

# PEEL: Police legitimacy 2015

An inspection of Suffolk Constabulary



February 2016

© HMIC 2016

ISBN: 978-1-78655-050-7

[www.justiceinspectorates.gov.uk/hmic](http://www.justiceinspectorates.gov.uk/hmic)

# Contents

<b>Overview – How legitimate is the force at keeping people safe and reducing crime?</b> .....	<b>4</b>
Overall judgment.....	4
Summary .....	4
<b>Force in numbers</b> .....	<b>8</b>
<b>Introduction</b> .....	<b>10</b>
Methodology .....	10
<b>To what extent does practice and behaviour reinforce the wellbeing of staff and an ethical culture?</b> .....	<b>12</b>
Introduction.....	12
How well does the force develop and maintain an ethical culture?.....	15
How well does the force provide for the wellbeing of staff? .....	17
How well has the Code of Ethics been used to inform policy and practice? .....	17
How fairly and consistently does the force deal with complaints and misconduct? .....	18
Summary of findings .....	22
<b>How well does the force understand, engage with and treat fairly the people it serves to maintain and improve its legitimacy?</b> .....	<b>23</b>
Introduction.....	23
How well does the force understand the people it serves and the benefits of engaging with them?.....	24
How well does the force engage with all the people it serves? .....	25
To what extent are people treated fairly and with respect when they come into contact with police officers and staff? .....	26
Summary of findings .....	28
<b>To what extent are decisions taken on the use of stop and search and Taser fair and appropriate?</b> .....	<b>29</b>

Introduction.....	29
To what extent does the force ensure that it complies with the Best Use of Stop and Search scheme?.....	29
To what extent does the force ensure that Tasers are used fairly and appropriately?.....	35
Summary of findings.....	38
<b>Annex A – HMIC judgments .....</b>	<b>39</b>
<b>Annex B – Data methodology .....</b>	<b>40</b>
<b>Annex C – The Best Use of Stop and Search scheme .....</b>	<b>42</b>
<b>Annex D – Types of use of Taser .....</b>	<b>44</b>

# 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 Suffolk Constabulary, and how this is reflected in the constabulary's public engagement, use of Taser and compliance with the Best Use of Stop and Search scheme.

The constabulary promoted an ethical culture and treated its staff well. The constabulary engages with the public, and listens to and acts on their concerns. However, there could be more consistency in its understanding of different communities and a more effective way to update them on local issues. There is a comprehensive understanding within the constabulary of the link between communicating effectively with those they serve and how its staff treat members of the public. There is effective oversight and scrutiny of the use of stop and search powers and the constabulary complies with the Best Use of Stop and Search scheme and uses Taser fairly and appropriately.

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

## Summary

Suffolk Constabulary had strong leadership from the chief officer team in developing and maintaining an ethical culture within the constabulary. The Code of Ethics,<sup>2</sup> which defines the standards of behaviour for everyone who works in policing, was widely understood. The health and wellbeing of its staff was important to the organisation and staff had access to a range of support programmes.

When HMIC looked at how well the constabulary understands and engages with all the people it serves, Suffolk Constabulary consults widely with its communities to understand and respond to their concerns. Overall, Suffolk Constabulary is aware of the policing needs of its communities and responds effectively.

---

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

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

Stop and search and Taser are two ways that the police can prevent crime and protect the public. However, they can be intrusive and forceful methods, and it is therefore vital that the police use them fairly and appropriately. Suffolk Constabulary complies with the requirements of the Best Use of Stop and Search scheme, which aims to achieve greater transparency and community involvement in the police use of stop and search powers. There is a more limited understanding of the disproportionate number of stops and searches of members of the black, Asian and minority ethnic (BAME) groups in the community. Taser officers are well trained and their use is closely scrutinised by the constabulary. The use of Taser by Suffolk Constabulary is fair and appropriate.

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



**Good**

Chief officers in Suffolk Constabulary provided strong leadership in developing and maintaining an ethical culture. The Code of Ethics was understood by staff and had been incorporated within the constabulary's vision, mission and philosophy statement, which established the standards, attitudes and behaviour for staff.

Staff were encouraged to report inappropriate behaviour and they felt confident they would challenge such behaviour and would be supported by the organisation. The constabulary had a well-tested mechanism for officers and staff to make anonymous reports.

Suffolk Constabulary made sure that the way it

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



**Good**

Suffolk Constabulary uses a wide range of engagement activity to better understand local concerns. Staff at all levels have a clear understanding of the importance of engaging with the public.

The constabulary uses a range of methods to communicate with different communities. Methods used include a community messaging system and social media, including Twitter and Facebook. These are complemented by traditional publications in local papers and public meetings.

The constabulary recognises that it does not have a complete understanding of all the needs of its communities and is developing a communication and

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



**Good**

Suffolk Constabulary complies with the Best Use of Stop and Search scheme.

Officers are aware of the National Decision Model (NDM) and use it effectively. Officers are trained well and there is good awareness of the scheme.

There is rigorous internal and external scrutiny of the use of stop and search powers but the constabulary needs to ensure that recording of the reasonable grounds occurs on all occasions that stop and search is used. The constabulary is aware that it stops and searches more people from black, Asian and minority ethnic communities and attributes this to

promoted and selected its staff was fair and transparent. It had included staff associations within its promotion and selection processes.

Health and wellbeing was important to Suffolk Constabulary. A range of support programmes was offered to staff. Those who used the services were complimentary about the quality of support provided. People were proud to work for the constabulary, which had a people-focused feel to the organisation.

Overall, there was consistency and fairness about how the constabulary dealt with complaints and misconduct allegations.

consultation plan to improve its approach.

The National Decision Model is understood by staff within Suffolk Constabulary and is applied extensively in operational situations as well as internal processes. This is complemented by the Code of Ethics, which ensures staff treat people with fairness and respect.

intelligence-led operations.

All officers authorised to use Taser are appropriately trained and familiar with the National Decision Model. They clearly understand their responsibility to exercise good judgment and understand the importance of recording their rationale and the significance of public scrutiny. Taser is used fairly and appropriately by Suffolk Constabulary.

