

PEEL: Police legitimacy 2015

An inspection of Thames Valley 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 Thames Valley 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 chief officer team had set out a clear vision of an ethical culture and inclusive workforce within Thames Valley Police. Neighbourhood officers and staff engage well with their communities and display a good understanding of local needs. The force is complying with the Best Use of Stop and Search scheme. The use of Taser by authorised officers is fair and appropriate.

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

Summary

The chief constable has led activity and set expectations about ethical behaviour in Thames Valley Police. Communication about the Code of Ethics² was effective and varied. The code sets out the standards and behaviour that the public can expect from officers and staff. The comprehensive and proactive approach that the force had taken to implementing the code was encouraging. Staff in some areas of the force told us about difficult working environments caused by volume of work. However, there were a range of methods in place to support staff and they generally held a positive view about how the force cared about their wellbeing.

When HMIC looked at how well the force understands and engages with all the people it serves, we found that the force undertakes wide-ranging activity at force and local levels to understand the views of the different communities it serves. As a result, we found that neighbourhood officers engage with the community through a wide range of channels to share information with different community groups.

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

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. Officers, generally, have a good understanding of the importance of exercising stop and search powers in a lawful, transparent and respectful manner. All officers trained to use Taser understand their responsibility to exercise good judgment when considering its use, and recording that rationale to allow public scrutiny of actions taken. The force is complying with the Best Use of Stop and Search scheme and Taser is used fairly and appropriately.

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



Good

The adoption of an ethical culture within Thames Valley Police had been led by the chief constable and communication about the Code of Ethics has been effective. There was a comprehensive and proactive approach taken to implementing the code.

There were ways for staff to identify organisational learning and improvement opportunities; the force was also undertaking survey work to develop a greater understanding of staff views.

Staff were generally comfortable challenging managers and appropriate arrangements were in place for the reporting of misconduct.

Staff in some areas of the force reported that there were difficult working

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



Good

Officers in Thames Valley Police understand the importance of dealing with the public in a fair, polite and professional way and how this supports public confidence in the police.

The force undertakes a wide range of activity to understand the views of the different communities it serves. Neighbourhood officers actively engage with the community and partners through a wide range of channels. Neighbourhood officers and PCSOs engage well with the community, for example, at community 'Have Your Say' meetings, which are held either on a regular monthly basis or in response to a community incident. Local policing areas make good use of Twitter or other social media.

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



Good

Officers generally have a good understanding of the importance of exercising stop and search powers in a lawful manner that is transparent and conducted with respect, although staff knowledge of the existence of the Best Use of Stop and Search scheme is limited. The force needs to improve staff awareness and supervision of the recording of reasonable grounds. Stop and search data is reviewed at both local and senior management levels, as well as being made available to the dedicated strategic independent advisory group.

All officers trained to use Taser are very familiar with the NDM. They understand their responsibility to exercise

environments caused by volume of work. However, there were a range of methods in place to support staff and they generally held a positive view about how the force cared about their wellbeing.

The force dealt with complaints and misconduct fairly and consistently and investigations were free from bias. However, the initial assessment decision in relation to public complaints was being taken by a person of insufficient seniority to comply with regulations. There was some potential for inconsistency between police officer and police staff misconduct cases, in respect of decision-making and final outcomes.

The force has made a significant commitment to ensuring that the workforce understand the National Decision Model (NDM), and properly apply it. A wide range of officers are very familiar with the model and often describe it as being 'at the heart of what we do'. They clearly understand the importance of having a reasonable rationale for the decisions they make while serving the public.

good judgment when considering the use of Taser. They also understand the importance of recording their rationale to allow public scrutiny of actions taken.

Thames Valley Police and Hampshire Constabulary operate a joint Taser working group which assesses data on use and reviews individual incidents if appropriate. The working group then reports its findings to the strategic firearms board. The force has conducted a review within the last year, linked to the firearms strategic assessment, which concludes that the force has the right number of Taser-trained officers available to meet its level of risk.

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, Thames Valley Police



Percentage of females by role, England and Wales force average



Public complaints

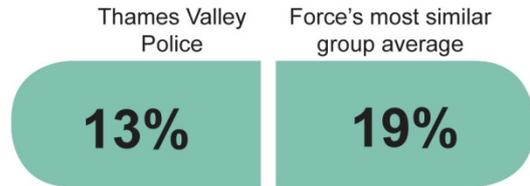
Number of allegations made by the public that have been finalised 12 months to 31 March 2015



