

PEEL: Police legitimacy 2015

An inspection of Sussex Police



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

Overall judgment¹



Good

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

The force was making good efforts in creating and maintaining an ethical culture. Decision-making by Taser-trained officers is fair and appropriate and the force is complying with the Best Use of Stop and Search scheme.

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

Summary

The chief constable and deputy chief constable had made considerable efforts to work with staff to stress the importance of the Code of Ethics² and the need for an ethical culture.

The force was proactive in promoting the wellbeing of staff, for example with training, workshops and wellbeing clinics, as well as the force physiotherapy scheme. The force intranet contained information and guidance regarding health and welfare, although this was limited for managers and supervisors when supporting those on restricted duties and those who have experienced traumatic cases or incidents.

We found no bias in respect of gender, ethnicity or rank in how the force dealt with complaints and internal misconduct allegations, although the force had insufficient supervisory arrangements for complaints that were locally resolved.

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

² *Code of Ethics – A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales*, College of Policing, London, July 2014. Available from: www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf

When HMIC looked at how well the force understands and engages with all the people it serves, we found that the force has good consultation arrangements with its communities and creates opportunities for people to contribute to policing as volunteers. As a result, the force is working well to engage with the people it serves.

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 considers that the force complies with the Best Use of Stop and Search scheme. Taser use is fair and appropriate in Sussex Police.

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



Good

HMIC considered that the chief constable and deputy chief constable had made considerable efforts to work with staff, and to stress the importance of the Code of Ethics and the need for an ethical culture. Sussex had agreed a joint vision and strategy with its partner force, Surrey Police, that identified how the Code of Ethics would be incorporated into the forces' culture.

The force was proactive in promoting the wellbeing of staff, for example with training, workshops and wellbeing clinics, as well as the force physiotherapy scheme. The force intranet contained information and guidance regarding health and welfare.

We found no bias in respect of gender, ethnicity or rank in how the

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



Good

Senior officers in Sussex emphasise the importance of effective engagement. Neighbourhood policing teams have a good understanding of their local communities. Officers also understand the need to build public trust and confidence through their everyday actions, and the force is making effective use of force-level engagement plans to gather views on policing and communicate with local people. We found regular use of surveys to understand levels of satisfaction, and local officers consistently provide relevant information to the public.

The force responds effectively where there are issues of particular concern to the community, and it encourages

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



Good

Sussex Police complies with the Best Use of Stop and Search scheme. The force provides for lay observation of officers while out on patrol. Officers generally understand how they should apply the National Decision Model for their use of stop and search powers, and in the files we reviewed nearly all had reasonable grounds for use of the stop and search powers recorded.

Taser officers understand the National Decision Model and make adequate records of their Taser use. Sussex monitors and evaluates the use of Taser across the force but it does not publish this data.

The use of Taser is fair and appropriate in Sussex.

force dealt with complaints and internal misconduct allegations. However, we found no check to ensure that decisions to locally resolve complaints were appropriate, and also that a person of sufficient seniority had not conducted the initial assessment. The force had locally resolved some complaints that we reviewed but, in our view were not suitable for local resolution, as we considered the circumstances severe enough to warrant an investigation.

Overall, the force was making a good effort to create and maintain an ethical culture, although there was more to do.

participation in policing using volunteers to support its services in a variety of useful roles.

Although some specialist officers use the National Decision Model³ effectively, understanding among officers in other roles is less consistent.

Call-takers and front desk staff are polite, friendly and helpful. Those people who live in Sussex can be reassured that officers and staff treat people fairly and with respect.

³ *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

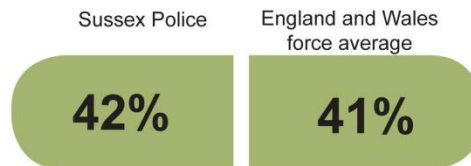


Percentage of BAME in local population, 2011 Census



Gender diversity

Percentage of females in overall workforce 31 March 2015



Percentage of females by role, Sussex Police



Percentage of females by role, England and Wales force average

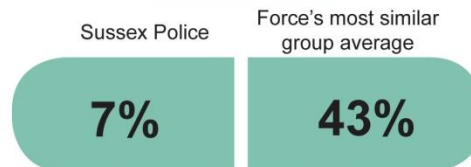


Public complaints

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

Sussex Police

Force's most similar group average

22%*

19%



Stop and search

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

11,651

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

Sussex Police

Force's most similar group average

7.1

6.5

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

Sussex Police

Force's most similar group average

-30%

-41%



Tasers

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

249

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

Sussex Police

Force's most similar group average

1.5

1.6

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

Sussex Police

Force's most similar group average

9%

16%

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

* These data are based on small numbers and so comparisons with the average should be treated with caution.

Introduction

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

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

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

Spring 2015 inspection

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

Autumn 2015 inspection

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

This report provides the main findings for Sussex 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 justice⁴

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

Research⁵ 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.

⁴ *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

⁵ *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 2015,⁶ 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 Sussex Police

A breakdown of the full-time equivalent (FTE) workforce⁷ in Sussex Police as at 31 March 2015 is shown below.

⁶ The inspection took place between March and June 2015.