## Force in numbers



### Ethnic diversity

Percentage of BAME in workforce 31 March 2015

overall workforce

**2%**

officers

**2%**

staff

**2%**

PCSOs

**1%**

Percentage of BAME in local population, 2011 Census

**5%**



### Gender diversity

Percentage of females in overall workforce 31 March 2015

**40%**

England and Wales force average

**41%**

Percentage of females by role, Suffolk Constabulary

officers

**27%**

staff

**59%**

PCSOs

**42%**

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

Suffolk Constabulary

**592**

Proportion of finalised allegations investigated 12 months to 31 March 2015

Suffolk Constabulary

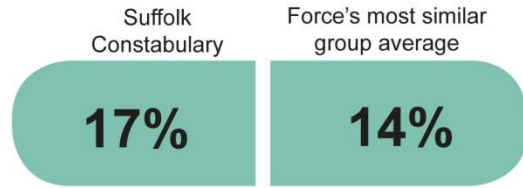
**62%**

Force's most similar group average

**48%**



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

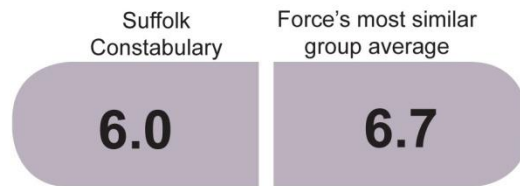


## Stop and search

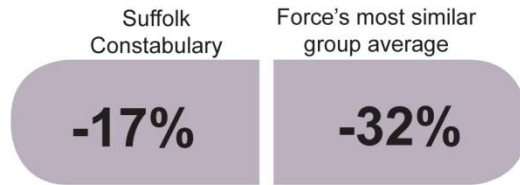
Number of stops and searches carried out 12 months to 31 March 2015



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

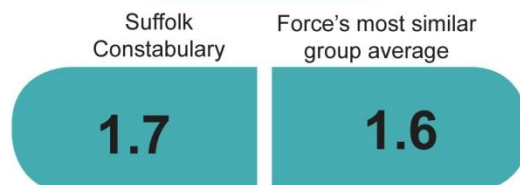


## Tasers

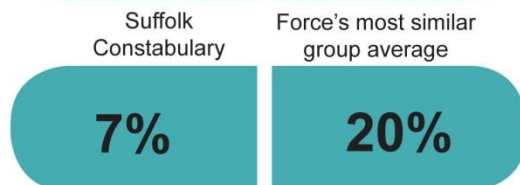
Number of times a Taser was used 12 months to 31 December 2014



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 Suffolk Constabulary.

## Methodology

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

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

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

### **Organisational 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 becomes more active in policing activities (such as Neighbourhood Watch or other voluntary activity), the less the financial burden on police forces.

---

<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: [http://whatworks.college.police.uk/Research/Documents/Fair\\_Cop\\_Briefing\\_Note.pdf](http://whatworks.college.police.uk/Research/Documents/Fair_Cop_Briefing_Note.pdf)

<sup>4</sup> *Ibid.*

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

## Introduction

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

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

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

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

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

### **Gender and black, Asian and minority ethnic (BAME) breakdown in Suffolk Constabulary**

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

---

<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 Suffolk Constabulary, 31 March 2015**

FTE	Total	Of which	
		Female	BAME*
<b>Total workforce</b>	<b>2,129</b>	<b>859 (40%)</b>	<b>46 (2%)</b>
<b>Total officers</b>	<b>1,147</b>	<b>310 (27%)</b>	<b>27 (2%)</b>
Constables	870	259 (30%)	22 (3%)
Sergeants	188	37 (20%)	4 (2%)
Inspecting ranks	74	12 (16%)**	1 (1%)**
Superintendents and above	15	2 **	0 **
<b>Staff</b>	<b>816</b>	<b>479 (59%)</b>	<b>16 (2%)</b>
<b>PCSOs</b>	<b>167</b>	<b>70 (42%)</b>	<b>2 (1%)</b>

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

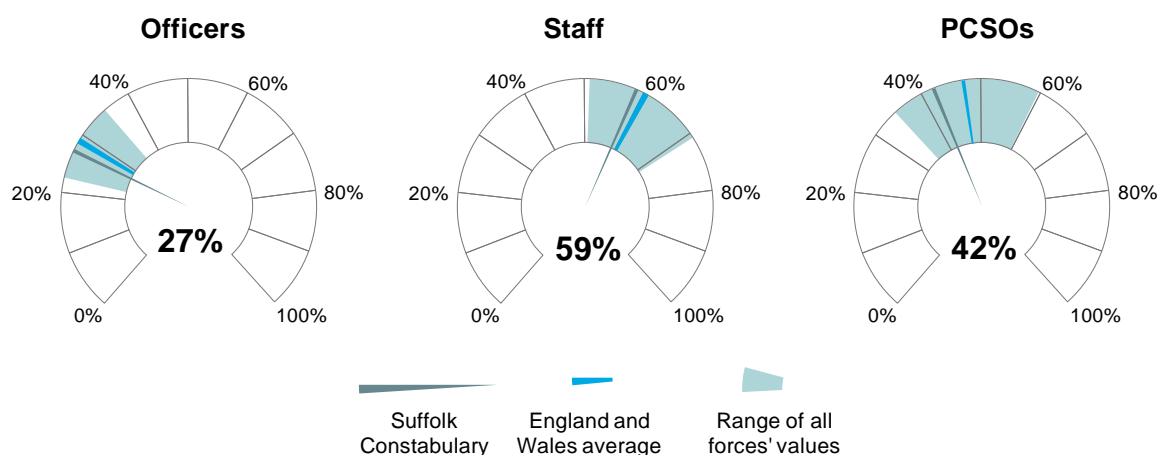
\* Individuals are not required to record their ethnicity. As a result, BAME totals and percentages exclude officers/staff/PCSOs where the ethnicity is not stated.