Proportion of finalised allegations investigated 12 months to 31 March 2015



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

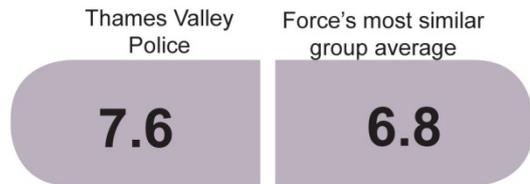


Stop and search

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



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



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

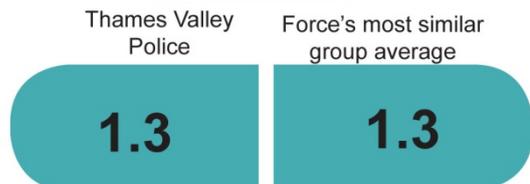


Tasers

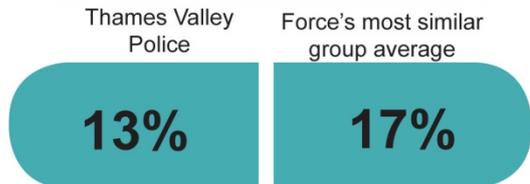
Number of times a Taser was used 12 months to 31 December 2014



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



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 Thames Valley Police.

Methodology

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

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

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

Organisational justice³

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

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

Procedural justice

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

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

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

⁴ *Ibid.*

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

Introduction

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

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

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

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

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

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

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

⁵ The inspection took place between March and June 2015.

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

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

| FTE | Total | Of which | |
|---------------------------|--------------|--------------------|-----------------|
| | | Female | BAME* |
| Total workforce | 7,538 | 3,147 (42%) | 388 (5%) |
| Total officers | 4,365 | 1,343 (31%) | 217 (5%) |
| Constables | 3,438 | 1,114 (32%) | 179 (5%) |
| Sergeants | 647 | 162 (25%) | 27 (4%) |
| Inspecting ranks | 239 | 60 (25%) | 10 (4%) |
| Superintendents and above | 41 | 8 ** | 1 ** |
| Staff | 2,714 | 1,579 (58%) | 142 (5%) |
| PCSOs | 459 | 226 (49%) | 29 (6%) |

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

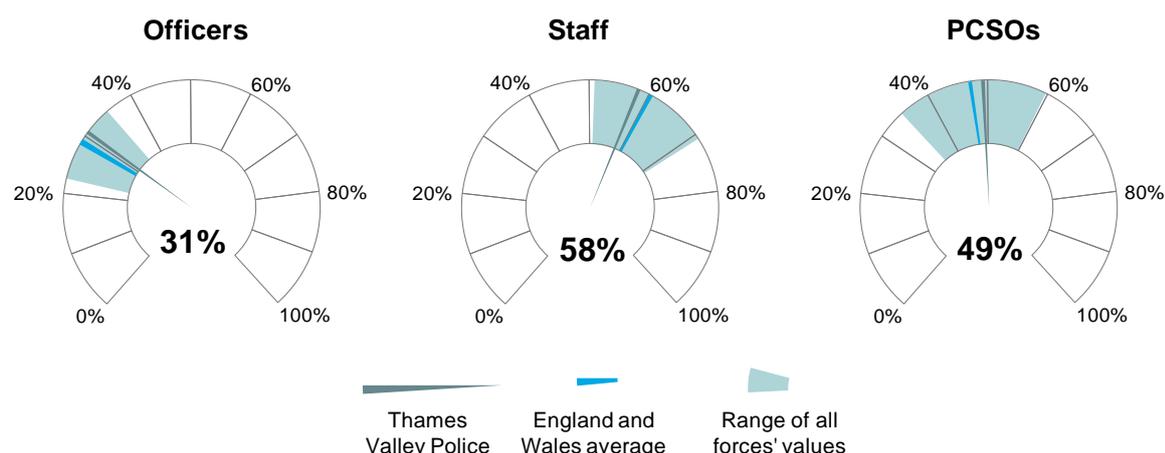
* Individuals are not required to record their ethnicity. As a result, BAME totals and percentages exclude officers/staff/PCSOs where the ethnicity is not stated.

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

Figure 2: The percentage of female officers, staff and PCSOs in Thames Valley 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 overall proportion of BAME people in the force's local population. In Thames Valley, around 15 percent of the local population were BAME. The figure below shows these comparisons.

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

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



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

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

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

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

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

Figure 4: Change in Thames Valley 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 | -397 | (-5%) | 0 | 0 |
| Officers | -69 | (-2%) | +3 ● | 0 |
| Staff | -286 | (-10%) | -3 ● | 0 |
| PCSOs | -41 | (-8%) | -4 | 0 |

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

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

Source: Home Office Police Workforce statistics

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

Overall, compared with other forces, as at 31 March 2015, the percentage of females within Thames Valley Police's workforce was broadly similar for PCSOs, higher for officers yet lower for staff. By ethnicity, there was an under-representation in BAME officers, staff and PCSOs and there was no statistically significant change in the proportion 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.

The chief officer team has set out a clear vision of an ethical culture for the force. New entrants to the organisation are required to sign their commitment to the Code of Ethics, and receive training on legitimacy. The force had effective ways of ensuring that decisions about recruitment and promotion from constable to sergeant rank were free from bias and discrimination.

