

# PEEL: Police legitimacy 2015

An inspection of Humberside Police



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

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



**Good**

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

The Humberside Police chief officer team had clearly communicated its vision and values to the workforce and was actively developing an ethical culture throughout the force. Most officers and staff that we spoke to understood the relationship between doing a good job, effective engagement and confidence in the police. The force has in place an effective way to monitor issues that arise locally and to identify emerging force-wide trends.

Humberside Police is not compliant with the Best Use of Stop and Search scheme. Also, it has more to do to ensure there is sufficient oversight of Taser use.

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

## Summary

The Humberside Police chief officer team had clearly communicated its vision and values to the workforce and was actively developing an ethical culture throughout the force.

The Code of Ethics<sup>2</sup> was integral to the way in which the force communicated its change programme to staff, and was included as a topic within the performance development reviews for all police officers and staff. Staff we spoke to, including staff association representatives, agreed that complaint and misconduct investigations were fair.

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

<sup>2</sup> *Code of Ethics – A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales*, College of Policing, London, July 2014. Available from: [www.college.police.uk/What-we-do/Ethics/Documents/Code\\_of\\_Ethics.pdf](http://www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf)

When HMIC looked at how well the force understands and successfully engages with all the people it serves, we found most officers and staff that we spoke to understand the relationship between doing a good job, effective engagement and confidence in the police. The force has in place an effective way to monitor issues that arise locally and to identify emerging force-wide trends. Surveys are also commissioned by the police and crime commissioner to help understand public concerns.

However, we are concerned by the number of staff who told us they were too busy to engage with the public or deal with local concerns. This is something the force should closely monitor to ensure that its good work is not undermined.

Stop and search and Taser are two ways that the police can prevent crime and protect the public. However, they can be intrusive and forceful methods, and it is therefore vital the police use them fairly and appropriately. HMIC found that Humberside Police is not compliant with the Best Use of Stop and Search scheme.

While the force has carried out a review of the number of Taser-trained officers and how they should be dispersed across the force area, HMIC remains concerned that more needs to be done to ensure sufficient supervision and oversight on the use of Taser. The force should also put in place sufficient oversight arrangements to better understand why Humberside has such a high use of Taser, to reassure itself that Taser is being used fairly and appropriately.

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



**Good**

The Humberside Police chief officer team had clearly communicated its vision and values to the workforce and had developed the force's overall aims and ambition – 'to deliver safer communities through high quality policing services' and a 'one team ethos', in consultation with staff.

The force was actively developing an ethical culture throughout the organisation. We found it had changed the way it measured performance in the force to enable a greater focus on the quality of the services delivered and victim care. It had introduced a new process to review the performance and development of officers and staff which included ethics and wellbeing

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



**Good**

Most officers and staff that we spoke to in Humberside Police understand the relationship between doing a good job, effective engagement and confidence in the police.

The force does have in place an effective way to monitor issues that arise locally and to identify emerging force-wide trends. The police and crime commissioner also commissions surveys to help understand public concerns. These focus on victims of crime and anti-social behaviour, but also look at other issues, with the next survey asking questions about the police use of Taser and stop and search powers.

Social media is used effectively to help understand public

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



**Requires improvement**

Humberside Police is not compliant with the Best Use of Stop and Search scheme. It has introduced lay observation and a 'community trigger' – to explain to local communities how the powers are being used where there is a large volume of complaints - and Section 60 authorisations have reduced, but the force does not accurately record and publish stop and search outcomes.

Most officers have a good understanding of their powers, although not all officers use the National Decision Model when using these powers and understanding of the Best Use of Stop and Search scheme is not consistent.

Taser-equipped officers have a good

issues.

The force had taken action to understand the wellbeing of its staff. It conducted a full staff survey in 2013, and maintained its understanding through three snapshot surveys carried out by the office of police and crime commissioner.

The Code of Ethics was integral to the way in which the force communicated its change programme to staff, and was included as a topic within the performance development reviews for all police officers and staff. Role profiles for the force and police staff contracts also contained specific reference to the Code of Ethics.

Staff we spoke to, including staff association representatives, agreed that complaint and misconduct investigations were fair.

concerns. The force also receives guidance from an independent advisory group, which supports understanding of local people, particularly of minority groups and vulnerable people.

The force effectively encourages the public to participate in policing activities. This is done through direct approaches by officers, local publicity and use of social media. There is also an annual 'Blue Light' event, run jointly with the local ambulance and fire and rescue services, which 27,000 people attended this year.

However, we are concerned by the number of staff who told us they were too busy to engage with the public or deal with local concerns. This is something the force should closely monitor to ensure that its good work is not undermined.

understanding of the National Decision Model though it is not always reflected in Taser recording forms. The force has a clear rationale for the number of officers and how they are distributed across the force.

Operationally officers are mostly using Taser appropriately, and the process for selecting Taser officers is effective.

However, while the force has carried out a review of the number of Taser-trained officers and how they should be dispersed across the force area, HMIC remains concerned that more needs to be done to ensure sufficient supervision and oversight on the use of Taser.

The force should also put in place sufficient oversight arrangements to better understand why Humberside has such a high use of Taser, to reassure itself that Taser is being used fairly and appropriately.

## Force in numbers



### Ethnic diversity

Percentage of BAME in workforce 31 March 2015

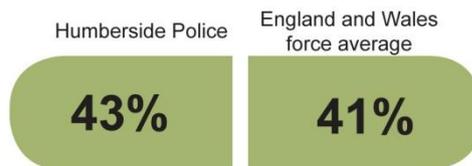


Percentage of BAME in local population, 2011 Census



### Gender diversity

Percentage of females in overall workforce 31 March 2015



Percentage of females by role, Humberside Police



Percentage of females by role, England and Wales force average

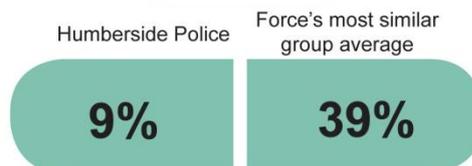


### Public complaints

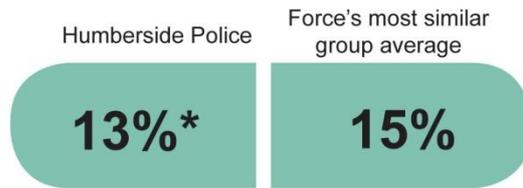
Number of allegations made by the public that have been finalised 12 months to 31 March 2015



Proportion of finalised allegations investigated 12 months to 31 March 2015



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

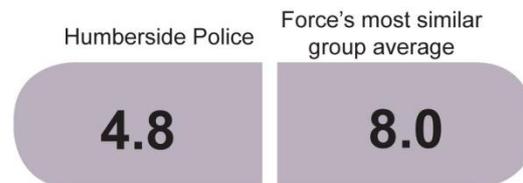


## Stop and search

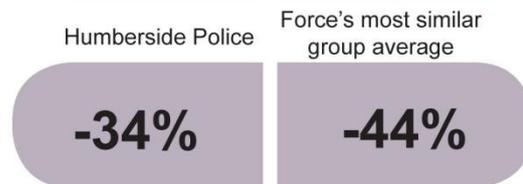
Number of stops and searches carried out 12 months to 31 March 2015