⁷ Workforce comprises officers, staff and police community support officers (PCSOs).

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

FTE	Total	Of which	
		Female	BAME*
Total workforce	4,971	2,075 (42%)	113 (2%)
Total officers	2,810	860 (31%)	56 (2%)
Constables	2,153	711 (33%)	42 (2%)
Sergeants	442	103 (23%)	8 (2%)
Inspecting ranks	184	39 (21%)	6 (3%)
Superintendents and above	31	7 **	0 **
Staff	1,837	1,035 (56%)	50 (3%)
PCSOs	325	181 (56%)	7 (2%)

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

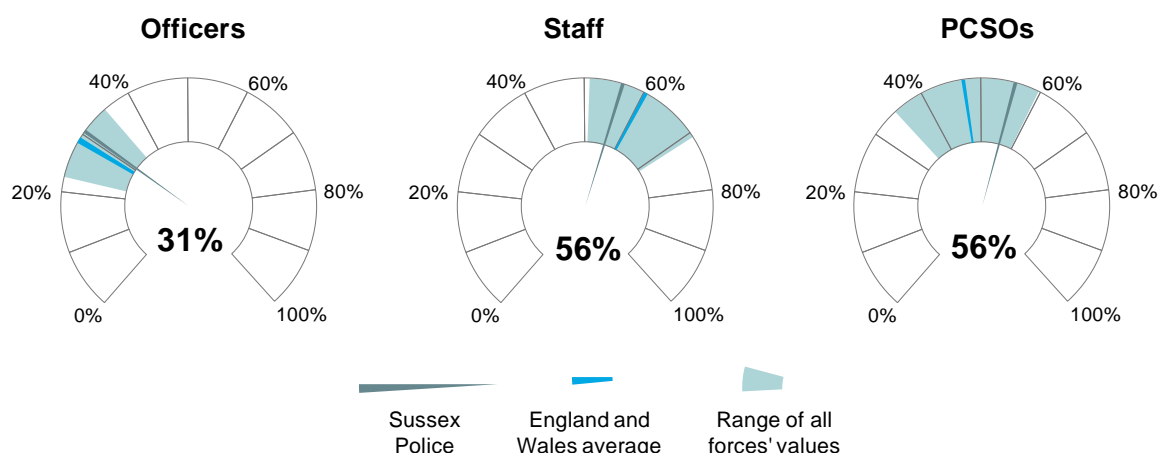
* Individuals are not required to record their ethnicity. As a result, BAME totals and percentages exclude officers/staff/PCSOs where the ethnicity is not stated.

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

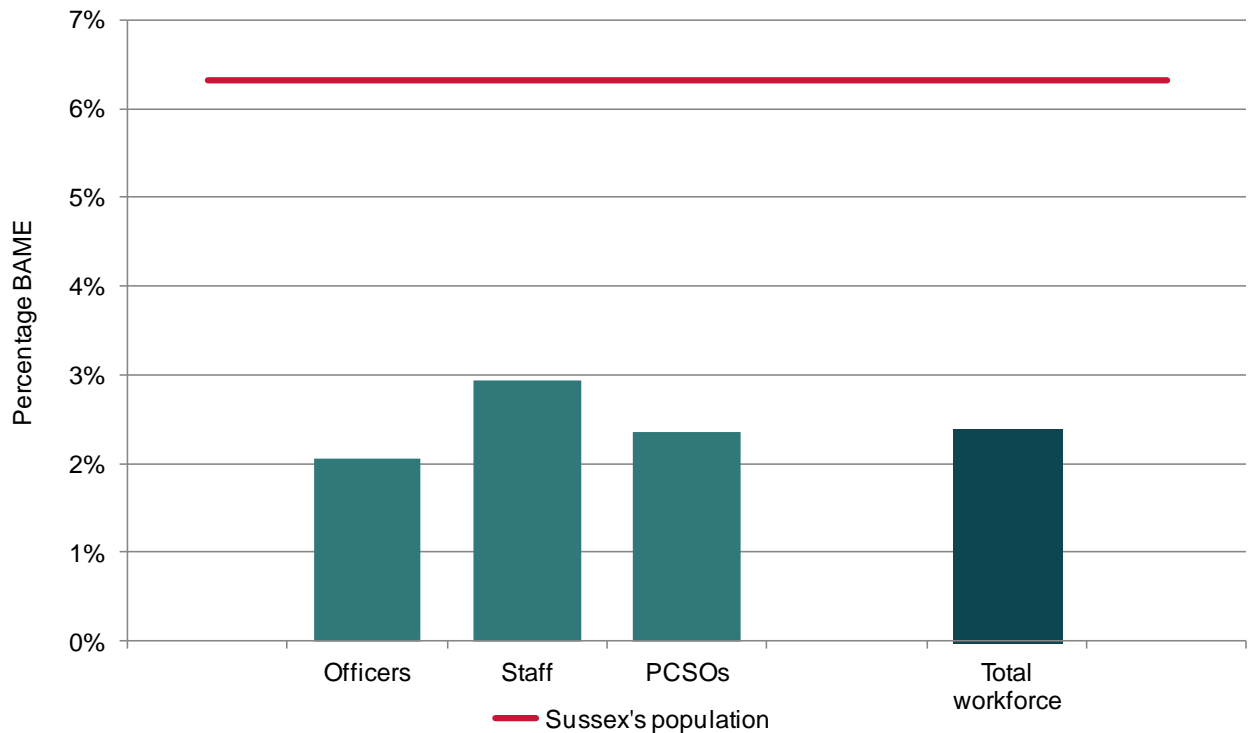
Figure 2: The percentage of female officers, staff and PCSOs in Sussex Police compared with the force average for England and Wales, 31 March 2015



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 Sussex, around 6 percent of the local population were BAME. The figure below shows these comparisons. There was a statistically significant under-representation of BAME people in Sussex Police's overall police workforce, as well as separately for officers, staff and PCSOs.

