



REPORT TO: Combined Audit & Ethics Committee

DATE: Monday 7 December 2015

AGENDA ITEM: 11 (A) Inspection Reports

SUBJECT: HMIC Inspection Update

Inspection Programme 2015 / 16

Recent Publications

1. [Witness for the Prosecution: Identifying victims and witness vulnerability in criminal case files – Nov 2015](#)

In November 2015 the HMIC and HMCPS published the findings of a joint inspection which looked into the quality of criminal case files and how effective the police are in providing accurate information of the circumstances of the case, identifying the vulnerability of victims and witnesses, and assessing and managing risks so the needs of witnesses and victims are met.

The inspectors visited all forces in England and Wales and found generally that the quality and consistency of case files for witnesses and victims was poor.

This is the third in a series of reviews¹ that have been looking into the quality of case files and, unfortunately, the HM Inspector of Constabulary Wendy Williams was disappointed that the same mistakes were being made. She specifically felt that insufficient consideration was given to the needs of the vulnerable victims and witnesses during case file preparation.

Whilst a number of recommendations were made for the College of Policing and the National Police Chief's Council, Chief Constables were asked to evaluate their own training arrangements for student officers.

Areas for improvement were identified for Lancashire around summarising key evidence in police reports, and accurately identifying and managing the risks and needs of vulnerable victim and witnesses.

They highlighted that in an age of austerity, with increased public scrutiny, it is more important than ever that the police 'get it right' the first time and is particularly crucial when a vulnerable or intimidated victim or witness is involved.

¹ The two previous inspection reports are: *Stop the Drift 2 – A Continuing Focus on 21st Century Criminal Justice (a joint review by HMIC and HMCPSI)*, HMIC, London, June 2013, and *Getting Cases Ready for Court – A joint review of the quality of prosecution case files by HMIC and HMCPSI*, HMIC, London, July 2013.

2. PEEL Police Efficiency 2015 – Oct 2015

This annual PEEL inspection took place between March and June 2015 and assessed how well forces understand the demand for their services, how well they match resources to that demand and how efficient they are by examining cost, capacity and capability.

Lancashire was one of five forces that was rated as 'outstanding'. HM Inspector of Constabulary Mike Cunningham said, "Lancashire constabulary has a good understanding of the main elements of demand and uses its resources well. It is taking clear and effective steps to tailor its future workforce plans to meet longer-term changes in demand, as well as future organisational and financial requirements. The constabulary retains a daily focus on prioritising threat, risk and harm issues while prioritising the needs of vulnerable people, and is committed to developing its approach with other public sector organisations.

The constabulary has an excellent track record of robust financial management to achieve planned savings and has well developed plans for future savings. Careful management of budgets and a considered approach to strategic change has allowed the constabulary to meet the savings required from austerity and to invest in technology. This should enable the constabulary to engage with their communities more effectively through increased use of technology and for officers to remain on patrol for longer in the community."

Despite being rated outstanding, opportunities were highlighted around better identification of resources available to respond to the public and updating IT infrastructure, plans of which are already scheduled for over the next three years.

3. Working in step? Local CJ partnerships – Oct 2015

This joint thematic looked at six forces, Lancashire was not included, and examined how the Local Criminal Justice Partnership's (LCJP) work and whether they make a difference.

Inspectors concluded that they were insufficiently visible, accountable or influential.

They concluded that whilst there was broad membership, LCJPs are not making a sufficiently positive difference. Local priorities are not rigorous enough, actions of some agencies are working against the actions of others, national programmes are bypassing the LCJPs and working directly with the agencies and there are constraints and barriers preventing LCJP members working effectively, such as; targets/objectives of individual agencies, geographical boundaries and nationally set priorities/programmes.

The review recommends, as a priority, that a national operating framework is established to enable local criminal justice agencies to work together more effectively.

At a local level, the review recommends that within six months of the new operating framework, that the leaders of LCJ agencies with the PCC undertake a review of local partnership arrangements to assess whether they are fit for purpose to lead improvements. This is currently on-going with ACC Jacques chair of the LCJP board.

4. Targeting the risk (Firearms Licencing) – Sept 2015

This thematic report, whilst gathering information from all 43 forces, looked in detail at the practices for firearms licensing in 11 representative forces, Lancashire was not one of them.

Inspectors looked at the policies and procedures in the management and provision of over 150,000 section 1 firearms licences that are on issue and found that forces are not generally following the Home Office guidance which, in some circumstances, put public safety at risk.

HMI Stephen Otter observed that lessons from past tragedies had not always been learnt and advised that unless things changed, there was a risk of further tragedies occurring.

18 recommendations were made, 9 for Chief Constables which required implementation either immediately or within three or six months from the publication date. To date all recommendations are being or have been complied with.

The report recommended that the Home Office ensure that licencing does not take place without a current medical report from the applicant's GP as to their medical suitability, including their mental health, and notification of any relevant changes of medical circumstances. It also asked for definitive guidance on contacting referees and visiting prospective and current licence holders as well as giving the police a legal right of entry to an applicant's premises.