The chief constable used the senior leaders' forum and the force intranet to promote an ethical culture. Staff received training in ethics and ethical decision-making linked to the National Decision Model (NDM). The NDM provides a framework to help decide how police powers should be ethically and proportionately exercised; the workforce was aware of the model, training on it had been well received, and it was being used routinely.

The force had recently taken steps to improve how it understands and works with staff through a survey, the results of which had been discussed at the senior leaders' forums. The chief constable also required further work to be carried out to understand issues raised by superintendents and chief superintendents using a separate survey of officers in those ranks.

Staff reported that, over the last few years, they felt more confident to raise issues of concern to them within the organisation.

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.

In general, staff within Thames Valley Police were positive about the force's provision of support to maintain and improve wellbeing.

Wellbeing days were held in local policing areas and staff were aware of the support available to them through the welfare department, occupational health department and employee support programme. Further support was available to staff through the force chaplaincy programme.

Debriefing for staff involved in traumatic incidents was available, and a role of the daily management meeting was to identify where this might be required. Officers and staff had access to mental health nurses and psychologists.

Some frontline staff felt that morale was improving. They attributed this to both an open style of leadership and changes the force had made to administrative processes, which had lightened some of their workload. This picture was not universal and officers working in particularly busy areas or departments were concerned that staffing levels were insufficient, making working conditions difficult.

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.⁸ This sets out nine policing principles that should be applied by all officers and staff: Accountability; Integrity; Openness; Fairness; Leadership; Respect; Honesty; Objectivity; and Selflessness. These principles should be used to underpin the decisions and actions taken by officers and staff.

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

The chief constable and senior managers had been thoughtful about how to introduce the Code of Ethics. A superintendent had been appointed to work for several months planning for and implementing change. The chief officer team was described as open, engaging, and interested in ethics.

The force chose to introduce the code by emphasising its nine policing principles as examples of good behaviour, rather than concentrating on the punitive aspects.

Almost 4,000 members of the workforce had received specific training on the Code of Ethics and this training was designed to help staff deal with ethical dilemmas and explain how to react when confronted with circumstances which breached ethical standards. The training content was scenario-based and included the role of the code in the National Decision Model (NDM).

Both staff and contractors were aware of the Code of Ethics and spoke about it in positive terms. In addition, we saw posters and other display material in police stations which referred to the code. Staff were able to describe the standards expected of them, and how they sought to comply.

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.

⁸ 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

Each allegation can be dealt with, or resolved, in a number of ways. Some complaints, such as rudeness or incivility, may be dealt with through the local resolution process. The way these complaints are resolved should be adapted to the needs of the complainant – for example, they may involve an apology or an explanation of the circumstances in writing or in person. If the complaint is more serious, and assessed as not suitable for local resolution, it must be investigated by an appointed investigating officer who will produce a report detailing findings against each allegation. Under certain circumstances, some complaints do not proceed. These use processes known as disapplication or dispensation (for example, if the matter is already the subject of a complaint or if the complaint is repetitious or vexatious), discontinuance (for example, if the complainant refuses to co-operate or it is not reasonably practicable to investigate the complaint) or if they are withdrawn by the complainant.⁹

In the 12 months to 31 March 2015, Thames Valley Police finalised 1,879 allegations from public complaints that were made against its officers and staff. Of these, 53 percent had been investigated and 36 percent had been locally resolved. A greater proportion of allegations were investigated and a similar proportion were locally resolved in Thames Valley compared with the average of its most similar group of forces.¹⁰