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

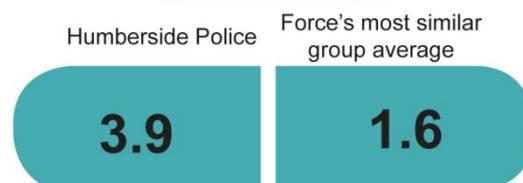


## Tasers

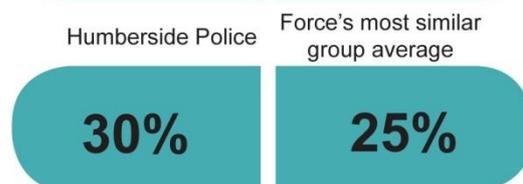
Number of times a Taser was used 12 months to 31 December 2014



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 Humberside Police

## Methodology

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

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

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

### **Organisational justice<sup>3</sup>**

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

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

### **Procedural justice**

Research<sup>4</sup> has shown that for the police to be considered legitimate in the eyes of the public, people need to believe that the police will treat them with respect, make fair decisions (and take the time to explain these decisions), and be friendly and approachable. It also indicates that the way officers behave is central to policing as it can encourage greater respect for the law and foster social responsibility.

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

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<sup>3</sup> *It's a fair cop? Police legitimacy, public cooperation, and crime reduction*, Andy Myhill and Paul Quinton, National Policing Improvement Agency, London, 2011. Available from: [www.college.police.uk](http://www.college.police.uk)

<sup>4</sup> *ibid*

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

## Introduction

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

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

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

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

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

### **Gender and black, Asian and minority ethnic (BAME) breakdown in Humberside Police**

A breakdown of the full-time equivalent (FTE) workforce<sup>6</sup> in Humberside Police as at 31 March 2015 is shown below.

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<sup>5</sup> The inspection took place between March and June 2015.

<sup>6</sup> Workforce comprises officers, staff and police community support officers (PCSOs).

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

FTE	Total	Of which	
		Female	BAME*
<b>Total workforce</b>	<b>3,178</b>	<b>1,382 (43%)</b>	<b>35 (1%)</b>
<b>Total officers</b>	<b>1,614</b>	<b>478 (30%)</b>	<b>17 (1%)</b>
Constables	1,202	408 (34%)	9 (1%)
Sergeants	261	45 (17%)	5 (2%)
Inspecting ranks	124	22 (17%)	3 (2%)
Superintendents and above	27	4 **	0 **
<b>Staff</b>	<b>1,290</b>	<b>769 (60%)</b>	<b>13 (1%)</b>
<b>PCSOs</b>	<b>273</b>	<b>135 (49%)</b>	<b>5 (2%)</b>

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

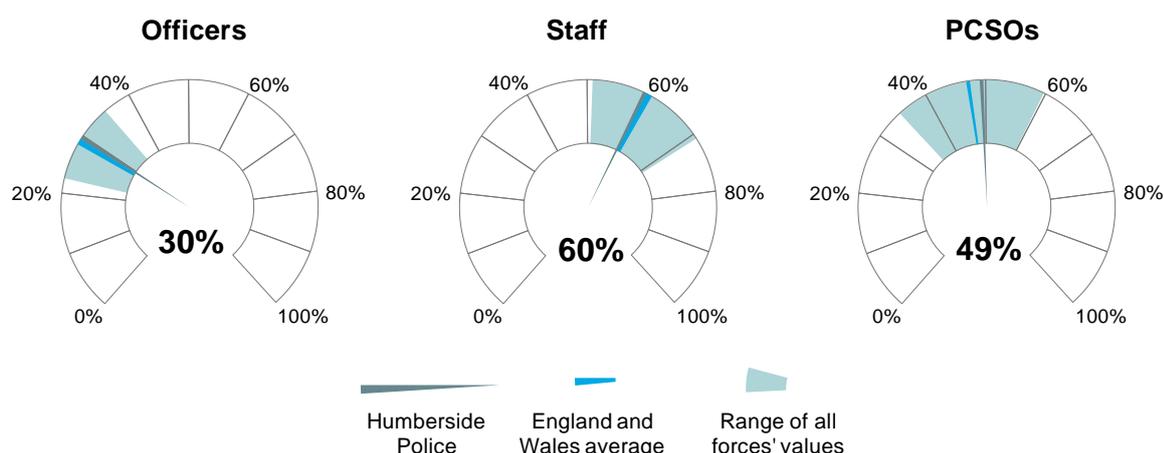
\* Individuals are not required to record their ethnicity. As a result, BAME totals and percentages exclude officers/staff/PCSOs where the ethnicity is not stated.

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

**Source: Home Office Police Workforce statistics**

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

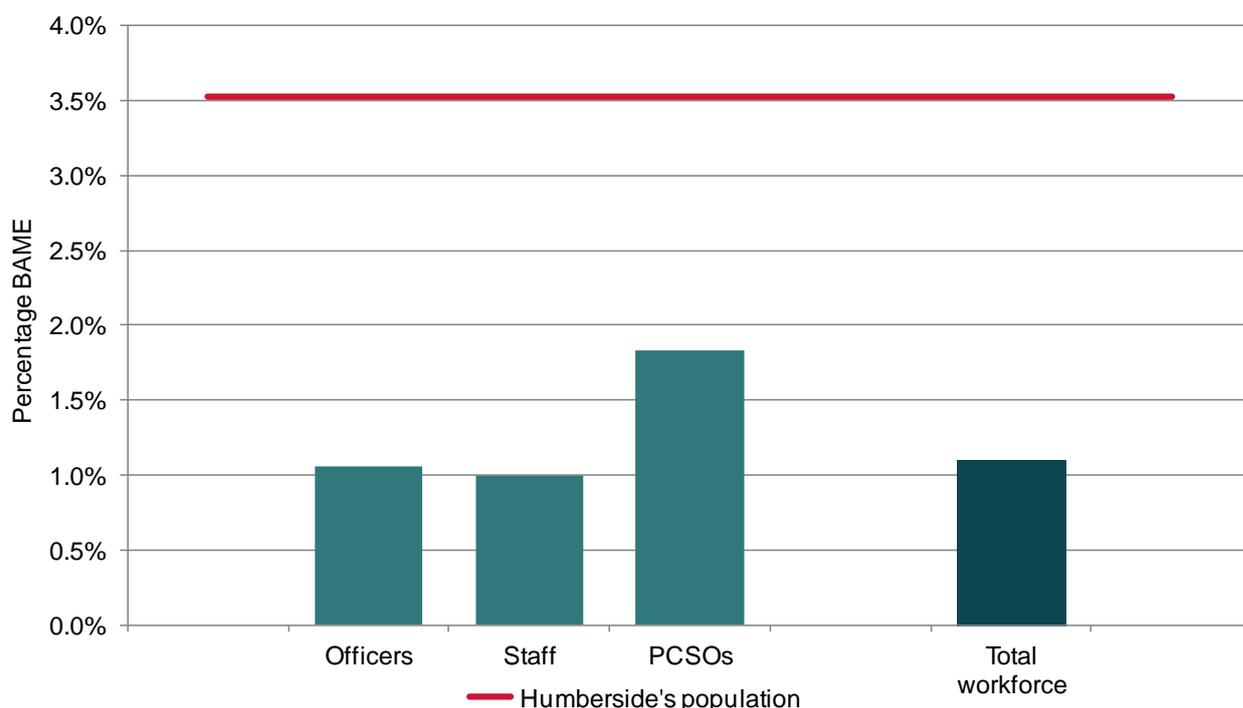
**Figure 2: The percentage of female officers, staff and PCSOs in Humberside Police compared with the force average for England and Wales, 31 March 2015**



