

PEEL: Police legitimacy 2015

An inspection of Northumbria Police



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

Overall judgment¹



Requires improvement

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

At the time of our inspection, there were a number of concerns about the force's efforts to instil a culture which promoted innovation and willingness to challenge. This is something the new chief constable is aware of and addressing.

Local police teams have a good understanding of their neighbourhoods and engage positively with the public. This commitment is reflected in good public satisfaction rates.

Decisions made by Taser-trained officers are generally fair and appropriate and oversight of the use of Taser is strong. The force has more to do in order to comply with the Best Use of Stop and Search scheme, and ensure that reasonable grounds for the use of stop and search powers are recorded and supervised properly.

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

Summary

HMIC found that staff within Northumbria Police were clearly aware of the importance of ethical behaviour. They appeared willing to challenge wrongdoing, and felt they would be supported if they did so.

However, senior managers reported that previous behaviours had discouraged innovation and challenge, often leaving them feeling undermined and disempowered.

Our grading reflects the findings in spring 2015. The new chief constable and the chief officer team are aware of many of the cultural issues identified by HMIC, and are planning to address them.

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

When HMIC looked at how well the force understands and engages with all the people it serves, we found that most officers and staff that we spoke to understand clearly the relationship between doing a good professional job and increased public confidence in the police. The force's engagement with communities is tailored to their needs, as shown by the good work of area engagement teams. The force has recently used social media to provide further opportunities for public engagement and involvement.

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 Northumbria Police is not compliant with the Best Use of Stop and Search scheme, and should introduce a 'community trigger' policy and publish data that comply with the scheme's requirements. The force should also do more to understand the impact of stop and search on members of the black, Asian and minority ethnic (BAME) community and young people, albeit the force intends to commission work in this area in the near future. The force uses Tasers fairly and appropriately.

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



Requires improvement

HMIC found that staff within Northumbria Police were clearly aware of the importance of ethical behaviour. They appeared willing to challenge wrongdoing, and felt they would be supported if they did so.

However, senior managers reported that previous behaviours had discouraged innovation and challenge, often leaving them feeling undermined and disempowered. The force had taken steps to make sure that selection processes were fair, but the perception of unfairness remained among some staff.

The force made provision to support the wellbeing of staff, and staff were generally complimentary about occupational health

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



Good

We were pleased to find that most officers and staff that we spoke to clearly understand the relationship between doing a good professional job and increased public confidence in the police. HMIC found that neighbourhood teams across Northumbria engage well with the public and they understand how this promotes police legitimacy. This approach is supported by most officers and staff, and clear leadership is being provided on this by the chief constable, particularly through his Proud to Protect approach to promoting the force's values.

The force has a sufficient understanding of its communities and develops

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



Requires improvement

Northumbria Police is not compliant with the Best Use of Stop and Search scheme, and should introduce a 'community trigger' policy and publish data that complies with the scheme's requirements. The force should also do more to understand the impact of stop and search on members of the black, Asian and minority ethnic (BAME) community and young people, albeit the force intends to commission work in this area in the near future.

The force should also ensure that it properly records reasonable grounds for using stop and search, and that its supervisors accurately check the forms.

Northumbria Police has an effective system for ensuring that Tasers are

provision, and the approach to flexible working. The force had made considerable efforts to promote the introduction of the Code of Ethics. It was woven into policy and training, but more work is needed.

While the current triage system for dealing with less-serious complaint matters had proved successful in resolving low level matters expeditiously and to the satisfaction of complainants, it did not conform to the legal obligations on the chief constable to record complaints. As a result the force maybe under-recording complaints and complainants may have been unaware of their legal rights.

Our grading reflects the findings in spring 2015. The new chief constable and the chief officer team are aware of many of the cultural issues identified by HMIC, and are planning to address them.

this through meetings, surveys and a commitment to listening and providing feedback to the public. The force tailors its engagement with communities to their needs, as shown by the good work of area engagement teams. The force has recently used social media to provide further opportunities for public engagement and involvement.

The public are encouraged to engage in policing activities through local problem solving meetings and the force has a very well-developed cadet scheme and other opportunities for voluntary work with police.

Call-handlers and front desk staff are generally polite, friendly and helpful and most officers and staff behave in a respectful and fair manner, an approach that the chief constable and other senior staff encourage and support.

used fairly and appropriately. Taser-equipped officers have a good understanding of the National Decision Model.²

² *College of Policing - Authorised Professional Practice on National Decision Model*, College of Policing, December 2014. Available from: www.app.college.police.uk/app-content/national-decision-model/?s

Force in numbers



Ethnic diversity

Percentage of BAME in workforce 31 March 2015

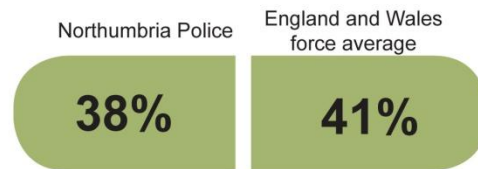


Percentage of BAME in local population, 2011 Census



Gender diversity

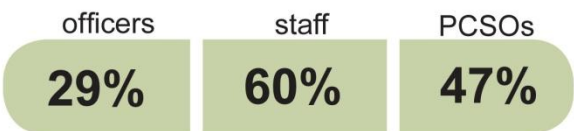
Percentage of females in overall workforce 31 March 2015



Percentage of females by role, Northumbria 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

Northumbria Police Force's most similar group average

13%

15%



Stop and search

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

17,303

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

Northumbria Police

Force's most similar group average

12.1

8.4

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

Northumbria Police

Force's most similar group average

-54%

-47%



Tasers

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

117

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

Northumbria Police

Force's most similar group average

0.8

1.5

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

Northumbria Police

Force's most similar group average

20%

26%

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 Northumbria Police.

Methodology

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

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

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

Organisational justice³

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

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

Procedural justice

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

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

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

⁴ *Ibid.*

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

Introduction

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

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

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

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

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

Gender and black, Asian and minority ethnic (BAME) breakdown in Northumbria Police

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

⁵ The inspection took place between March and June 2015.

