

# PEEL: Police legitimacy 2015

An inspection of North Yorkshire 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 North Yorkshire Police, and how this is reflected in the force's public engagement, use of Taser and compliance with the Best Use of Stop and Search scheme.

HMIC found that North Yorkshire Police was committed to developing and maintaining an ethical culture, and the chief constable had set out his vision and values for the force, and expected standards of behaviour. We are satisfied that North Yorkshire Police has a good understanding of the needs of its local communities and that most officers and staff treat people fairly and with respect.

North Yorkshire Police complies almost completely with the Best Use of Stop and Search scheme. However, much more needs to be done to ensure that the grounds for stops and searches are fully understood, recorded accurately and properly supervised. Taser use is fair and appropriate.

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

## Summary

HMIC found that North Yorkshire Police was committed to developing and maintaining an ethical culture. The chief constable had set out his vision and values for the force, and expected standards of behaviour. A number of methods had been used to communicate this to staff, but we found the level of understanding was inconsistent.

Officers and staff told us that they felt valued, and would be confident and willing to challenge decisions and unethical behaviour. We found a good understanding of the

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

Code of Ethics<sup>2</sup> and it had been incorporated into force policies, procedures and some training courses.

When HMIC looked at how well the force understands and successfully engages with all the people it serves, we found that officers and staff engage positively with the communities they serve. This enables them to understand the issues affecting local people and keep them informed of action taken to resolve problems. As a result we are satisfied that North Yorkshire Police has a good understanding of the needs of its local communities, and that most officers and staff treat people fairly and with respect.

Stop and search and Taser are two ways that the police can prevent crime and protect the public. However, they can be intrusive and forceful methods, and it is therefore vital the police use them fairly and appropriately. HMIC found that North Yorkshire Police complies almost completely with the Best Use of Stop and Search scheme. However, much more needs to be done to ensure that the grounds for stops and searches are fully understood, recorded accurately and properly supervised.

Taser information is published on the force website, and HMIC concluded that its use is fair and appropriate.

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<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)

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



**Good**

HMIC found that North Yorkshire Police was committed to developing and maintaining an ethical culture. The chief constable had set out his vision and values for the force, and expected standards of behaviour. A number of methods had been used to communicate this to staff, but we found the level of understanding was inconsistent.

Officers and staff told us that they felt valued, and would be confident and willing to challenge decisions and unethical behaviour. We found a good understanding of the Code of Ethics and it had been incorporated into force policies, procedures and some training courses.

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



**Good**

North Yorkshire Police engages well with its local communities. Most officers and staff understand the importance of positive community engagement and how it helps to build trust and confidence in the police.

The force has a good understanding of its local communities, and engages well with them using a range of methods. Community meetings and surgeries are held to seek the views of the public and keep them informed of what the police have been doing to resolve local issues. Social media is also used as a way of engaging and communicating with local people. The force uses this engagement to assess the impact of community incidents or problems and

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



**Good**

North Yorkshire Police complies almost completely with the Best Use of Stop and Search scheme. However, much more needs to be done to ensure that the grounds for stops and searches are fully understood, recorded accurately and properly supervised.

The deployment of Taser-trained officers and the distribution of Taser-equipment across the force is currently being reviewed and is based on the level of risk, demand and geography of the area. Systems are in place to manage the deployment and use of Taser, with oversight to ensure its use is fair and appropriate.

Taser information is published on the force website, and HMIC concluded that its use is

The force had provided some services for the wellbeing of its workforce, although support provided to officers and staff dealing with vulnerable people or traumatic incidents was inconsistent. A force-wide wellbeing programme was being developed at the time of our inspection, to better meet the needs of all staff.

To ensure complaints and allegations of misconduct were dealt with consistently for police officers and police staff, the force held regular management meetings that involved professional standards, human resources, legal services and the counter-corruption departments to discuss the consistency of outcomes from complaints and misconduct allegations.

respond effectively.

The value of volunteers in improving community engagement and trust in the police is recognised by the force. The public is encouraged to take part in local policing activities and there is a range of opportunities available to work with North Yorkshire Police.

Call-handlers and front-counter staff were generally polite, friendly and helpful. Most officers and staff understand the importance of how logical, ethical decision-making affects public trust and confidence.

fair and appropriate.

## Force in numbers



### Ethnic diversity

Percentage of BAME in workforce 31 March 2015

overall workforce

**1%**

officers

**1%**

staff

**1%**

PCSOs

**1%**

Percentage of BAME in local population, 2011 Census

**3%**



### Gender diversity

Percentage of females in overall workforce 31 March 2015

North Yorkshire Police

**42%**

England and Wales force average

**41%**

Percentage of females by role, North Yorkshire Police

officers

**29%**

staff

**60%**

PCSOs

**45%**

Percentage of females by role, England and Wales force average

officers

**29%**

staff

**60%**

PCSOs

**47%**



### Public complaints

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

North Yorkshire Police

**977**

Proportion of finalised allegations investigated 12 months to 31 March 2015

North Yorkshire Police

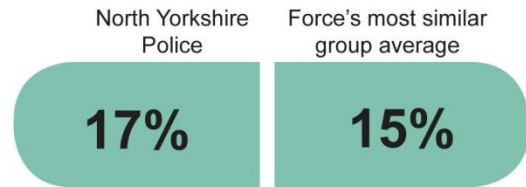
**23%**

Force's most similar group average

**46%**



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

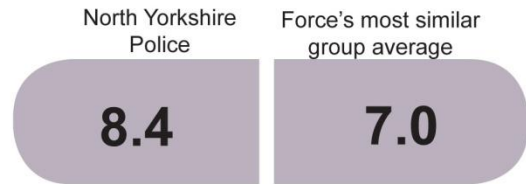


## Stop and search

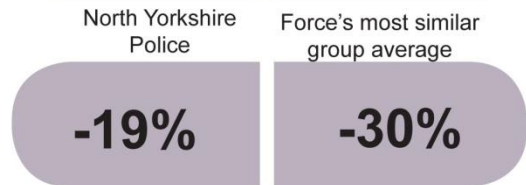
Number of stops and searches carried out 12 months to 31 March 2015