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

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

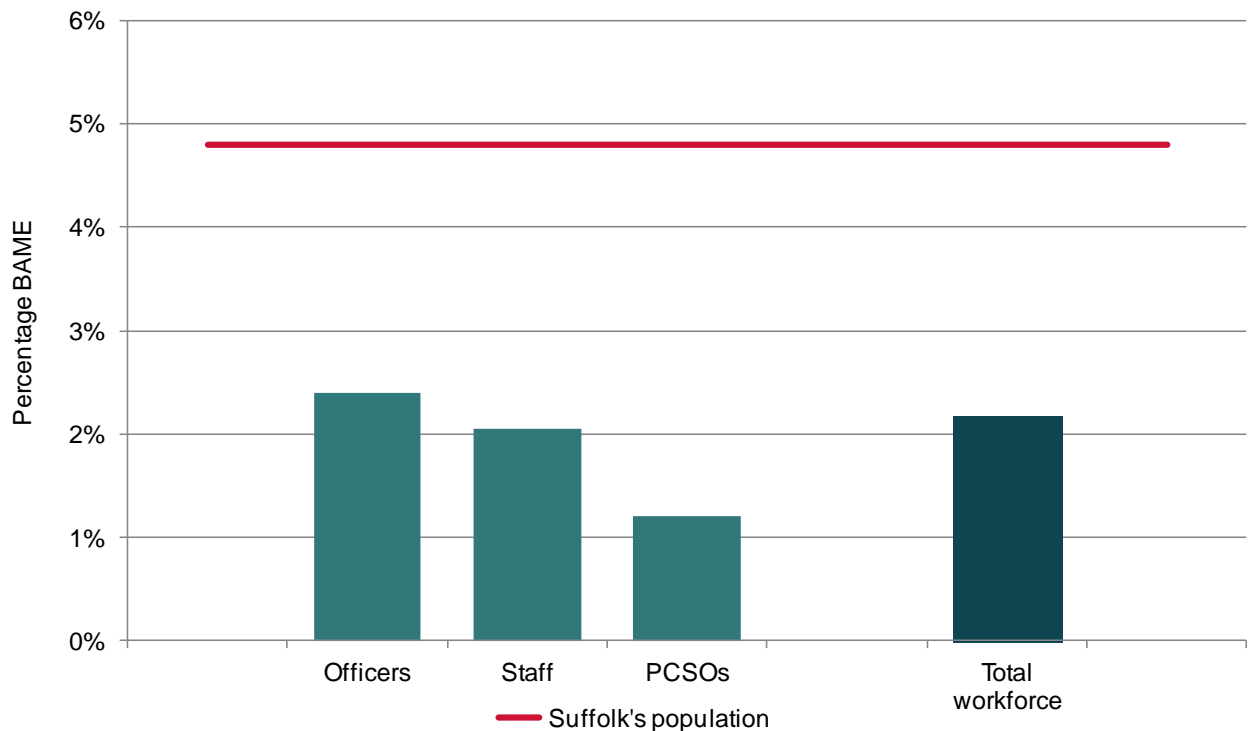


**Source: Home Office Police Workforce statistics**

We compared the percentages of (i) BAME officers, (ii) BAME police staff and (iii) BAME PCSOs in each force with the overall proportion of BAME people in the constabulary's local population. In Suffolk, 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 Suffolk Constabulary's overall police workforce, as well as separately for officers, staff and PCSOs.

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



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

Police forces in England and Wales have experienced large reductions in their total workforce since the government's October 2010 spending review.<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 Suffolk Constabulary over the spending review period.

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

	Total change		Percentage point change	
			% female	% BAME
<b>Total workforce</b>	<b>-261</b>	<b>(-11%)</b>	<b>+1</b>	<b>0</b>
Officers	-99	(-8%)	+2	0
Staff	-156	(-16%)	+2	0
PCSOs	-6	(-4%)	-9 ●	+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 B 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 Suffolk Constabulary's overall workforce between 31 March 2010 and 31 March 2015. However, there was a statistically significant change in the percentage of female PCSOs – around a 9 percentage point decrease.

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

There was strong leadership from the chief officer team in developing and maintaining an ethical culture within Suffolk Constabulary.

The chief constable and the chief officer team for Suffolk and Norfolk constabularies had developed a joint mission, vision and philosophy statement which promoted an ethical culture within the organisation. The chief officer team regularly communicated the constabulary's vision and values to senior leaders through quarterly staff conferences, the use of articles in the constabulary magazine and the chief constable's blog, who encouraged direct contact from staff. These forums focused on the values of the constabulary and promoted the good work of its staff.

Chief officers from both Suffolk and Norfolk constabularies implemented a joint ethics committee, chaired by a deputy chief constable. This group is a forum for staff to raise and discuss ethical issues. It provided advice and guidance to staff on the ethical issues that were raised. One example was guidance on the appropriate use of social media.

The constabularies' joint professional standards department provided training to staff when they joined the organisation including student officers, police and community support officers (PCSO) and special constables. This training included the Code of Ethics and ethical dilemmas. The code was launched in April 2014 by the College of Policing and sets out the nine policing principles that should be applied by all officers and staff. Examples of the training included: relationships formed in the workplace; inappropriate associations; and dealing with vulnerable victims. This demonstrated that there was a culture within the constabulary of expecting the highest standards of behaviour from all its staff.

Staff felt confident that they would challenge unethical and inappropriate behaviour and the constabulary would support them. Suffolk Constabulary had a confidential reporting process for staff to anonymously report wrongdoing or a concern within the workplace. This had increased the confidence of staff to report wrongdoing which had led to an increase in reports to the professional standards department.

Suffolk Constabulary was working towards improving its selection and promotion processes. This included making the initial review of the applications anonymous, and involved representatives from the staff associations in the interview process.

The Code of Ethics was recognised and understood by the majority of staff.

The constabulary recognised that it had not recently conducted an internal staff survey. As a result, the chief officer team may not have had a clear understanding of all the issues affecting the workforce.



## **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.

Staff were proud to work for Suffolk Constabulary and it emphasised that it was a people-focused organisation. The constabulary considered the wellbeing of staff to be a priority. Staff were positive about the support offered by the organisation to promote their wellbeing. They felt valued and supported by the constabulary.

Suffolk Constabulary had a joint health and wellbeing programme with Norfolk Constabulary. Staff were aware of the support that was available and how they could access it.