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

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

FTE	Total	Of which	
		Female	BAME*
Total workforce	5,226	1,967 (38%)	76 (1%)
Total officers	3,514	1,000 (28%)	59 (2%)
Constables	2,835	849 (30%)	46 (2%)
Sergeants	469	102 (22%)	9 (2%)
Inspecting ranks	176	39 (22%)	3 (2%)
Superintendents and above	35	10 **	1 **
Staff	1,501	885 (59%)	13 (1%)
PCSOs	211	82 (39%)	4 (2%)

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

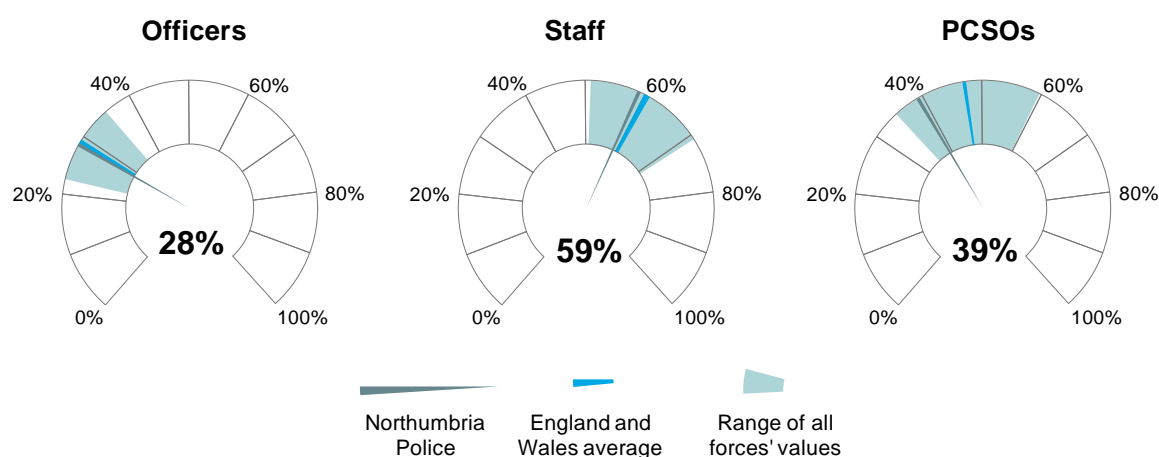
* Individuals are not required to record their ethnicity. As a result, BAME totals and percentages exclude officers/staff/PCSOs where the ethnicity is not stated.

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

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

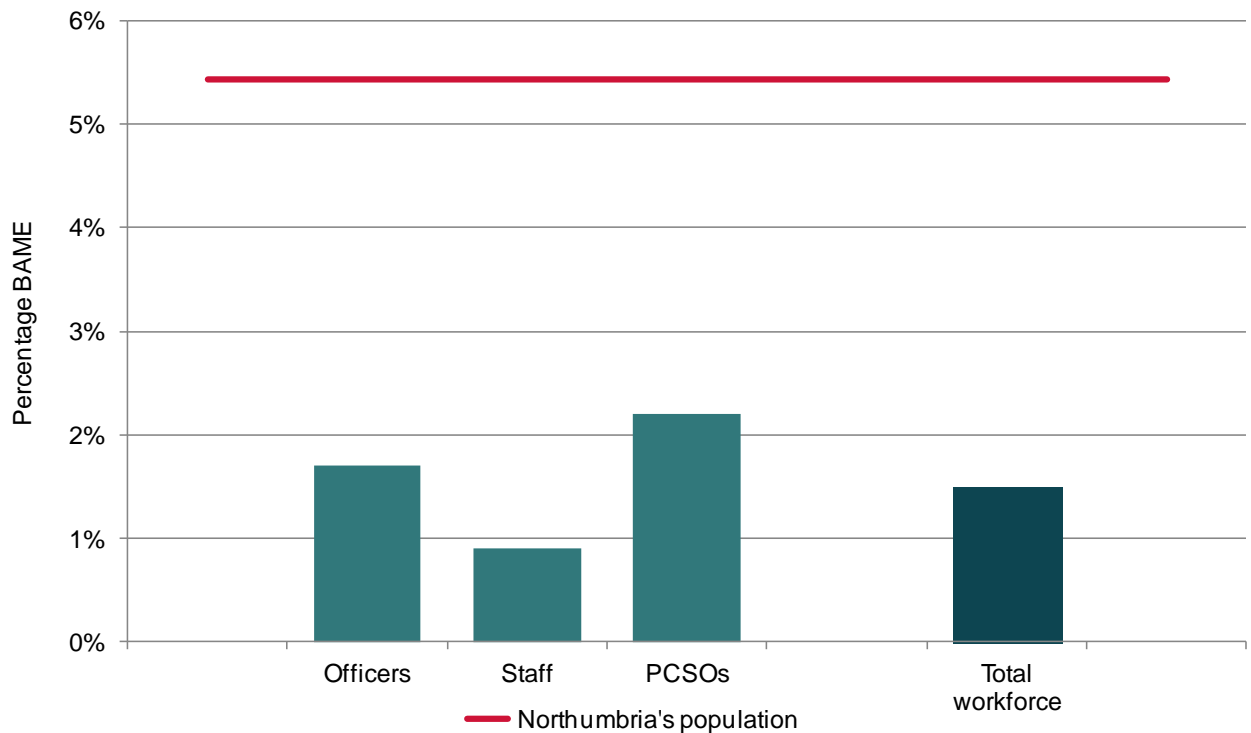


Source: Home Office Police Workforce statistics

We compared the percentages of (i) BAME officers, (ii) BAME police staff and (iii) BAME PCSOs in each force with the proportion of BAME people living in the force area. In Northumbria, around 5 percent of the local population were BAME. The figure below shows these comparisons.

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

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



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

Police forces in England and Wales have experienced large reductions in their total workforce since the government's October 2010 spending review.⁷ HMIC also examined how the percentages of BAME officers and staff, and females within the workforce had changed over this period.

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

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

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

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

	Total change		Percentage point change	
			% female	% BAME
Total workforce	-1,495	(-22%)	0	0
Officers	-673	(-16%)	+3 ●	0
Staff	-595	(-28%)	0	0
PCSOs	-227	(-52%)	-7 ●	+1 *

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 A for details).

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

Source: Home Office Police Workforce statistics

There were no statistically significant changes in the percentages of either females or BAME people within Northumbria Police's overall workforce between 31 March 2010 and 31 March 2015. However, there were statistically significant changes in the percentages of female officers and PCSOs. In particular, the proportion of female officers increased by around 3 percentage points, yet female PCSOs decreased by around 7 percentage points during the five years.⁸

Overall, compared with other forces, as at 31 March 2015, the percentage of females within Northumbria Police's workforce was broadly similar for both officers and staff yet lower for 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.

⁸ In September 2012 Northumbria Police changed the roles carried out by their PCSO's to include patrol roles only which has partly affected this change.