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

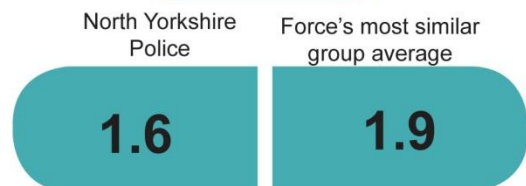


## Tasers

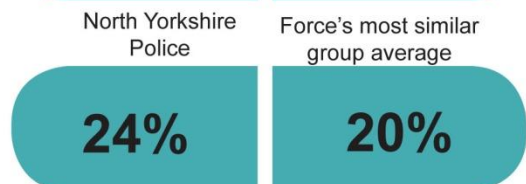
Number of times a Taser was used 12 months to 31 December 2014



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



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



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

## Introduction

Throughout 2015, HMIC has assessed the extent to which police forces are legitimate in how they keep people safe and reduce crime. This is one strand of the PEEL (Police Effectiveness, Efficiency and Legitimacy) all-force inspection programme.

A police force is considered to be legitimate if it has the consent of the public, and if those working in the force consistently behave in a way that is fair, reasonable, effective and lawful. The force must also generate the trust and co-operation of the public.

To reach a judgment on each force's legitimacy, HMIC examined three areas:

### Spring 2015 inspection

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

### Autumn 2015 inspection

- How well does the force understand, engage with and treat fairly the people it serves to maintain and improve its legitimacy
- To what extent are decisions taken on the use of stop and search and Taser fair and appropriate?

This report provides the main findings for North Yorkshire Police.

## Methodology

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

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

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

### **Organisational 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 female 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 North Yorkshire Police**

A breakdown of the full-time equivalent (FTE) workforce<sup>6</sup> in North Yorkshire 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 North Yorkshire Police, 31 March 2015**

FTE	Total	Of which	
		Female	BAME*
<b>Total workforce</b>	<b>2,572</b>	<b>1,087 (42%)</b>	<b>29 (1%)</b>
<b>Total officers</b>	<b>1,395</b>	<b>411 (29%)</b>	<b>15 (1%)</b>
Constables	1,040	344 (33%)	8 (1%)
Sergeants	239	46 (19%)	4 (2%)
Inspecting ranks	95	17 (18%)**	2 (2%)**
Superintendents and above	20	4 **	1 **
<b>Staff</b>	<b>981</b>	<b>588 (60%)</b>	<b>13 (1%)</b>
<b>PCSOs</b>	<b>196</b>	<b>88 (45%)</b>	<b>1 (1%)</b>

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

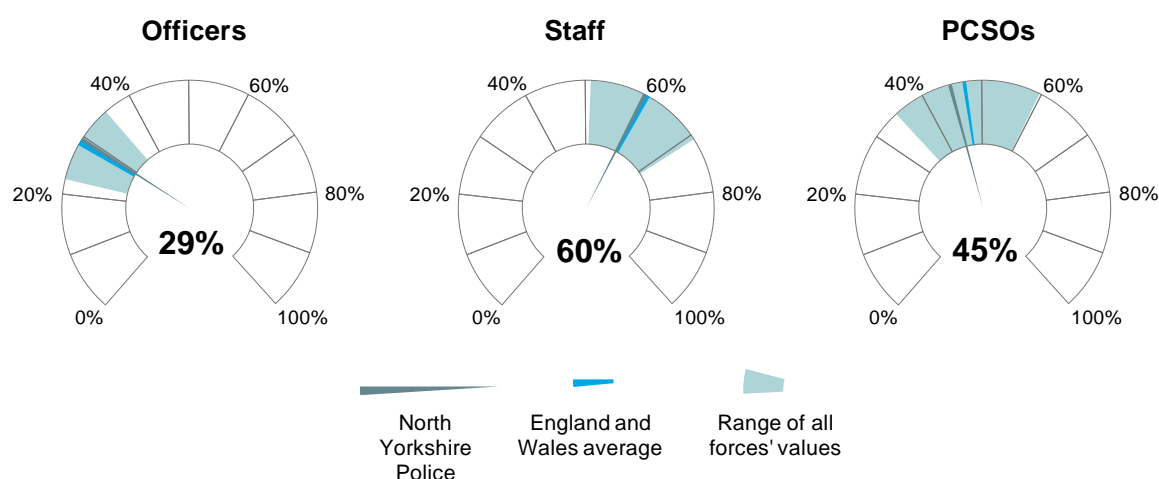
\* Individuals are not required to record their ethnicity. As a result, BAME totals and percentages exclude officers/staff/PCSOs where the ethnicity is not stated.