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

**Figure 3: Percentage of BAME people within Humberside 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.<sup>7</sup> HMIC also examined how the percentages of BAME officers and staff, and females within the workforce had changed over this period.

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

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

<sup>7</sup> Spending Review 2010, HM Government, October 2013. Available from: [www.gov.uk/government/publications/spending-review-2010](http://www.gov.uk/government/publications/spending-review-2010)

**Figure 4: Change in Humberside 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
<b>Total workforce</b>	<b>-845</b>	<b>(-21%)</b>	<b>+2 ●</b>	<b>0</b>
Officers	-444	(-22%)	+3 ●	0
Staff	-357	(-22%)	+2	0
PCSOs	-44	(-14%)	-3	0

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

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

**Source: Home Office Police Workforce statistics**

There was a statistically significant increase in the proportion of females in Humberside Police's overall workforce between 31 March 2010 and 31 March 2015. Specifically, there was a statistically significant change in the percentage of female officers – around a 3 percentage point increase.

Overall, compared with other forces, as at 31 March 2015, the percentage of females within Humberside Police's workforce was broadly similar for all of officers, staff and PCSOs. 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 Humberside chief officer team had clearly communicated its vision and values to the workforce and had developed the force’s aim and ambition – ‘to deliver safer communities through high quality policing services and a ‘one team ethos’, in consultation with staff.

The force was actively developing an ethical culture. We found it had changed the force performance process to enable a greater focus on the quality of service delivery and victim care and introduced a new performance development review

process which included ethics and wellbeing issues. There were also examples of learning from misconduct cases and promoting positive behaviours through campaigns.

The force had a very good understanding of whether staff felt valued and engaged through its programme to improve culture and leadership. It had used the results of surveys, feedback from its network of change champions, and focus groups with a cross-section of staff to inform this programme

Some of the messages received highlighted concerns about low morale, a perceived divide between the 'one team' ethos and leadership behaviours, and the extent to which the views of staff were heard and acted on by the force.

These issues were examined at an independently facilitated force leadership team conference in March 2015, and a number of staff we spoke to felt that visibility and engagement from the wider command team had increased.

The leadership team reported that they encouraged challenge by staff, but this was not fully reflected in staff views. Staff told us they would challenge first and second-line managers, but many said they were unwilling to raise issues with more senior leaders, and provided examples of not being listened to when they had done so.

However, we were pleased to find staff consistently said they were willing to challenge any misconduct and felt supported if they did so. We also found evidence that staff used the confidential reporting line to report wrongdoing.

The force was consulting on positive actions intended to improve recruitment from under-represented groups including mentoring members of black, Asian and ethnic minority (BAME) communities, involving members of under-represented groups to develop selection processes, and developing links with universities to encourage the recruitment of students from under-represented groups.

The force had taken steps to ensure promotion and selection processes were fair and transparent. Preparation workshops were held so that candidates understood the process and received consistent information. Staff associations were invited to oversee ways of working and the careers service carried out reviews, including discussion with candidates to identify improvements and ensure fairness.

In the main, staff had confidence in the formal processes, but some reported concerns about the fairness and transparency of how acting and temporary positions were handled. The force may need to confirm that these selection procedures are transparent and more widely understood by staff.

We were satisfied that, overall, the force developed and sustained an ethical culture.

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

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

HMIC found that Humberside Police promoted the importance of the welfare of the workforce and helped managers understand their responsibilities. Wellbeing formed part of the force's leadership programme, and was a core element of the force 'supporting our people' high-level plan.

The force had taken action to understand the wellbeing of staff. It conducted a full staff survey in 2013, and maintained its understanding through three snapshot surveys carried out by the office of police and crime commissioner. The force recognised that wellbeing was an area that required improvement and had recently developed a high-level wellbeing plan, known as 'Well Together'. This was based upon academic research and national best practice.

The wellbeing plan addressed the working environment (culture change, flexible working, work-life balance), and awareness (resilience and coping skills) among staff. The force had introduced a wellbeing board to oversee implementation of this plan

The force offered: an occupational health service; trauma support; telephone counselling; mobile health testing; an employee assistance programme; and an 'i-resilience' toolkit to combat stress. The services were available through the force intranet, and the human resources department promoted the services through roadshows and presentations to supervisors.

Staff recognised that the force's new policing model provided greater consistency, but some felt it was implemented at the expense of the wellbeing of colleagues who were required to change shifts at short notice or work extended hours to cover for shortages. Although the force was monitoring the welfare of staff as part of its change management programme, staff reported only limited positive effects of this monitoring.

Staff also raised concerns about substantial backlogs in requests for annual leave. We noted that the force had addressed this, providing extra staff to clear the backlog and introduced a process to ensure consistency.

While it was clear to us that the force were making efforts to improve wellbeing, it was also clear that these changes were not being felt by all officers and staff. The force may wish to reassure itself that its new policing model does not have unintended consequences for staff wellbeing.

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

In April 2014, the College of Policing launched the Code of Ethics.<sup>8</sup> This sets out nine policing principles that should be applied by all officers and staff: Accountability; Integrity; Openness; Fairness; Leadership; Respect; Honesty; Objectivity; and Selflessness. These principles should be used to underpin the decisions and actions taken by officers and staff.

This inspection considered the extent to which officers and staff were aware of the Code of Ethics, and how the force was working to make the code part of day-to-day practice.

HMIC found that the Code of Ethics had been well integrated in Humberside using a comprehensive action plan. The implementation of the code had been led by the chief constable and her team using a range of traditional and digital communications, including: personal briefings; video clips; on-line learning tools; posters; and emails. This approach was supported by the staff associations and trade unions.

Officers and staff we spoke to throughout the organisation acknowledged the efforts made by the leadership team to integrate the Code of Ethics; they were familiar with the principles and values of the code and were using it in their everyday decision-making. Staff felt that there was a positive and clear message that decisions made in good faith using the National Decision Model (NDM) and the Code of Ethics would be supported.

The Code of Ethics was integral to the way in which the force communicated its change programme to staff, and was included as a topic within the performance development reviews for all police officers and staff. Role profiles for the force and police staff contracts also contained specific reference to the Code of Ethics.