Figure 3: Percentage of BAME people within Sussex 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.⁸ HMIC also examined how the percentages of BAME officers and staff, and females within the workforce had changed over this period.

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

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

⁸Spending Review 2010, HM Government, October 2013. Available from: www.gov.uk/government/publications/spending-review-2010

Figure 4: Change in Sussex 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	-774	(-13%)	+1	+0.4 ●
Officers	-404	(-13%)	+2 ●	0
Staff	-318	(-15%)	0	+1 ●
PCSOs	-52	(-14%)	-3	0

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

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

Source: Home Office Police Workforce statistics

There was a statistically significant increase in the proportion of BAME people in Sussex Police's overall workforce between 31 March 2010 and 31 March 2015. There were also statistically significant changes in the percentages of BAME staff and female officers. In particular, the proportion of female officers increased by around 2 percentage points during the five years.

Overall, compared with other forces, as at 31 March 2015, the percentage of females within Sussex Police's workforce was higher for both officers and PCSOs yet lower for staff. By ethnicity, there was an under-representation in BAME officers, staff and PCSOs; however, for staff at least (as well as the overall workforce), the proportion had increased between 31 March 2010 and 31 March 2015.

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.

The chief constable and deputy chief constable had made considerable efforts to stress the importance of the Code of Ethics,⁹ and the creation of an ethical culture. Both maintained ‘blogs’ on the intranet to update staff on current developments, acknowledging challenges positively and openly. They discussed issues such as

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

diversity of the workforce, how to encourage young people to spend time with the force, and the importance of honesty and integrity. The force also held monthly 'time to think' group sessions, at which staff discussed and highlighted ethical issues, and staff valued this approach.

A new way of working, as well as the force's financial outlook over the next five years, was communicated well to the workforce. The force undertook a survey to understand how its workforce was feeling about the proposed changes with a facility on the intranet for staff to engage with the change team. Staff valued and appreciated this. In addition, more than 70 percent of the workforce responded to a staff survey, conducted in 2014, which resulted in force and local action plans that included updates on how the force had responded to concerns identified through the survey.

Staff felt empowered to challenge others when appropriate and were supported in doing so. Sussex Police provided good examples of challenges to line managers in operational situations.

The force actively considered the diversity of its workforce, and has made considerable improvements in the recruitment and advancement of female officers. The recruitment of black, Asian and minority ethnic officers was proving more difficult, as the force reported that it does not have large black, Asian or minority ethnic communities to recruit from. However, the force was undertaking some projects in this area, including a week-long work programme to target schools which have a higher black, Asian and minority ethnic composition. Despite this, the force was likely to have limited recruitment for the foreseeable future.

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.

The force was proactive in promoting the wellbeing of staff, for example with training, workshops, wellbeing clinics, as well as the force physiotherapy scheme. We found a good understanding of the pressures experienced by senior leaders; and the chief constable and chief officer team were proactive about the negative impact of cultures of working long hours, taking action when appropriate.

The force intranet contained links to a significant amount of information and guidance for the workforce concerning health and welfare. This included the Employee Assistance Programme, which offered occupational health support for the workforce and their families for health and wellbeing.

However, we found a number of concerns about the quality of the information available, including how effective it was in providing advice to line managers to help them support staff on restricted duties in returning to full operational roles.

The force experienced an increase in mental health-related sickness and, in response, promoted mental health awareness and support. This included an emphasis on identifying mental health issues within teams, and it ensured staff were referred to support services. Some specialist teams, for example those investigating child sexual exploitation, had experienced heavy workloads which were affecting their wellbeing. The force had centralised some teams and increased the number of staff which helped reduce workloads.

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.¹⁰ 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.

The force introduced the Code of Ethics with a low-key launch as it was considered a similar approach to the existing 'Sussex values' which also covered ethical conduct. While the force has not provided formal training, there have been seminars, team meetings, and 'time to think' sessions at which senior leaders and managers have disseminated information about the Code of Ethics. To support ongoing collaboration with Surrey Police, the force intranet contained a video message by both chief constables which covered the Code of Ethics. The force had agreed a joint vision and strategy with Surrey Police that identified how the code would be incorporated, including expectations from leaders. Policies and procedures in relation to its recruitment and posting procedures were due to be reviewed to ensure that the Code of Ethics was reflected in them.

The intranet site contained a 'frequently asked questions' section which enabled the workforce to feed back thoughts, ideas and suggestions about the Code of Ethics. The intranet also had information on expected behaviours, values and standards, under a 'How we work' page.

