

PEEL: Police legitimacy 2015

An inspection of Gwent Police



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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 Gwent 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.

Gwent Police was making clear efforts to develop and maintain an ethical working environment across the force. The force had a good understanding of the communities it serves and uses a range of methods to engage with the people in its local neighbourhoods, seek their views and keep them informed.

Gwent Police complies with the Best Use of Stop and Search scheme, and use of Taser 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

HMIC found that Gwent's chief officer team was respected by staff and members were engaging well with the workforce, setting out their vision and values, to develop and maintain an ethical working environment. This has created a confident, engaged workforce that felt able to influence and improve its service to the public.

The force had undertaken awareness raising and training programmes to promote the Code of Ethics,² to integrate ethical considerations into day-to-day decision-making. Complaints and misconduct cases were dealt with in a fair and consistent manner and lessons learned were identified and disseminated to improve practice.

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

When HMIC looked at how well the force understands and engages with all the people it serves, we found that officers and staff use a range of methods to effectively engage with local communities, understand their needs and keep people informed. As a result, we are satisfied that Gwent Police has a good understanding of the needs of its communities and local people are being treated fairly and with respect.

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. Gwent Police is compliant with the Best Use of Stop and Search scheme; although more work is needed to ensure that stop and search records contain the required “reasonable grounds”.

The ways that Taser officers are selected and trained are measured and consistent, and HMIC considers Taser use is fair and appropriate. Taser-trained officers have a good understanding of the National Decision Model, but more work is needed to ensure its use is properly recorded on the Taser forms.

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



Good

HMIC found that the chief officer team in Gwent Police had made significant efforts to engage with the workforce and set out its vision and values. The practices and behaviour in the force reflected an ethical culture.

The force had carried out surveys to improve its understanding of its workforce, including their values and views on how the organisation can improve. This approach created a confident, engaged workforce that felt able to influence the service provided to the public.

Staff spoken to felt confident to challenge unethical behaviour, either directly or using a confidential reporting line.

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



Outstanding

HMIC found outstanding engagement by Gwent Police with its local communities. Most officers and staff understand how this builds trust and confidence.

The force uses a range of methods to understand the needs of its local communities, including tailoring some to meet specific community needs. Regular public meetings, community surgeries, surveys and social media, are used to seek the views of local people and keep them informed. Through this engagement the force is able to assess the impact of any community incidents or problems and respond effectively.

The force recognises the value that volunteers working within its communities can bring

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



Good

Gwent Police is compliant with the Best Use of Stop and Search scheme. Stops and searches undertaken are reviewed regularly, including the potential impact on communities, and outcomes are published locally. The force has introduced a ride-along scheme and Section 60 authorisations have reduced.

Most officers understand their powers in relation to stop and search and use the National Decision Model when considering these powers. More work is needed to ensure that stop and search records contain the required "reasonable grounds".

The ways of selecting and training Taser officers are measured and consistent, and HMIC considers Taser

The force was committed to improving the wellbeing of its staff and had an effective occupational health department which was engaged with the workforce.

The force had promoted the Code of Ethics, for officers and staff to consider ethical issues on their day-to-day decision-making. We found that some officers and staff did not sufficiently understand the code to apply it routinely in their daily work.

Officers and staff considered that complaints and misconduct cases were dealt with in a fair and consistent manner. Lessons learned were fed back to the workforce to improve knowledge, understanding and practice.

and there are a range of opportunities for the public to participate in local policing activities.

Call-handlers and staff working on the front desk at police stations were found to be consistently polite and helpful. Most officers and staff spoken to understand the importance of making logical, ethical decisions and how their behaviour affects the level of trust and confidence that the public has in them.

use is fair and appropriate.

Taser-trained officers have a good understanding of the National Decision Model, but more work is needed to ensure its use is properly recorded on the Taser forms.

Force in numbers



Ethnic diversity

Percentage of BAME in workforce 31 March 2015

overall workforce

2%

officers

2%

staff

1%

PCSOs

4%

Percentage of BAME in local population, 2011 Census

4%



Gender diversity

Percentage of females in overall workforce 31 March 2015

Gwent Police

43%

England and Wales force average

41%

Percentage of females by role, Gwent Police

officers

30%

staff

64%

PCSOs

52%

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

Gwent Police

801

Proportion of finalised allegations investigated 12 months to 31 March 2015

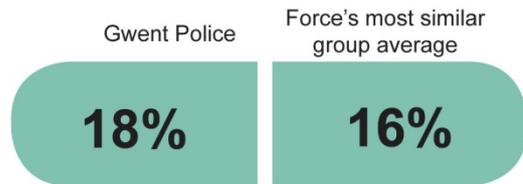
Gwent Police

49%

Force's most similar group average

40%

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

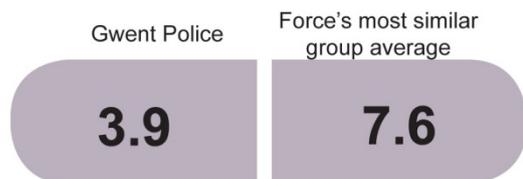


Stop and search

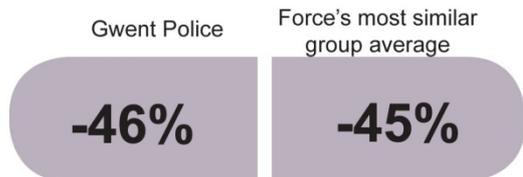
Number of stops and searches carried out 12 months to 31 March 2015



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

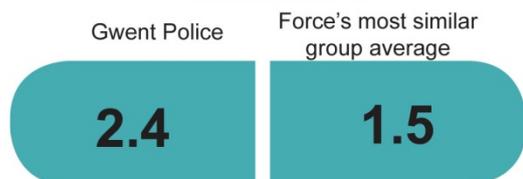


Tasers

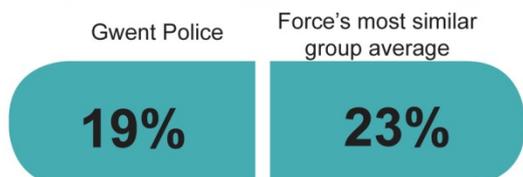
Number of times a Taser was used 12 months to 31 December 2014



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.