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

**Source: Home Office Police Workforce statistics**

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

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

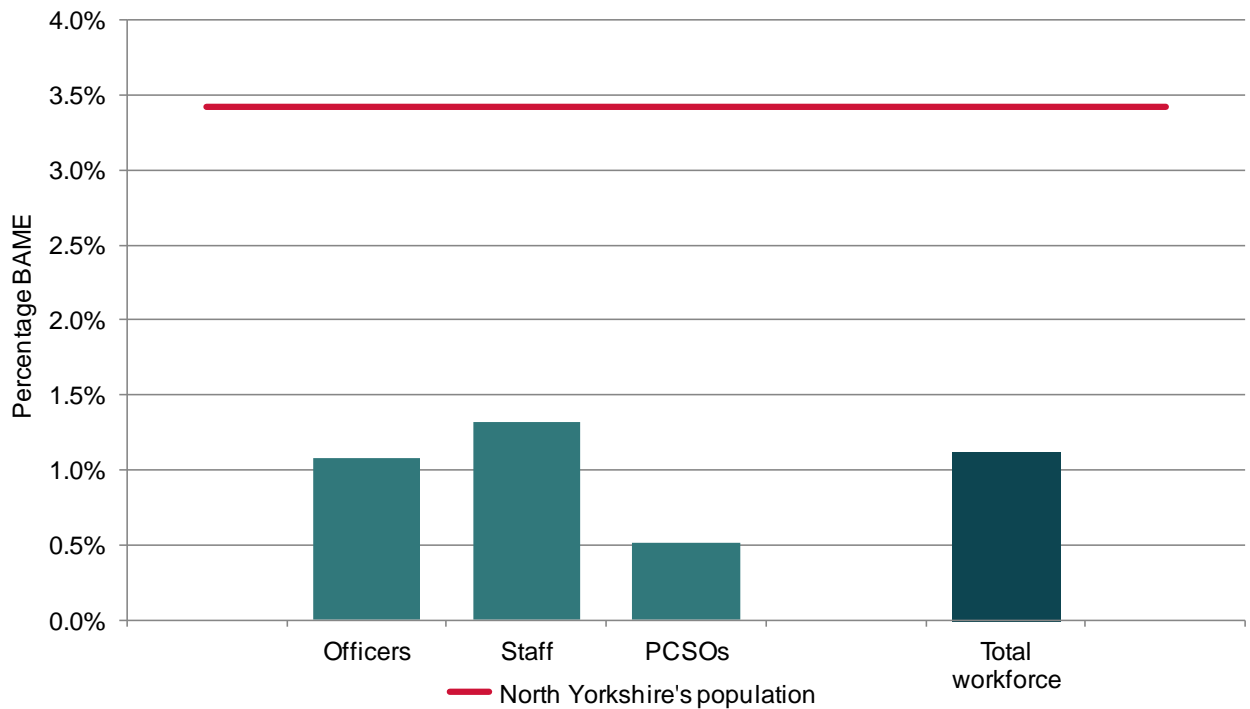


**Source: Home Office Police Workforce statistics**

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 North Yorkshire, around 3 percent of the local population were BAME. The figure below shows these comparisons.

There was a statistically significant under-representation of BAME people in North Yorkshire Police's overall police workforce, as well as separately for officers, staff and PCSOs.

**Figure 3: Percentage of BAME people within North Yorkshire 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.

<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)

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

**Figure 4: Change in North Yorkshire 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>-270</b>	<b>(-9%)</b>	<b>+2 ●</b>	<b>0</b>
Officers	-91	(-6%)	+4 ●	0
Staff	-177	(-15%)	+2	0
PCSOs	-2	(-1%)	+4	0 *

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

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

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

**Source: Home Office Police Workforce statistics**

There was a statistically significant increase in the proportion of females in North Yorkshire 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 4 percentage point increase.

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

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

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

HMIC found that North Yorkshire Police was committed to developing and maintaining an ethical culture. The chief constable had set out his vision and values for the force, which include the Code of Ethics as an integral part.

Most officers and staff had a good understanding what was expected of them; the chief officer team had regularly communicated messages to them to 'take personal responsibility' and 'do the right thing'.

The chief constable had held senior leadership days to brief his most senior managers and discuss with them proposed changes to the way that the force would operate. These messages were then shared across the organisation to all officers and staff through meetings and briefings. However, we found that some important messages, such as changes to the way that the workforce was going to operate, had not been received by all staff or were not clearly understood.

HMIC was told that a culture of honesty had been promoted by the professional standards department that encouraged officers and staff to report or discuss issues with them at an early stage. This had increased the opportunity to resolve them in a timely manner.

Most officers and staff in North Yorkshire Police felt encouraged to challenge unethical and unprofessional behaviour. Staff spoken to told us that they would be willing and confident to challenge peers, supervisors or managers and that they would be fully supported by the organisation. Officers and staff were aware of the ways in which they could challenge the behaviour of others, including the availability of an anonymous reporting system. We found support in place for those individuals that did challenge perceived unethical behaviour, from staff associations, the human resources department, and the professional standards department.

HMIC was told that the way that the force was managing the recruitment and promotion of officers and staff was fair and free from bias.

## **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 North Yorkshire Police provided some services to support the wellbeing of its staff, but had identified that more could be done.

In 2014, the force conducted a wellbeing survey, which assessed the health and welfare of its workforce. Three-quarters of the staff who responded did not have wellbeing requirements and where immediate issues were identified, referrals were made to the occupational health unit to support those who were affected. A summary of the survey results was circulated through internal publications, although some staff told us they had not seen it. The force intends to repeat the survey process at appropriate intervals to assess and monitor progress.



