



Joint Audit and Standards Committee HMICFRS Update - December 2020

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Summary

This report provides an update around the HMICFRS investigations re-inspection, related to Warwickshire Police's 'Cause of Concern' around investigative standards. This activity took place in November 2020 and the force has been provided with a hot debrief, with a full report due to be provided in January 2021.

The report also provides an update with regards to the plans for the PEEL 2021/22 inspection of Warwickshire police and also provides a brief summary of the early findings of the recent Covid-19 thematic inspection. The full report is due to be published at the beginning of February 2021.

Additionally, Warwickshire Police have received notification from HMICFRS of the intention to complete a Custody Inspection from w/c 11th January 2021, however a final decision will be made as to whether this inspection will go ahead, due to the current Covid-19 pandemic, on 4th January.

HMICFRS Investigations Re-Inspection

As a result of the PEEL 2018/2019 inspection process, Warwickshire police was issued with a 'Cause of Concern' around its investigative standards.

This led to intense improvement activity to address the seven recommendations which constituted this cause of concern. It was initially planned that HMICFRS would conduct a re-inspection of the force's progress in April 2020, however due to the Covid-19 pandemic this activity was cancelled as part of the inspectorate's cessation of inspection activity.

When inspection activity re-commenced, Warwickshire police were notified that this re-inspection would now be planned to take place in November 2020.

As a result, inspection activity was conducted during the week commencing Monday 16th November. This activity consisted of interviews with key strategic leads, as well as a focus group and reality testing at various stations across the force area. Due to the ongoing Covid-19 restrictions the activity was conducted remotely.

On Friday 20th November the force received a hot debrief in relation to what had been found by the inspectorate, during the relevant activity.

Below is a summary of the feedback provided around each recommendation within the cause of concern.

Recommendation 1 – *For the force to improve how it responds to reports of crimes, how it then allocates them, ensuring it allocates investigations to appropriately trained and supported officers, and that it reviews this allocation appropriately throughout the investigation.*

The inspectors commented on the new crime allocation policy and reported that it was well regarded amongst front line staff. It was found that there were suitable mechanisms in place to escalate and re-allocate investigations, if appropriate. The allocation of crimes appeared to be effective.

Patrol officers and the OCC reported ready access to CID officers, when required and CID officers take on investigations appropriate to their remit. Patrol, CID and telephone investigator officers/staff and supervisors report that the crimes allocated to them are appropriate to their skill set.

Recommendation 2 - *The force should ensure regular and active supervision of the quality and progress of investigations. This supervision should be properly recorded.*

The inspectors found that the new investigations dashboard is being used by supervisors and it is well regarded and supervisors can better understand the workloads on their teams.

Supervisors stated that they understood the requirements to properly supervise crimes, although the inspectors were unable to assess the quality of reviews during this period of remote activity, as they were unable to complete a full crime file review.

DS's and DC's, within CID, reported positive supervisory involvement.

The HMIC inspectors reported that they found that 50% of patrol sergeants are acting or temporary and only half of this number were qualified. These sergeants were often managing teams with a high level of student officers. This represented a risk that less experienced supervisors were managing less experienced officers on their teams.

Recommendation 3 - *The force should improve its ability to retrieve digital evidence from mobile phones, computers and other electronic devices quickly enough to ensure investigations are not delayed.*

Inspectors found that level 1 submissions are generally examined promptly through the network of kiosks. These examinations have recently been allocated dedicated resources and there are no apparent backlogs in level 1 examinations.

The Quick Reaction Team (QRT) was well thought of, enabling early assessment and examination of recovered devices, where appropriate.

It was reported that there were some delays in examination of level 2 devices, which was causing some delays in investigations. The turnaround time for level 2 devices was reported to be a minimum of 180 days, with some taking 12 to 18 months. This was found to lead to bail extensions and delays in investigations, which could impact victim engagement.

Officers and staff reported that in the case of vulnerable people, this was placing a burden on partner agencies due the necessity to maintain certain safeguarding activity.

Recommendation 4 - *The force should take steps to better understand the data relating to its crime outcomes and put actions in place to ensure that it is effectively pursuing justice on behalf of victims.*

The inspectors found good strategic oversight of crime outcomes.