The force was monitoring the implementation of the Code of Ethics through staff survey results and internal focus groups. The force had also taken steps to ensure that the Code of Ethics underpinned all training and development activities. All existing training courses were being reviewed to integrate the Code of Ethics into the training delivery plans, and a new leadership course had been developed which contained a module on ethics and integrity.

Our examination of a small number of public complaint and internal misconduct files showed that the Code of Ethics and standards of professional behaviour were being used consistently in both complaint and misconduct assessments.

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<sup>8</sup> Code of Ethics: - A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales, College of Policing, London, 2014. Available from: [www.college.police.uk](http://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 co-operate or it is not reasonably practicable to investigate the complaint) or if they are withdrawn by the complainant.<sup>9</sup>

In the 12 months to 31 March 2015, Humberside Police finalised 530 allegations from public complaints that were made against its officers and staff. Of these, 9 percent had been investigated and 60 percent had been locally resolved. A smaller proportion of allegations were investigated and a greater proportion were locally resolved in Humberside compared with the average of its most similar group of forces.<sup>10</sup>

In the 12 months to 31 March 2015, the average time Humberside Police took to complete a local resolution was 77 days, greater than the average of its most similar group of forces (64 days). Over the same period, the average time a local investigation took to complete was 190 days, greater than the average of its most similar group of forces (169 days).

After local investigation, Humberside Police closed 47 allegations in the 12 months to 31 March 2015. Of these, 13 percent were upheld, where it was concluded that the service provided by the police officer or police staff or the service as a whole did

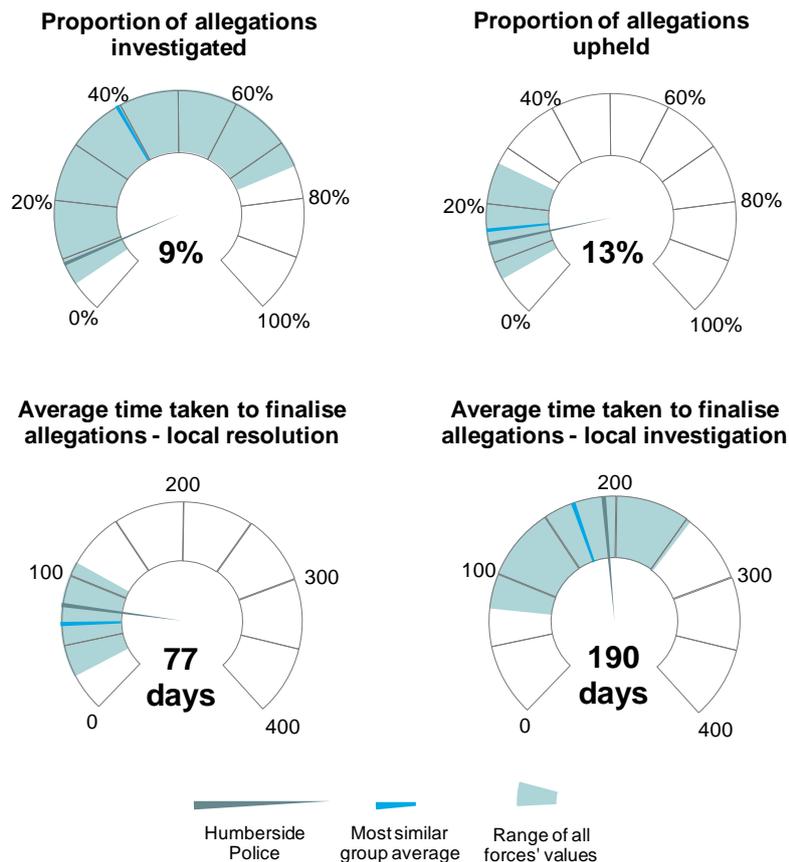
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<sup>9</sup> For a more complete outline of the definitions and potential outcomes resulting from public complaints, please see the Independent Police Complaints Commission's website: [www.ipcc.gov.uk](http://www.ipcc.gov.uk).

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

not reach the standard a reasonable person could expect. This was less than the average of Humberside's most similar group of forces of 15 percent. However, because of the low number of allegations locally investigated by Humberside Police, comparisons with other forces should be treated with caution. The following figure shows how all of these values compare.

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



**Source: Independent Police Complaints Commission**

Overall, in the 12 months to 31 March 2015, Humberside Police finalised 9 percent of allegations by investigation. The proportion of allegations it upheld after local investigation was less than the average of its most similar group of forces. Compared to its most similar group of forces, Humberside took longer to complete both local resolutions and local investigations.

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

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

Building on the findings of the HMIC Police Integrity and Corruption inspection,<sup>11</sup> this inspection considered if public complaints and misconduct investigations were dealt with in a timely and consistent manner. The inspection also considered whether investigations were conducted fairly and whether officers and staff, particularly those with protected characteristics,<sup>12</sup> felt that they would be treated fairly following a complaint or allegation against them.

Before the fieldwork stage began, HMIC conducted a file review of 65 public complaints and internal misconduct allegations, to assess whether they had been considered fairly and consistently. We examined the outcomes of the review further during our fieldwork.

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

We found that initial complaint assessments were being made by a member of staff below the rank of chief inspector. This does not comply with the legislation governing public complaints which require that an officer of not lower than chief inspector rank or police staff equivalent conducts the initial assessment of public complaints.

In our review of case files, we also identified a few cases where local resolution had been used where it was not appropriate, as the allegations were too serious. There were also some inconsistencies in the handling of complaints forwarded for local resolution.

This was reflected in the approaches taken by different supervisors dealing with complaints. For example, two public complaints concerning a failure to properly resource an incident ended in one case with a call-handler receiving advice about their conduct, where another supervisor, in similar circumstances, concluded that the poor service was an organisational issue. Although it had recognised some of these issues the force should ensure the steps taken are sufficient to ensure consistency in the investigation and conclusion of complaints.

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<sup>11</sup> Integrity Matters: An inspection of arrangements to ensure integrity and to provide the capability to tackle corruption in policing, HMIC, London, 2015. Available from: [www.justiceinspectors.gov.uk/hmic](http://www.justiceinspectors.gov.uk/hmic)

<sup>12</sup> Under the Equality Act 2010, it is against the law to discriminate against anyone because of: age; being or becoming a transsexual person; being married or in a civil partnership; being pregnant or having a child; disability; race including colour, nationality, ethnic or national origin; religion, belief or lack of religion/belief; sex; or sexual orientation. These are called 'protected characteristics'.

Humberside Police was improving the quality of investigations and local resolutions conducted by staff outside the professional standards branch. The force was also working to ensure investigations into police staff misconduct were fair and consistent.

Staff we spoke to, including staff association representatives, agreed that investigations were fair. Representatives of the staff forum told us that their own audit of complaints involving staff from minority groups had not shown any issues indicating discrimination, but had highlighted some learning opportunities.

The professional standards branch was responsible for the oversight of all recorded public complaints, and all gross misconduct and misconduct cases.