The survey identified that the force could do more to improve the wellbeing of its staff across the organisation. As a direct result, the wellbeing programme was being developed by the force, but was not in place at the time of inspection. Some officers and staff spoken to raised wellbeing concerns in relation to manager and staff resilience under the new force operating model, particularly at more remote locations.

The force had a range of activities available to its workforce to promote health and wellbeing. This included an occupational health unit, through which staff could access a doctor or nurse advisor. We were told that the occupational health unit conducted annual screening of staff who worked within highly vulnerable or stressful environments, such as the protecting vulnerable people unit and the high-tech crime unit. However, we found that some staff in those teams were not aware of the support available to them, nor had they been subject of an assessment.

Although the force provided welfare and counselling facilities, it did not use a consistent procedure to identify officers and staff who had been involved in potentially traumatic incidents. Neither did it have a structured assessment process to identify the need for counselling, nor the level of support required. The force relies on the daily management meetings to do this, but we heard from officers and staff that this was not always the case. Staff who had been referred to the welfare unit reported that the support that they had received had been excellent.

We found that the annual professional development review process, used to assess and oversee the development of staff, was under review as it had not been operating effectively or consistently across the force.

## **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.

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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)

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 integrated into North Yorkshire Police's own vision and values. Officers and staff described the code as not new, but something that had always been part of the way that the force had operated.

The chief constable and the police and crime commissioner had publicly committed to the Code of Ethics, and an assistant chief constable had been given the task of making it part of the everyday actions and decision-making of the organisation. However, staff spoken to felt that there had been little in the way of face-to-face communication regarding the code from chief officers. We were told that there were plans to improve communication to staff using videos, podcasts and roadshows.

HMIC found that mention of the code in training and awareness programmes was inconsistent. The force had provided Code of Ethics training to all recruits and those that attended personal safety training courses; however, other staff had not received any training. Despite this, most staff were aware of the Code of Ethics and what it meant for the force, and we found evidence that managers had held discussions with their staff about ethical behaviour. In addition, we also found evidence that the Code of Ethics was used at management meetings across the force.

North Yorkshire Police had adopted the Code of Ethics in policy decisions and documents. We also found that the force made effective use of the National Decision Model, which has the code at its centre, to promote ethical decision-making. It was being used by the force when it worked with other agencies, to provide a structure to make ethical decisions and ensure all stakeholders were engaged.

During our inspection we did not find any evidence that the Code of Ethics had been considered as part of the decision-making process in relation to complaints and misconduct investigations by the professional standards department. While there was reference to standards of behaviour, these only listed the behaviours that could attract a sanction, and did not show how the force's values or the code had been used to decide what action should have been, or had been, taken.

## 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, North Yorkshire Police finalised 977 allegations from public complaints that were made against its officers and staff. Of these, 23 percent had been investigated and 65 percent had been locally resolved. A smaller proportion of allegations were investigated and a greater proportion were locally resolved in North Yorkshire 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 North Yorkshire Police took to complete a local resolution was 52 days, less than the average of its most similar group of forces (60 days). Over the same period, the average time a local investigation took to complete was 175 days, greater than the average of its most similar group of forces (144 days).

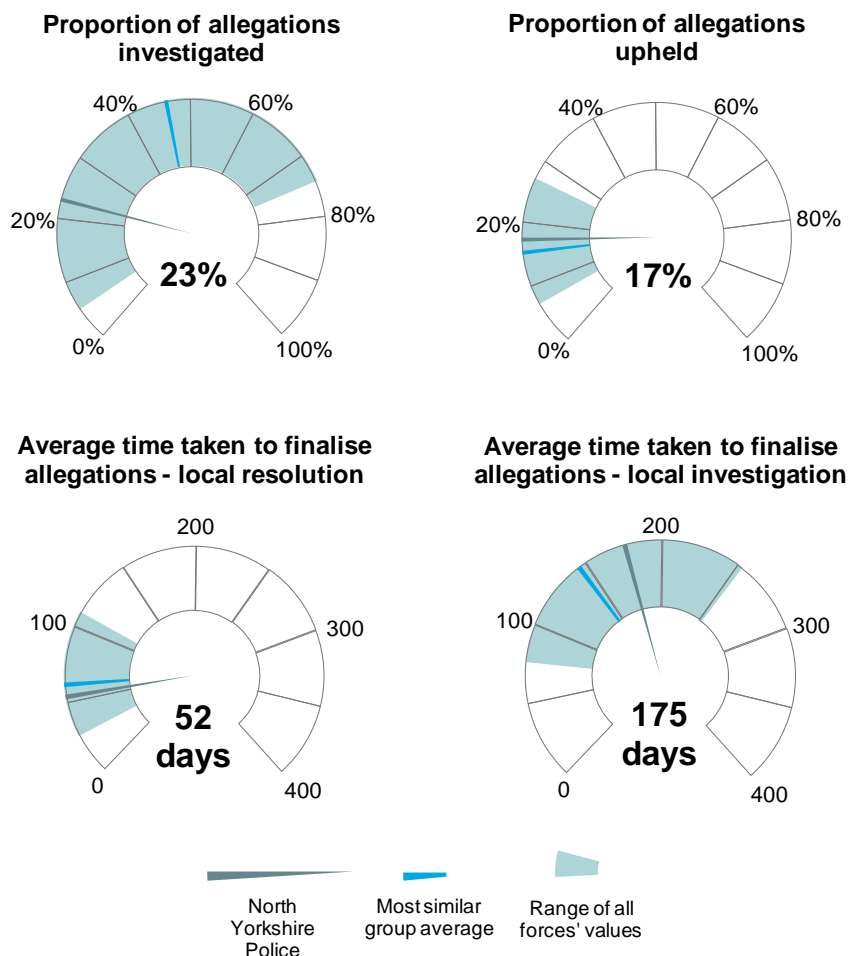
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<sup>9</sup> For a more complete outline of the definitions and potential outcomes resulting from public complaints, please see the Independent Police Complaints Commission's website [www.ipcc.gov.uk](http://www.ipcc.gov.uk).

