of police staff in providing an effective and tailored service.

From the survey, 57 percent of respondents from the area covered by Gloucestershire Constabulary agree that the police in their local area treat people fairly and with respect versus 6 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



Good

Staff at all levels and in all roles across the constabulary demonstrated good levels of knowledge and understanding and were able to explain how the National Decision Model was used to inform their own individual decision-making. The constabulary values and promotes positive engagement work as a way of improving legitimacy. The continuous improvement team works alongside the training and communications and engagement team. They promote knowledge and understanding of successful individual interactions with the public and their importance in contributing to public confidence.

The constabulary used a one week period of active listening to and analysis of calls for service, to help inform decisions concerning the constabulary operating model. They also carried out additional analysis of the calls to establish how effective the constabulary was in providing a response to those with mental health needs. During the fieldwork there was a consistent finding that front office counter staff interacted in a courteous and helpful manner with their customers. HMIC was satisfied that officers and staff behaved fairly and with respect when they engaged with their 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.¹⁴

In autumn 2015, HMIC assessed the use of Taser and stop and search powers (specifically, compliance with the Best Use of Stop and Search scheme¹⁵ 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.

¹⁴ *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/

¹⁵ *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,¹⁶ 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 Gloucestershire Constabulary – Stop and search by volume

In the 12 months to 31 March 2015, Gloucestershire Constabulary carried out 2,714 stops and searches. The table below shows this number per 1,000 population for Gloucestershire Constabulary and the average of its most similar group of forces, as well as the change from the 12 months to 31 March 2014. The figures indicate that the constabulary's use of stop and search powers is currently less than the average of its most similar group of forces.

¹⁶ *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 Gloucestershire Constabulary compared to the average of its most similar group (MSG) of forces, 12 months to 31 March 2015, and the percentage change from the 12 months to 31 March 2014

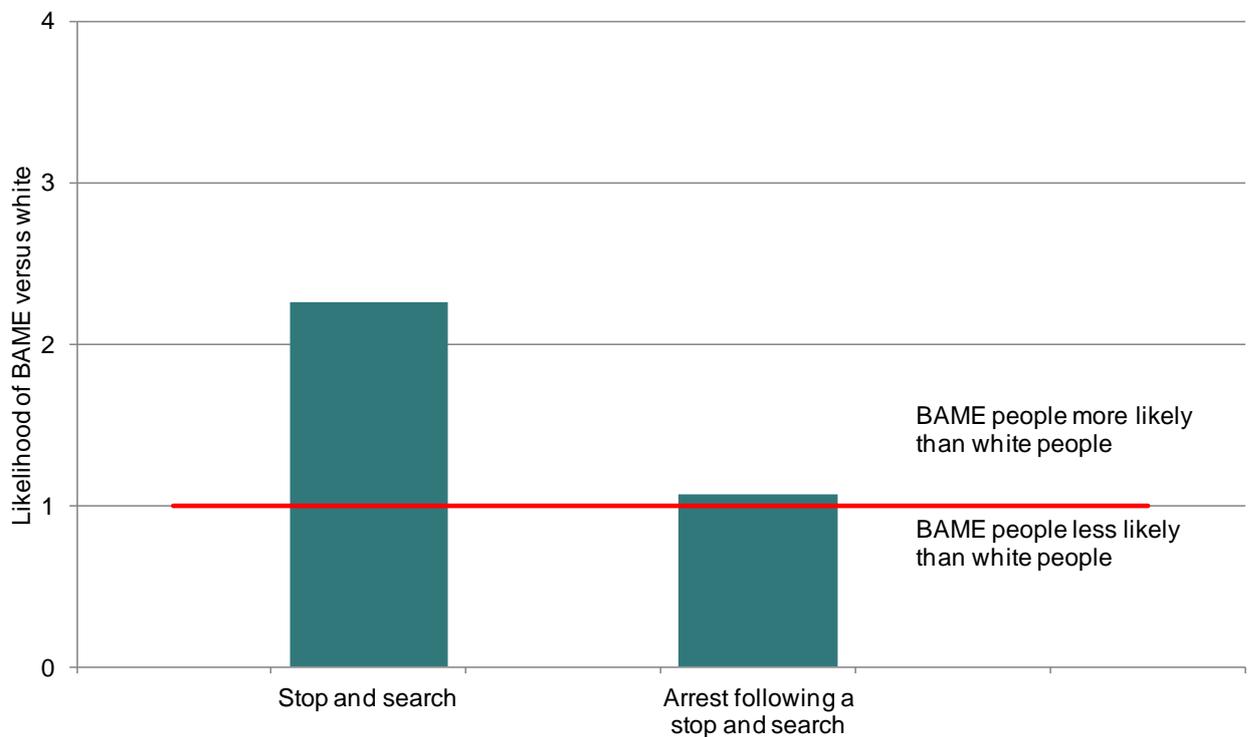
	Stops and searches per 1,000	Change from previous year
Gloucestershire	4.4	-40%
Gloucestershire's MSG average	6.2	-36%

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 Gloucestershire Constabulary – Stop and search by ethnicity

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



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

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

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

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

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

Recording reasonable grounds for suspicion

In our 2013 inspection, we were concerned to see that, of the 8,783 stop and search records we examined across all forces in England and Wales, 27 percent did not include sufficient reasonable grounds to justify the lawful use of the power. For Gloucestershire Constabulary, the 2013 inspection showed that 117 of 200 records reviewed (59 percent) did not have sufficient reasonable grounds recorded.