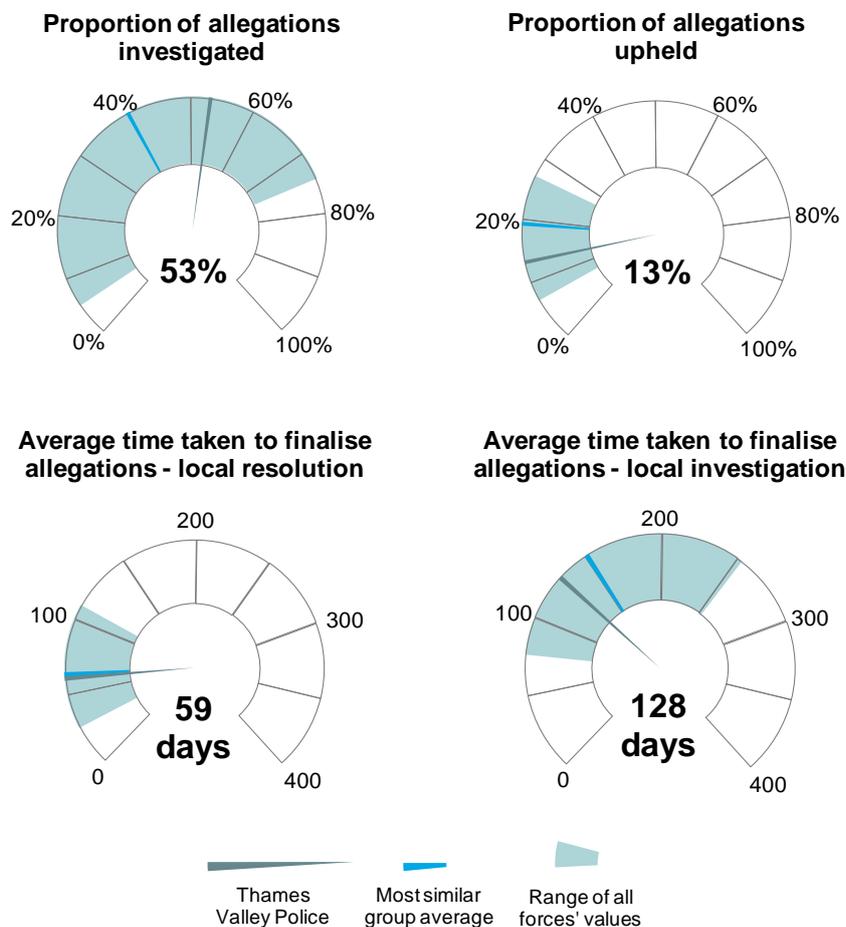
In the 12 months to 31 March 2015, the average time Thames Valley Police took to complete a local resolution was 59 days, broadly in line with the average of its most similar group of forces (62 days). Over the same period, the average time a local investigation took to complete was 128 days, less than the average of its most similar group of forces (150 days).

After local investigation, Thames Valley Police closed 990 allegations in the 12 months to 31 March 2015. Of these, 13 percent were upheld, where it was concluded that the service provided by the police officer or police staff, or the service as a whole, did not reach the standard a reasonable person could expect. This was less than the average of Thames Valley's most similar group of forces of 19 percent. The following figure shows how these values compare.

⁹ 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

¹⁰ 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 Thames Valley Police, 12 months to 31 March 2015



Source: Independent Police Complaints Commission

Overall, in the 12 months to 31 March 2015, Thames Valley Police finalised 53 percent of allegations by investigation. The proportion of allegations it upheld after local investigation was less than the average of its most similar group of forces. Compared to its most similar group of forces, Thames Valley 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,¹¹ 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,¹² 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.

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

Initial severity assessments of allegations of misconduct were being carried out by staff of the appropriate rank or grade. However, initial decision-making for suitability of local resolution in public complaint cases was found to be by a person who did not hold the chief inspector rank or equivalent grade, required to undertake the role of appropriate authority. This was contrary to the regulations in place to deal with complaints.

Thames Valley Police professional standards department receive and assess all public complaints. Those assessed as suitable for local resolution were sent to line managers to progress to conclusion. Complaints that were not suitable for resolution locally were investigated by professional standards department staff.

The professional standards department dealt with all criminal matters involving police officers or police staff and all allegations of serious misconduct involving police officers. Allegations of misconduct by police staff were dealt with by the people services department.

The professional standards department and people services department operated independently of each other; each was responsible for the initial assessment of cases to be dealt with by them. A common severity assessment form, which included the decision-maker's rationale for their assessment, had recently been adopted and senior representatives from each department met quarterly to consider specific cases and share learning. While a worthwhile process, it did not include a systematic

¹¹ *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/

¹² 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'.

review of the rationale, the severity assessment level or the final outcome of the case. It was therefore possible that inconsistencies in decision-making in relation to officers and staff were not being identified.

The force was piloting an approach in which complaint and misconduct cases which would not result in dismissal were being investigated and finalised in the local policing areas. The pilot gave local commanders the responsibility for complaint and misconduct matters which involved their own staff. It also gave local managers a better understanding of the type of complaints being received, and the topics which communities were making complaints about. The pilot also required increased scrutiny of staff that were subject of three or more complaints in a 12-month period, with an intervention carried out by a local senior officer to identify any underlying causes or remedial training needed.

The force dealt with complaints and misconduct fairly and consistently and investigations were free from bias. Procedural discrepancies did exist; the initial assessment decisions for public complaints being taken by a person of insufficient seniority, and the potential for inconsistency was found in respect of decision-making and final outcomes between police officer and staff misconduct cases.

Summary of findings



Good

The adoption of an ethical culture within Thames Valley Police had been led by the chief constable and communication about the Code of Ethics has been effective. There was a comprehensive and proactive approach taken to implementing the code.

There were ways for staff to identify organisational learning and improvement opportunities; the force was also undertaking survey work to develop a greater understanding of staff views.

Staff were generally comfortable challenging managers and appropriate arrangements were in place for the reporting of misconduct.