<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.

After local investigation, North Yorkshire Police closed 221 allegations in the 12 months to 31 March 2015. Of these, 17 percent were upheld, where it was concluded that the service provided by the police officer or police staff or the service as a whole did not reach the standard a reasonable person could expect. This was greater than the average of North Yorkshire's most similar group of forces of 15 percent. The following figure shows how these values compare.

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



**Source: Independent Police Complaints Commission**

Overall, in the 12 months to 31 March 2015, North Yorkshire Police finalised 23 percent of allegations by investigation. The proportion of allegations it upheld after local investigation was greater than the average of its most similar group of forces. Compared to its most similar group of forces, North Yorkshire took less time to complete local resolutions and longer to complete local investigations.

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

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

Building on the findings of the HMIC Police Integrity and Corruption inspection,<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 70 public complaints and internal misconduct allegations, to assess whether they had been considered fairly and consistently. The outcomes of the review were further examined during our fieldwork.

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

The professional standards department published an organisational learning bulletin. This document contained lessons learned from complaints, misconduct investigations, civil litigation, and Independent Police Complaints Commission reports.

The professional standards department was responsible for dealing with public complaints, allegations of crime, and internal misconduct allegations against police officers. It also dealt with public complaints and allegations of crime in relation to police staff. Internal police staff misconduct allegations were dealt with by the human resources department, which also arranged any police staff hearings that resulted from public complaints or internal misconduct.

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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'.

The human resources department had two members of staff who were responsible for making decisions about misconduct allegations against police staff.

To ensure consistency between the professional standards departments and human resources department, the force held regular management meetings that involved professional standards, human resources, legal services and the counter-corruption departments to discuss the consistency of outcomes from complaints and misconduct allegations.

## Summary of findings



**Good**

HMIC found that North Yorkshire Police was committed to developing and maintaining an ethical culture. The chief constable had set out his vision and values for the force, and expected standards of behaviour. A number of methods had been used to communicate this to staff, but we found the level of understanding was inconsistent.

Officers and staff told us that they felt valued, and would be confident and willing to challenge decisions and unethical behaviour. We found a good understanding of the Code of Ethics and it had been incorporated into force policies, procedures and some training courses.

The force had provided some services for the wellbeing of its workforce, although support provided to officers and staff dealing with vulnerable people or traumatic incidents was inconsistent. A force-wide wellbeing programme was being developed at the time of our inspection, to better meet the needs of all staff.

To ensure complaints and allegations of misconduct were dealt with consistently for police officers and police staff, the force held regular management meetings that involved professional standards, human resources, legal services and the counter-corruption departments to discuss the consistency of outcomes from complaints and misconduct allegations.

# 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.

HMIC found that most officers and staff spoken to in North Yorkshire Police clearly understand the link between them doing their job in a professional manner, and to a high quality, and the level of trust and confidence the public has in them.

At a neighbourhood level, officers and staff in North Yorkshire are creating and maintaining good relationships with their communities and have a good understanding of their needs and concerns. North Yorkshire Police has a central operational portal (COP) which gathers together a range of information to provide a local profile of each community. This enables local policing teams to understand and engage with their neighbourhoods to solve problems.

The portal also contains briefing and intelligence documents, operational plans to address specific community problems and community impact assessments. We found that neighbourhood officers use these community impact assessments to identify, understand and respond to any potential changes in tension in a community. This helps to increase trust and confidence in the police.

The force Performance Delivery and Scrutiny Board, which is jointly chaired by the chief constable and the police and crime commissioner, is broadcast in real-time to the public via the internet. These meetings scrutinise organisational performance and provide a further example of how the force is engaging and communicating with the public.

HMIC is satisfied that North Yorkshire Police understands the benefits to police legitimacy of engaging positively with its communities.

Of the 459 survey responses from the area covered by North Yorkshire Police, 54 percent agree that the police understand the crime and anti-social behaviour issues within their force area and 14 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.

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.

North Yorkshire Police uses a range of methods to engage with its communities, primarily through its safer neighbourhood teams, including regular neighbourhood meetings and community surgeries and visits to schools, hospitals and other community locations to seek the view of local people.

The force is making good use of social media, with approximately 80 officers and staff trained and authorised to use it. Neighbourhood teams are encouraged to use social media to engage and communicate with the public, alongside more traditional methods, such as newsletters and leaflets. Some social media sites are monitored and used to gauge public feedback about incidents and events. The force internet site is also used to inform the public, providing information about local communities and the force itself. However, the force should ensure that the website is regularly reviewed, as we found some out-of-date information relating to force priorities.