HMICFRS data (12 months up to June 2020) shows that the percentage of crimes in Warwickshire, with a 'prosecution prevented' crime outcome code, was at 44%. This compares with a national average of 40%.

The data provided by Warwickshire's most similar forces group suggest that Warwickshire is at the 'better end' of that spectrum.

It was found that the FCR has produced guidance around crime outcomes and there is a review mechanism to ensure that the correct crime outcome codes are applied by Dedicated Decision Makers (DDM's).

The Investigation Standards and Outcomes (ISO) board was found to have an action plan that includes evidence led prosecutions.

The inspectors were informed that front line officers often use Body Worn Video (BWV) and other methods to gather evidence for evidence led prosecutions and they understand why they are doing this.

Sherlock and other training packages for front-line officers gives a good understanding of golden hour principles and there is a phased investigation training plan in place for uniformed and detective officers, with adequate governance.

Recommendation 5 - *The force should improve its understanding of suspects released under investigation and the management of those released on bail.*

The inspectors found that Bail and RUI was now reported through an investigations dashboard and sergeants reported that this was a useful tool to help them manage the bail/RUI workloads on their teams.

There is more robust management of bail/RUI amongst sergeants and inspectors, with governance and oversight at superintendent level. Supervisors reported scheduling their supervisor reviews to align with bail dates and there was good access to superintendents to allow applications for extensions to be reviewed.

It was found the custody sergeants are intrusive and have a high level of knowledge around bail/RUI, ensuring assurance and effective controls in this field.

Bail was always considered in cases where there were ongoing safeguarding concerns, to the point where the presumption in these cases would be bail, not RUI.

Changes to bail are recorded, with supervisors recording the rationale appropriately. Both custody suites were reported to be using a template, ensuring consistency in the application of this approach.

Recommendation 6 - *The force should introduce consistent processes to effectively manage the risk posed by suspects who are under investigation but have not yet been arrested or circulated as wanted on the PNC.*

It was found the DMM considers all high risk, non-PNC circulated suspects and this was captured on the daily briefing document, with the DMM chairs being intrusive around the progress of enquiries.

Enquiries are reported to be handed over from shift to shift in both patrol and CID teams.

The actions function on Athena is being increasingly used and will allow supervisors to have a better understanding of the actions being taken to arrest suspects. Until this is adopted universally, the data produced on the dashboard will not be entirely accurate.

Recommendation 7 – *The force should introduce effective arrangements to ensure it complies fully with its disclosure obligations.*

It was found that there is a disclosure working group, led by a DCI who has a good level of knowledge in this field. Guidance around disclosure is also available on the intranet, along with the details of force disclosure champions.

Disclosure performance is reported to the ISO board and at the CJ steering group. It was reported that CPS file quality rejections did not contain any disclosure related matters.

Increased disclosure training is in place, with a one day course available for patrol and SNT officers and a 2 day course for PIP 2 trained officers. The inspectors were able to speak with officers who had either attended the course or had been booked to attend.

Sherlock, sergeant development days and other training courses are reported to contain elements of disclosure.

The final report will be sent by the Force Liaison Lead, Gary Ashton to the HMI, Wendy Williams, in January, for review. Once agreed, a letter will sent to the force providing details of the final report and notification of the recommendations deemed to have been addressed.

Future Inspection activity PEEL 2021/2022

We have received notification from HMICFRS that Warwickshire is due to be inspected as part of the 10th batch of forces (alongside Essex police and Lancashire constabulary).

The relevant dates related to the proposed inspection activity are recorded below:

Tier 1 notification	Tier 2 notification	Tier 3 notification	Tier 4 notification	Final evidence collection phase (4 week window)
w/c 16/11/2020	w/c 22/11/2021	TBC	w/c 11/04/2022	09/05/2022

In essence, the notification process now consists of four tiers:

- **Tier 1 – Week Commencing 16/11/2020**

This refers to the initial notification to all 43 forces with regards to where they sit within the inspection schedule.

- **Tier 2 – Week Commencing 22/11/2021**

This is formal confirmation to all forces, within their specific batch, of the key dates of the inspection activity. This date will be at least 23 weeks before the final evidence collection phase.