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 Gwent 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 justice³

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

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

Procedural justice

Research⁴ has shown that for the police to be considered legitimate in the eyes of the public, people need to believe that the police will treat them with respect, make fair decisions (and take the time to explain these decisions), and be friendly and approachable. It also indicates that the way officers behave is central to policing as it can encourage greater respect for the law and foster social responsibility.

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

³ *It's a fair cop? Police legitimacy, public cooperation, and crime reduction*, Andy Myhill and Paul Quinton, National Policing Improvement Agency, London, 2011. Available from: www.college.police.uk

⁴ *ibid*

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

Introduction

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

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

In spring 2015,⁵ HMIC made an assessment of police force culture. The inspection asked:

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

In addition, HMIC also considered the number of females and black, 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 Gwent Police

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

⁵ The inspection took place between March and June 2015.

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

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

FTE	Total	Of which	
		Female	BAME*
Total workforce	2,064	880 (43%)	33 (2%)
Total officers	1,229	368 (30%)	21 (2%)
Constables	946	312 (33%)	21 (2%)
Sergeants	195	41 (21%)	0 (0%)
Inspecting ranks	71	12 (17%)**	0 (0%)**
Superintendents and above	17	3 **	0 **
Staff	649	415 (64%)	5 (1%)
PCSOs	185	97 (52%)	8 (4%)

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

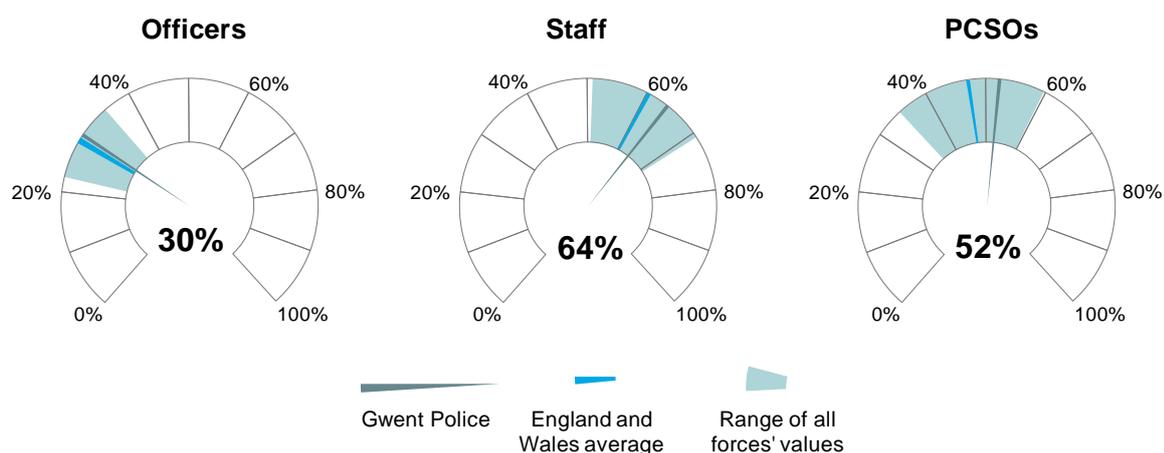
* Individuals are not required to record their ethnicity. As a result, BAME totals and percentages exclude officers/staff/PCSOs where the ethnicity is not stated.

** 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 Gwent Police compared with the averages of all forces in England and Wales. It shows they are broadly similar for officers yet higher for both staff and PCSOs.

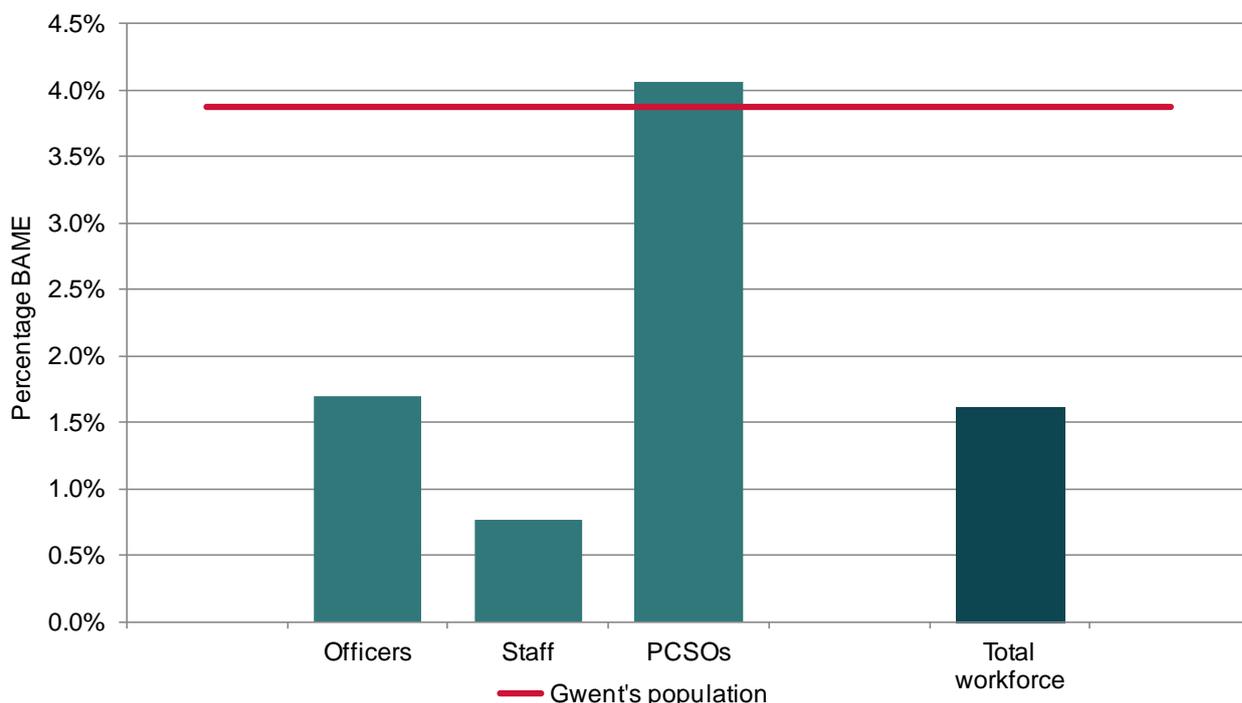
Figure 2: The percentage of female officers, staff and PCSOs in Gwent Police compared with the force average for England and Wales, 31 March 2015