Staff in some areas of the force reported that there were difficult working environments caused by volume of work. However, there were a range of methods in place to support staff and they generally held a positive view about how the force cared about their wellbeing.

The force dealt with complaints and misconduct fairly and consistently and investigations were free from bias. However, the initial assessment decision in relation to public complaints was being taken by a person of insufficient seniority to comply with regulations. There was some potential for inconsistency between police

officer and police staff misconduct cases, in respect of decision-making and final outcomes.

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,¹³ 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.

¹³ 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.

Throughout the workforce, there is a sound understanding of the importance of dealing with the public in a fair, polite and professional way. There is also a clear awareness of how this supports public confidence in the police.

There is wide-ranging activity, at force and local levels, to understand the views of the different communities it serves. Neighbourhood officers work closely with their communities and partners through a wide range of channels. This allows them to reach different community groups and communicate information. For example, the force reported that 93,000 people are signed up to receive 'TVP Alerts' which are postcode-based messages sent through SMS text, phone or email.

Community impact assessments are used, and we were provided with good examples of the force responding appropriately to community concerns. The force recognises the important role of neighbourhood policing and is committed to maintaining a named member of staff for every area. It is currently considering the findings of a major review of how neighbourhood policing will be delivered alongside partners in the future.

At a neighbourhood level, officers and staff understand the importance of problem-solving and see it as their core role. Neighbourhood profiles are used in a limited way to identify risk, community tension or vulnerable individuals, although staff have a good understanding of their community needs and concerns. The force has plans to record this information in future through a 'vulnerability index' developed as part of the neighbourhood policing review.

At a senior level, the force works with a range of independent advisory groups and conducts regular surveys to improve understanding of community requirements. We noted good examples of working with the community when policing public order incidents and these show how the force responds to local concerns while still facilitating lawful protest. Thames Valley Police covers a large and diverse geographic area which is reflected in the police and crime commissioner's (PCC) decision to make rural crime a priority area.

Of the 1,003 survey responses from the area covered by Thames Valley Police, 53 percent agree that the police understand the crime and anti-social behaviour issues within their force area and 11 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.

Officers and staff understand the importance of positive engagement with all local communities to ensure police legitimacy.

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. Neighbourhood officers and police community support officers (PCSOs) engage well with the community. Examples include 'Have Your Say' meetings, held on a regular monthly basis and in response to a community incident. Local policing areas (LPAs) also make use of Twitter and other social media and LPAs work very closely with neighbourhood action groups. The chair of the neighbourhood action groups and the relevant LPA neighbourhood inspector regularly attend performance meetings with LPA senior officers. Up-to-date local newsletters are published on the force internet site and in police enquiry offices.

The force monitors social media in addition to carrying out surveys to help it understand current issues of concern within communities.

The force has a one-week community placement scheme for new recruits aimed at helping new officers understand different communities. The placement scheme also includes volunteers from the community taking part in recruitment training scenarios, increasing realism and community interaction, while also enhancing learning results.

The force has over 500 volunteers. These individuals undertake a range of activities including administrative support for neighbourhood teams, and victim service quality surveys. There are also over 550 special constables.

From the survey, 37 percent of the respondents from the area covered by Thames Valley Police speak highly of the police in their local area while 11 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.

Thames Valley Police has good arrangements for engaging with its communities.

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,¹⁴ 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 Thames Valley Police, from the 40 calls assessed, HMIC was generally satisfied that the call-handlers are polite, respectful and effective.

¹⁴ *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

During our fieldwork we also observed front-counter staff in their interaction with visitors at police stations, and saw them dealing with members of the public. The staff were always polite and helpful.

Thames Valley Police has made a significant commitment to making sure that the workforce understands and then applies the National Decision Model (NDM). The force is running an extensive classroom-based training programme on 'professional decision-making' which focuses on the model. Over 3,600 officers are trained and over 8,000 officers and staff receive classroom-based training on the police Code of Ethics, which is a vital part of the model. A wide range of officers are very familiar with the NDM; often describing it as being 'at the heart of what we do'. They clearly understand the importance of having a reasonable rationale for the decisions they make, while serving the public.

While the use of volunteers to increase the realism of training for new operational staff is positive, there is currently little or no centrally delivered refresher training for neighbourhood officers and PCSOs. The learning and development team is developing refresher training for inclusion in the annual training programme, as well as access to academic accreditation for PCSO career development. Currently officers and PCSOs receive local training on scheduled training days.

From the survey, 57 percent of respondents from the area covered by Thames Valley Police 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.

Our observation of how the force deals with people over the phone, at the front desk and when making decisions, demonstrates that for the vast majority of the time officers and staff treat people fairly and with respect.