Please note that these findings reflect HMIC's observation and analysis in early 2015. Since that time, there has been a change in chief constable.

HMIC found that the force had made considerable efforts to promote the introduction of the Code of Ethics. However, some staff felt the ethical messages had been somewhat hypocritical and described them as "one rule for us, one for them".

Staff told us that they were proud of working for Northumbria Police and felt that they delivered a high-quality and ethical service to the public. They understood ethical behaviour and said they were willing to challenge wrongdoing. HMIC saw examples where this had happened. Importantly, staff said that the force would support them if they challenged wrongdoing.

Staff seemed less confident about challenging organisational issues, and felt that the culture of the force discouraged challenge and innovation. HMIC heard several examples, where the force's response to challenge had made staff feel that their views were not sought or appreciated. The new chief constable and chief officer team were aware of these concerns and had put plans in place to address them.

The former chief constable, or her deputy, had held focus groups with staff before each local quarterly performance meeting, but the force had not conducted a wider staff survey since 2010. Surveys conducted by staff associations had identified problems with morale and wellbeing, but the force had taken little action to understand and respond to these.

The force did not engage with all the active staff networks. While the force had support groups for disabled and gay staff, there was no representative group for BAME or female officers and staff. The force's equality board included representatives from staff associations, but not staff support networks.

Northumbria Police was taking steps to ensure that recruitment, promotion, and selection processes were fair. These included involvement of staff associations and independent members sitting on promotion boards. The force was evaluating processes so that any apparent disadvantage could be identified. For example, the force was aware that females were under-represented among successful candidates in a recruitment and promotion process. However, the perception of a number of officers we spoke to was that some selection processes and outcomes were not fair.

The force recognised the need to improve the representation of black, Asian and minority ethnic (BAME) groups in its workforce. It was in the early stages of work with the police and crime commissioner (PCC) to improve its current approach to the recruitment of BAME police constables and staff.

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 within Northumbria Police the human resources (HR) department worked positively with staff associations to understand concerns and provide a good welfare service, but understanding of wellbeing issues had been restricted by the force's limited engagement with staff.

We found clear policies and procedures for supporting staff in the workplace, which set out occupational health provision, sickness and flexible working policies, and confidential referral schemes. Managers reported that they had received training, and HR specialists were available to assist in difficult cases.

Staff spoken to believed strongly that the senior command team were supportive, particularly when a staff member was injured on duty. We found specific examples of personal calls made to injured officers by the former and current chief constables, and the priority given to injured staff by the occupational health unit.

Staff were generally complimentary about occupational health provision, and the approach to flexible working. Examples were provided of reasonable adjustments having been made to support officers returning to full duties, and flexible working plans to support caring commitments. The force was also retaining 20 posts for officers no longer physically fit for full duties, but who could still provide a service to the public. This was viewed positively.

Staff were more critical of problems they encountered when trying to take leave. The force recognised that some staff are unable to book or take planned leave, and that rest days were often cancelled because of the high numbers of staff it committed to public order events. The force was changing its deployment policies, which was already reducing the need to post large numbers of officers to public events and demonstrations.

We were also told that the building estates policy had affected the quality of facilities available to some staff. This policy is fundamental to plans to meet budget requirements in the short and medium term. While closure of some police stations had resulted in staff having to travel greater distances to work at stations which had inferior facilities, in other cases, co-location with partners has improved the quality of facilities available to officers and staff.

Police staff felt their welfare was not seen as being as important as that of police officers. This was most apparent where police officers managed police staff. We found a perception that police officer managers did not understand the differences in contractual position, or appreciate fully the vulnerability police staff felt as budgets continued to be reduced and the potential risk to job security that this entailed.

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.⁹ This sets out nine policing principles that should be applied by all officers and staff: Accountability; Integrity; Openness; Fairness; Leadership; Respect; Honesty; Objectivity; and Selflessness. These principles should be used to underpin the decisions and actions taken by officers and staff.

This inspection considered the extent to which officers and staff were aware of the Code of Ethics, and how the force was working to embed the code into policy and practice.

HMIC found that the force had made considerable efforts to promote the Code of Ethics, but it was not yet fully integrated across the organisation. When the code was first introduced, the former chief constable and her deputy conducted roadshows throughout the force, and spoke to staff in small groups to highlight the code's importance to policing. Each member of staff also received a paper copy of the Code of Ethics, and the strategic corporate communications department designed internet items, email communications and a series of force dilemmas in poster form, to ensure it was widely-publicised and accessible to all staff.

Northumbria Police reviewed all policy and procedures to ensure that they were consistent with and, where appropriate, made reference to the Code of Ethics. The force had redesigned training to incorporate the code as part of the National Decision Model (NDM),¹⁰ and integrate the code's ethical principles into the force's recruitment, promotion and selection processes.

The force recognised it had more to do so that all staff understood the Code of Ethics. The training department used feedback from professional standards investigations to inform its training programme. Staff in the department understood that officers who were younger in service were often more comfortable using the

⁹ 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

¹⁰ *College of Policing - Authorised Professional Practice on National Decision Model*, College of Policing, December 2014. Available from: www.app.college.police.uk/app-content/national-decision-model/?s

Code of Ethics as part of the NDM. The code was also increasingly used by officers in public order situations, where a Taser had been 'discharged', or where dog-handlers accounted for their decision to release their dogs in order to detain suspects.

The staff we spoke to understood the code and the steps that the force had taken to highlight its introduction.

How fairly and consistently does the force deal with complaints and misconduct?

Complaints made by the public against police officers, police staff, contracted police staff, and force procedures are recorded by individual police forces. Each complaint may have one or more allegations attached to it. For example, one complaint that an officer was rude and that they pushed an individual would be recorded as two separate allegations.