North Yorkshire Police recognises the value of volunteers and encourages members of the public to participate in local policing activities. The force has over 180 volunteers assisting them in a range of tasks and duties including: contributing to training events; reviewing CCTV images; and community speed watch schemes. The force has appointed a volunteer chief officer with responsibility for Citizens in Policing to continue the recruitment and development of the role of police volunteers within North Yorkshire. The force's use of volunteers increases the capacity of the organisation as well as the opportunities for community engagement.

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

From the survey, 37 percent of the respondents from the area covered by North Yorkshire Police speak highly of the police in their local area while 14 percent speak critically. The remainder have mixed views or do not know. Although not directly comparable because of the small force sample size, of the responses from across all forces in England and Wales, 32 percent speak highly and 16 percent speak critically.

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

Public bodies (including the police 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 we began our fieldwork 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 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 North Yorkshire Police, from the 40 calls assessed, HMIC was generally satisfied that the call-handlers were polite, respectful and effective. We found that, in all cases, call-handlers appropriately assessed the risk and urgency of the call, and clearly explained what would happen next. However, call-handlers did not always provide a reference number, which would help to more easily identify the needs of the caller during any future call.

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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 in their interaction with visitors at police stations. Although a number of staff had not been given any customer service training, they were courteous, polite and provided an excellent level of service to the public.

HMIC found that North Yorkshire Police clearly promotes the National Decision Model and encourages all staff to use it in their day-to-day work. Most officers and staff spoken to were aware of the model and could explain how they used it, including placing the force's values and the Code of Ethics at the heart of it. We were given examples of the model being used in both operational and non-operational situations. This level of understanding helps officers and staff to make logical, ethical decisions, which in turn reassures the public and increases public confidence.

From the survey, 56 percent of respondents from the area covered by North Yorkshire Police agree that the police in their local area treat people fairly and with respect versus 4 percent who disagree. The remainder neither agree nor disagree or do not know. Although not directly comparable because of the small force sample size, across all forces in England and Wales, the figures are 54 percent and 7 percent respectively.

HMIC is satisfied that the majority of officers and staff in North Yorkshire are treating people fairly and with respect.

## Summary of findings



**Good**

North Yorkshire Police engages well with its local communities. Most officers and staff understand the importance of positive community engagement and how it helps to build trust and confidence in the police.

The force has a good understanding of its local communities, and engages well with them using a range of methods. Community meetings and surgeries are held to seek the views of the public and keep them informed of what the police have been doing to resolve local issues. Social media is also used as a way of engaging and communicating with local people. The force uses this engagement to assess the impact of community incidents or problems and respond effectively.

The value of volunteers in improving community engagement and trust in the police is recognised by the force. The public is encouraged to take part in local policing activities and there is a range of opportunities available to work with North Yorkshire Police.

Call-handlers and front-counter staff were generally polite, friendly and helpful. Most officers and staff understand the importance of how logical, ethical decision-making affects public trust and confidence.

# 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 co-operate with the police. The purpose of stop and search powers is to enable officers to dismiss or confirm suspicions about individuals carrying unlawful items without exercising their power of arrest. The officer must have reasonable grounds for carrying out a search.

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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 North Yorkshire Police – Stop and search by volume**

In the 12 months to 31 March 2015, North Yorkshire Police carried out 6,783 stops and searches. The table below shows this number per 1,000 population for North Yorkshire Police and the average of its most similar group of forces, as well as the change from the 12 months to 31 March 2014. The figures indicate that the force's use of stop and search powers is currently in line with the average of its most similar group of forces.

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

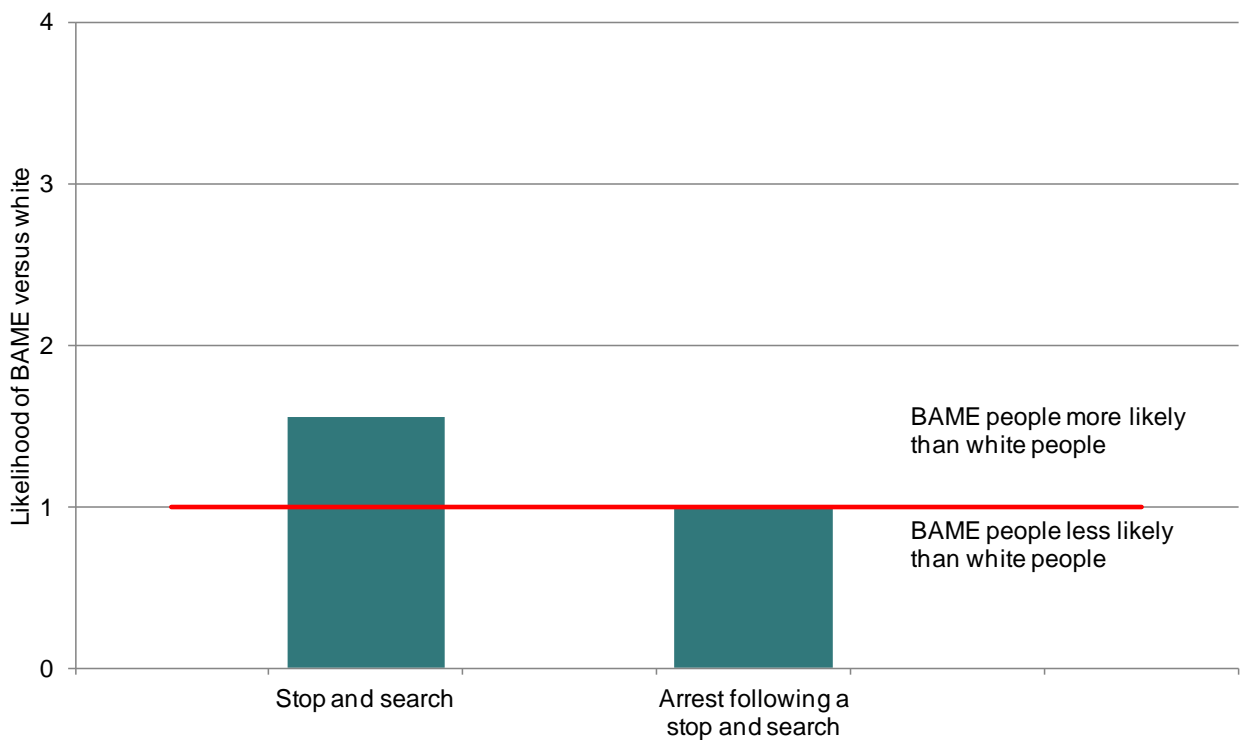
	<b>Stops and searches per 1,000</b>	<b>Change from previous year</b>
North Yorkshire	8.4	-19%
North Yorkshire's MSG average	7.0	-30%