The support offered by the organisation was wide-ranging, including assistance for health issues and help following operational incidents. In addition, the constabulary had facilities in place to offer assistance to all staff profoundly affected by their work such as responding to distressing incidents. The constabulary offered guidance to officers in relation to the annual fitness test as well as advice on a wide range of lifestyle concerns, for example, those with financial worries or wishing to quit smoking.

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

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

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

The constabulary had a vision, mission and philosophy statement which had been used to reinforce the Code of Ethics. The code had been made widely available to all staff and every officer had been issued with a booklet from the chief constable,

---

<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, 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)

called 'What you need to know', which reinforced the expected standards of behaviour by staff.

The Code of Ethics was included within a number of training and development activities including conflict training for frontline officers, training for control room staff and initial training for new recruits. The constabulary was also using the Code of Ethics within its selection and promotion processes, where candidates were asked how they had applied the code in their work.

The Code of Ethics was delivered in a structured manner across the organisation with efforts being made to ensure the real meaning of the code was being presented in a practical way which staff understood. There was a good understanding of the Code of Ethics within Suffolk Constabulary.

The constabulary was incorporating the Code of Ethics into its new and existing policies.

## **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.<sup>9</sup>

---

<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)

In the 12 months to 31 March 2015, Suffolk Constabulary finalised 592 allegations from public complaints that were made against its officers and staff. Of these, 62 percent had been investigated and 27 percent had been locally resolved. A greater proportion of allegations were investigated and a smaller proportion were locally resolved in Suffolk compared with the average of its most similar group of forces.<sup>10</sup>

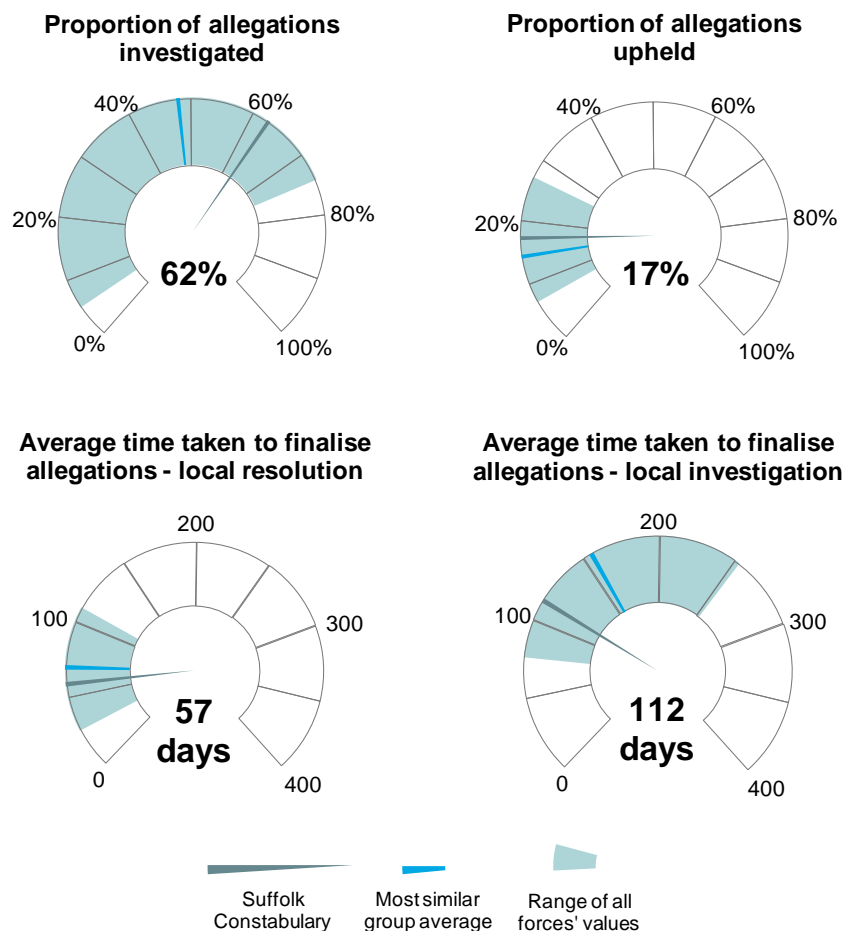
In the 12 months to 31 March 2015, the average time Suffolk Constabulary took to complete a local resolution was 57 days, less than the average of its most similar group of forces (68 days). Over the same period, the average time a local investigation took to complete was 112 days, less than the average of its most similar group of forces (154 days).

After local investigation, Suffolk Constabulary closed 369 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 Suffolk's most similar group of forces of 14 percent. The following figure shows how these values compare.

---

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

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



**Source: Independent Police Complaints Commission**

Overall, in the 12 months to 31 March 2015, Suffolk Constabulary finalised 62 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, Suffolk took less time to complete both local resolutions and local investigations.

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

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

Building on the findings of HMIC's Police Integrity and Corruption inspection,<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.

Suffolk and Norfolk Constabularies had a joint professional standards department which oversaw the management and investigation of alleged wrongdoing by officers. Before the fieldwork stage began, HMIC conducted a file review of 72 public complaints and internal misconduct allegations across both constabularies, 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 constabulary dealt with complaints and internal misconduct allegations, in respect of gender, ethnicity or rank.

The initial assessment of local resolution files had been completed by a staff member of insufficient seniority. The member of staff did not hold a position of chief inspector or police staff equivalent, as required by the regulations. The constabulary recognised this issue and was putting in place measures to have this addressed.

Suffolk Constabulary had taken steps to ensure that complaints and misconduct matters for both officers and staff were dealt with fairly and consistently. All complaints and internal misconduct matters were assessed, and the more serious cases were investigated within the joint professional standards department.

The constabulary had changed the way it managed misconduct and complaint cases. All investigations were assessed by a senior member of the joint Suffolk and Norfolk constabularies' professional standards department prior to investigation or local resolution. Guidance had been produced for managers investigating complaints which required detailed recording of decision-making. At the conclusion of an investigation the professional standards department reviewed the investigation in order to ensure consistency and fairness in the way investigations were dealt with.