Each allegation can be dealt with, or resolved, in a number of ways. Some complaints, such as rudeness or incivility, may be dealt with through the local resolution process. The way these complaints are resolved should be adapted to the needs of the complainant – for example, they may involve an apology or an explanation of the circumstances in writing or in person. If the complaint is more serious, and assessed as not suitable for local resolution, it must be investigated by an appointed investigating officer who will produce a report detailing findings against each allegation. Under certain circumstances, some complaints do not proceed. These use processes known as disapplication or dispensation (for example, if the matter is already the subject of a complaint or if the complaint is repetitious or vexatious), discontinuance (for example, if the complainant refuses to cooperate or it is not reasonably practicable to investigate the complaint) or if they are withdrawn by the complainant.¹¹

In the 12 months to 31 March 2015, Northumbria Police finalised 2,249 allegations from public complaints that were made against its officers and staff. Of these, 56 percent had been investigated and 23 percent had been locally resolved. A greater proportion of allegations were investigated and a smaller proportion were locally resolved in Northumbria compared with the average of its most similar group of forces.¹²

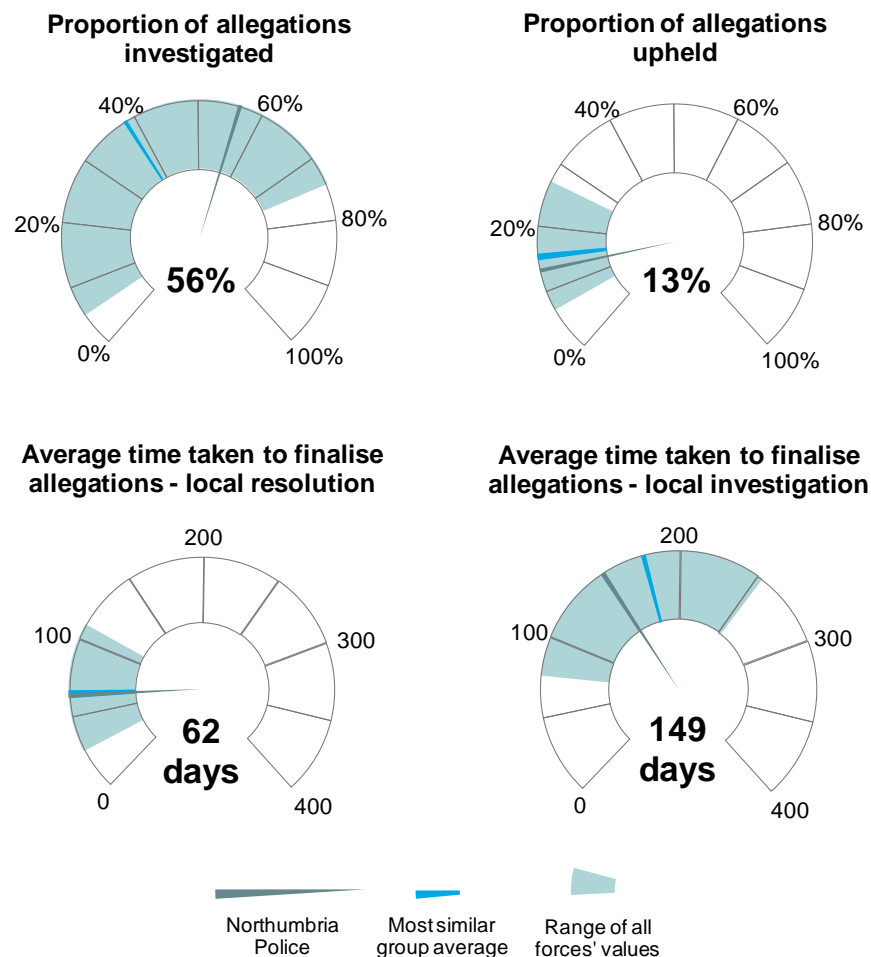
¹¹ For a more complete outline of the definitions and potential outcomes resulting from public complaints, please see the Independent Police Complaints Commission's website: www.ipcc.gov.uk.

¹² 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 for more information.

In the 12 months to 31 March 2015, the average time Northumbria Police took to complete a local resolution was 62 days, in line with the average of its most similar group of forces (62 days). Over the same period, the average time a local investigation took to complete was 149 days, less than the average of its most similar group of forces (176 days).

After local investigation, Northumbria Police closed 1,260 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 not reach the standard a reasonable person could expect. This was less than the average of Northumbria'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 Northumbria Police, 12 months to 31 March 2015



Source: Independent Police Complaints Commission

Overall, in the 12 months to 31 March 2015, Northumbria Police finalised 56 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, Northumbria took a similar amount of time to complete local resolutions and less time 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 HMIC's Police Integrity and Corruption inspection,¹³ this inspection considered if public complaints and misconduct investigations were dealt with in a timely and consistent manner. The inspection also considered whether investigations were conducted fairly and whether officers and staff, particularly those with protected characteristics,¹⁴ felt that they would be treated fairly following a complaint or allegation against them.

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

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

HMIC found that, in the main, the force ensured that complaints and misconduct matters for officers and staff were being dealt with fairly and consistently. The deputy chief constable met weekly with the heads of professional standards and human resources departments and staff association representatives to manage the progress of investigations, the wellbeing of staff being investigated, and to ensure consistency. Meetings were also held with the police and crime commissioner to consider the timeliness of complaint investigations, outcomes in individual cases, and to identify and address any patterns and trends in complaints and misconduct.

¹³ *Integrity Matters – An inspection of arrangements to ensure integrity and to provide the capability to tackle corruption in policing*, HMIC, London, 2015. Available from: www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/

¹⁴ Under the Equality Act 2010, it is against the law to discriminate against anyone because of: age; being or becoming a transsexual person; being married or in a civil partnership; being pregnant or having a child; disability; race including colour, nationality, ethnic or national origin; religion, belief or lack of religion/belief; sex; or sexual orientation. These are called 'protected characteristics'.

The force and the police and crime commissioner had introduced a system whereby all public complaints were triaged by a team co-led by an inspector seconded to the police and crime commissioner's office and an experienced OPCC business manager. This team entered complaints onto a workflow system, and then made an assessment. Serious allegations were passed directly to the professional standards department to be recorded as formal complaints, and to be managed by them. Less serious matters were not recorded as formal complaints but were handled by the triage team through to conclusion, provided they could be resolved within 10 working days. If they could not be resolved within 10 working days, they were passed to the professional standards department to record, assess, and handle.

The force and the police and crime commissioner viewed the triage system as providing a better service to the public: lower-level complaints were quickly resolved, and public satisfaction with the complaints system was higher. Every complainant is advised that the triage is: an offer to seek to resolve the matter before it is recorded as a complaint; and that their complaint can be formally recorded and passed to the professional standards department to record, assess and handle if they prefer. The force stated that there were only two appeals in the 500 cases dealt with by the triage team in its first year of operation. However, since the force did not initially record these matters as public complaints, complainants may not have been aware of their right of appeal to the IPCC against the force's decision not to record the matter as a formal complaint. They may also have been unaware that this restricted their legal rights under the Police Reform Act 2002 which provides them with access to information, and gives them a degree of control, via the IPCC, over how their complaint is dealt with.