¹⁰ 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

Supervisors and officers referred to the Code of Ethics in their documentation. Examples of this were investigative logs which referred to ethics and transparency, and a 'learning the lessons' document, issued by the force, which helped staff to understand the principles of the Code of Ethics.

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, Sussex Police finalised 1,192 allegations from public complaints that were made against its officers and staff. Of these, 7 percent had been investigated and 73 percent had been locally resolved. A smaller proportion of allegations were investigated and a greater proportion were locally resolved in Sussex compared with the average of its most similar group of forces.¹²

In the 12 months to 31 March 2015, the average time Sussex Police took to complete a local resolution was 59 days, broadly in line with the average of its most similar group of forces (60 days). Over the same period, the average time a local

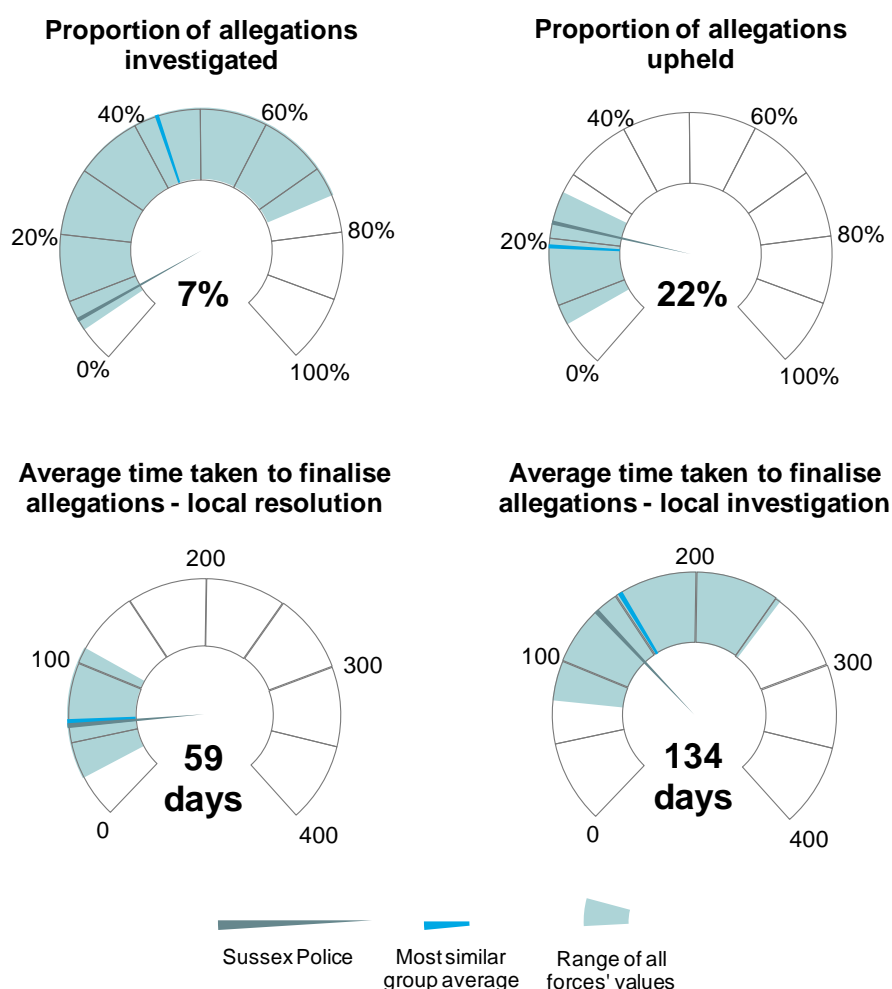
¹¹ For a more complete outline of the definitions and potential outcomes resulting from public complaints, please see the Independent Police Complaints Commission's website: www.ipcc.gov.uk.

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.

investigation took to complete was 134 days,¹³ less than the average of its most similar group of forces (152 days).

After local investigation, Sussex Police closed 81 allegations in the 12 months to 31 March 2015. Of these, 22 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 Sussex's most similar group of forces of 19 percent. However, because of the low number of allegations locally investigated by Sussex Police, comparisons with other forces should be treated with caution. The following figure shows how all of these values compare.

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



Source: Independent Police Complaints Commission

¹³ Please note that this figure differs from the published value in the Independent Police Complaints Commission's publication (323 days) following an input error by the force.

Overall, in the 12 months to 31 March 2015, Sussex Police finalised 7 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, Sussex 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,¹⁴ 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,¹⁵ 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 complaints and internal misconduct allegations were dealt with, in respect of gender, ethnicity or rank.

The professional standards department had a good working relationship with staff associations and trade unions, who felt free to raise any issues. The force published the outcomes from misconduct investigations to its staff to help raise awareness and prevent unacceptable behaviour.

The force does not check that its decisions to locally resolve complaints were appropriate, and the initial complaint assessment was not conducted by a person of sufficient seniority. Some of the cases we reviewed had been locally resolved, but in

¹⁴ 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/

¹⁵ 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'.

our view were not suitable for local resolution as the circumstances were considered severe enough to warrant an investigation. A recent Independent Police Complaints Commission review had also raised similar concerns with the force. The professional standards department was considering this matter.