5. Child Protection – Jul 2015

In July 2015 HMIC published a series of three reports relating to child protection over the previous 18 months, these were;

- **In harm's way: the role of the police in keeping children safe** – looked at the police response to child protection conducted over 2 years
- **Online and on the edge: real risks in a virtual world** – looked at how police forces deal with children who are being exploited via the internet
- **Building a picture: an inspection of police information management** – looked at how police share and cross check information in order to build a picture of criminality

The inspections found consistency across England and Wales in there being many hardworking, dedicated officers, devoted to improving the plight of the vulnerable and doing a good job, often in spite of the circumstances of their role. However, the inspections overall found considerable inconsistency of the treatment of vulnerable victims by the police.

Lancashire Constabulary was involved in the 'Building a Picture' inspection. The inspection identified a number of areas that required either immediate attention or by

November 2015. This area has been included on the risk register with recruitment currently on-going to fill the vacancies to enable the recommendations to be addressed. Regarding the 'Online and on the edge' report, the OCIAIT team are evolving, in conjunction with CEOP to ensure they deal with the investigations as per the inspections recommendations and child abuse action plans have been updated to reflect the main areas highlighted in the 'In-harm's way' report.

Overall, the findings demonstrated an under-recognition and under-estimation of risk. The reports warn that if the child protection system are struggling currently to manage demand, it will not cope with a greater number of cases which are likely to be uncovered in the future.

6. The provision of charging decisions – May 2015

This joint inspection scrutinised how well the police and the Crown Prosecution Service (CPS) are performing and how well they ensure quality charging in all offences.

The inspectors identified a number of areas where the quality of police and CPS charging decisions need to improve and made 10 recommendations, including better training for all police decision-makers.

7. Disability hate crime: follow-up – May 2015

This was a follow-up report, from 2013, into how the police, Crown Prosecution Service (CPS) and the Probation Service deal with disability hate crime reports. The 2013 report made 7 recommendations for the police, CPS and probation trusts to implement within a specific timescale and were designed to improve performance and embed good working practices, acknowledging that disability hate crime should be treated the same as other hate crimes such as race, religion, sexual orientation or transgender.

Although the report identified some examples of good practice relating to awareness-raising at a national level, neither the police nor the CPS has succeeded in significantly improving performance at an operational level.

An action plan has been designed specifically to target areas highlighted in the recent follow-up inspection taking into account all relevant reports within the hate crime arena.

8. Stop & Search 2: are the police using them effectively and fairly? – Mar 2015

This report sets out the findings of an inspection into the progress made by forces since HMIC's 2013 stop and search report and addresses the Home Secretary's new commission for HMIC to examine the way the police use powers to stop motor vehicles and strip search people.

In 2013 HMIC made ten recommendations to forces to help them improve their use of Stop and Search powers and commented that, in the intervening 18 months, there had only been good progress against one of the recommendations; that being to improve the use of technology to record encounters. They further commented that although most forces have conducted work to determine the way they used stop and search powers, this research was concentrated on effectiveness rather than on fairness.

The HMIC also commented that for the first time, they looked at the use of the Road Traffic Act power to stop motor vehicles and found that none of the 43 police forces had conducted any audits to determine whether or not their use of the Road Traffic Act power was fair and effective. Only three forces had a policy on the use of these powers and only two had a designated a senior officer to oversee its use.

Additionally, HMIC looked at the impact this power has on people, with the results suggesting that black and minority ethnic drivers are more likely to be stopped, more likely not to be provided with a reason for the stop and are more likely to have their vehicle searched.

Planned Inspections –2016/17

- PEEL Phase 1 Efficiency & Legitimacy – April – June 2016
- PEEL Phase 2 Effectiveness – Sept – Nov 2016

NB. Incorporated into these PEEL inspections will be; Vulnerability, Honour Based Violence & Child Protection

Unannounced inspections,

- Crime recording – Nov – Dec 2015
- Ofsted child protection – April 2016

Other publications published:

- [Value for money profiles](#) – the latest value for money profiles which provide comparative data on a wide range of policing activities for each police force in England and Wales. (19 November 2015)
- [Joint report on vulnerability in case files](#) – HMIC and HMCPSI joint inspection report *Witness for the prosecution: Identifying victim and witness vulnerability in criminal case files*. Thematic report and 43 force reports. (12 November 2015)
- [Rape Monitoring Group Data](#) for all forces (5 November 2015)
- A follow-up inspection of [Multi-Agency Public Protection Arrangements](#) by HM Inspectorate of Probation and HMIC (22 October 2015)
- [Local Criminal Justice Partnerships – CJJI report](#) – HMIC, HMCPSI and HMI Probation joint inspection report (22 October 2015)

Publications Due:

December 2015

- [So-called honour-based violence](#) (including forced marriage and female genital mutilation) - national thematic report. Findings and narrative summaries will be incorporated into PEEL.
- National Child Protection Inspection – Surrey.
- Vulnerability national summary report plus 43 force reports, update to the HMIC website and domestic abuse update report. Part of [PEEL Effectiveness inspections](#).
- Regional Organised Crime Unit inspection report – a thematic report based on 10 inspections.
- [National Child Protection Inspections](#) – West Midlands (re-inspection) and Greater Manchester (post-inspection review).

February 2016

- PEEL Effectiveness, Legitimacy and Leadership
- HMCIC's annual State of Policing
- HMI's annual Force Performance assessments

Decision Required - For Committee to note the update for information

Background Papers - Appendix A – Constabulary Inspection Register

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