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

**Figure 7: A comparison between the likelihood of BAME and white people being stopped and searched and, separately, arrested following stop and search by North Yorkshire Police, 12 months to 31 March 2015**



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

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

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



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

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

### **Recording reasonable grounds for suspicion**

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

For North Yorkshire Police, the 2013 inspection showed that 60 of 200 records (30 percent) did not have reasonable grounds recorded. During the fieldwork in 2013 we reviewed a further 500 records and found that 117 did not have reasonable grounds recorded.

For this inspection we reviewed 99 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 23 of the 99 forms (23 percent) did not have reasonable grounds recorded. Only 57 of the records had been endorsed by a supervisor. Only seven of the 23 without reasonable grounds recorded were endorsed by a supervisor, which suggests that supervisory input increases the quality of the recorded grounds.

While the records reviewed may not be representative of all stop and search records completed by the force, the result indicates that still far too many records do not have reasonable grounds recorded. It is clear that the force still has much more work to do to ensure that officers and supervisors understand what constitutes reasonable grounds and how to record them.

### **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.

While the force is complying almost entirely with the Best Use of Stop and Search scheme, HMIC found that there is inconsistency in North Yorkshire Police in the levels and understanding by officers and staff of the scheme. For example, there is no agreed view held by the force as to what constitutes a positive outcome and very few operational officers have heard of the scheme.

A training programme has recently been provided to officers across the force to ensure they are carrying out stops and searches appropriately. At the time of the inspection, the vast majority of officers had completed the two-day course and computer-based learning. Most officers spoken to understand their powers and the

importance of an intelligence-led approach to stop searches. Given the training provided, we were surprised that there was not a better level of understanding about the scheme.

The North Yorkshire stop and search policy instructs that supervisors are required to review all stop and search forms submitted, to ensure the accurate recording of details and that sufficient grounds for the search are recorded. However, the sample of stop and search records we examined show that nearly half had not been endorsed by a supervisor, and almost a quarter of forms did not have the grounds for the search sufficiently set out. This is a very disappointing result.

<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>North Yorkshire Police records the outcomes as required by the scheme, but does not record if the item found was the item searched for.</p> <p>While the outcome data is not published on the force’s website, it is published on the police.uk website. However, there is no link on the force website directing members of the public to the police.uk website, and they are consequently unlikely to find it.</p>
Providing opportunities for the public to observe officers using the power	<p>The force complies with this feature of the scheme</p> <p>The force has introduced a lay observation scheme specifically relating to stop and search and has recruited 19 volunteers to act as observers. It has also produced a helpful advice document to observers and has encouraged members of the public, via its website, to apply to observe officers on patrol.</p>
Explaining to communities how the powers are being used following a “community complaint”	<p>The force complies with this feature of the scheme</p> <p>The force has introduced a community trigger for complaints relating to the use of stop and search powers and we were pleased to find that any member of the public can activate the trigger by completing an online application on the force’s website. The copy of the record provided to people who are stopped and searched also includes information on how to make a complaint.</p>

<p>Reducing the number of people stopped and searched without suspicion under section 60<sup>18</sup> of the Criminal Justice and Public Order Act 1994</p>	<p>The force complies with this feature of the scheme</p> <p>The force has amended its policy and procedure in respect of section 60 authorisations to comply with the scheme.</p>
<p>Monitoring the impact of stop and search – particularly on young people and black, Asian and minority ethnic groups</p>	<p>The force complies with this feature of the scheme</p> <p>The force monitors its use of stop and search powers and regularly reviews the total number of stop and search encounters and the ethnicity, gender, and age of those stopped and searched, as well as the outcomes of the search. Stops and searches are also scrutinised by independent advisory groups. This allows the force to determine the impact on black and minority ethnic people and young people.</p>

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

### **Background**

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

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

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

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

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<sup>18</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)