Professional standards branch investigate more serious complaints and misconduct matters involving police officers, while local policing supervisors carry out some investigations as well as those cases assessed suitable for local resolution. All police staff misconduct cases were passed to a 'conduct team' for investigation following initial assessment by the professional standards branch. Police staff misconduct cases were also sent to the deputy head of professional standards branch for final assessment. This meant that all investigations which could result in criminal or misconduct proceedings for both police officers and police staff were assessed by the deputy head or head of professional standards branch. This procedure helped to ensure consistency and fairness in the investigation and conclusion of cases and it was supported by trade union and staff associations.

The professional standards branch met regularly with representatives of the Police Federation to discuss ongoing cases. This transparent approach was improving staff confidence in investigations. When we spoke to staff they reported that more complaints were dealt with at a lower level and the force was better at distinguishing misconduct from poor performance issues.

HMIC found evidence that the force learned from feedback about investigations and we were satisfied that generally the force dealt with complaints and misconduct cases fairly.

## Summary of findings



**Good**

The Humberside Police chief officer team had clearly communicated its vision and values to the workforce and had developed the force's overall aims and ambition – 'to deliver safer communities through high quality policing services' and a 'one team ethos', in consultation with staff.

The force was actively developing an ethical culture throughout the organisation. We found it had changed the way it measured performance in the force to enable a greater focus on the quality of the services delivered and victim care. It had introduced a new process to review the performance and development of officers and staff which included ethics and wellbeing issues.

The force had taken action to understand the wellbeing of its staff. It conducted a full staff survey in 2013, and maintained its understanding through three snapshot surveys carried out by the office of police and crime commissioner.

The Code of Ethics was integral to the way in which the force communicated its change programme to staff, and was included as a topic within the performance development reviews for all police officers and staff. Role profiles for the force and police staff contracts also contained specific reference to the Code of Ethics.

Staff we spoke to, including staff association representatives, agreed that complaint and misconduct investigations were fair.

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

## Introduction

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

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

In autumn 2015, HMIC made an assessment of the extent to which police forces understand and engage with the people they are there to serve. Based on the College of Policing's Authorised Professional Practice on engagement and communication,<sup>13</sup> the inspection asked:

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

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

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<sup>13</sup> *College of Policing: Authorised Professional Practice on engagement and communication*. Available from: [www.app.college.police.uk/app-content/](http://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 local and force levels, the force understands the needs and concerns of the people it serves.

Most officers and staff that we spoke to in Humberside understand the relationship between doing a good job, effective engagement and confidence in the police. This understanding is underpinned by 'our offer', which is the chief constable's promise to the public about the service they can expect. This is further supported by a force communication and engagement plan.

Officers generally work well with other agencies to understand local people. An example is work in the East Marsh area of Grimsby to address persistent problems reported by local people. This involved a range of partners, including police, the local council and businesses. This type of work builds public trust and confidence in police and partners.

The level of demand on local officers has grown since the force reorganised in April 2015. In parts of the force this is limiting the time available for neighbourhood officers and police community support officers to do work that helps the force understand the people it serves. This is reflected in the use of neighbourhood profiles, some of which are not being regularly updated. The force intends to supplement neighbourhood profiles with information from partner agencies, but this has only been done in limited cases so far. We noted that the force has plans to address these issues and some changes have already been made. This is important as inconsistent understanding of the public limits the ability of police to build legitimacy.

Local officers demonstrate an ability to identify and manage tensions. This is evident in the use of community impact assessments, which are used following incidents where confidence in the police might be compromised. A number of these were seen by us during the inspection. There was evidence of action being taken to address rises in tension due to events or incidents within the community, and there was effective oversight and direction from managers.

The force ensures that most problems raised by the public locally are recorded, and plans put in place to address them. However, in some parts of the force officers reported that they did not have time to discharge these duties effectively. This was a concerning finding.

The force does have in place an effective way to monitor issues that arise locally, to identify emerging force-wide trends. Surveys are also commissioned by the police and crime commissioner to help understand public concerns.

These focus on victims of crime and anti-social behaviour, but also look at other issues, with the next survey asking questions about the police use of Taser and stop and search.

Social media is effectively used to help understand public concerns. The force also receives guidance from an independent advisory group, which supports understanding of local people, particularly of minority groups and vulnerable people.

We were satisfied that Humberside Police understands the benefits for police legitimacy that can be gained by engaging positively with their communities.

Of the 416 survey responses from the area covered by Humberside Police, 43 percent agree that the police understand the crime and anti-social behaviour issues within their force area and 16 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 their communities.

Humberside Police uses an appropriate range of methods to seek the views of the people it serves and to provide them with relevant information. Neighbourhood officers attend meetings with local people, at which problems are raised, plans to address them are proposed and feedback on actions taken is provided. Surgery-style meetings are held at supermarkets and other local venues. Work with a major supermarket chain, which involves a regular police presence at their stores, is a good example of such activity. These activities provide clear ways for people to resolve problems with the support of police.

The force has an effective community safety team, which provides support to local officers to help them engage with the public and solve their problems. This includes three community cohesion officers, whose good work in developing effective community links is appreciated by local officers and partner agencies.

While the methods available to officers are appropriate, we met neighbourhood officers who do not have the time needed to engage fully with their communities, due to other demands. The force has recognised this issue.

The force makes effective use of social media to engage with the public. The chief constable has a Twitter account and neighbourhood teams use social media. These activities are well supported by the corporate communications department. We also looked at the force internet site, which is an accessible source of information for local people. These methods provide opportunity to engage with more people than can be achieved through traditional approaches alone.

Considerable energy is put into targeted feedback to communities about what has been done by police in response to issues raised by local people. This approach is evident on the force website. Feedback is also provided at local meetings, in the local press, through leaflet drops and by email. This helps reassure people and build confidence in the police.

The force effectively encourages the public to participate in policing activities. This is done through direct approaches by officers, local publicity and use of social media. There is also an annual 'Blue Light' event, run jointly with the local ambulance and fire and rescue services, which 27,000 people attended this year.

An impressive collaboration with the fire and rescue service has attracted 155 volunteers who have contributed approximately 60,000 hours of work across a range of activities. These include: administrative support in police stations; crime prevention advice, including specialist advice to asylum seekers; and assistance at recruitment events. There are also about 900 neighbourhood watch schemes and over 400 special constables. This provides the police with extra capacity and also enhances public engagement and confidence.

We are satisfied that Humberside Police is engaging well with the people they serve. Where gaps have been identified the force is taking action to fill them.

From the survey, 22 percent of the respondents from the area covered by Humberside Police speak highly of the police in their local area while 19 percent speak critically. The remainder have mixed views or do not know. Although not directly comparable because of the small force sample size, of the responses from across all forces in England and Wales, 32 percent speak highly and 16 percent speak critically.

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.

## **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,<sup>14</sup> the framework by which all policing decisions should be made, examined and challenged. The Code of Ethics is a central component of the National Decision Model.