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 Gwent, around 4 percent of the local population are BAME. The figure below shows these comparisons. There is a statistically significant under-representation of BAME people in Gwent Police's overall police workforce, as well as separately for officers and staff.

Figure 3: Percentage of BAME people within Gwent Police’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.⁷ HMIC also examined how the percentages of BAME officers and staff, and females within the workforce had changed over this period.

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

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

⁷Spending Review 2010, HM Government, October 2013. Available from: www.gov.uk/government/publications/spending-review-2010

Figure 4: Change in Gwent 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	-327	(-14%)	+3 ●	0
Officers	-208	(-14%)	+4 ●	0
Staff	-161	(-20%)	+4 ●	0
PCSOs	+42	(+30%)	+1	+2 *

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

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

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

Source: Home Office Police Workforce statistics

There was a statistically significant increase in the proportion of females in Gwent Police's overall workforce between 31 March 2010 and 31 March 2015. Specifically, there were statistically significant changes in the percentages of female officers and staff, which both increased by around 4 percentage points during the five years.

Overall, compared with other forces, as at 31 March 2015, the percentage of females within Gwent Police's workforce was broadly similar for officers yet higher for both staff and PCSOs. By ethnicity, there was an under-representation in BAME officers and staff and there was no statistically significant change in the proportion 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 strong evidence that the chief constable of Gwent Police and his chief officer team were well respected by staff and were viewed as strong, visible, approachable and supportive leaders. It was clear that significant efforts had been made by the chief officer team to develop an ethical culture within the force.

The chief officer team had made significant efforts to engage with the workforce through the use of intranet-based tools, face-to-face, and written methods. Intranet engagement tools included a highly regarded 'Chief's Blog', and an 'Ask the Chief' facility, where questions to the chief constable from officers and staff were quickly answered. The chief officer team also carried out face-to-face communication through initiatives such as: 'Time to Listen' which involved regular meetings with officers and staff; 'Team Gwent' which involved events for the top 150 force leaders; and regular station visits, which our inspection found were well received by staff. The force had also communicated to staff through the Gwent Guardian newsletter.

In order to gather suggestions from staff of all ranks and grades, the force introduced a 'Dragons' Den' process which enabled officers and staff to suggest creative and innovative ideas to the leadership of the force. To understand how valued and engaged staff feel, the force recently completed a staff survey, and was in the process of running another. We found clear evidence of the force responding to the feedback from the 2014 staff survey. For example, the deputy chief constable held four seminars to address a perceived mistrust of the professional standards department which was highlighted in the survey.

The professional standards department had worked to engage unions, staff associations and support groups to demonstrate that it was operating fairly and consistently and to make its work more transparent. It published outcomes of complaint and misconduct cases as part of regular email and newsletter circulations and intranet postings. The 'Chief's Blog' consistently carried messages relating to professional standards department activity and learning, and was well known and received by staff, providing clear guidance about what was expected of them to maintain and build an ethical culture.

We were told by a number of staff that they were not afraid to challenge unethical behaviour or wrongdoing, including challenging senior managers, and that they felt confident they would be supported by their managers if they did. Formal challenges were, in the main, made directly to colleagues or via line managers, however, staff were aware of the 'Safe Call' anonymous call centre facility and in serious cases said they would be happy to use it.

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 found that Gwent Police provided some effective services for the wellbeing of staff, and this was acknowledged and appreciated by staff.

The force had a wellbeing policy and an attendance management policy that provided clear procedures for supervisory interventions in respect of staff absences and return-to-work interviews, to optimise attendance. The force had two newly established force roles with oversight of attendance management issues: one in each of the two local policing areas. This helped to ensure the wellbeing and absence of operational officers and staff was being managed as effectively as possible.

The force had an effective occupational health department which was engaged with, and widely appreciated by, the workforce. It had recently achieved and retained a Corporate Health Standard Gold Award from 'Healthy Working Wales', a Welsh government programme.

The force had a new shift system which included a regular training day built-in for officers to facilitate continuous personal learning and development. The force was also in the process of providing all sergeants with a one-week development programme which focused on leadership and management training. This meant that the force had identified the value of ensuring its officers and staff had the necessary training and skills to do their job effectively.

HMIC was pleased to find that the force was developing a scheme to support officers and staff who suffer mental health issues. This work was very much in its infancy, but an inspector, who works with a qualified counsellor, had recently been appointed as the force lead for mental health. Research to identify the scale of mental health issues across the force had been completed and was due to be followed by a pilot programme for 70 officers to build their mental health resilience. The intention was to raise the awareness and understanding of staff of their responsibilities to themselves and others.

The force did not use a formal process to screen staff or officers who were in high-risk roles and could be exposed to traumatic material or incidents. However, it did have peer awareness training which contained information on warning and stress signs to help staff recognise when a colleague may need help. To complement the training, the force was in the process of setting up a support network for officers and staff who had mental health issues.

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.⁸ 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 make the code part of day-to-day practice.

Gwent Police had carried out a number of activities to introduce and embed the Code of Ethics across the force; over 300 managers had attended a seminar which explained the code through ethical dilemmas. The majority of officers and staff we spoke to were aware of the Code of Ethics, but not all officers had completed the internet-based NCALT (National Centre for Applied Learning Technologies) Code of Ethics training.