An officer of appropriate rank was responsible for the initial assessment of those public complaints forwarded to the professional standards department, and for making decisions in relation to the suitability of local resolution. However, this officer did not see those matters that were handled by the triage team, and the officer in charge of the triage team was not of a suitable rank to perform this role for the force.

Summary of findings



Requires improvement

HMIC found that staff within Northumbria Police were clearly aware of the importance of ethical behaviour. They appeared willing to challenge wrongdoing, and felt they would be supported if they did so.

However, senior managers reported that previous behaviours had discouraged innovation and challenge, often leaving them feeling undermined and disempowered. The force had taken steps to make sure that selection processes were fair, but the perception of unfairness remained among some staff.

The force made provision to support the wellbeing of staff, and staff were generally complimentary about occupational health provision, and the approach to flexible working. The force had made considerable efforts to promote the introduction of the Code of Ethics. It was woven into policy and training, but more work is needed.

While the current triage system for dealing with less-serious complaint matters had proved successful in resolving low level matters expeditiously and to the satisfaction of complainants, it did not conform to the legal obligations on the chief constable to record complaints. As a result the force maybe under-recording complaints and complainants may have been unaware of their legal rights.

Our grading reflects the findings in spring 2015. The new chief constable and the chief officer team are aware of many of the cultural issues identified by HMIC, and are planning to address them.

Areas for improvement

- The force should actively demonstrate that it takes the views and concerns of officers and staff seriously, and that it acts on these concerns where appropriate.
- The chief constable should ensure that the force is recording public complaints in accordance with the requirements of the Police Reform Act 2002 and the IPCC guidance.

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

Introduction

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

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

In autumn 2015, HMIC made an assessment of the extent to which police forces understand and engage with the people they are there to serve. Based on the College of Policing's Authorised Professional Practice on Engagement and Communication,¹⁵ the inspection asked:

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

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

¹⁵ *Authorised Professional Practice on Engagement and Communication*, College of Policing, 2015. Available from: www.app.college.police.uk/app-content/engagement-and-communication/?s

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

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

HMIC spoke to a wide range of officers and staff across Northumbria Police and asked them how they engage with the people they serve. We were pleased to find that most officers and staff that we spoke to clearly understand the relationship between doing a good professional job and increased public confidence in the police. It is also clear that officers and staff appreciate that engaging with, and understanding the public they serve, plays an important role in building public trust in police.

We were given examples of officers working with other agencies, including housing associations and local councils, to better understand local people, such as a Safer Estates Scheme in Newcastle.

We found evidence of appropriate use of community impact assessments, which officers complete when they identify specific issues that might undermine confidence in police. The force also reviews these assessments centrally to identify any force-wide issues that might emerge.

We saw little evidence of the use of neighbourhood profiles, which are used to identify areas of risk, or vulnerable individuals or groups. However, it is clear that most officers maintain good relationships with their communities and have a good understanding of local people and their policing needs. Most officers take pride in understanding and serving their communities. The force may wish to consider increasing its use of more formal mechanisms, such as neighbourhood profiles, to help capture its understandings of its communities and to identify emerging trends across the force.

We found an effective process to ensure that the force records problems raised by the public at a local level, and put in place plans to address them. Senior managers check that the plans have been acted on and the public informed of the result. This is also monitored by chief officers. This approach contributes to building confidence and trust in police.

At a strategic level the force conducts regular surveys to better understand the needs and concerns of the public. A recent development has been greater use and analysis of social media to help understand public concerns.

The force also receives guidance and challenge from a force-level Strategic Independent Advisory Group and from local independent advisory groups to help understand the needs and concerns of the public, notably the concerns of minority groups and vulnerable people.

Of the 704 survey responses from the area covered by Northumbria Police, 53 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.

HMIC is satisfied that Northumbria Police understands the benefits for police legitimacy that can be gained by engaging positively with its communities.

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. HMIC found that Northumbria Police uses an appropriate range of methods to seek the views of the people it serves and to provide them with information.

Neighbourhood officers attend local meetings where problems are raised, plans to address these problems are proposed, and feedback is given on previous actions. Drop-in surgery-style meetings are also held in public venues. Community issue reports are generated by PCSOs and constables. Walks are also held where police, councillors and local people identify, assess and address problems as they move around the area. An example was in relation to steps taken by police and partner agencies to tackle anti-social behaviour and begging around a city centre train station. In this instance, the force had held a series of meetings with partner agencies to understand the problem and design out some of the local environmental factors, while placing some of the perpetrators on anti-social behaviour orders to control their behaviour. These activities provide clear ways for people to resolve problems with the support of police.

Each area command has an engagement team, who meet with a wide range of groups, including representatives of minority groups within the communities the force serves. The work of engagement officers in the West End of Newcastle with diverse

communities is particularly noteworthy. Here the community engagement team provides a valuable service in retaining contact with vulnerable and minority sections of the community to understand their concerns. They are at the forefront of recognising and reducing community tension, while taking the time to explain police activity and provide an enhanced service to support vulnerable victims.

We found good liaison and engagement with universities across the force area. Neighbourhood officers use social media effectively, and their use of university radio, such as Radio Spark at the University of Sunderland, to engage with students, leads to better relations and improved safety for students. This is particularly evident during freshers' week, when officers engage with new students and provide literature backed up by face-to-face advice on alcohol consumption, personal property security, keeping safe and avoiding risky activities.

The force uses social media to engage with the public. The chief constable has a Twitter account and other officers, including three neighbourhood teams, are now also using social media to communicate with local people.

Northumbria Police puts considerable effort into informing communities what the force has done in response to the issues they raise. Officers referred to an approach based on 'we asked, you said, we did'. This approach was evident on the force website, which is a source of useful and accessible information for local people.

The force has a police cadet scheme to engage young people in police activity, and two cadets recently won national awards for their voluntary work. Community volunteers are involved in 'speed watch' and work at front desks in some police stations. In the South area of Northumbria, two students are working as volunteers in the integrated offender management unit. There are also plans for local university student volunteers to support cyber-crime investigations. This could be the basis for further opportunities for communities to help the police. Special constables also have good working relationships with neighbourhood officers.

From the survey, 36 percent of the respondents from the area covered by Northumbria 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.

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

We are satisfied that Northumbria Police is engaging well with the people it serves.

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

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

This inspection looked at whether all members of the public (including those with protected characteristics) are treated (and perceive that they are treated) fairly and with respect by the police. We also assessed the extent to which officers understand the National Decision Model,¹⁶ the framework by which all policing decisions should be made, examined and challenged. The Code of Ethics is a central component of the National Decision Model.