Summary of findings



Good

Officers in Thames Valley Police understand the importance of dealing with the public in a fair, polite and professional way and how this supports public confidence in the police. The force undertakes a wide range of activity to understand the views of the different communities it serves. Neighbourhood officers actively engage with the community and partners through a wide range of channels. Neighbourhood officers and PCSOs engage well with the community, for example, at community 'Have Your Say' meetings, which are held either on a regular monthly basis or in response to a community incident. Local policing areas make good use of Twitter or other social media.

The force has made a significant commitment to ensuring that the workforce understand the National Decision Model (NDM), and properly apply it. A wide range of officers are very familiar with the model and often describe it as being 'at the heart of what we do'. They clearly understand the importance of having a reasonable rationale for the decisions they make while serving the public.

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.¹⁵

In autumn 2015, HMIC assessed the use of Taser and stop and search powers (specifically, compliance with the Best Use of Stop and Search scheme¹⁶ 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.

¹⁵ *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/

¹⁶ *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,¹⁷ 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 Thames Valley Police – Stop and search by volume

In the 12 months to 31 March 2015, Thames Valley Police carried out 17,861 stops and searches. The table below shows this number per 1,000 population for Thames Valley 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.

¹⁷ *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 Thames Valley 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

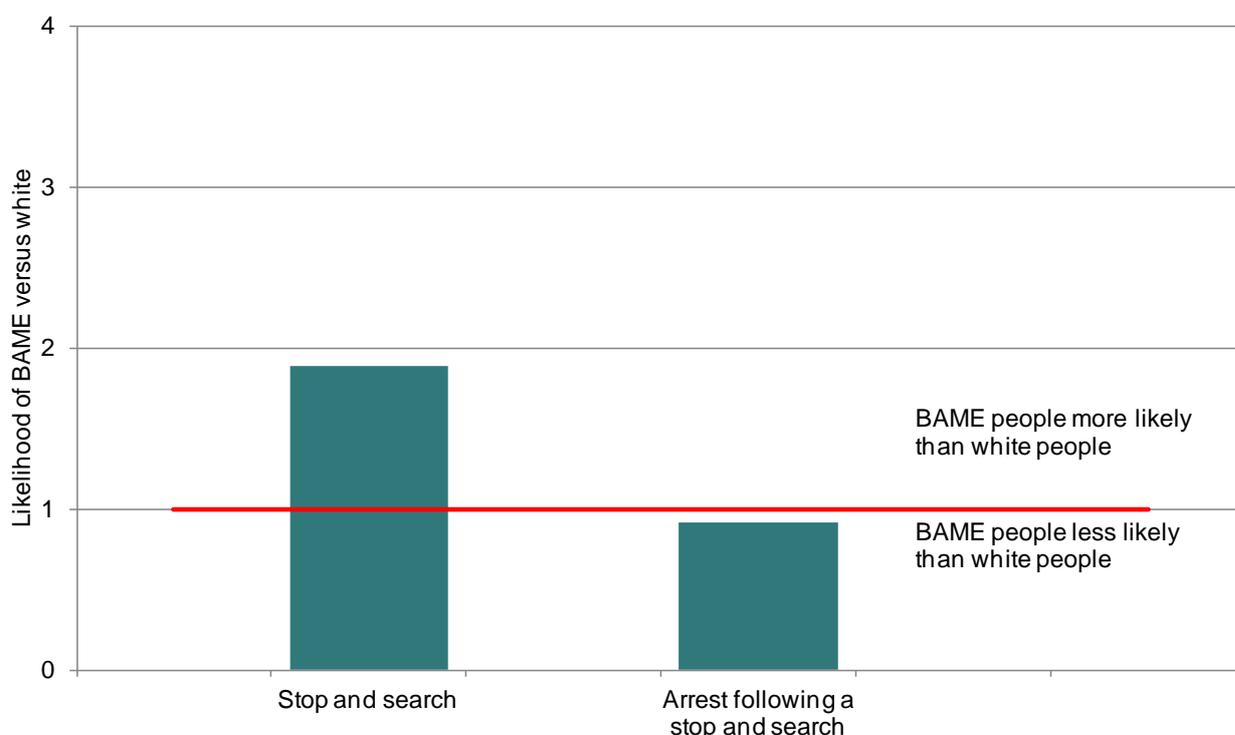
| | Stops and searches per 1,000 | Change from previous year |
|-----------------------------|-------------------------------------|----------------------------------|
| Thames Valley | 7.6 | -19% |
| Thames Valley's MSG average | 6.8 | -40% |

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

Figure 7: A comparison between the likelihood of BAME and white people being stopped and searched and, separately, arrested following stop and search by Thames Valley 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 Thames Valley 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 forms provided by the force. As in the 2013 inspection, we reviewed the records to determine if reasonable grounds were recorded. All records reviewed had been endorsed by a supervisor, however, 16 of the 100 forms (16 percent) did not have reasonable grounds recorded. This suggests that some officers, and some supervisors given the task of reviewing records, do not understand the grounds required to use stop and search powers.