Summary of findings



Good

HMIC considered that the chief constable and deputy chief constable had made considerable efforts to work with staff, and to stress the importance of the Code of Ethics and the need for an ethical culture. Sussex had agreed a joint vision and strategy with its partner force, Surrey Police, that identified how the Code of Ethics would be incorporated into the forces' culture.

The force was proactive in promoting the wellbeing of staff, for example with training, workshops and wellbeing clinics, as well as the force physiotherapy scheme. The force intranet contained information and guidance regarding health and welfare.

We found no bias in respect of gender, ethnicity or rank in how the force dealt with complaints and internal misconduct allegations. However, we found no check to ensure that decisions to locally resolve complaints were appropriate, and also that a person of sufficient seniority had not conducted the initial assessment. The force had locally resolved some complaints that we reviewed but, in our view were not suitable for local resolution, as we considered the circumstances severe enough to warrant an investigation.

Overall, the force was making a good effort to create and maintain an ethical culture, although there was more to do.

Areas for improvement

- The force should ensure that its advice and guidance to officers and staff better assists them when supporting those on restricted duties in returning to full operational roles.
- The force should ensure that officers or staff who have experienced traumatic cases or incidents have access to support.

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,¹⁶ 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.

¹⁶ *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.

The chief officer team understands the importance of effective engagement, and this is reflected by local commanders in their contact with communities. We found regular public online 'web chats' used to keep people informed in advance of major policing operations.

Officers understand the importance of effective engagement to demonstrate that Sussex Police is an ethical organisation that is willing to be held publicly to account. The force has revised its engagement plan to ensure it works with as many local communities as possible. A neighbourhood policing working group oversees how each policing district communicates with local communities, which is effective.

The force uses neighbourhood profiles to identify areas of risk, vulnerable individuals or groups and to provide an information base that is accessible to neighbourhood officers, but their use is very inconsistent. The force relies on data gathered through software packages, such as 'Mosaic', which when combined with other data provides information about the population, demographics, social information and crime data. The force then uses this information in assessing how best to police the communities in the county, but does not use this to inform a local plan as to how the neighbourhood teams engage with specific groups of people.

The force has a central list of local people who either represent or can convey messages to specific communities or groups in Sussex, although it is not clear how effective this approach is or how representative of the community these people are.

The force uses community tension assessments (CTAs) to examine the effect of police operations or critical events within communities. Although the cases we reviewed did not contain any evaluation of the effectiveness of the CTA in resolving community tensions, there are a number of detailed examples of how the force identifies and responds to community tensions. For example, a divisional command team had used a CTA effectively in connection with a suspected case of child sexual exploitation to direct police actions dealing with community concerns.

Of the 883 survey responses from the area covered by Sussex Police, 51 percent agree that the police understand the crime and anti-social behaviour issues within their force area and 12 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.

Overall, officers and staff create and maintain good relationships with their communities, and have a good understanding of their needs and concerns.

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. The force has invested in its corporate communications and public engagement department, to ensure it can seek people's views and provide relevant information. The department manages the force's digital services and a customer insight process, and it has increased its use of social media to improve links with a larger number of people in Sussex.

Sussex Police also seeks views through an elders' commission and a youth commission, introduced by the police and crime commissioner (PCC) to improve local consultation. These bodies involve representatives who gather the views of older residents and young people. There are strong police links to both these groups, and this work has led to the force introducing a 'Youth Pact' which sets out how it will engage with young people.

Members of the public can register their views using the 'your voice counts' channel on the force website, and this is used in conjunction with views expressed in neighbourhood public meetings which local officers attend to gather local views. Public engagement officers, based in each division, are responsible for informing and involving local neighbourhoods, and local officers carry out street briefings or hold local surgery events. The force also uses a 'community messaging' system for information which currently reaches 108,000 people.

The force effectively encourages participation by local people. It runs a joint pilot scheme with the fire and rescue service in East Sussex, which uses volunteers to provide information about preventing crime and anti-social behaviour.

Volunteers also take on roles for neighbourhood and speed watch schemes, including a pilot in the Crawley area, in which members make calls to elderly victims of online fraud to help prevent them being re-victimised in future.

A police cadet scheme with 180 participants supports crime prevention activities including marking bicycles with their postcode and marshalling at large public events

From the survey, 34 percent of the respondents from the area covered by Sussex Police 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.

Sussex Police is engaging well with the communities it serves, understands their concerns and reports back to them on its actions.

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,¹⁷ 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

¹⁷ *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

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 the force, from the 40 calls assessed, call-handlers are polite, respectful and effective. They display empathy towards callers and are good at identifying callers that are more vulnerable.

The quality and customer service team carry out regular assessments of emergency and non-emergency calls to check the quality of the response and the way call-takers talk to people. New recruits to the force contact centre are trained how to engage with members of the public and have to demonstrate good listening skills in assessments where customer service skills are tested.

During our fieldwork we also observed front counter staff in their interaction with visitors at police stations. We found that members of staff in the enquiry offices are polite, fair and efficient in dealing with the public.