For this inspection we reviewed 99 stop and search records provided by Gloucestershire. As in the 2013 inspection, we reviewed the records to determine if reasonable grounds were recorded. We found that 23 of the 99 records (23 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 record has a section for the supervisor to monitor and sign, the constabulary is unable to determine easily if this has been carried out or to what standard.

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

Compliance with the Best Use of Stop and Search scheme

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

HMIC found that in Gloucestershire Constabulary there was inconsistency in regard to the level of knowledge and understanding of the Best Use of Stop and Search scheme. A number of officers we spoke to had not heard of the scheme at all.

The constabulary complies with the scheme in accurately recording the outcomes from stop and search activity and specifically whether or not the outcome relates to the finding of the item searched for. These are published on a dedicated constabulary web page for public access. It has also produced an interim recording form to facilitate this while awaiting anticipated guidance from the College of Policing. The constabulary has documented plans in respect of stop and search powers, which include the intended roll-out of a mobile data-recording platform.

The constabulary has adapted its existing 'Ride Along' scheme, to comply with the Best Use of Stop and Search scheme's requirement for members of the public to be given an opportunity to observe a stop and search. However we found no evidence of use with regards to stop and search or publicity for the 'Ride Along' scheme on the constabulary's web site.

The scheme requires forces to monitor the use of stop and search powers to determine the impact on black, Asian and minority ethnic people and young people, also to implement a 'community trigger' for the public to activate over stop and search concerns. We did not find evidence of sufficiently structured monitoring, oversight or policy in this regard.

At the time of the inspection the constabulary was preparing to amend the Section 60 authorisation process, so that authority to exercise this power could be granted by the duty gold command cadre of superintendents and chief superintendents, which would not be compliant with the Best Use of Stop and Search scheme. The constabulary now intends to stipulate that the authority to exercise this power is given by an officer of the rank of assistant chief constable or above.

HMIC concluded that Gloucestershire Constabulary are not compliant with the Best Use of Stop and Search scheme and have improvements to make on recording and supervising reasonable grounds.

Feature of Best Use of Stop and Search scheme	HMIC assessment of compliance
Recording and publishing the outcomes following a stop and search	The constabulary complies with this feature of the scheme
Providing opportunities for the public to observe officers using the power	<p>The constabulary does not comply with this feature of the scheme</p> <p>Although the constabulary has included stop and search in its 'Ride Along' scheme we found no evidence of stop and search incidents having been observed or publicity for the scheme on the constabulary's website. We consider the constabulary needs to do more to provide the public with opportunities to observe officers using this power.</p>
Explaining to communities how the powers are being used following a 'community complaint'	<p>The constabulary does not comply with this feature of the scheme</p> <p>The constabulary does not have a community complaint policy.</p>
Reducing the number of people stopped and searched without suspicion under Section 60 ¹⁷ of the Criminal Justice and Public Order Act 1994	<p>The constabulary does not comply with this feature of the scheme</p> <p>The constabulary was preparing to implement measures for section 60 searches to be authorised by superintendents and chief superintendents. This does not accord with the scheme which requires that section 60 searches be authorised by an officer of at least the rank of assistant chief constable.</p>
Monitoring the impact of stop and search – particularly on young people and black, Asian and minority ethnic groups	<p>The constabulary does not comply with this feature of the scheme</p> <p>HMIC did not find evidence of sufficiently structured monitoring, oversight or policy in respect of the use of stop and search powers in order to determine the impact on black, Asian and minority ethnic people and young people.</p>