While the forms we reviewed may not be representative of all stop and search records completed by the force, there are still too many occasions in which reasonable grounds are not recorded.

Compliance with the Best Use of Stop and Search scheme

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

HMIC found that within Thames Valley Police, officers generally have a good understanding of the importance of exercising stop and search powers lawfully and transparently. Police officers recognise the need to treat the person stopped fairly and with respect. All completed stop and search forms require endorsement by a supervisor, who is aware of the importance of checking to ensure the form contains adequate information on the reason for the search. Each month, additional quality checks of a dip-sample of completed forms are carried out by team inspectors. While the rate of forms having insufficient detail of grounds for the search has reduced from 25 percent to 16 percent over the last two years, this is still too high and the force needs to do more to ensure the effectiveness of supervisory checks.

Knowledge of the existence of the Best Use of Stop and Search (BUSS) scheme is limited, and that can be attributed to the force acting as a pilot site for the College of Policing, who are evaluating different stop and search training packages. As part of the pilot, the force has agreed not to carry out any stop and search training to support the overall training evaluation. The BUSS scheme logo is displayed on the force intranet, but there are no links to the details of the scheme.

Thames Valley Police records the full range of outcomes required and also publishes the data on its website. The force also records if the item searched for was found and can determine the link between the item found and the outcome. This data is also published on the force's website.

Stop and search data are reviewed at both local and senior management levels, as well as being made available to the dedicated strategic independent advisory group. The force has improved visibility of stop and search data and data published on the website includes the frequency with which black, Asian or minority ethnic people are stopped and searched.

Despite the force being restricted in the amount of training it can provide, the number of authorisations for use of stop and search powers without suspicion under section 60 of the Criminal Justice and Public Order Act 1994 has declined, and there has only been a single occasion of authorisation outside the provisions of the scheme. Following this incident, the force responded quickly and, in conjunction with the College of Policing, circulated additional guidance to supervisors. The force operates a ride-along scheme, which forms part of the BUSS scheme; this has been in place for a considerable period of time and the numbers taking part have remained stable.

Thames Valley Police is complying with the Best Use of Stop and Search scheme, but needs to improve staff awareness and supervision of the recording of reasonable grounds.

| Feature of 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. |
| Providing opportunities for the public to observe officers using the power | The force complies with this feature of the scheme. |
| Explaining to communities how the powers are being used following a 'community complaint' | The force complies with this feature of the scheme. |
| Reducing the number of people stopped and searched without suspicion under section 60 ¹⁸ of the Criminal Justice and Public Order Act 1994 | The force complies with this feature of the scheme. |
| Monitoring the impact of stop and search – particularly on young people and black, Asian and minority ethnic groups | The force complies with this feature of the scheme. |

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

Background

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

¹⁸ '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

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.¹⁹

Use of Taser in Thames Valley Police

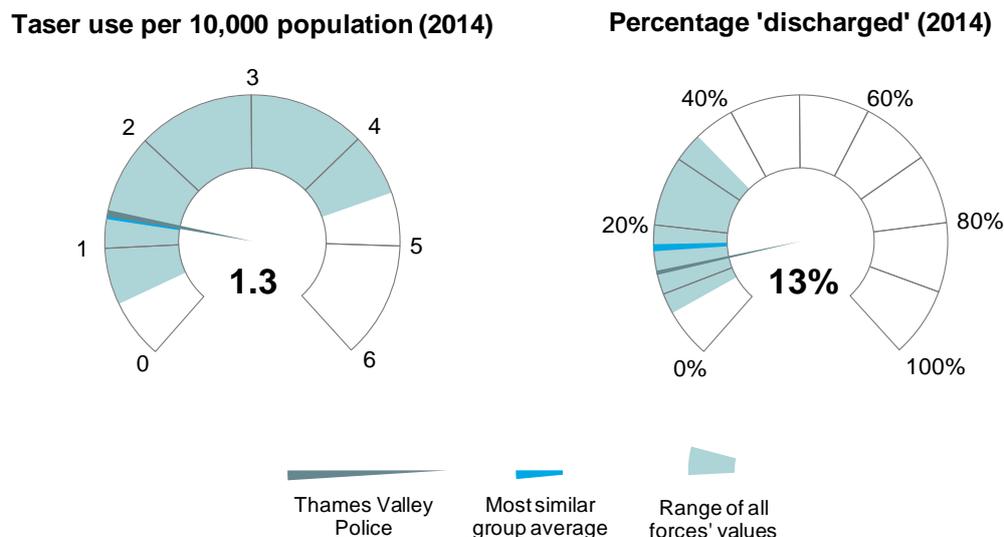
Every time a Taser is used in some capacity (this includes a full range of use from being drawn to being 'discharged') a police officer makes a record of its 'highest use' on a Taser deployment form.