The inspection found that those more junior officers and staff did not have sufficient understanding of the code to apply it in their day-to-day working. While the code was set out on the force intranet, the police officers and staff we spoke to had a superficial understanding of it. The force had no process in place to monitor the level of understanding of the code, nor did it monitor the number of staff who had been trained.

The officers and staff we spoke to were aware of the force's own values, which we found were advertised in most, but not all, police stations we visited during our inspection. The National Decision Model, which has the code at its centre, was used by the force in a number of areas, including the crime recording and intelligence systems.

Although the professional standards department took leadership responsibility for the Code of Ethics for the force, there was little evidence that it used the code or the force's values when assessing complaints or misconduct allegations.

The force demonstrated that in order to ensure that force policies were compliant with the Code of Ethics, it was reviewing all current policies and all proposed new policies through the force's ethics committee. The ethics committee was made up of three independent advisory group members and four members of the public.

⁸ 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, 2014. Available from: www.college.police.uk

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.⁹

In the 12 months to 31 March 2015, Gwent Police finalised 801 allegations from public complaints that were made against its officers and staff. Of these, 49 percent had been investigated and 34 percent had been locally resolved. A greater proportion of allegations were investigated and a similar proportion were locally resolved in Gwent compared with the average of its most similar group of forces.¹⁰

In the 12 months to 31 March 2015, the average time Gwent Police took to complete a local resolution was 59 days, broadly in line with the average of its most similar group of forces (65 days). Over the same period, the average time a local investigation took to complete was 184 days, broadly in line with the average of its most similar group of forces (168 days).

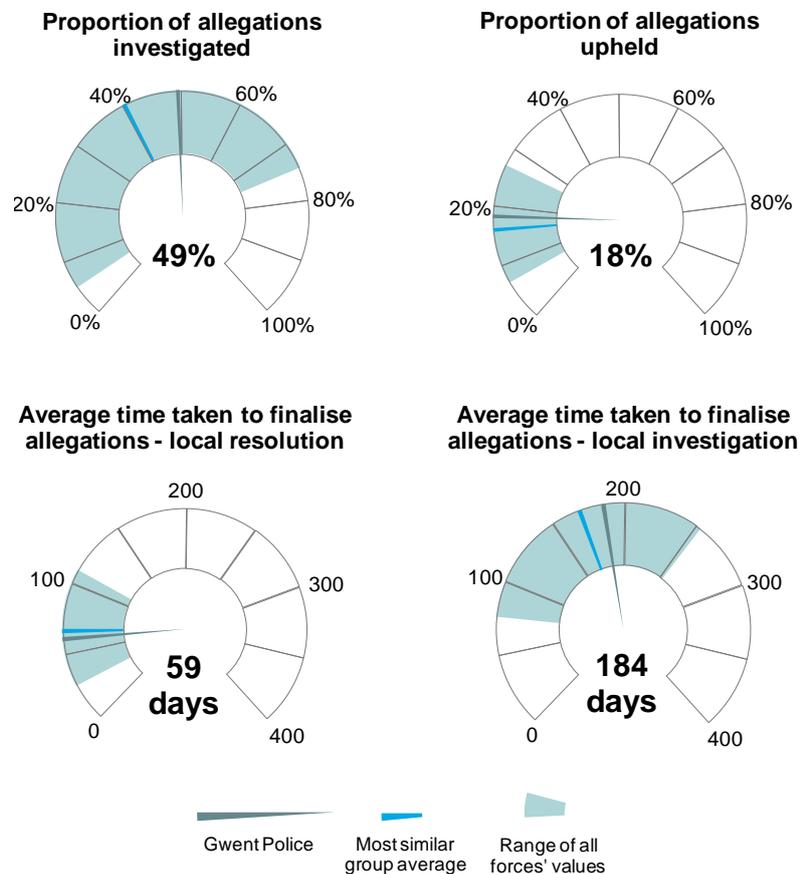
After local investigation, Gwent Police closed 393 allegations in the 12 months to 31 March 2015. Of these, 18 percent were upheld, where it was concluded that the service provided by the police officer or police staff or the service as a whole did not reach the standard a reasonable person could expect.

⁹ 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.

¹⁰ Most similar groups are groups of local areas that have been found to be most similar to each other using statistical methods, based on demographic, economic and social characteristics which relate to crime. See Annex B.

This was greater than the average of Gwent's most similar group of forces of 16 percent. The following figure shows how these values compare.

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



Source: Independent Police Complaints Commission

Overall, in the 12 months to 31 March 2015, Gwent Police finalised 49 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, Gwent 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 the HMIC Police Integrity and Corruption inspection,¹¹ 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,¹² 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 68 public complaints and internal misconduct allegations, to assess whether they had been considered fairly and consistently. The outcomes of the review were further examined during our fieldwork.

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

HMIC found that complaints and misconduct cases were dealt with in a fair and consistent manner. The force's professional standards department dealt with all complaints and misconduct cases for both police officers and police staff thereby ensuring a consistent approach. However, there were irregularities in the assessment of some cases, including the use of a police inspector to conduct the initial assessments of public complaint files. The legislation governing public complaints requires that the initial assessment of public complaints is carried out by an officer of chief inspector rank or police staff equivalent.

Officers and staff we spoke to considered that the complaints and misconduct process was fair and consistent. The force had taken time to demonstrate this to staff, and at a 'Team Gwent' event for the top 150 leaders, the audience had the chance to anonymously assess complaints themselves. Their decisions were found to almost mirror the actual decisions taken in the real-life cases.

The head of the professional standards department and her deputy regularly met with staff association, Police Federation and UNISON representatives to discuss complaint and misconduct outcomes. The outcomes of complaints investigations were also one of the subjects discussed by the force's ethics committee.

¹¹ 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.justiceinspectors.gov.uk/hmic

¹² 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'.