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>19</sup>

### **Use of Taser in North Yorkshire 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.

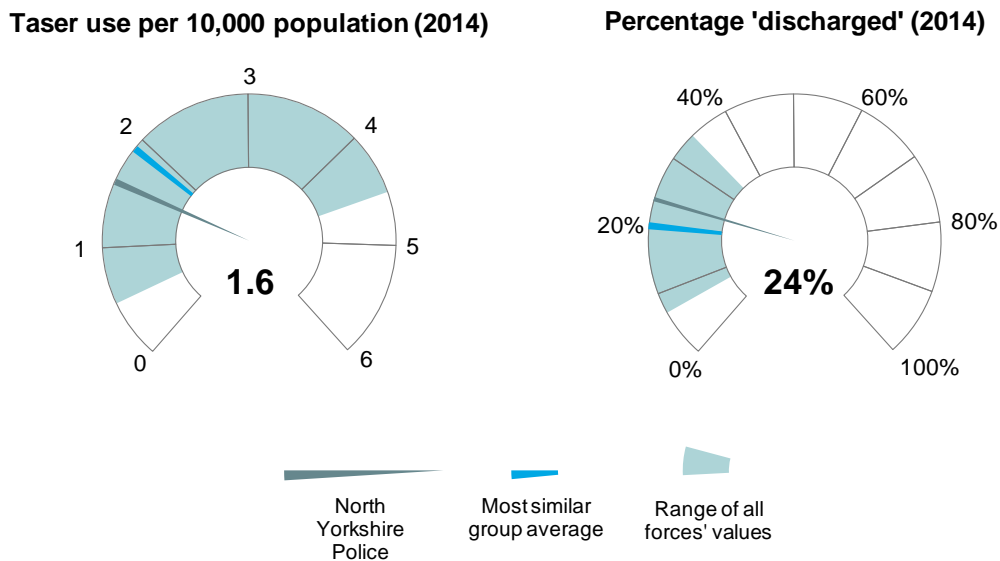
Between 1 January and 31 December 2014, Taser was used in some capacity 127 times by North Yorkshire Police, representing 1.6 times for every 10,000 people in the force's area. This was broadly in line with the average for North Yorkshire Police's most similar group of forces, which was 1.9 times per 10,000 population.

During the same time period, Taser was 'discharged' on 30 occasions (out of the 127 times it was used in some capacity). This equates to 24 percent of overall use, greater than the force's most similar group average of 20 percent. The following figure shows the comparisons.

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<sup>19</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 North Yorkshire Police, 12 months to 31 December 2014<sup>20</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 North Yorkshire 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, drive-stunned once, red-dotted eight times, and drawn seven times. Of the four times the Taser was fired and the one time it was drive-stunned, we found evidence that consideration of other tactics had been recorded.

Overall officers used Taser to protect themselves or others from a range of weapons, including a number of kitchen knives and a pool cue.

<sup>20</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.

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 18 out of the 20 forms the force provided us with. In the remaining two cases, there was insufficient information in the 'brief details' section of the form or additional documents supplied by the force for us to make an assessment.

Where officers had been required to complete the NDM section of the form, we found that some appeared to be unclear about how to record their use of the NDM. Also in the NDM section, none of the forms 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.

North Yorkshire Police is in the process of reviewing its distribution and availability of Taser officers and equipment across the force. To do this, it is considering factors such as level of risk, demand and the geography of the area.

Taser training is provided in accordance with national standards and includes the National Decision Model and Code of Ethics. The selection process to become a Taser officer includes a review of the applicant's skills, personality and complaints history. Both the initial training and the annual refresher training are pass or fail courses.

During the fieldwork stage of the inspection, HMIC spoke to several Taser-trained officers, and is satisfied that officers using Taser have a good understanding of the relevant legislation and authorised professional practice. Additionally, these officers had no difficulties in explaining how they utilise the National Decision Model when considering their use of Taser.

On each occasion a Taser is deployed the officer completes a Taser recording form. We found that these are generally completed accurately and in accordance with policy requirements and national guidance. These forms are reviewed by supervisors, before being further scrutinised by the person in the force responsible for Taser to identify potential trends. Any issues regarding the use of Taser are referred to a force-level meeting. However, we found that supervisors are not routinely required to debrief the officer involved in the deployment immediately after the incident. This means that the force may be missing opportunities to discuss their decision-making rationale or identify any welfare issues at an early stage.

Information relating to the force's use of Taser is available through North Yorkshire's website. This includes details from the previous year of the number of times it was used, the police area it occurred in and the tactic that was used, such as drawn, red-dotted or 'discharged'. Keeping the public informed helps to build public trust and confidence in the use of Taser.

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

## Summary of findings



**Good**

North Yorkshire Police complies almost completely with the Best Use of Stop and Search scheme. However, much more needs to be done to ensure that the grounds for stops and searches are fully understood, recorded accurately and properly supervised.

The deployment of Taser-trained officers and the distribution of Taser-equipment across the force is currently being reviewed and is based on the level of risk, demand and geography of the area. Systems are in place to manage the deployment and use of Taser, with oversight to ensure its use is fair and appropriate. Taser information is published on the force website, and HMIC concluded that its use is fair and appropriate.

### Areas for improvement

- The force should ensure that stop and search records include sufficient reasonable grounds to justify the lawful use of the power, and that officers fully understand the grounds required to stop and search.
- The force should ensure that adequate supervision takes place to ensure that stop and search is conducted lawfully and fairly, and that reasonable grounds are recorded properly.

## 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 North Yorkshire Police's MSG: West Mercia, Norfolk, Gloucestershire, Lincolnshire, Suffolk, North Wales and Devon and Cornwall.
- 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>21</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>21</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).