---

<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.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/](http://www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/)

<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 constabulary had a robust way of assessing complaints and learning lessons to improve the service it provided to the public. The joint professional standards department held a fortnightly meeting to review public complaints. They visited local senior officers regularly to provide feedback on the nature of the complaints made and any lessons learned relevant to their area of responsibility. The constabulary had reviewed the number and nature of complaints including: the profile of officers and staff complained of; the policing events that generate complaints; the complaint history per location; and satisfaction rates for complainants. This demonstrated that the constabulary reviewed cases in order to improve how policing was being delivered.

## Summary of findings



**Good**

Chief officers in Suffolk Constabulary provided strong leadership in developing and maintaining an ethical culture. The Code of Ethics was understood by staff and had been incorporated within the constabulary's vision, mission and philosophy statement, which established the standards, attitudes and behaviour for staff.

Staff were encouraged to report inappropriate behaviour and they felt confident they would challenge such behaviour and would be supported by the organisation. The constabulary had a well-tested mechanism for officers and staff to make anonymous reports.

Suffolk Constabulary made sure that the way it promoted and selected its staff was fair and transparent. It had included staff associations within its promotion and selection processes.

Health and wellbeing was important to Suffolk Constabulary. A range of support programmes was offered to staff. Those who used the services were complimentary about the quality of support provided. People were proud to work for the constabulary, which had a people-focused feel to the organisation.

Overall, there was consistency and fairness about how the constabulary dealt with 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.

---

<sup>13</sup> *Authorised Professional Practice on Engagement and Communication*, College of Policing, 2015. Available from [www.app.college.police.uk/app-content/engagement-and-communication/?s](http://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.

Officers and staff in Suffolk Constabulary recognise the importance of engaging with the public to build confidence in the organisation and the services provided.

There is a good understanding of the importance of communicating effectively with their communities and the link with how its staff treat members of the public, at all levels in the organisation.

Suffolk Constabulary does not have a current community engagement plan to enable officers and staff to understand the people and neighbourhoods they serve. In 2014, the constabulary stopped completing neighbourhood profiles as information could be found elsewhere. However, some neighbourhood teams still use profiles, while others did not, and this highlights a lack of clarity about the tools available to officers and staff to understand and work closely with their local communities.

Student police officers receive training on public engagement, which includes guidance and advice from the independent advisory group (IAG).<sup>14</sup> The constabulary is developing a similar training course for supervisors, in conjunction with University Campus Suffolk, to enhance the skills of officers to enable them to engage with the public more effectively. In addition, there is an annual safer neighbourhood conference, where good practice is shared across the organisation.

Suffolk, together with Norfolk Constabulary, has recently entered into a three-year contract with the Better Policing Collaborative, which is a joint venture involving a number of universities and the organisation, Skills for Justice. This contract provides the constabulary with academic evaluation of specific areas of policing, and a better understanding of what does and does not work. This enables Suffolk Constabulary to make future decisions based on strong evidence.

Suffolk Constabulary engages with its communities in a number of different ways. At a constabulary level, the chief officer team and senior leaders attend a significant number of multi-agency panels which are focused on reducing harm and protecting the vulnerable. At a local level, examples of engagement include an inspector who live-streams to the public his priority-setting meeting to tackle local problems, officers undertaking regular slots on Radio Suffolk where listeners seek advice, and a mobile

---

<sup>14</sup> The independent advisory group (IAG) is made up of volunteers who provide the police with independent advice on a range of issues, including critical incidents and developing plans and policies which help shape the way Suffolk is policed.



police station that helps to keep in touch with more remote communities. Community impact assessments are used to inform and support activity aimed at reassuring local communities after significant incidents that could have an impact on public confidence have taken place. Examples examined show that there is a good understanding of local issues and a range of methods are used to reduce tension and improve public engagement.

It is clear that Suffolk Constabulary works closely with local communities to understand and respond to their needs and build community confidence.

Of the 403 survey responses from the area covered by Suffolk Constabulary, 52 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.

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.

Our inspection looked at the different ways that forces engage their communities.

Suffolk Constabulary is developing an up-to-date communication and consultation plan and a number of methods are used to seek the views of local communities to develop these plans. This also includes a large survey on their views about policing in both Suffolk and Norfolk.

The constabulary seeks the views of victims through its victim satisfaction surveys and where there are specific issues or trends, a focus group is established to explore the issues and feed these back into the constabulary's confidence and satisfaction board, which is chaired by a senior officer.

There is a 'virtual community' of 1200-1500 members of the public, who are consulted on proposed ideas to improve the service provided by the constabulary. Suffolk Constabulary uses a range of social media platforms including 15 Twitter accounts, with approximately 53,000 followers and a Facebook account which has more than 43,000 'likes'; the constabulary also plans to promote itself on Instagram, the photo and video sharing platform. In addition, the constabulary uses a system called 'police connect messaging' which allows it to immediately contact nearly 8,000 members of the public with information.

A major review and restructure of the joint corporate communications function is being undertaken. This includes replacing both Suffolk and Norfolk constabularies' internal and external websites in early 2016, aimed at enhancing communication with staff and members of the public. We found some imaginative engagement with the public; for example, a weekly YouTube video blog is used by a local officer to regularly update his community on police activity in their area.

Although a wide range of engagement activity is carried out, the constabulary is unable to assess the effectiveness of this activity.

There is a vibrant volunteer community and a member of staff is responsible for the recruitment and introduction of new volunteers into the organisation. They match the volunteer's individual skills to the best role in the organisation and currently there are 160 volunteers, which is a significant increase over previous years.

Overall, Suffolk Constabulary engages well with the people it serves.

From the survey, 38 percent of the respondents from the area covered by Suffolk Constabulary speak highly of the police in their local area while 12 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) 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,<sup>15</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 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 Suffolk Constabulary, from the 40 calls assessed, call-handlers are polite, respectful and effective. They provide a high standard of customer care. Vulnerability is assessed appropriately and reassurance provided in terms of support and advice.

During our fieldwork we also observed front counter staff in their interaction with visitors at police stations, and staff are professional, effective and polite.