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

Although not necessarily representative of all calls responded to by Northumbria Police, from the 40 calls assessed, HMIC was generally satisfied that the call handlers were polite, respectful and effective. Call handlers were good at assessing the risk and urgency of the call, but did not routinely give an incident number to the caller.

During our fieldwork we also observed front counter staff in their interaction with visitors at police stations and found that the staff were consistently, polite, professional and helpful.

We were pleased to find that almost everyone we spoke to during the inspection was aware of and could 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 and in dealing with major operational decisions and in custody settings. We were also given examples of use of the NDM

¹⁶ *College of Policing – Authorised Professional Practice on National Decision Model*, College of Policing, December 2014. Available from: www.app.college.police.uk/app-content/national-decision-model/?s

in non-operational environments, although its use in these areas is not as well-developed. The force has achieved this level of understanding through a range of training programmes, including Code of Ethics and stop and search training. The understanding is reinforced by day-to-day use, led by senior officers routinely using the model.

We found that officers and staff mostly have the knowledge, skills and commitment required to treat members of the public fairly and with respect. The force adopts an effective approach to ensuring that all staff meet the public expectation that they will be treated fairly and with respect. This is done through training and is also developed through the ambitions for the force set out by chief officers, notably the chief constable's emphasis on force values, promoted around the theme of 'Proud to Protect', using messages, visits, meetings with staff and a very well-received weekly bulletin from the chief constable.

The force conducts crime victim satisfaction surveys, according to national standards, and uses a similar method to survey people who have been subjected to anti-social behaviour. In addition surveys conducted jointly with local authorities provide data about the level of confidence and satisfaction with the local police service. These surveys indicate a good level of satisfaction with the respect and fairness shown by Northumbria Police.

From the survey, 56 percent of respondents from the area covered by Northumbria 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

We were pleased to find that most officers and staff that we spoke to clearly understand the relationship between doing a good professional job and increased public confidence in the police. HMIC found that neighbourhood teams across Northumbria engage well with the public and they understand how this promotes police legitimacy. This approach is supported by most officers and staff and clear leadership is being provided on this by the chief constable, particularly through his 'Proud to Protect' approach to promoting the force's values.

The force has a sufficient understanding of its communities and develops this through meetings, surveys and a commitment to listening and providing feedback to the public.

Engagement with communities is tailored to their needs, as shown by the good work of area engagement teams. Recently social media has been used to provide further opportunities for public engagement and involvement.

The public are encouraged to engage in policing activities through local problem solving meetings and there is a very well-developed cadet scheme and other opportunities for voluntary work with police.

Call handlers and front desk staff were generally polite, friendly and helpful and most officers and staff behave in a respectful and fair manner, an approach that is encouraged and supported by the chief constable and other senior staff.

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

Introduction

Fairness, and the perception of fairness, is crucial to police legitimacy. It is therefore important that fairness is demonstrated in all aspects of policing, including the use of police powers. Some of the most intrusive powers available to the police are those involving stopping and searching people and the use of Taser.¹⁷

In early 2015, Northumbria Police was one of nine forces inspected as part of our follow-up to the 2013 inspection,¹⁸ which examined progress on the ten 2013 recommendations.¹⁹ We also assessed the recording of stop and search encounters involving the removal of more than outer clothing and the recording of vehicle stops under the Road Traffic Act 1988.

In autumn 2015, HMIC assessed the use of Taser and stop and search powers (specifically, compliance with the Best Use of Stop and Search scheme²⁰ 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?

¹⁷ *College of Policing: Authorised Professional Practice on armed policing – legal framework and Taser*. Available from: www.app.college.police.uk/app-content/armed-policing/conducted-energy-devices-taser/

¹⁸ Stop and Search Powers: Are the police using them effectively and fairly? HMIC, 2015. Available from www.justiceinspectorates.gov.uk/hmic/media/stop-and-search-powers-20130709.pdf

¹⁹ Stop and Search Powers 2: Are the police using them effectively and fairly? HMIC, 2013. Available from www.justiceinspectorates.gov.uk/hmic/wp-content/uploads/northumbria-stop-and-search.pdf

²⁰ *Best Use of Stop and Search Scheme*, Home Office, 2014. Available from: www.gov.uk/government/publications/best-use-of-stop-and-search-scheme

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

Background

The primary role of the police is to uphold the law and maintain the peace. Unfair, unlawful or unnecessary use of stop and search powers make this task harder, with one of the direct consequences being a reduction in public trust and police legitimacy, and people being more likely to break the law and less willing to co-operate with the police. The purpose of stop and search powers are to enable officers to dismiss or confirm suspicions about individuals carrying unlawful items without exercising their power of arrest. The officer must have reasonable grounds for carrying out a search.

In our 2013 inspection on stop and search,²¹ HMIC concluded that few forces could demonstrate that use of stop and search powers was based on an understanding of what works best to cut crime and rarely was it targeted at priority crimes in their areas. Forces had reduced the amount of data collected, to reduce bureaucracy, but this had diminished their capability to understand the impact of the use of stop and search powers on crime levels and community confidence.

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

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

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

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

²¹ *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

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

In the 12 months to 31 March 2015, Northumbria Police carried out 17,303 stops and searches. The table below shows this number per 1,000 population for Northumbria 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 greater than the average of its most similar group of forces.