The police have thousands of interactions with the public on a daily basis. Research indicates that the quality of the treatment received during encounters with the police is more important to individuals than the objective outcome of the interaction. Before the fieldwork activity commenced, we listened to around 40 calls made from members of the public to the 101 (non-emergency) and 999 (emergency) numbers to assess the quality of the treatment received. In order to determine the overall quality of the call, we considered a number of criteria including whether the call-handler remained polite, professional and respectful throughout the call, whether 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 Humberside Police, from the 40 calls assessed, HMIC was satisfied that the call-handlers were polite, respectful and effective and that the needs and vulnerabilities of callers were appropriately assessed.

However, during the inspection we found that the allocation of tasks from the force command and control centre was not consistently effective. Some incidents and crimes are allocated to officers and staff without the appropriate skills. Other incidents are allocated to officers who do not have the capacity to deal with them promptly. There are inappropriate delays in dealing with some incidents. The force recognises that there are problems and has made recent improvements, but this is a critical process that affects the people served by the force and its frontline staff.

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<sup>14</sup> *College of Policing: Authorised Professional Practice on National Decision Model*. Available from: [www.app.college.police.uk/app-content/](http://www.app.college.police.uk/app-content/)

During our fieldwork we also observed front counter staff interact with visitors at police stations, and we are satisfied that they are consistently politely and professional.

Most officers we spoke to are aware of and can explain the National Decision Model (NDM), which has the Code of Ethics at its heart. The NDM is particularly well used when dealing with interactions involving potential conflict.

The force promotes understanding of the NDM through a range of training programmes, including on defensive tactics, stop and search powers and command training. Guidance is available on the force intranet and reminders are sent out electronically and on posters. This is reinforced by routine use of the NDM in daily briefings. We also saw the model being used in non-operational settings, such as in the community safety team. This is important, as use of the National Decision Model supports officers and staff in making rational and ethical decisions, which protects the public and builds confidence in police.

We found that most officers and staff have the knowledge, skills and commitment required to treat members of the public fairly and with respect. This is being developed through the chief constable's 'Aims and Ambitions' for the force, which are promoted using messages and meetings with staff. There is no specific training to support officers in treating the public fairly with respect and nor is there any bespoke community engagement training. However, there has been a series of briefings about police legitimacy, which emphasise the importance of respectful and fair treatment and this also featured in stop and search training. Feedback from surveys and complaints is used to give support and guidance to officers to ensure they treat the public fairly and with respect. This is important, as treating people with respect and fairly helps build police legitimacy.

There are no specific measures used by Humberside Police to establish to what extent the public perceive they are treated fairly and with respect. The police and crime commissioner arranges victim satisfaction surveys for victims of crime, according to national standards and uses a similar method to survey people who have been subjected to anti-social behaviour.

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

From the survey, 51 percent of respondents from the area covered by Humberside Police 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**

Most officers and staff that we spoke to in Humberside Police understand the relationship between doing a good job, effective engagement and confidence in the police.

The force does have in place an effective way to monitor issues that arise locally and to identify emerging force-wide trends. The police and crime commissioner also commissions surveys to help understand public concerns. These focus on victims of crime and anti-social behaviour, but also look at other issues, with the next survey asking questions about the police use of Taser and stop and search powers.

Social media is used effectively to help understand public concerns. The force also receives guidance from an independent advisory group, which supports understanding of local people, particularly of minority groups and vulnerable people.

The force effectively encourages the public to participate in policing activities. This is done through direct approaches by officers, local publicity and use of social media. There is also an annual 'Blue Light' event, run jointly with the local ambulance and fire and rescue services, which 27,000 people attended this year.

However, we are concerned by the number of staff who told us they were too busy to engage with the public or deal with local concerns. This is something the force should closely monitor to ensure that its good work is not undermined.

### **Areas for improvement**

- HMIC is concerned by the number of staff who told us they were too busy to engage with the public or deal with local concerns. This is something the force should closely monitor to ensure that its good work is not undermined.

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

## Introduction

Fairness, and the perception of fairness, is crucial to police legitimacy. It is therefore important that fairness is demonstrated in all aspects of policing, including the use of police powers. Some of the most intrusive powers available to the police are those involving stopping and searching people and the use of Taser.<sup>15</sup>

In autumn 2015, HMIC assessed the use of Taser and stop and search powers (specifically, compliance with the Best Use of Stop and Search scheme<sup>16</sup> and how well reasonable grounds were recorded) to determine whether officers were using their powers fairly and in accordance with legal requirements and Authorised Professional Practice.

The inspection asked:

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

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

### Background

The primary role of the police is to uphold the law and maintain the peace. Unfair, unlawful or unnecessary use of stop and search powers makes 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 cooperate 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.

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<sup>15</sup> *College of Policing: Authorised Professional Practice on armed policing – legal framework and Taser*. Available from: [www.app.college.police.uk/app-content/](http://www.app.college.police.uk/app-content/)

<sup>16</sup> *Best Use of Stop and Search scheme*, Home Office, 2014. Available from: [www.gov.uk/government/publications/best-use-of-stop-and-search-scheme](http://www.gov.uk/government/publications/best-use-of-stop-and-search-scheme)

In our 2013 inspection on stop and search,<sup>17</sup> HMIC concluded that few forces could demonstrate that use of stop and search powers was based on an understanding of what works best to cut crime and rarely was it targeted at priority crimes in their areas. Forces had reduced the amount of data collected to reduce bureaucracy, but this had diminished their capability to understand the impact of the use of stop and search powers on crime levels and community confidence.

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

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

The principal aims of the scheme are for the police: to establish greater transparency and community involvement in the use of stop and search powers; and 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 Humberside Police – Stop and search by volume**

In the 12 months to 31 March 2015, Humberside Police carried out 4,413 stops and searches. The table below shows this number per 1,000 population for Humberside 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.

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<sup>17</sup> *Stop and Search Powers – are the police using them effectively and fairly?*, HMIC, July 2013  
[www.justiceinspectorates.gov.uk/hmic/media/stop-and-search-powers-20130709.pdf](http://www.justiceinspectorates.gov.uk/hmic/media/stop-and-search-powers-20130709.pdf)