Suffolk Constabulary uses the National Decision Model (NDM), the framework by which all policing decisions should be made, examined and challenged. Training is given to officers using a range of training methods. New officers receive this training at a very early stage in their initial training programme. Other officers receive training using online learning packages, or as part of their ongoing personal safety training. In addition, officers in a specialist role, for example, as firearms officers, receive additional training. Officers in general are able to explain the use of the NDM in various operational scenarios including the decision whether or not to stop and search a member of the public.

Officers and staff at all levels clearly understand the importance of treating the public fairly and with respect, which contributes to enhancing public support. They understand the need to have a sound basis for the decisions they make, which will stand up to public scrutiny.

Overall, officers and staff of Suffolk Constabulary treat the people they come into contact with fairness and respect.

---

<sup>15</sup> *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](http://www.app.college.police.uk/app-content/national-decision-model/?s)

From the survey, 58 percent of respondents from the area covered by Suffolk Constabulary agree that the police in their local area treat people fairly and with respect versus 5 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**

Suffolk Constabulary uses a wide range of engagement activity to better understand local concerns. Staff at all levels have a clear understanding of the importance of engaging with the public.

The constabulary uses a range of methods to communicate with different communities. Methods used include a community messaging system and social media, including Twitter and Facebook. These are complemented by traditional publications in local papers and public meetings.

The constabulary recognises that it does not have a complete understanding of all the needs of its communities and is developing a communication and consultation plan to improve its approach.

The National Decision Model is understood by staff within Suffolk Constabulary and is applied extensively in operational situations as well as internal processes. This is complemented by the Code of Ethics, which ensures staff treat people with fairness and respect.

### Areas for improvement

- The constabulary should ensure that officers and staff have access to information about the various communities in Suffolk, to help them better understand the communities they serve, and to develop a consistent approach to engagement.
- The constabulary should develop methods to assess the effectiveness of its engagement activity.

# 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>16</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>17</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 make this task harder, with one of the direct consequences being a reduction in public trust and police legitimacy, and people being more likely to break the law and less willing to co-operate with the police. The purpose of stop and search powers is to enable officers to dismiss or confirm suspicions about individuals carrying unlawful items without exercising their power of arrest. The officer must have reasonable grounds for carrying out a search.

---

<sup>16</sup> *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/](http://www.app.college.police.uk/app-content/armed-policing/conducted-energy-devices-taser/)

<sup>17</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>18</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 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 Suffolk Constabulary – Stop and search by volume**

In the 12 months to 31 March 2015, Suffolk Constabulary carried out 4,415 stops and searches. The table below shows this number per 1,000 population for Suffolk Constabulary and the average of its most similar group of forces, as well as the change from the 12 months to 31 March 2014. The figures indicate that the force's use of stop and search powers is currently in line with the average of its most similar group of forces.

---

<sup>18</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 Suffolk Constabulary compared to the average of its most similar group (MSG) of forces, 12 months to 31 March 2015, and the percentage change from the 12 months to 31 March 2014**

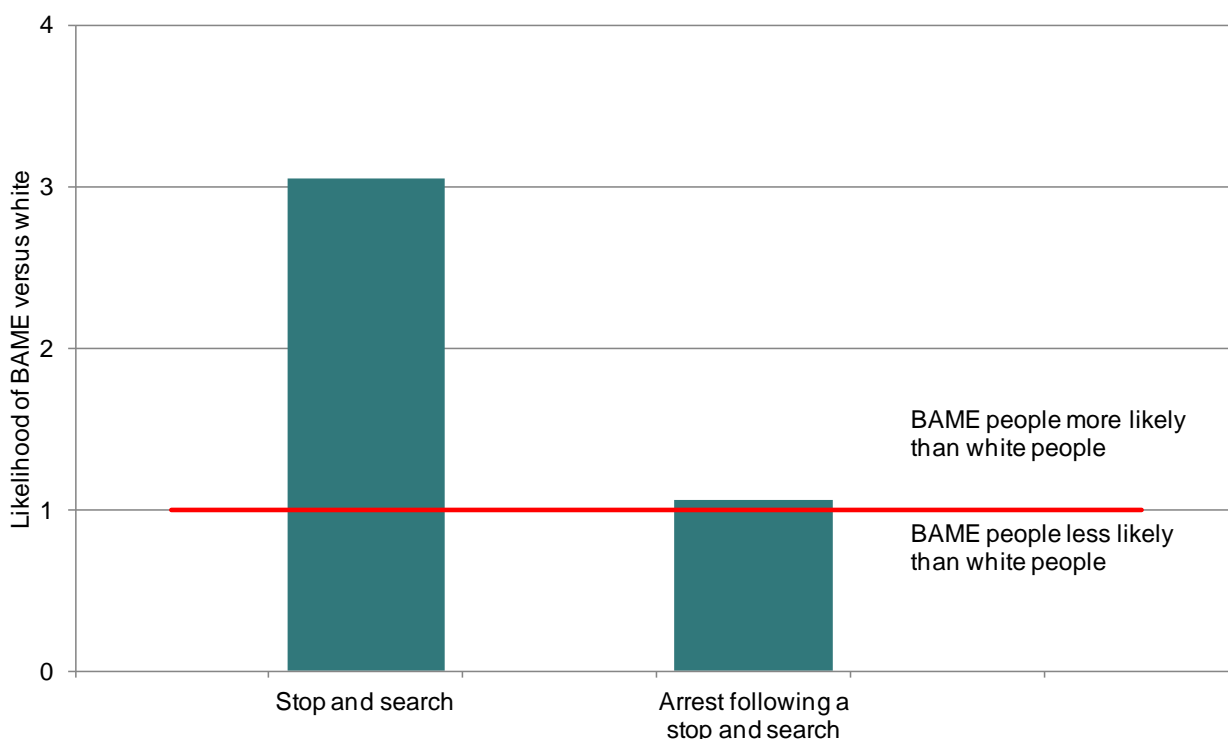
	Stops and searches per 1,000	Change from previous year
Suffolk	6.0	-17%
Suffolk's MSG average	6.7	-32%

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 Suffolk Constabulary – Stop and search by ethnicity

HMIC looked at the published data on stops and searches by ethnicity and compared them with the most recent local population data by ethnicity (the 2011 Census). The data suggested that BAME people were statistically more likely to be stopped and searched by Suffolk Constabulary than white people. However, of the individuals who had been stopped and searched, there was no statistical difference in the likelihood of arrest by the constabulary between BAME people and white people.