Between 1 January and 31 December 2014, Taser was used in some capacity 304 times by Thames Valley Police, representing 1.3 times for every 10,000 people in the force's area. This was in line with the average for Thames Valley Police's most similar group of forces, which was 1.3 times per 10,000 population.

During the same time period, Taser was 'discharged' on 40 occasions (out of the 304 times it was used in some capacity). This equated to 13 percent of overall use, less than the force's most similar group average of 17 percent. The following figure shows the comparisons.

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/

Figure 8: Use of Taser per 10,000 population and the proportion 'discharged' by Thames Valley Police, 12 months to 31 December 2014²⁰



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 Thames Valley 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. Of the 20 forms reviewed, Taser had been fired five times, red-dotted nine times, aimed once, and drawn five times. Of the five times the Taser was fired, we found evidence that other tactics had been considered and recorded in three cases, one was poorly recorded, and one had no record of other tactics having been considered.

Overall officers used Taser to protect themselves or others from a range of weapons, including several kitchen knives, sharp chisels, a shard of glass, and a sharpened broom handle.

²⁰ City of London Police data was removed from figure 8 because of the very low number of times Taser was used by the City of London Police in 2014.

The 'brief details' and the National Decision Model (NDM) sections of the forms provided us with evidence to suggest that the use of Taser was fair, lawful, in all the cases that were reviewed except one, which did not record sufficient information in the 'brief details' section for us to assess. In another two cases, detail which should have been included in the Taser form was also missing, but we were able to find that information in the control room incident log.

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.

Two years ago, Thames Valley Police carried out a major review of the operational availability of Taser within the force. The end result was the creation of Taser-trained officers as an additional resource, to supplement the existing authorised firearms officers who were also Taser-trained. The force has conducted a further review within the last year, linked to the force strategic threat and risk assessment and this concludes that the force has the right number of Taser-trained officers available to meet the level of risk identified.

Thames Valley Police collaborates with Hampshire Constabulary on the training and oversight of Taser. As part of this collaboration, the forces operate a joint Taser working group. This group reviews data on the overall use of Taser and, where appropriate, they will review the details of individual incidents. The working group reports its findings to the strategic firearms board, which is chaired on behalf of both forces, by an assistant chief constable. The strategic firearms board reviews other available information, such as complaint data.

All Taser-trained officers are very familiar with the National Decision Model (NDM). The officers receive both the general training on the model, which is given to all officers in their force, and additional instruction during their Taser training. They clearly understand their responsibility to exercise good judgment when considering the use of Taser, and the importance of recording the rationale for their decision, in order to allow public scrutiny. Officers have to undergo a selection process to be considered for the role of Taser-trained officers. Before an officer is authorised, a minimum standard of competence must be achieved and the failure rate for this is about 9 percent.

A difference was found in the recording of Taser use between the two groups of officers authorised to carry them, as described above. Following a Taser use, but not discharge, Taser-trained officers complete both the incident details and rationale sections of the national recording form. However, authorised firearms officers are only required to complete the incident details. This difference could cause an inconsistency within the data gathered about Taser usage.

The completion of both sections by all officers authorised to use Taser would add little bureaucracy while increasing transparency and supervisory oversight.

Based on our assessment of the Taser forms and our fieldwork findings, Taser is used lawfully, fairly and appropriately by Thames Valley Police. Officers understand and comply with Taser authorised professional practice, and there is comprehensive oversight of use.

Summary of findings



Good

Officers generally have a good understanding of the importance of exercising stop and search powers in a lawful manner that is transparent and conducted with respect, although staff knowledge of the existence of the Best Use of Stop and Search scheme is limited. The force needs to improve staff awareness and supervision of the recording of reasonable grounds. Stop and search data is reviewed at both local and senior management levels, as well as being made available to the dedicated strategic independent advisory group.

All officers trained to use Taser are very familiar with the NDM. They understand their responsibility to exercise good judgment when considering the use of Taser. They also understand the importance of recording their rationale to allow public scrutiny of actions taken.

Thames Valley Police and Hampshire Constabulary operate a joint Taser working group which assesses data on use and reviews individual incidents if appropriate. The working group then reports its findings to the strategic firearms board. The force has conducted a review within the last year, linked to the firearms strategic assessment, which concludes that the force has the right number of Taser-trained officers available to meet its level of risk.

Areas for improvement

- The force should ensure that stop and search records include sufficient reasonable grounds to justify the lawful use of the power, and that officers and supervisors fully understand the grounds required to use stop and search powers.

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 Thames Valley Police's MSG: Sussex, Hampshire, Cambridgeshire, Hertfordshire, Essex, Avon and Somerset and Leicestershire.
- 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 Definition²¹

| | |
|-------------------|--|
| 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.

²¹ *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.