Some staff we spoke to were concerned about the timeliness of certain complaint and misconduct investigations. Details were provided of cases taking in excess of a year to conclude. We were also told that in some low-level cases, supervisors were reluctant to resolve issues there and then, preferring instead to formally record them as a complaint. The professional standards department was fully aware of this issue and was working to address these concerns.

Within the department's structure, two staff members worked directly with the local policing areas to ensure that low-level matters were resolved locally, and that supervisors were provided with training to support them to do this.

We were pleased to find that the force learned considerably from its complaint and misconduct investigations and used that learning to improve practice. Along with the Independent Police Complaints Commission's 'Learning the Lessons' bulletin, lessons learned were discussed and disseminated to staff by a 'Service That Works' board. The lessons were published on the force intranet, and the professional standards department monitored how well they were being incorporated in practice.

Summary of findings



Good

HMIC found that the chief officer team in Gwent Police had made significant efforts to engage with the workforce and set out its vision and values. The practices and behaviour in the force reflected an ethical culture.

The force had carried out surveys to improve its understanding of its workforce, including their values and views on how the organisation can improve. This approach created a confident, engaged workforce that felt able to influence the service provided to the public.

Staff spoken to felt confident to challenge unethical behaviour, either directly or using a confidential reporting line.

The force was committed to improving the wellbeing of its staff and had an effective occupational health department which was engaged with the workforce.

The force had promoted the Code of Ethics, for officers and staff to consider ethical issues on their day-to-day decision-making. We found that some officers and staff did not sufficiently understand the code to apply it routinely in their daily work.

Officers and staff considered that complaints and misconduct cases were dealt with in a fair and consistent manner. Lessons learned were fed back to the workforce to improve knowledge, understanding and practice.

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: Authorised Professional Practice on engagement and communication*,¹³ 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.

¹³ *College of Policing: Authorised Professional Practice on engagement and communication*. Available from: www.app.college.police.uk/app-content/

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

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

Gwent Police clearly understands the importance of increasing public confidence through effective engagement; 'Engaged Communities' is a key pillar of the force's strategic mission to 'Protect and Reassure'. The engagement strand of this strategy is led by the chief constable, who chairs the force's Public Confidence Board and reinforces the importance of effective public engagement to staff at briefing days and meetings. A new engagement strategy has recently been written, in conjunction with the office of the police and crime commissioner to ensure that engagement and public confidence activities across Gwent are fully co-ordinated. Most officers and staff that we spoke to recognise and understand the link between positively engaging with local communities and improving public confidence.

The force's corporate communications department has been restructured recently to locate more staff in operational policing areas, increasing the public engagement opportunities with local communities. In addition, these staff are now much more accessible to operational policing teams and are providing professional support to local engagement activities, helping officers and staff to build trust with local people.

Gwent Police acknowledges that more can be done to improve its knowledge of the make-up of its communities. The police and crime commissioner has recently commissioned Race Council Cymru to undertake a mapping and engagement exercise to better understand the needs of black, Asian and minority ethnic communities.

A neighbourhood database is available to all members of staff and can be accessed through the force intranet. This contains a range of information, providing a profile of each community and enables the local policing teams to understand and engage with their neighbourhoods to solve problems. A schedule of the regular community meetings that take place and details of the key individuals within the community are also available on this database. This helps the police understand and resolve community issues.

The information in the database also allows the force to assess and respond to any potential for changes in tension or concerns within a community. A number of community impact assessments were seen during the inspection, which were completed by local supervisors in consultation with local community groups. There are clear, well-understood processes in place, with neighbourhood inspectors providing the local direction and control and senior leaders maintaining effective oversight.

The force has an effective way to make sure that problems identified by local communities are recorded and plans are put in place to resolve them. These plans include details of actions undertaken, including those agreed with other partner agencies, as well as an assessment of outcomes and methods to inform the public what has been done. This structured approach helps to increase public confidence in the police.

Of the 402 survey responses from the area covered by Gwent Police, 49 percent agree that the police understand the crime and anti-social behaviour issues within their force area and 19 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.

We are satisfied that the force is creating and maintaining relationships with its communities and understands the relationship between positive engagement and public confidence.

How well does the force engage with the all 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 their communities.

Gwent Police uses a range of methods to seek the views of local communities and keep them informed. Neighbourhood officers attend regular local meetings within communities, to discuss problems, identify potential solutions and provide feedback on action undertaken to address previous problems. Open days, school visits and surgery-style meetings in supermarkets and other community locations are also arranged on a regular basis to seek the views of local people. The force also has established methods to reach specific communities including disability, youth, lesbian, gay and transsexual, and black, Asian and minority ethnic (BAME) groups. In addition, engagement with Eastern European and traveller groups was also positive. This allows the force to more fully understand and try to solve the problems of its local communities.

The force makes effective use of social media sites and encourages its neighbourhood officers and PCSOs to use Twitter to engage with the public. Individual officers and PCSOs are trained in use of social media and are supported by local communications officers. The force uses software to monitor and understand

the audience they are reaching through social media and the level of interest in particular issues. In addition, around 800 suspects have been identified from stills from video footage through social media. Gwent Police also uses the force internet site to engage with the public; it is accessible and provides the public with a wide variety of local, and force-level, information. This use of social media and technology increases the opportunities to engage with a wider range of people than community meetings.

Gwent Police conducts regular surveys to seek the views of local people and the issues affecting them in their neighbourhood, with over 12,000 responses recorded during the last survey. There are clear processes in place for: gathering and understanding the survey information; determining community priorities; recording activity; and informing the public of the results. The force uses a number of methods to inform the public of what has been done to address community concerns. These include updates on the internet, social media, the online watch link (OWL) system (an internet-based neighbourhood watch messaging system with around 60,000 members), community meetings and leaflet drops.