¹⁷ '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.¹⁸

Use of Taser in Gloucestershire Constabulary

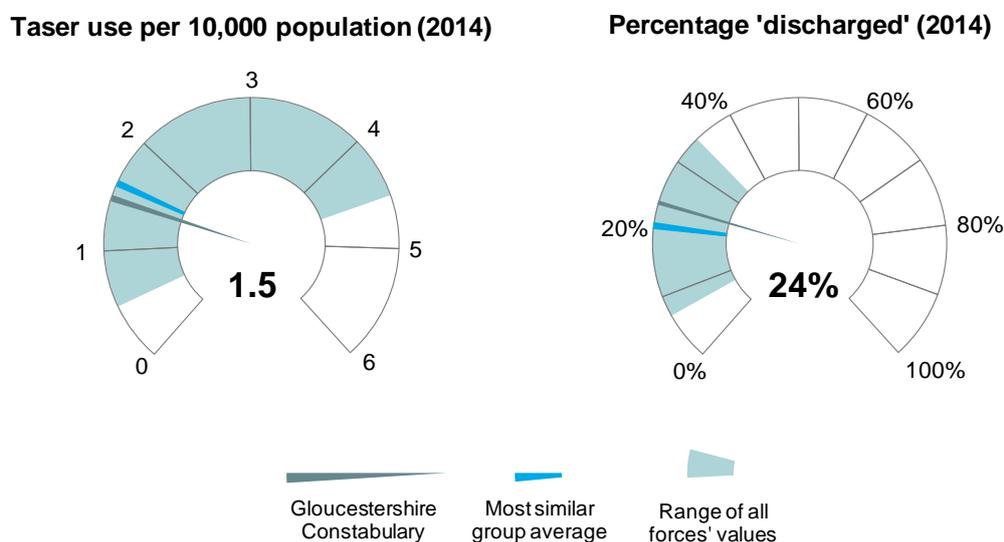
Every time a Taser is used in some capacity (this includes a full range of use from being drawn to being 'discharged') a police officer makes a record of its 'highest use' on a Taser deployment form.

¹⁸ *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 89 times by Gloucestershire Constabulary, representing 1.5 times for every 10,000 people in the force's area. This was broadly in line with the average for Gloucestershire Constabulary's most similar group of forces, which was 1.6 times per 10,000 population.

During the same time period, Taser was 'discharged' on 21 occasions (out of the 89 times it was used in some capacity). This equated to 24 percent of overall use, greater than the force's most similar group average of 20 percent. However, because of the low number of times Taser was used in Gloucestershire Constabulary, 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 Gloucestershire Constabulary, 12 months to 31 December 2014¹⁹



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.

¹⁹ 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.

Before the fieldwork stage of the inspection, HMIC conducted a review of 21 Taser deployment forms provided by Gloucestershire Constabulary. 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 3 times, drive-stunned once, red-dotted 14 times, and drawn 3 times. See Annex D for an explanation of the types of Taser usage.

Overall officers used Taser to protect themselves or others from a range of weapons, including kitchen knives, a claw hammer, a fire extinguisher, and a metal bar.

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 21 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.

HMIC found that Taser-trained officers in Gloucestershire Constabulary had a good understanding of the relevant legislation and Authorised Professional Practice. Similarly they had no difficulties in explaining how they use the National Decision Model (NDM) when considering the use of Taser, and recognised the Code of Ethics was an integral element of that decision-making process.

The NDM, also formed part of the Taser-training package for officers. This training package complies with national standards and refresher training and is delivered annually. Lessons learned from national or local incidents are disseminated to Taser officers through the constabulary intranet or by other documents.

The management and deployment of Taser is subject to intense scrutiny, the constabulary requires its officers to complete the NDM element of the Taser deployment form, explaining its use on every occasion a Taser is deployed. This exceeds the national requirement for only the first page to be completed (which does not contain the NDM section) if the Taser was not fired or used in a 'stun' mode.

By adding further rigour to its recording process in this way, the constabulary is able to properly review the decision-making use of the officers in all deployments and establish if the individual's actions were appropriate ones. This improves the monitoring and review capability. These forms are reviewed by the constabulary Taser lead officer and are also subject to oversight by the regional chief firearms instructor. Another monitoring tool is the specific requirement for the recording and reporting of all Taser incidents to the daily management meeting where a senior officer reviews all Taser use.

Although we found evidence that the constabulary had previously published articles on Taser use in the local press and highlighted Taser issues to the public during constabulary open days, we were unable to find evidence of a communication strategy, concerning the use of Taser or information on the constabulary website.

Based on our assessment of the Taser forms and our fieldwork findings, HMIC is satisfied that Taser is being used fairly and appropriately by Gloucestershire Constabulary.

Summary of findings



Requires improvement

HMIC found there is inconsistency in regard to the level of knowledge and understanding of the Best Use of Stop and Search scheme, and a number of officers we spoke to had not heard of the scheme at all.

The constabulary does not comply with the Best Use of Stop and Search scheme, and we had concerns that a high proportion of the records we checked did not sufficiently demonstrate that reasonable grounds existed to undertake a lawful stop and search.

Taser officers in Gloucestershire Constabulary are suitably trained and we did not find any evidence of inappropriate use of Taser.

Areas for improvement

- The constabulary should ensure that stop and search records include sufficient reasonable grounds to justify the lawful use of the power, and that officers fully understand the grounds required to stop and search.
- The constabulary should ensure that adequate supervision takes place to ensure that stop and search records are accurate and contain the required information in respect of reasonable grounds.
- The constabulary should put in place an action plan setting out how it will comply with all the features of Best Use of Stop and Search scheme. HMIC will revisit the constabulary within six months to determine what improvements have been made.

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 Gloucestershire Constabulary's MSG: West Mercia, Warwickshire, North Yorkshire, Cambridgeshire, Wiltshire, Devon and Cornwall and Suffolk.
- 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 Definition²⁰

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.

²⁰ *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.