Sussex Police has appointed a senior officer responsible for increasing the force's use and understanding of the College of Policing's National Decision Model (NDM). The model is already covered within various training courses, and is part of the officer safety training annual refresher courses.

Sussex Police further emphasises the importance of the NDM by testing understanding during promotion selection processes. Senior officers regularly use the model for major operations and serious incidents.

Some officers and staff are aware of the NDM and could clearly show that they use the model in their everyday work. These tended to be officers more frequently involved in firearms operations, or carrying Taser. Officers involved in crime investigations are using the NDM in planning investigations and making decisions around priorities within their workloads.

However, other frontline officers are less clear on the way they should use the NDM. They are less familiar with the separate parts of the model and few feel that it influences the way they carry out their duties. This means that the workforce has an inconsistent understanding of the importance of the NDM and how to apply it in their day to day work.

Although the force does not provide other customer service or similar training for its officers, it does test new recruits on their abilities to deal with people politely, and regularly makes officers aware of the issues which the public have raised in complaints. The force also tests how its services, officers and staff are perceived through regular telephone surveys. Overall, officers and staff in Sussex Police treat people fairly and with respect.

From the survey, 53 percent of respondents from the area covered by Sussex Police agree that the police in their local area treat people fairly and with respect versus 7 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

Senior officers in Sussex emphasise the importance of effective engagement. Neighbourhood policing teams have a good understanding of their local communities. Officers also understand the need to build public trust and confidence through their everyday actions, and the force is making effective use of force-level engagement plans to gather views on policing and communicate with local people. We found regular use of surveys to understand levels of satisfaction, and local officers consistently provide relevant information to the public.

The force responds effectively where there are issues of particular concern to the community, and it encourages participation in policing using volunteers to support its services in a variety of useful roles.

Although some specialist officers use the National Decision Model¹⁸ effectively, understanding among officers in other roles is less consistent.

Call-takers and front desk staff are polite, friendly and helpful. Those people who live in Sussex can be reassured that officers and staff treat people fairly and with respect.

¹⁸ *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

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.¹⁹

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?

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 stops and searches 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 cooperate 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.

¹⁹ *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/

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

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.

Use of stop and search in Sussex – Stop and search by volume

In the 12 months to 31 March 2015, Sussex Police carried out 11,651 stops and searches. The table below shows this number per 1,000 population for Sussex Police and the average of its most similar group of forces, as well as the change from the 12 months to 31 March 2014. The figures indicate that the force's use of stop and search powers is currently in line with the average of its most similar group of forces.

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

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

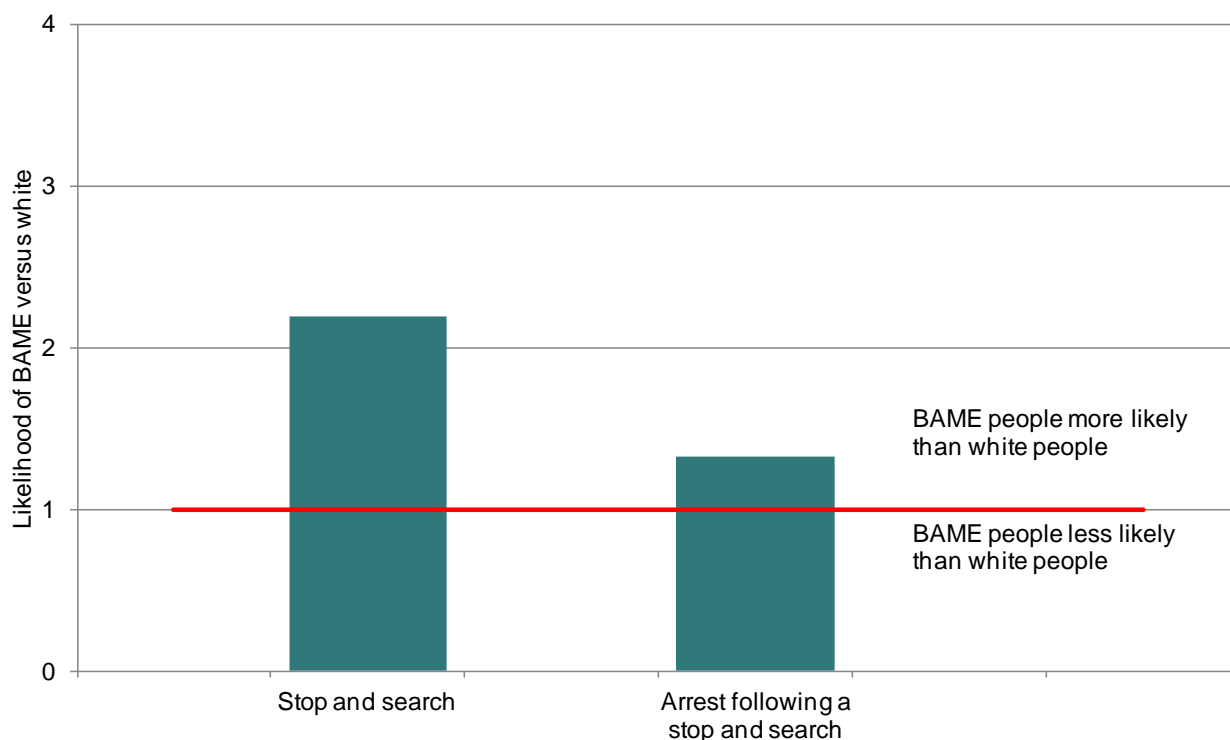
	Stops and searches per 1,000	Change from previous year
Sussex	7.1	-30%
Sussex's MSG average	6.5	-41%