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



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

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

- the 2011 ethnicity figures no longer being representative of the force's local population;
- the difference between the ethnicity of the street population available to be stopped and searched at any given time with the general force population;
- stops and searches being carried out on people who are not resident in the area (and so are not counted as part of the population);
- disparity in the crime rates between different ethnicities;
- disparity in the number of repeat stops and searches carried out on individuals by ethnicity; or
- difficulties with the recorded data by ethnicity (while forces always record ethnicity when arresting a person as a result of being stopped and searched, they do not always record it when the encounter does not involve an arrest).

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

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

In our 2013 inspection, we were concerned to see that, of the 8,783 stop and search records we examined across all forces in England and Wales, 27 percent did not include sufficient reasonable grounds to justify the lawful use of the power. For Suffolk Constabulary, the 2013 inspection showed that 23 of 200 records reviewed (12 percent) did not have sufficient reasonable grounds recorded.

For this inspection we reviewed 100 stop and search records provided by the constabulary. As in the 2013 inspection, we reviewed the records to determine if reasonable grounds were recorded. Of these records, 98 had been endorsed by a supervisor. We found that 8 of the 100 records (8 percent) did not have reasonable grounds recorded. The item searched for was recorded as being found in 22 of the 100 records reviewed.

While the records reviewed may not be representative of all stop and search records completed by the constabulary, the result indicates that still some 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 constabulary complied with each aspect of the scheme. Our analysis is set out in the table below.

Suffolk Constabulary has adopted the Best Use of Stop and Search scheme (BUSS) and has the necessary arrangements in place to ensure that officers understand and comply with the scheme.

Training on the new approach to the use of stop and search powers is ongoing and a significant number of the constabulary's frontline officers have been trained. There is increased awareness of BUSS through the constabulary's internal magazine and on the constabulary internal website. Officers are expected to use the National Decision Model (NDM) to decide whether or not the use of stop and search is appropriate.

The constabulary has an effective way to oversee the use of stop and search, through the internal stop and search scrutiny panel. This is attended by a representative from the office of the police and crime commissioner, who reviews a random sample of stop and search forms every six months, together with the assistant chief constable. External scrutiny is provided by the independent stop and search scrutiny panel which enhances and builds upon the work of the Ipswich and Suffolk Council for Racial Equality<sup>19</sup> stop and search reference group. This group helped to design the stop and search form, which gives people an opportunity to comment on the fairness and attitude of the officer using the power. Each stop and search form is reviewed by a sergeant and the constabulary responds to those who feel the power has not been used appropriately.

Suffolk Constabulary analyses and assesses the percentage of people from the black, Asian and ethnic minority (BAME) community stopped and searched and understands why this appears to be disproportionate to its overall population.

The constabulary has the necessary arrangements in place to comply with BUSS.

---

<sup>19</sup> The Ipswich and Suffolk Council for Racial Equality (ISCRE) is a registered charity consisting of members from diverse backgrounds. Its focus is to eliminate unlawful discrimination, promoting equality of opportunity.

<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 constabulary complies with this feature of the scheme.</p> <p>Suffolk Constabulary records the full range of outcomes. It records if an item is found and if that item is linked to the item originally searched for. The constabulary has a dedicated stop and search page where data, albeit somewhat historical, are published. The constabulary website includes a clear link to the police.uk website where all the Suffolk data is available.</p>
Providing opportunities for the public to observe officers using the power	<p>The constabulary complies with this feature of the scheme.</p>
Explaining to communities how the powers are being used following a 'community complaint'	<p>The constabulary complies with this feature of the scheme.</p>
Reducing the number of people stopped and searched without suspicion under section 60 <sup>20</sup> of the Criminal Justice and Public Order Act 1994	<p>The constabulary complies with this feature of the scheme.</p>
Monitoring the impact of stop and search – particularly on young people and black, Asian and minority ethnic groups	<p>The constabulary complies with this feature of the scheme.</p> <p>In Suffolk Constabulary the Ipswich and Suffolk Commission for Racial Equality (ISCRE) scrutinises 30 percent of stops and searches involving members of the BAME community and 10 percent of non-BAME people to provide independent and external scrutiny as well as feedback to the constabulary. In addition, Suffolk Constabulary and ISCRE discuss a small selection of incidents in a public forum to provide further transparency to the public.</p>

<sup>20</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)

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

## Background

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

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

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

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

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

HMIC has not previously inspected how Taser is used either in, or between, forces. This inspection considered whether chief officers understand how Taser is being used across the force area, to satisfy themselves that it is being used fairly and appropriately, and whether Taser-trained officers are acting in accordance with the College of Policing's Authorised Professional Practice and the legal framework each time it is used.<sup>21</sup>