- **Tier 3 – Week Commencing TBC**

This tier relates to notification of the Victim Service Assessment (VSA) and the force will be informed whether they will be subject to this assessment including or excluding the Crime Data Integrity (CDI) element.

- **Tier 4 – Week Commencing 11/04/2022**

This notification will be made after the PEEL Assessment and Resourcing Meeting (PARM). Following on from this meeting the FLL will work with the force to create a suitable timetable of evidence gathering.

The evidence collection phase (which will be a mixture of in-force activity and data returns) will commence (within a 4 week window) commencing from **Monday 9th May 2022**, with the final report due for release in **September 2022**.

It must be noted that this could be subject to change and clearly the continuing issues with COVID-19 could potentially affect the inspection dates, delaying when the batches begin the evidence collection phase. It is also recorded that forces may be subject to some interim activity (particularly if they feature later in the schedule), in light of the recent pause related to COVID.

HMICFRS have provided forces with the question set for the upcoming inspection activity, which enables the force to better understand the nature of the inspection activity that is likely to be undertaken.

Additionally, forces have now been provided with the Performance Assessment Framework (PAF), which provides an indication as to what HMICFRS would consider to be 'good'. This will allow the force to utilise the PAF to assess its current and future performance against the assessment criteria, in preparation for any future inspection activity.

HMICFRS Covid-19 Thematic Inspection

Since July 2020 HMICFRS has been inspecting the police response to the current Covid-19 pandemic.

All 43 territorial forces, as well PSNI, BTP and States of Jersey Police have contributed evidence towards this report.

Whilst the full report is due to be published at the beginning of February 2021, HMICFRS have provided a summary of their early findings.

Warwickshire police provided information to the inspectorate, however were not one of the forces subjected to in-force activity. Individual forces have not been identified in the release of early findings.

A selection of these identified points is recorded below:

- Local resilience forums worked well but they have been stretched as they had not originally been designed for long-term widespread emergencies.
- Forces had different levels of planning and not all plans had sufficient focus on the recovery phase.
- Forces were more likely to provide a remote response to the public and there had been an increase in the amount of reports received online.
- Some force increased the use of out-of-court disposals in an attempt to reduce the court backlog.
- Forces took the opportunity afforded by a reduction in demand to clear case backlogs.
- Forces recognised increased risks to some individuals and groups and some used innovative methods of communication to encourage reporting. Additionally, most forces took part in local and national campaigns related to DA, online child abuse and fraud.
- Understanding the changes in regulations was not always straightforward and forces did not always have time to adjust response to keep pace with the change of guidance. Training was inconsistent and often relied on emails and briefings as opposed to structured training.
- Forces need to be able to evaluate how effective their application of the four E has been. This is especially true in the case of enforcement activity and a better understanding of the impact on public confidence is needed.
- Forces changed the way they managed Registered Sex Offenders, leading to the cessation of visits to some low and medium risk offenders. It was found that some forces had not returned to conducting visits with these offenders, in light of the relaxing of restrictions, which the inspectorate found to be a risk.

Some specific immediate and longer term risks were identified.

Immediate Risks

- Registered Sex Offender management and the risks associated in understanding and applying the current guidance.

- Virtual remand hearing – some forces plan to withdraw from this service and it is unclear how this will be managed, going forward.
- Virtual legal representation – there were inconsistencies in practices in how this was being implemented, which can have an adverse impact on detainees.
- LRF – it is reported that resilience is at 'breaking point'.

Long-Term Risks

- Backlogs in wider CJ system
- The future of LRF's.
- Oversight and governance of online reporting.
- Impact on witness engagement and subsequent impact on prosecutions and victim satisfaction.
- Long-term impact on workforce and their mental health.

The full report is due for release at the start of February 2021.

HMICFRS Custody Inspection 2021

Warwickshire police have received notification of the intention for the inspectorate to complete a custody inspection from week commencing 11th January.

This will involve a combination of on-site inspection activity and data collections.

The last time Warwickshire was subject to a custody inspection was during 2014, when a joint there was a joint inspection of both Warwickshire and West Mercia custody facilities.

Due to the current Covid-19 pandemic, a final decision is yet to be made as to whether this inspection activity will take place.

A final decision is due to be made on 4th January, by HMI Wendy Williams.

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