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 Sussex Police – Stop and search by ethnicity

HMIC looked at the published data on stops and searches by ethnicity and compared them with the most recent local population data by ethnicity (the 2011 Census). The data suggested that BAME people were statistically more likely to be stopped and searched by Sussex Police than white people. Also, of the individuals who had been stopped and searched, BAME people were statistically more likely to be arrested by the force than 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 Sussex 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 Sussex Police, the 2013 inspection showed that 50 of 200 records reviewed (25 percent) did not have sufficient reasonable grounds recorded.

For this inspection we reviewed 100 stop and search records provided by the force. As in the 2013 inspection, we reviewed the records to determine if reasonable grounds were recorded. Only seven of the records we reviewed had been endorsed by a supervisor. Despite that, we found that only four of the 100 records (4 percent) did not have reasonable grounds recorded. The four records that did not have sufficient grounds recorded arose from the same incident.

This suggests that officers generally understand what constitutes reasonable grounds. While the forms we reviewed may not be representative of all stop and search records completed by the force, the results indicate 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 force complied with each aspect of the scheme. Our analysis is set out in the table below.

The force is developing its understanding of the way operational officers make decisions when carrying out stops and searches by participating in a national trial run by the College of Policing to explore how officers' attitudes or unconscious bias may work during these encounters.

Officers receive training on the NDM specifically in relation to the power of stop and search. They complete this during their personal officer safety training. The training sessions are in addition to the computer-based training package already available within the force about the NDM, and the national Code of Ethics.

Despite this training, officers do not describe the NDM as something they rely upon when considering whether or not to carry out a stop and search. Similarly, not all officers are aware of the Best Use of Stop and Search scheme.

However, generally officers are carrying out stops and searches appropriately and lawfully, and they record the grounds effectively. Although most of the records examined are not endorsed by a supervisor, the force has changed how it records stops and searches. Officers now enter the required information on a force computer system. The system ensures compliance as the electronic record cannot now be finalised until it is checked by a supervisor.

Feature of the Best Use of Stop and Search scheme	HMIC assessment of compliance
Recording and publishing the outcomes following a stop and search	The force complies with this feature of the scheme. While the force records the outcomes as required by the scheme, it does not publish data in respect of the separate outcomes set out in the scheme, and whether there is a connection between the outcomes and the item searched for. However, the relevant outcome data, including the connection between the outcomes and the items searched for, are published on the police.uk website and a link on the force's website directs the public to the police.uk website.

<p>Providing opportunities for the public to observe officers using the power</p>	<p>The force complies with this feature of the scheme.</p> <p>The force operates a 'ride-along' scheme in which members of the public can accompany police officers on patrol, observe them at work and provide feedback. We were encouraged to note that young people, representatives of black, Asian and minority ethnic groups are actively encouraged to take part in 'ride along' schemes in different parts of the county.</p>
<p>Explaining to communities how the powers are being used following a "community complaint"</p>	<p>The force complies with this feature of the scheme.</p> <p>The Sussex Police stop and search policy sets out a community trigger process which generates a review whenever a complaint is made relating to the use of stop and search powers. Also, under this policy, a review is also generated when the same person has been stopped and searched three or more times in a six month period.</p>
<p>Reducing the number of people stopped and searched without suspicion under Section 60²² of the Criminal Justice and Public Order Act 1994</p>	<p>The force complies with this feature of the scheme.</p> <p>No authorisations for searches under Section 60 have occurred in Sussex since the launch of the Best Use of Stop and Search scheme; however arrangements within the force are compliant with its requirements in this regard.</p>
<p>Monitoring the impact of stop and search – particularly on young people and black, Asian and minority ethnic groups</p>	<p>The force complies with this feature of the scheme.</p> <p>The force closely monitors the percentage of black, Asian and minority ethnic people (BAME) who are stopped and searched. The relatively higher numbers of searches on BAME people, compared to white people, is seen by the force as resulting from the policing of Gatwick International Airport. The impact of the use of the use of stop and search powers on young people has led the force to work closely with the 'Youth commission' and is producing a video to explain the force's approach specifically for young people. The local scrutiny group regularly reviews both these areas.</p>