## Use of Taser in Suffolk Constabulary

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

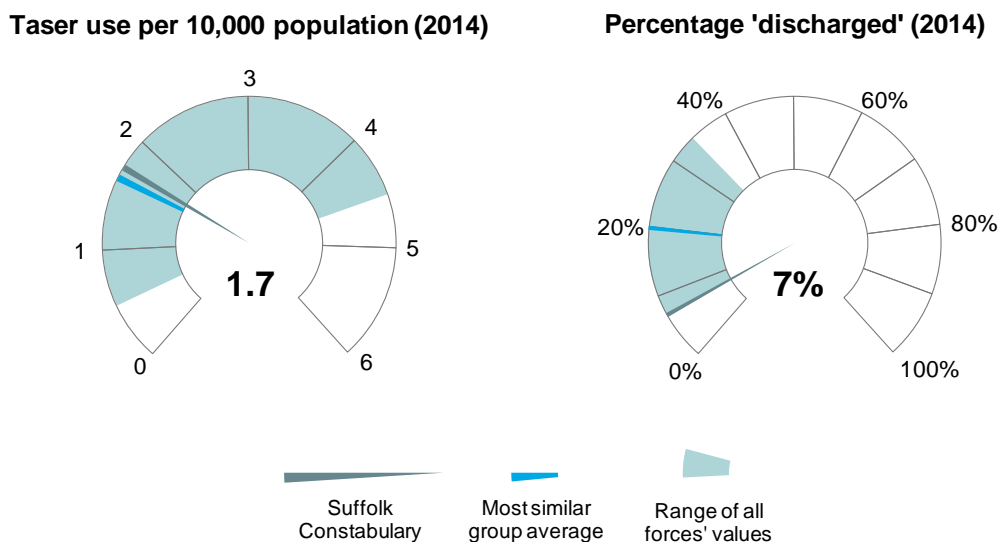
---

<sup>21</sup> *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/](http://www.app.college.police.uk/app-content/armed-policing/conducted-energy-devices-taser/)

Between 1 January and 31 December 2014, Taser was used in some capacity 128 times by Suffolk Constabulary, representing 1.7 times for every 10,000 people in the constabulary's area. This was broadly in line with the average for Suffolk Constabulary's most similar group of forces, which was 1.6 times per 10,000 population.

During the same time period, Taser was 'discharged' on 9 occasions (out of the 128 times it was used in some capacity). This equates to 7 percent of overall use, less than the constabulary's most similar group average of 20 percent. The following figure shows the comparisons.

**Figure 8: Use of Taser per 10,000 population and the proportion 'discharged' by Suffolk Constabulary, 12 months to 31 December 2014<sup>22</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 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.

<sup>22</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.

Before the fieldwork stage of the inspection, HMIC conducted a review of 20 Taser deployment forms provided by Suffolk Constabulary. Although the findings of this review are not necessarily representative of all Taser forms completed by the constabulary, they do provide an indication of the constabulary's Taser activity. The forms showed that Taser had been fired twice, red-dotted nine times, aimed twice, drawn six times and arced once.

In the deployments reviewed, officers used Taser to protect themselves or others from a range of weapons, including several knives, broken glass, a razor blade, a brick and a metal pole. On the two occasions the Taser was fired, consideration of other tactics had been recorded.

The 'brief details' and the NDM sections of the forms provided us with evidence to suggest that the use of Taser was fair, lawful, and appropriate in all of the 20 cases reviewed except one, where there was sufficient detail recorded to support the deployment of Taser.

Where officers had been required to complete the NDM section of the form, none of them contained any mention of the national Code of Ethics for the police service which is at the heart of the NDM, and should be considered at each stage, particularly under the 'Powers and Policy' section. This appears to be a national issue and is considered in our national Legitimacy report.

Suffolk Constabulary collaborates with Norfolk Constabulary on the training and oversight of Taser. Officers trained to use Taser are familiar with the NDM. They receive an additional input as part of the Taser training course and they clearly understand their responsibility to exercise good judgment when considering the use of Taser. They understand the importance of recording their rationale to allow public scrutiny of actions taken. Both constabularies comply with the national reporting criteria, but they also require the completion of a local form to enable further supervisory oversight; Officers feel the completion of the additional form is beneficial as it shows their decision-making rationale in more detail and is quick to complete. This shows that officers expect to be subject to scrutiny when deciding that the use of Taser is appropriate.

Officers undergo a selection process to be considered for the role and a minimum standard of competence must be achieved. Not all officers who apply to carry Taser are successful. After the initial training course, which is run in accordance with national guidance, officers receive refresher training every 12 months.

Officers are aware of the need to maintain public confidence in the use of Taser, particularly in relation to the special requirements regarding the use of Taser on those who are vulnerable, young people and those already in police detention. They are also aware of the restrictions when using Taser in confined spaces.

The constabulary currently has 196 full-time equivalent Taser-trained police officers comprising a mixture of firearms and response officers. The number of Taser-trained officers recently increased, based on analysis undertaken by the constabulary, assessed against the current threat level faced by officers and to the public.

Both Suffolk and Norfolk constabularies scrutinise the use of Taser and there is a single point of contact to ensure the appropriate forms are submitted and reviewed to make sure that its use was appropriate. Information on use of Taser is collated and considered by the joint chief officer team, although data on the use of Taser is not available on the public website.

Based on an assessment of the Taser forms and fieldwork findings, Taser is being used fairly and appropriately by Suffolk Constabulary.

## Summary of findings



**Good**

Suffolk Constabulary complies with the Best Use of Stop and Search scheme.

Officers are aware of the National Decision Model (NDM) and use it effectively. Officers are trained well and there is good awareness of the scheme.

There is rigorous internal and external scrutiny of the use of stop and search powers but the constabulary needs to ensure that recording of the reasonable grounds occurs on all occasions that stop and search is used. The constabulary is aware that it stops and searches more people from black, Asian and minority ethnic (BAME) communities and attributes this to intelligence-led operations.

All officers authorised to use Taser are appropriately trained and familiar with the National Decision Model. They clearly understand their responsibility to exercise good judgment and understand the importance of recording their rationale and the significance of public scrutiny. Taser is used fairly and appropriately by Suffolk Constabulary.

## 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 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 Suffolk Constabulary's MSG: Devon and Cornwall, North Wales, Wiltshire, Norfolk, Warwickshire, West Mercia and North Yorkshire.
- Comparisons with averages – For some data sets, we state whether the force's value is 'below', 'above' or 'broadly in line with' the average. To calculate this, the difference to the mean average, as a proportion, is calculated for all forces. After standardising this distribution, forces that are more than half a standard deviation from the mean average are determined to be above or below the average, with all other forces being broadly in line.

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



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

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

## **Ipsos MORI survey**

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

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

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

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

## Annex C – The Best Use of Stop and Search scheme

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

### Recording and publishing outcomes

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

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

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

### Providing opportunities for the public to observe stop and search encounters

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

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

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

## **Implementing a community trigger for complaints**

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

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

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

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

## **Monitoring the use of stop and search powers**

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

## Annex D – Types of use of Taser

### Type of use Definition<sup>23</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.

---

<sup>23</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).