The value of volunteers is recognised within Gwent Police and it has established procedures in place to encourage and use members of the public in its policing activities. Recruitment drives are primarily through the force website as well as using social media and open days and events to advertise special constable, police cadet and other volunteer roles. The force is increasing the number and use of special constables and cadets across the force area, with an ambition to increase these further in the future. In addition to special constables and cadets, the force uses volunteers to provide speed monitoring in priority areas, as station reception officers and to support vulnerable people. Gwent Police's use of volunteers increases the capacity of the organisation as well as providing opportunities for community engagement.

From the survey, 29 percent of the respondents from the area covered by Gwent Police speak highly of the police in their local area while 21 percent speak critically. The remainder have mixed views or do not know. Although not directly comparable because of the small force sample size, of the responses from across all forces in England and Wales, 32 percent speak highly and 16 percent speak critically.

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.

HMIC is satisfied that Gwent Police is engaging well with the people it serves.

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

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

This inspection looked at whether all members of the public (including those with protected characteristics) were treated (and perceived that they were treated) fairly and with respect by the police. We also assessed the extent to which officers understood the National Decision Model,¹⁴ 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 including 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 Gwent Police, from the 40 calls assessed, HMIC was satisfied that the call-handlers were polite, respectful and effective. The call-handlers took the concerns of the caller seriously; however, they did not always routinely offer the caller an incident number during either 999 or 101 calls. This means that, without an incident number, it would not be as easy to identify the needs of the caller during any subsequent call.

During our fieldwork we also observed front counter staff in their interaction with visitors at police stations and in all cases a quality service was provided. They were consistently polite, respectful and dealt with the issues in a sensitive and effective manner. During July and October 2014 front counter users were asked to respond to a survey either online, through a face-to-face interview or on a hard copy questionnaire. Of the 275 responses received, 88 percent of respondents rated the level of satisfaction for the service they had received as at least eight out of ten.

¹⁴ *College of Policing: Authorised Professional Practice on National Decision Model*. Available from: www.app.college.police.uk/app-content/

There is a clear commitment from senior managers within Gwent Police to ensure that the National Decision Model (NDM) is fully understood and used routinely across the organisation. Officers and staff spoken to are aware of and can explain the model, including how the Code of Ethics is central to that decision-making process. We were given examples of use of the National Decision Model, including in situations with the potential for conflict, as well as observing the use of the NDM by call handlers in the force communications suite. In addition, the NDM has been understood and applied to a number of ways of working, such as within the action log of a crime investigation record.

The force has promoted understanding of the National Decision Model through a number of training courses, including the personal safety training sessions. Specific role-related training has been given to call-handlers. Information and guidance is available on the force intranet, on posters around police premises and on laminated cards supplied to all officers and staff. It is clear that officers and staff have a good understanding of, and regularly use, the NDM.

HMIC found that most officers and staff within Gwent Police have the knowledge and skills to treat members of the public fairly and with respect. Although no specific training is delivered in relation to treating people fairly, expectations of behaviour and standards are clearly identified in a number of training and awareness programmes run by the force.

The force conducts crime victim satisfaction surveys according to national standards. These surveys are analysed to identify areas where the force could act to improve public satisfaction. The force has some additional systems in place to check how members of the public are being treated. These include the regular review of phone calls received by the force, 'mystery shopper' schemes to the force, as well as a programme in place for senior officers to contact victims of crime to assess how they have been treated. In addition, the force internet includes an online feedback facility to rate the service a member of the public has received. Feedback from these checks, and from other areas such as complaints by members of the public, is used to give support and guidance to officers and staff to ensure they treat people fairly and with respect. This is important as treating people fairly and with respect helps to build public confidence and legitimacy.

From the survey, 54 percent of respondents from the area covered by Gwent Police agree that the police in their local area treat people fairly and with respect versus 10 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.

HMIC is satisfied that most officers in Gwent Police treat the public fairly and with respect.

Summary of findings



Outstanding

HMIC found outstanding engagement by Gwent Police with its local communities. Most officers and staff understand how this builds trust and confidence.

The force uses a range of methods to understand the needs of its local communities, including tailoring some to meet specific community needs. Regular public meetings, community surgeries, surveys and social media, are used to seek the views of local people and keep them informed. Through this engagement the force is able to assess the impact of any community incidents or problems and respond effectively.

The force recognises the value that volunteers working within its communities can bring and there are a range of opportunities for the public to participate in local policing activities.

Call-handlers and staff working on the front desk at police stations were found to be consistently polite and helpful. Most officers and staff spoken to understand the importance of making logical, ethical decisions and how their behaviour affects the level of trust and confidence that the public has in them.

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.¹⁵

In autumn 2015, HMIC assessed the use of Taser and stop and search powers (specifically, compliance with the Best Use of Stop and Search scheme¹⁶ 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 is 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.

¹⁵ *College of Policing: Authorised Professional Practice on armed policing – legal framework and Taser*. Available from: www.app.college.police.uk/app-content/

¹⁶ *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,¹⁷ HMIC concluded that few forces could demonstrate that use of stop and search powers was based on an understanding of what works best to cut crime and rarely was it targeted at priority crimes in their areas. Forces had reduced the amount of data collected to reduce bureaucracy, but this had diminished their capability to understand the impact of the use of stop and search powers on crime levels and community confidence.

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

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

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

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

Use of stop and search in Gwent Police – Stop and search by volume

In the 12 months to 31 March 2015, Gwent Police carried out 2,268 stops and searches. The table below shows this number per 1,000 population for Gwent Police and the average of its most similar group of forces, as well as the change from the 12 months to 31 March 2014. The figures indicate that the force's use of stop and search powers is currently less than the average of its most similar group of forces.