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

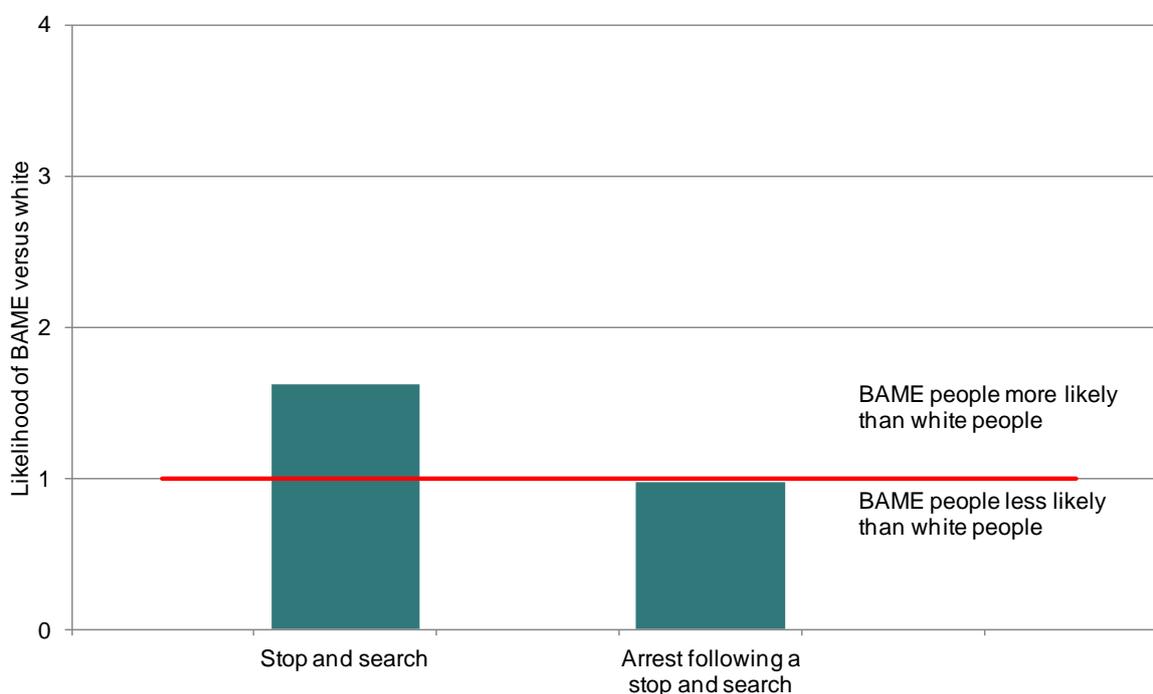
	Stops and searches per 1,000	Change from previous year
Humberside	4.8	-34%
Humberside's MSG average	8.0	-44%

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 Humberside 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 Humberside Police than white people.<sup>18</sup>

**Figure 7: A comparison between the likelihood of BAME and white people being stopped and searched and, separately, arrested following stop and search by Humberside 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

<sup>18</sup> HMIC was unable to compare to a statistically significant degree the ethnicity of those arrested following a stop and search by Humberside Police, due to the small number of arrests following a stop and search.

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 Humberside Police, the 2013 inspection showed that 80 of 200 records reviewed (40 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 14 of the 100 records (14 percent) did not have reasonable grounds recorded, of which 12 had been endorsed by a supervisor.

While the records 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.

We found that Humberside Police's independent advisory group scrutinises every stop and search of a person under the age of 18 and all stops of black, Asian and minority ethnic (BAME) people. The police and crime commissioner intends to commission survey work to help better understand public views about the use of stop and search. The force community safety team also provide insights into the perceptions of young people and BAME people.

The force has a policy which gives members of the public the ability to join officers on patrol and public, albeit only two people have accompanied officers so far. The force may wish to consider a more targeted approach to encourage those who voice criticism of police practice to participate in the scheme. This may enhance confidence in the proper use of police powers.

The force has established a 'community trigger', which defines at what point dissatisfaction with stop and search would lead to further action or scrutiny. Any stop and search of a person under 18, or of a BAME person, activates the trigger. An individual who is stopped five times will also trigger further examination and scrutiny through the independent advisory group. This is important as independent scrutiny can help identify and address community tensions.

In Humberside, Section 60 search powers can only be used if a senior officer of at least assistant chief constable rank gives authority. The senior officer must have a reasonable belief that violence is occurring or is about to occur and that use of the power, to search for weapons, might prevent such violence. The Best Use of Stop and Search scheme aims to reduce use of this power. Since the introduction of the scheme, Humberside Police has not authorised the use of Section 60 powers.

We spoke to a wide range of officers during the inspection and asked them about their use of stop and search. Most officers understood their powers, although we encountered some officers who did not use the National Decision Model when conducting stop and search.

The force has trained most operational staff in relation to the Best Use of Stop and Search. Most officers spoken to were aware of key elements of the scheme and of their responsibilities. Additional training has also been provided for supervisors and they have been provided with an aide memoire to assist them when supervising the use of stop and search powers. The force has also developed a new stop and search form, to improve monitoring and supervision.

However, the stop and search data from the force is not reliable. By the time we conducted our fieldwork, the force had reviewed the data provided and identified that it was flawed. The force had not counted stops and searches that resulted in arrest. The force recalculated the data and this suggested a much higher rate of arrest. We looked at 18 of the records which the force had now included as stop and search encounters leading to arrest. In four of these cases it was not clear that the search had led to an arrest. It was also not possible to link the object of the search to the outcome. The force has revised its approach to enable more accurate data collection and analysis, but the data will not be fully reliable until a solution, which uses mobile data technology, is rolled-out across the force. This will provide a more accurate data set and allow better analysis of stop and search data.

Given our concerns on the reliability of the data collected, HMIC concludes that Humberside Police is not compliant with Best Use of Stop and Search scheme.

<b>Feature of Best Use of Stop and Search scheme</b>	<b>HMIC assessment of compliance</b>
Recording and publishing the outcomes following a stop and search	<p>The force does not comply with this feature of the scheme</p> <p>Humberside Police records the full range of outcomes as set out in the scheme. However, the stop and search record allows officers only the option of ticking a box if an item is found. The details of the item found are not recorded and it is therefore not possible for the force to ascertain if the item found was the item searched for. For instance, a search for stolen property may find cannabis instead, representing a chance detection. The force is consequently unable to establish if there is a link between the outcome and the item searched for. While the force has a dedicated stop and search page on its website, no outcomes are published. However, there is a clear link to the police.uk website on which data in relation to the required outcomes are published. However, no data in respect of the connection between the outcomes and the items searched for are published.</p>
Providing opportunities for the public to observe officers using the power	The force complies with this feature of the scheme

Explaining to communities how the powers are being used following a “community complaint”	The force complies with this feature of the scheme
Reducing the number of people stopped and searched without suspicion under Section 60 <sup>19</sup> 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

## **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.

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<sup>19</sup> ‘No suspicion’ searches are provided for under section 60 of the Criminal Justice and Public Order Act 1994. Available from: [www.legislation.gov.uk/ukpga/1994/33/section/60](http://www.legislation.gov.uk/ukpga/1994/33/section/60)

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

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

HMIC has not previously inspected how Taser is used either in, or between, forces. This inspection considered whether chief officers understand how Taser is being used across the force area, to satisfy themselves that it is being used fairly and appropriately, and whether Taser-trained officers are acting in accordance with the College of Policing's Authorised Professional Practice and the legal framework each time it is used.<sup>20</sup>