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

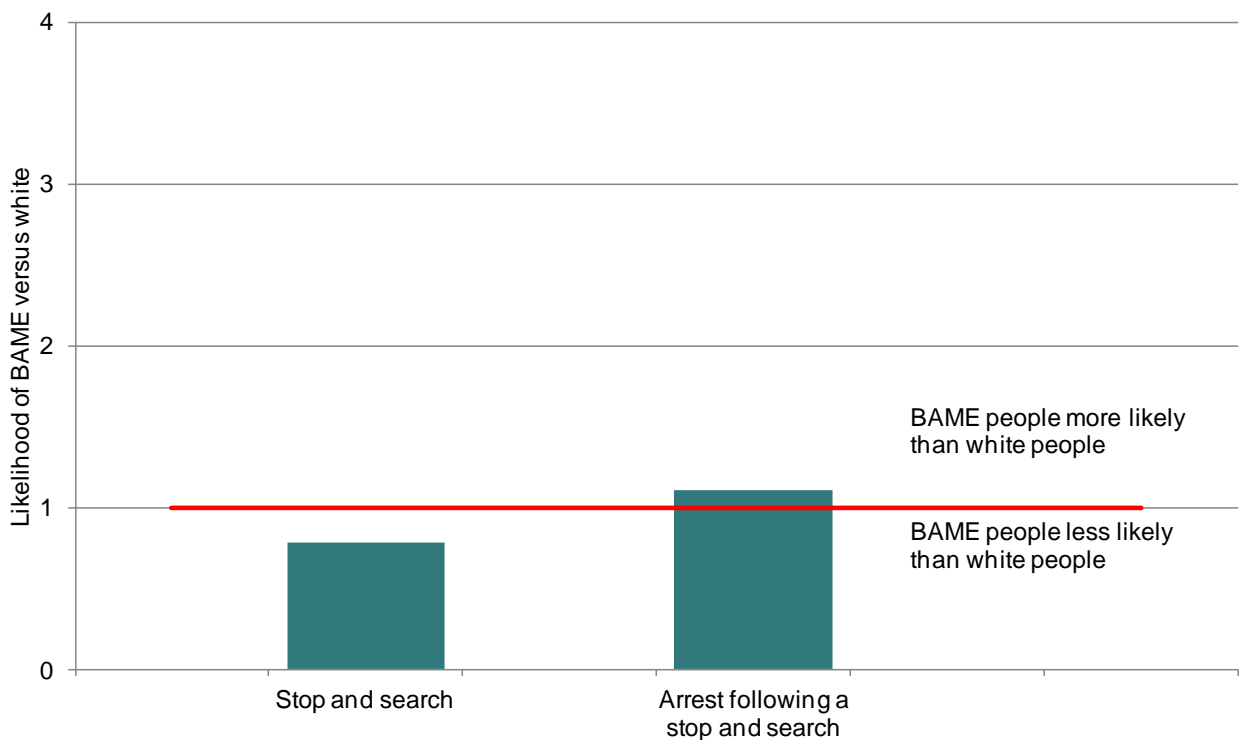
	Stops and searches per 1,000	Change from previous year
Northumbria	12.1	-54%
Northumbria's MSG average	8.4	-47%

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 Northumbria 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 less likely to be stopped and searched by Northumbria 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 Northumbria 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 Northumbria Police, the 2013 inspection showed that 112 of 200 records reviewed (56 percent) did not have sufficient 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. Eighty-seven of the records we reviewed had been endorsed by a supervisor. We found that 12 of the 99 records (12 percent) did not have reasonable grounds recorded, of which 11 had been endorsed by a supervisor.

This suggests that some officers, and some supervisors given the task of reviewing records, still do not understand fully what constitutes reasonable grounds.

The item searched for was found in 27 of the 100 records we reviewed.

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

Compliance with the Best Use of Stop and Search scheme

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

HMIC found that in Northumbria the police and crime commissioner has recently set up a group to look at stop and search, but it has not yet scrutinised any encounters. The Strategic Independent Advisory Group also has a sub-group that addresses stop and search. However, while it has provided guidance to the force, its role does not include scrutiny of the force.

While the force regularly surveys victims, it has not carried out much work to better understand the impact of stop and search, or indeed arrest, on those who have been subject to these powers. The force should consider undertaking work to better understand the experience of those whom it stops and searches. Such work might provide insights that could help build trust and confidence and police legitimacy.

We spoke to a wide range of officers during the inspection and asked them about their use of stop and search. Most officers understand their powers and have received recent training, which dealt not only with their legal powers but with the manner of search. They also understand the importance of an intelligence-led approach to stop and search. However, understanding of the Best Use of Stop and Search scheme was not consistent.

HMIC concluded that Northumbria Police is not compliant with the Best Use of Stop and Search scheme.

Feature of Best Use of Stop and Search scheme	HMIC assessment of compliance
Recording and publishing the outcomes following a stop and search	<p>The force does not comply with this feature of the scheme</p> <p>Northumbria Police records the full range of outcomes and also records the details of items found, allowing it to determine any link between the outcome and the item originally searched for. In terms of recording outcomes the force is compliant with the Best Use of Stop and Search scheme.</p> <p>The force has dedicated stop and search pages on its website, which includes useful information and statistics about how the force uses the powers. However, the data published includes only the number of searches and the number of arrests resulting, broken down by ethnicity. There is no data about the range of outcomes as required by the scheme and no data to explain to the public how many times the reasonable grounds had been proved to be accurate by finding the item searched for.²² However, the required data are published on the police.uk website but there is no link on the force website directing people to the police.uk website and so members of the public are unlikely to find them. The provision of such a link on the force website would make the force compliant with this feature.</p>
Providing opportunities for the public to observe officers using the power	The force complies with this feature of the scheme
Explaining to	The force does not comply with this feature of the scheme.

²² HMIC checked Northumbria Police's website on 21 September 2015.

<p>communities how the powers are being used following a “community complaint”</p>	<p>The Best Use of Stop and Search scheme requires forces to define a ‘community trigger’, which defines at what point dissatisfaction with stop and search would lead to further action or scrutiny. The force does not have a policy to cover this requirement and is not compliant with this element of the scheme. The absence of a community trigger poses a risk to public confidence in police. If tensions around stop and search rise a community trigger can provide an effective mechanism to identify and address such tensions.</p>
<p>Reducing the number of people stopped and searched without suspicion under Section 60²³ of the Criminal Justice and Public Order Act 1994</p>	<p>The force complies with this feature of 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 does not comply with this feature of the scheme. Another important feature of the scheme is to require forces to monitor the use of stop and search powers, to determine the impact on BAME people and young people. The force is not compliant with this element of the scheme. A survey was recently conducted for the force, by a local university, of BAME young men in the Newcastle area. However, the survey only provided limited useful information, as very few of those surveyed had been stopped and searched. The force intends to commission further survey work but it is not clear when this will be done or what form it will take.</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

²³ ‘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

its electrical charge in a five-second cycle which can be stopped, extended or repeated.