¹⁷ *Stop and Search Powers – are the police using them effectively and fairly?*, HMIC, July 2013. Is available from: www.justiceinspectrates.gov.uk/hmic/media/stop-and-search-powers-20130709.pdf

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

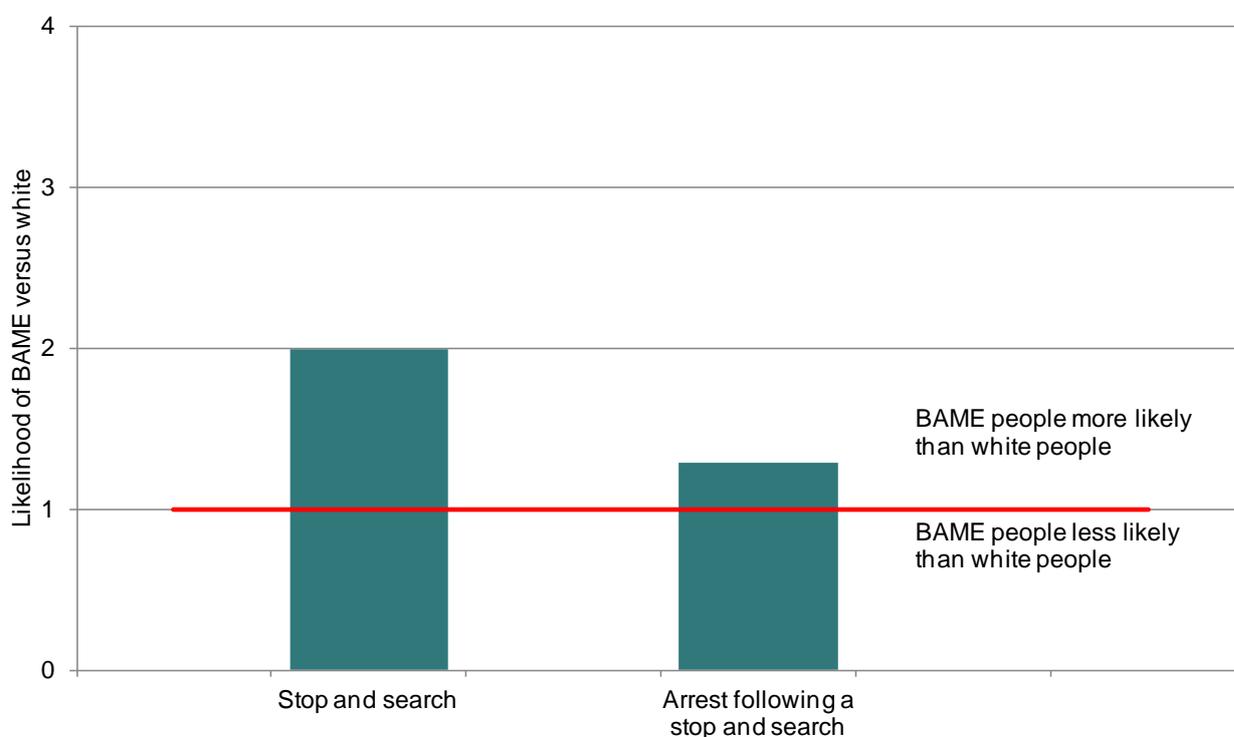
	Stops and searches per 1,000	Change from previous year
Gwent	3.9	-46%
Gwent's MSG average	7.6	-45%

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 Gwent 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 Gwent 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 Gwent 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 Gwent Police, the 2013 inspection showed that that 41 of 200 records reviewed (21 percent) did not have sufficient reasonable grounds recorded.

For this inspection we reviewed 100 stop and search records provided by the force. As in the 2013 inspection, we reviewed the records to determine if reasonable grounds were recorded. We found that 96 of the records we reviewed had been endorsed by a supervisor; 15 of the 100 records (15 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 forms we reviewed may not be representative of all stop and search records completed by the force, the result indicates that still too many records do not have reasonable grounds recorded.

Compliance with the Best Use of Stop and Search scheme

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

Most officers spoken to during our inspection understood their powers in relation to stop and search. Training in relation to the use of the National Decision Model (NDM) to assist stop and search decision-making has been provided. All officers are required to complete a computer-based package on stop and search, as well as guidance being made available on the force intranet, posters and a personal-issue laminated card. Most officers we spoke to understood the NDM and used it when using their stop and search powers.

Gwent Police adopted the Best Use of Stop and Search scheme (BUSS) in November 2014. Training on the scheme has been delivered to operational officers and further training is planned to coincide with the issue of improved mobile data devices to officers. Although some officers were not aware of or fully understood the scheme, most officers spoken to understood the importance of an intelligence-led approach to stop and search.

We are satisfied that Gwent Police has implemented all of the elements of the Best Use of Stop and Search scheme. However, further work needs to be done to ensure the principles are fully integrated and understood by all officers.

Feature of the 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. Gwent Police records the full range of outcomes for stop and search, including if an item is found and whether the item was the original purpose for the search. There is a dedicated page for force performance which includes a link to performance data on the use of stop and search powers.
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. All complaints in relation to stop and search are monitored at a monthly stop and search board; this is done in addition to the investigation of the complaint.

	The board, which includes an independent advisory group member, reviews each complaint to consider any engagement or other action required to address possible concerns or community tensions.
Reducing the number of people stopped and searched without suspicion under Section 60 ¹⁸ 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. The force monitors a range of data at the monthly stop and search board, including the proportionality of the use of the stop and search power, to identify trends and emerging issues. The office of the police and crime commissioner also scrutinises stop and search information. Presentations and engagement workshops on stop and search are held with young people and people from BAME communities.