²² '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

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.²³

Use of Taser in Sussex Police

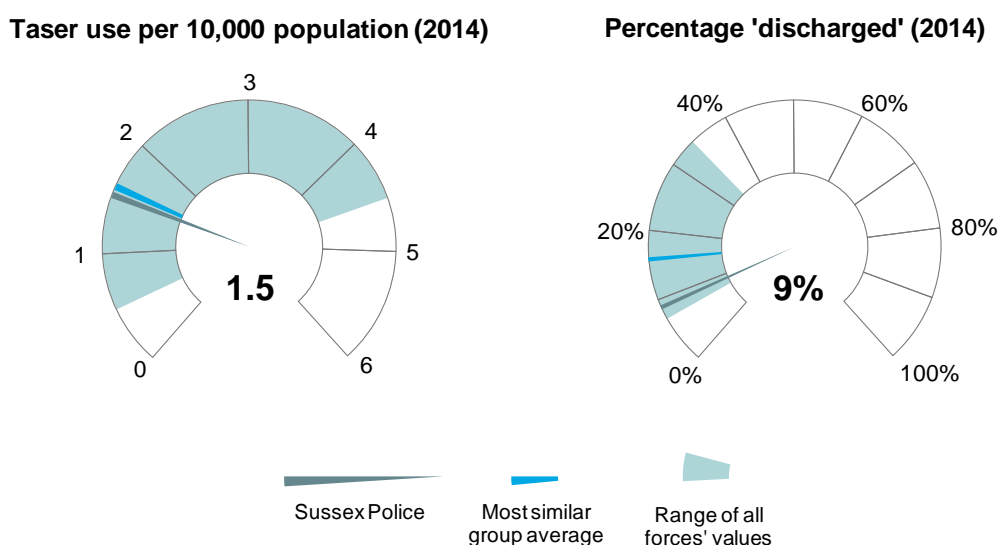
Every time a Taser is used in some capacity (this includes a full range of use from being drawn to being 'discharged') a police officer makes a record of its 'highest use' on a Taser deployment form.

²³ *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/

Between 1 January and 31 December 2014, Taser was used in some capacity 249 times by Sussex Police, representing 1.5 times for every 10,000 people in the force's area. This was broadly in line with the average for Sussex Police's most similar group of forces, which was 1.6 times per 10,000 population.

During the same time period, Taser was 'discharged' on 22 occasions (out of the 249 times it was used in some capacity). This equated to 9 percent of overall use, less than the force's most similar group average of 16 percent. The following figure shows the comparisons.

Figure 8: Use of Taser per 10,000 population and the proportion 'discharged' by Sussex Police, 12 months to 31 December 2014²⁴



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 Sussex 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

²⁴ 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.

been fired three times, drive-stunned twice, red-dotted seven times, arced once, aimed once, and drawn six times. Of the five times the Taser was fired or drive-stunned, we found evidence that consideration of other tactics had been recorded in all cases except one which was part of a scheduled high-threat firearms operation to arrest a man for two armed robberies on behalf of another force. This case required the officers to deliver a pre-emptive Taser strike on arrest. The normal process is for the tactical firearms commander to record the rationale for the pre-planned tactics used, and we were not supplied with that information.

Overall, officers used Taser to protect themselves or others from a range of weapons, including several kitchen knives, a hatchet, a shard of glass, and a sledge hammer.

The 'brief details' and NDM sections of the forms provided evidence to suggest that the use of Taser is fair, lawful, and appropriate in all cases reviewed except the pre-planned firearms operation, which did not record sufficient information for us to assess.

We found that because the practice in Sussex appears to be for officers to add a copy of their witness statement into the 'brief details' section of the form, we had a lot of information on which to make our assessment. Where officers had been required to complete the NDM section, we found that some appeared to be unclear about how to record their use of the NDM.

None of the forms contain 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 of the Taser form. This appears to be a national issue, and is considered in our national Legitimacy report.

Taser-trained officers have a good understanding of the relevant legislation and Authorised Professional Practice. In Sussex, officers seeking selection for training and qualification to use Taser are required to demonstrate completion of the computer-based training package about the NDM. Officers have no difficulties in explaining how they use the model when considering the use of Taser. Nevertheless, we found some inconsistencies in some of the Taser forms examined although computer-based training about NDM is provided and all qualified officers should understand how they use the NDM to explain and record their use of a Taser device.

The deployment of a Taser officer to an incident is normally authorised by the control room inspector, but officers can 'self authorise' in circumstances where they are confronted by an immediate threat. Such incidents are then reported to the force control room inspector for review.

The use of Taser by all officers in Sussex and Surrey is overseen by a panel chaired by a chief officer. The panel is responsible for monitoring and evaluating the use of Taser in both forces, it is regularly provided with data on usage and will also review individual incidents where necessary. This process is effective.

The force has previously published data about its use of Taser, but the information provided is now over two years old and does not contain up-to-date figures.

Based on an assessment of the Taser forms, and fieldwork findings, Taser is being used fairly and appropriately in Sussex Police.

Summary of findings



Good

Sussex Police complies with the Best Use of Stop and Search scheme. The force provides for lay observation of officers while out on patrol. Officers generally understand how they should apply the National Decision Model for their use of stop and search powers, and in the files we reviewed nearly all had reasonable grounds for use of the stop and search powers recorded.

Taser officers understand the National Decision Model and make adequate records of their Taser use. Sussex monitors and evaluates the use of Taser across the force but it does not publish this data.

The use of Taser is fair and appropriate in Sussex.

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 Sussex Police's MSG: Hampshire, Hertfordshire, Thames Valley, Leicestershire, Essex, Avon and Somerset and Staffordshire.
- 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 Definition²⁵

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.

²⁵ *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.