### **Use of Taser in Humberside Police**

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

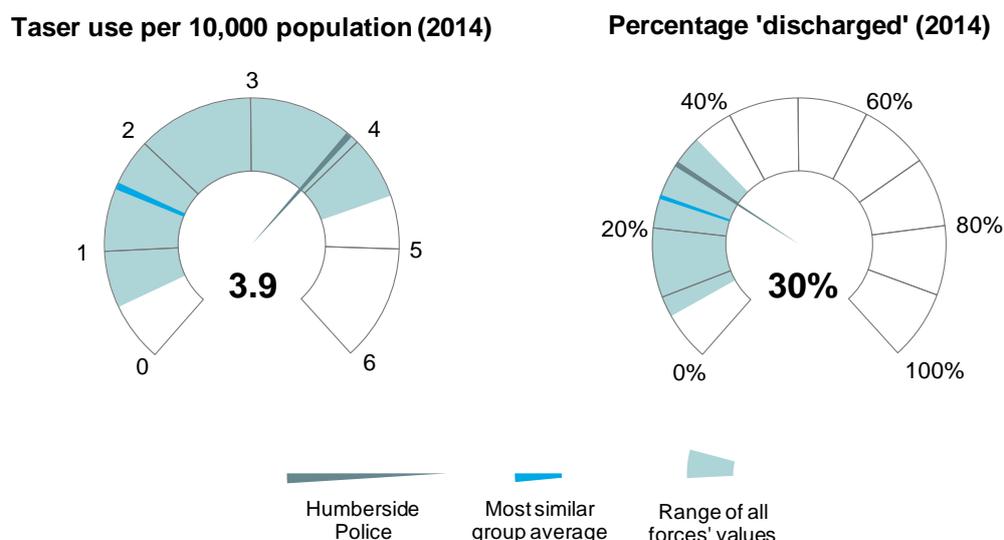
Between 1 January and 31 December 2014, Taser was used in some capacity 361 times by Humberside Police, representing 3.9 times for every 10,000 people in the force's area. This was greater than the average for Humberside Police's most similar group of forces, which was 1.6 times per 10,000 population.

During the same time period, Taser was 'discharged' on 107 occasions (out of the 361 times it was used in some capacity). This equated to 30 percent of overall use, greater than the force's most similar group average of 25 percent. The following figure shows the comparisons.

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<sup>20</sup> *College of Policing: Authorised Professional Practice on armed policing – legal framework and Taser*. Available from [www.app.college.police.uk/app-content/](http://www.app.college.police.uk/app-content/)

**Figure 8: Use of Taser per 10,000 population and the proportion 'discharged' by Humberside Police, 12 months to 31 December 2014<sup>21</sup>**



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

The Taser deployment form is a national document for gathering research information about the operational effectiveness of the Taser device, and any medical implications of its use. If officers fire the Taser, or if they use it in drive-stun or angled drive-stun mode, they are required to complete the full form, including a detailed description of the incident from commencement to resolution. The National Decision Model (NDM) 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 NDM, is not required.

Before the fieldwork stage of the inspection, HMIC conducted a review of 20 Taser deployment forms provided by Humberside 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 four times, red-dotted 11 times, aimed three times, and drawn twice. In each of the four cases where Taser had been fired, the officers had recorded their rationale using the NDM. From this, we found evidence to show that they had considered other tactics before deciding to fire Taser in each case. However, in all four cases the officers had failed to record who was at threat in the threat assessment section of the NDM, and in three of the cases the officers had recorded very limited detail in the powers and policy section.

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

Overall officers used Taser to protect themselves or others from a range of weapons, including knives, a broken bottle, baseball bat, metal poles and wood wrapped in barbed wire.

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 except one, which did not record sufficient information for us to assess.

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 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.

The Taser-trained officers we spoke to displayed a good understanding of the NDM and of the centrality of the Code of Ethics to its use. They also had a good understanding of the relevant legislation and authorised professional practice. This supports good decision-making in relation to the use, or non-use, of Taser.

There is a clear rationale for the number of and distribution of Taser-trained officers in Humberside. This is set out in a review conducted in January 2015 and supported by a more recent review. This has led to a plan to reduce the number of Taser-trained officers and adjust their geographic distribution. There is also a considered system for the selection of officers for Taser training. Together, this is a reasoned approach that deploys trained officers across the force to protect the public and police, while also helping achieve an efficient use of resources.

The force's process for reviewing and evaluating the occasions when Taser is used is only partially effective. The force does not regularly monitor the authorisation and oversight for the deployment of Taser-trained officers, and so incidents that involve 'self authorisation' may not be supervised. When a Taser is used the officer completes the national form, which is then sent to a constable, who is a Taser trainer, who reviews the use. The officer should also inform his local supervisor that Taser has been used. The form is then forwarded to a sergeant with detailed understanding of Taser. A dip-sample of Taser forms by a chief inspector has recently been introduced as a further check. Supervision and oversight of Taser is important, as it helps ensure fair and proportionate use, which will protect the public and build legitimacy, but it was not clear that these procedures were effective.

We also found Taser forms are not regularly reviewed comprehensively to identify trends and there is no convincing explanation for the comparatively high use of Taser. The force also does not have a clear system to oversee other uses of force by police officers.

The assistant chief constable with responsibility for Taser intends to introduce a quarterly review process, and other changes, that should lead to improved supervision and oversight, but these had only been partially implemented at the time of the inspection. He has also invited the College of Policing to review the force's use of Taser. This is a welcome development.

The only published information that the force provides to the public is in response to the annual national publication of Taser use statistics.

## Summary of findings



**Requires improvement**

Humberside Police is not compliant with the Best Use of Stop and Search scheme. It has introduced lay observation and a 'community trigger' – to explain to local communities how the powers are being used where there is a large volume of complaints - and Section 60 authorisations have reduced, but the force does not accurately record and publish stop and search outcomes.

Most officers have a good understanding of their powers, although not all officers use the National Decision Model when using these powers and understanding of the Best Use of Stop and Search scheme is not consistent.

Taser-equipped officers have a good understanding of the National Decision Model though it is not always reflected in Taser recording forms. The force has a clear rationale for the number of officers and how they are distributed across the force. Operationally officers are mostly using Taser appropriately, and the process for selecting Taser officers is effective.

However, while the force has carried out a review of the number of Taser-trained officers and how they should be dispersed across the force area, HMIC remains concerned that more needs to be done to ensure sufficient supervision and oversight on the use of Taser.

The force should also put in place sufficient oversight arrangements to better understand why Humberside has such a high use of Taser, to reassure itself that Taser is being used fairly and appropriately.

### **Areas for improvement**

- While the force has carried out a review of the number of Taser-trained officers and how they should be dispersed across the force area, HMIC remains concerned that more needs to be done to ensure sufficient supervision and oversight on the use of Taser. The force should also put in place sufficient oversight to better understand why Humberside has such a high use of Taser, to reassure itself that Taser is being used fairly and appropriately.

## 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 Humberside Police's MSG: Gwent, South Wales, Lancashire, Northumbria, Durham, South Yorkshire and West 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 Definition<sup>22</sup>

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

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

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<sup>22</sup> *Police use of Taser statistics, England and Wales: 1 January to 31 December 2014*, Home Office, 2015. Available from [www.gov.uk/government/statistics/police-use-of-taser-statistics-england-and-wales-1-january-to-31-december-2014](http://www.gov.uk/government/statistics/police-use-of-taser-statistics-england-and-wales-1-january-to-31-december-2014).