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

Background

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

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

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

¹⁸ '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

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.¹⁹

Use of Taser in Gwent Police

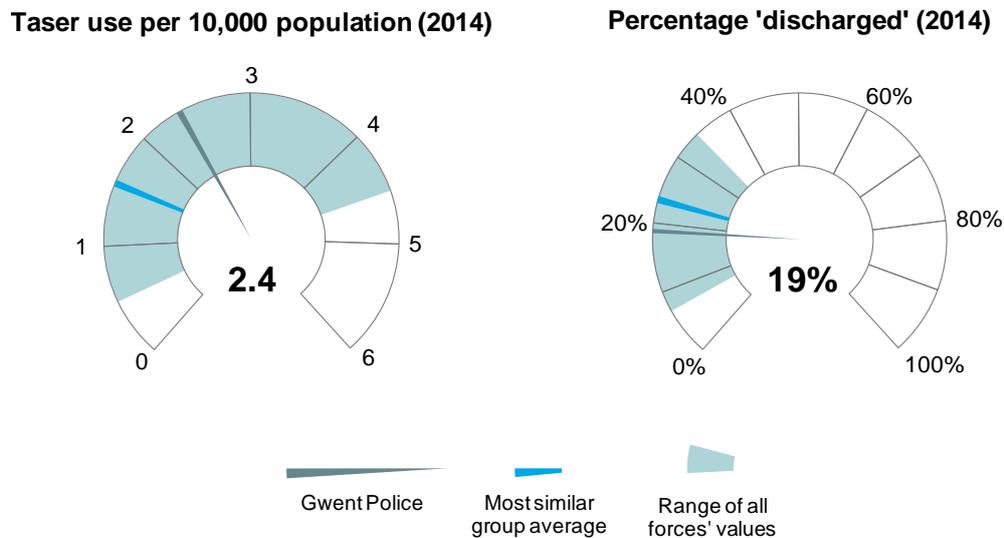
Every time a Taser is used in some capacity (this includes a full range of use from being drawn to being 'discharged') a police officer makes a record of its 'highest use' on a Taser deployment form.

Between 1 January and 31 December 2014, Taser was used in some capacity 138 times by Gwent Police, representing 2.4 times for every 10,000 people in the force's area. This was greater than the average for Gwent Police's most similar group of forces, which was 1.5 times per 10,000 population.

During the same time period, Taser was 'discharged' on 26 occasions (out of the 138 times it was used in some capacity). This equated to 19 percent of overall use, less than the force's most similar group average of 23 percent. The following figure shows the comparisons.

¹⁹ *College of Policing: Authorised Professional Practice on armed policing – legal framework and Taser*. Available from: www.app.college.police.uk/app-content/

Figure 8: Use of Taser per 10,000 population and the proportion 'discharged' by Gwent Police, 12 months to 31 December 2014²⁰



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.

Before the fieldwork stage of the inspection, HMIC conducted a review of 20 Taser deployment forms provided by Gwent 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 twice, red-dotted 12 times, aimed 3 times, and drawn 3 times.

Overall officers used Taser to protect themselves or others from a range of weapons, including several knives, a screwdriver, and a metal bar. On both of the occasions that Taser was fired, we found evidence that consideration of other tactics had been recorded.

²⁰ City of London Police data was removed from figure 8 because of the very low number of times Taser was used by the City of London Police in 2014.

The '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 cases reviewed.

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

Initial training in the use of Taser in Gwent Police complies with College of Policing guidance and includes detailed instruction on NDM. This is reinforced at annual refresher/re-classification training, which is a pass or fail course with assessment based on real-life scenarios. Authority to carry Taser has been withdrawn from a number of officers who have failed to reach the required standards. The Taser-trained officers we spoke to during our inspection displayed a good understanding of the NDM, and the ethical considerations within it. This is important in helping good decision-making in the use of Taser, to protect the public and build confidence in the police.

Deployments of Taser within Gwent Police are authorised and monitored by a tactical firearms commander, although trained officers can 'self authorise' where circumstances and risk requires immediate use. The use of Taser is reviewed by an experienced trainer. The appropriateness of deployment and use is also monitored through a quarterly incident management board, which considers a range of information, including occasions used by individual officers, complaints and occupational health records as well as looking for emerging issues or trends. HMIC is satisfied that the force has an effective way of managing and reviewing the use of Taser, although independent scrutiny of Taser would enhance this process.

The availability of Taser-trained officers and equipment was recently reviewed and the current distribution is based on an assessment of the level of risk, demand and travelling times. The Taser officers within Gwent Police are supported by the Taser and firearms-trained officers in the Joint Firearms Unit, a resource shared with Dyfed Powys and South Wales police forces. The force has an agreed standard operating procedure for the use of Taser. This has been reviewed by the regional chief firearms instructor and has now been adopted as good practice by South Wales Police and Dyfed Powys Police. This demonstrates a proportionate approach to the use of this tactic and an efficient use of resources.

The force recently carried out a local public attitude survey in relation to use of force; including the carriage and use of Taser. Special interest groups, including mental health representatives, were specifically approached as part of this survey. The results of the survey showed a high level of knowledge of the force having access to

Taser and a very high level of support for its availability and use, which helps to build public confidence and trust.

The only published information that the force provides to the public is in response to the annual national publication of Taser use statistics. HMIC suggests that the force should be more transparent about how it uses Taser, both for individual high-profile cases, and for use overall. This could enhance public confidence in the use of this tactic.

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

Summary of findings



Good

Gwent Police is compliant with the Best Use of Stop and Search scheme. Stops and searches undertaken are reviewed regularly, including the potential impact on communities, and outcomes are published locally. The force has introduced a ride-along scheme and Section 60 authorisations have reduced.

Most officers understand their powers in relation to stop and search and use the National Decision Model when considering these powers. More work is needed to ensure that stop and search records contain the required “reasonable grounds”.

The ways of selecting and training Taser officers are measured and consistent, and HMIC considers Taser use is fair and appropriate.

Taser-trained officers have a good understanding of the National Decision Model, but more work is needed to ensure its use is properly recorded on the Taser forms.

Areas for improvement

- The force 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.

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

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

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

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

Ipsos MORI survey

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

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

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

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

Annex C – The Best Use of Stop and Search scheme

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

Recording and publishing outcomes

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

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

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

Providing opportunities for the public to observe stop and search encounters

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

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

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

Implementing a community trigger for complaints

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

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

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

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

Monitoring the use of stop and search powers

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

Annex D – Types of use of Taser

Type of use Definition²¹

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.

²¹ *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.