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

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

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

HMIC has not previously inspected how Taser is used either in, or between, forces. This inspection considered whether chief officers understand how Taser is being used across the force area, to satisfy themselves that it is being used fairly and appropriately, and whether Taser-trained officers are acting in accordance with the College of Policing's Authorised Professional Practice and the legal framework each time it is used.²⁴

Use of Taser in Northumbria Police

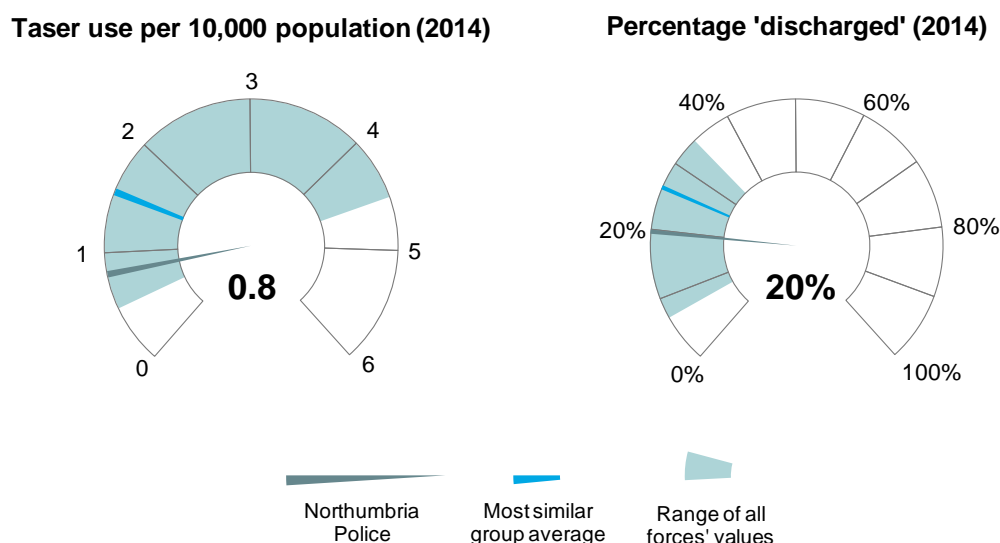
Every time a Taser is used in some capacity (this includes a full range of use from being drawn to being 'discharged') a police officer makes a record of its 'highest use' on a Taser deployment form.

Between 1 January and 31 December 2014, Taser was used in some capacity 117 times by Northumbria Police, representing 0.8 times for every 10,000 people in the force's area. This was less than the average for Northumbria Police's most similar group of forces, which was 1.5 times per 10,000 population.

During the same time period, Taser was 'discharged' on 23 occasions (out of the 117 times it was used in some capacity). This equated to 20 percent of overall use, less than the force's most similar group average of 26 percent. The following figure shows the comparisons.

²⁴ *College of Policing: Authorised Professional Practice on armed policing – legal framework and Taser*. Available from: www.app.college.police.uk/app-content/armed-policing/conducted-energy-devices-taser/

Figure 8: Use of Taser per 10,000 population and the proportion 'discharged' by Northumbria Police, 12 months to 31 December 2014²⁵



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

The Taser deployment form is a national document for gathering research information about the operational effectiveness of the Taser device, and any medical implications of its use. If officers fire the Taser, or if they use it in drive-stun or angled drive-stun mode, they are required to complete the full form, including a detailed description of the incident from commencement to resolution. The National Decision Model is used on the form as a structure for officers to record this description. For any other use, such as 'drawn', 'aimed', 'red-dotted' or 'arced', officers are only required to provide brief details of the incident. A detailed description, structured around the National Decision Model, is not required.

Before the fieldwork stage of the inspection, HMIC conducted a review of 20 Taser deployment forms provided by Northumbria 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 six times, red-dotted six times, aimed four times, and drawn four times. In five of the six times that Taser had been fired, we found evidence that consideration of other tactics had been recorded, and that in one case the officer had recorded other tactics but had not assessed the viability of each before deciding to fire Taser.

Overall officers used Taser to protect themselves or others from a range of weapons, including numerous kitchen knives, a machete, a hand gun, an axe, and a baseball bat.

²⁵ 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 Taser deployment forms and the Taser review reports completed by a chief inspector or superintendent provided us with evidence to suggest that the use of Taser was fair, lawful, and appropriate in all cases reviewed, except one. This one form did not record sufficient information for us to make a valid 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, and that none of them contained any mention of the national Code of Ethics for the police service which is at the heart of the NDM and should be considered at each stage, particularly under the 'Powers and Policy' section. This appears to be a national issue and is considered in our national Legitimacy report.

HMIC found that within Northumbria Police, despite the findings of our Taser form review, Taser-trained officers explained how they applied the NDM, and mentioned specifically the Code of Ethics at the centre of the model. 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.

While incidents where Tasers are used are subject to a very intrusive level of scrutiny by the chief inspector or superintendent, this is not the case when Taser officers are deployed but make a decision not to use the device. Taser officers seen by our inspection team reported that the level of scrutiny causes them concern and might lead them not to use Taser when it might be the response that would best protect the public. Northumbria Police should consider how the use of force is supervised and scrutinised more generally, as other significant uses of force within Northumbria are not subject to such intrusive scrutiny. A more balanced approach to oversight of the use of force may further promote good decision-making by officers and offer the public greater protection.

All use of Taser report forms are also reviewed by chief officers. Taser-equipped officers are aware of the level of scrutiny. The scrutiny and feedback contributes to a considered and careful approach to the use of Taser in the force. We also found a clear understanding of the potential impact of inappropriate use of Taser on police legitimacy.

The force is actively recording, monitoring and evaluating its use of Taser across the force area. There is a clear rationale for the number of and distribution of Taser-trained officers in Northumbria. This supports a proportionate approach, which provides protection for both public and police, while also helping achieve an efficient use of resources.

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

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

Summary of findings



Requires improvement

Northumbria Police is not compliant with the Best Use of Stop and Search scheme and should introduce a 'community trigger' policy and publish data that complies with the scheme's requirements. The force should also do more to understand the impact of stop and search on members of the black, Asian and minority ethnic (BAME) community and young people, albeit the force intends to commission work in this area in the near future.

The force should also ensure that reasonable grounds for using stop and search are properly recorded, and that supervisors are accurately checking the forms.

Northumbria Police has an effective system for ensuring that Tasers are used fairly and appropriately. Taser-equipped officers have a good understanding of the National Decision Model.

Areas for improvement

- The force should ensure that supervisors properly understand their responsibilities when checking that stop and search is conducted lawfully and fairly, and that reasonable grounds are recorded properly.
- The force should put in place an action plan setting out how it will comply with all the features of Best Use of Stop and Search scheme. HMIC will revisit the force within six months to determine what improvements have been made.

Annex A – HMIC judgments

The categories are:

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

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

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

Annex B – Data methodology

Please note the following for the data.

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

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

- Comparisons with most similar group of forces – In most cases, comparisons are made with the average of the force's most similar group (MSG) of forces. These are forces that have been found to be the most similar to the force in question, based on an analysis of demographic, social and economic characteristics which relate to crime. The following forces are in Northumbria Police's MSG: South Wales, West Yorkshire, Lancashire, South Yorkshire, Humberside, Gwent and Cleveland.
- 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 Definition²⁶

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.

²⁶ *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.