



Joint Audit and Standards Committee HMICFRS Update - March 2021

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Summary

This report provides an update with regards to the investigations re-inspection and the provision of the relevant letter detailing the review of the recommendations made by FLL Gary Ashton.

The report also provides an update with regards to the postponement of the HMICFRS custody inspection, due to Covid restrictions. Additionally, forces have received a letter from Sir Tom Winsor, confirming that in-force activity is to be suspended, until at least 1st April 2021.

HMICFRS have released an inspection report with regards to the effectiveness of the Regional Organised Crime Units and have provided a number of recommendations. A number of these recommendations have been allocated to police forces, nationally.

A joint report has been completed by HMICFRS, HMCPSP, HMI Prisons and HMI Probation in relation to the impact of the pandemic on the criminal justice system, detailing the unprecedented challenges that this has brought to all relevant agencies, how they have had to innovate to meet these challenges and also what challenges remain.

HMI Wendy Williams has notified the force that our HMICFRS Force Liaison Lead (FLL) Gary Ashton is to be replaced by Andy Jolley, from 28th June 2021.

HMICFRS Investigations Re-Inspection – Letter from Wendy Williams

On Monday 1st February, the force received a letter from HMI Wendy Williams, with regards to the recent investigations re-inspection (see Appendix 1).

Wendy Williams thanked the force for the support that had been provided to the inspection team, taking into account the challenges of completing this inspection activity remotely.

It has been confirmed that the findings of the re-inspection will not be published, however the relevant updates will be uploaded to the HMICFRS monitoring portal.

FLL Gary Ashton has finalised his report of findings from the re-inspection and has submitted the following ‘*Area for Improvement*’ (AFI) for closure.

No.	Area for Improvement
10495	To address this cause of concern, we recommend that within six months 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.
10493	To address this cause of concern, we recommend that within six months the force should ensure regular and active supervision of the quality and progress of investigations. This supervision should be properly recorded.

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10492	Within 6 months, 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.
10496	To address this cause of concern, we recommend that within six months the force should improve its understanding of suspects released under investigation and the management of those released on bail
10498	Introduce effective arrangements to ensure it complies fully with its disclosure obligations.

Additionally, a further AFI (not part of the original seven that were reviewed as part of the re-inspection) has also been submitted for closure. This is based in the evidence gathered during this inspection activity.

No.	Area for Improvement
10501	Conduct a review of the capability and capacity of officers to manage their investigative workload, to better understand investigative demand and the pressures placed upon officers.

As a result, the following two AFI's, from the original cause of concern, will remain open.

No.	Area for Improvement
10494	To address this cause of concern, we recommend that within six months 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.
10497	To address this cause of concern, we recommend that within six months the force should ensure regular and active supervision of the quality and progress of investigations. This supervision should be properly recorded.

These AFI's will remain open on our internal tracker and progress monitored through the Force Assurance Board with delivery sat in the Investigations, Standards and Outcomes Board.

HMICFRS Postponement of Custody Inspection and Cessation of In-Force Inspection Activity.

On Tuesday 5th January 2021, the force received notification that the planned custody inspection would be postponed. This postponement is due to the current Covid pandemic.

We have not been provided with a date of when this inspection is likely to take place, however we have been informed that the force will be one of the seven forces due to be inspected during the business year 2021/22.

Depending on the public health climate, it may be that the next inspection is completed at short notice (as per the usual process), however this is not confirmed. Additionally, it may be that the inspectorate try and utilise a more piecemeal approach, with data returns and on-site activity occurring at different times, however this will be dependent on a number of factors.

Even though Warwickshire police is overdue for an inspection, the inspectorate have no current concerns around the force's activity. As a result, they have indicated there is no immediacy around re-scheduling the inspection activity.

Following on from this postponement, on Monday 18th January, the force received a letter from Sir Tom Winsor confirming that there would be a cessation of in-force inspection activity, until at least 1st April, however this would be dependent on Home Secretary approval.

HMICFRS Publication: Regional Organised Crime Units – An Inspection of the Effectiveness of the Regional Organised Crime Units.

On Wednesday 10th February 2021, HMICFRS published the inspection report *Regional Organised Crime Units – An inspection of the effectiveness of the Regional Organised Crime Units*.

It is of note that the inspectorate produced a report in November 2020, related to an inspection of the National Crime Agency (NCA) and how well the agency works with the ROCU's.

The purpose of the inspection of the ROCU's was to establish:

- Do ROCUs have the **capability** and **capacity** to tackle the threat from SOC?
- Is there **consistency** across different regions and forces?
- How well **connected** are the ROCUs?

As part of the inspection activity, the inspectorate visited 5 of the ROCU's, including West Midlands ROCU. There is no specific mention of Warwickshire police, and although West Midlands ROCU was inspected as part of this process, there is no further specific reference within the report.

The report has led to seven recommendations and a cause for concern. Two of these recommendations (3 & 4) have been allocated to forces, nationally.

The recommendations, and subsequent cause for concern, have been listed below:

Recommendation 1

By March 2021, the Home Office should consider what changes to legislation can be made to allow the NCA to formally task ROCUs.

Recommendation 2

By February 2023, the NPCC lead for SOC, with the Home Office, should devise a technical solution to make exchanging sensitive intelligence between organisations more efficient, and then encourage its adoption and adherence by all relevant forces and the NCA

Recommendation 3

By February 2022, chief officers responsible for SOC in each region, with the chief officers of the affected forces, should make sure that systems are in place for SIOs and LROs to work effectively together.

Recommendation 4

By February 2022, the chief constable with the lead for SOC in each region, with the chief officers of the affected forces, should ensure that a chief officer is appointed with responsibility for each ROCU, as far as practicable working autonomously of force responsibilities.

Recommendation 5

By August 2021, the NPCC lead for ROCUs, with the NPCC lead for counter corruption, should publish an anti-corruption strategy for ROCUs and then encourage its adoption and adherence by all relevant forces.

Recommendation 6

By February 2022, the NPCC lead for SOC should design a national function that can make sure ROCUs operate in a co-ordinated and consistent way across England and Wales; the Home Office and other relevant interested parties should adopt the arrangements so devised and provide the necessary resources to ensure their successful operation.

Cause of concern

We found that the complexity and short-term nature of ROCU funding has a significant detrimental effect on how well they operate. We also found that local interests, rather than regional and national threat, risk and harm, affected prioritisation.

Feedback from across the ROCUs, from senior managers to frontline staff, consistently identified funding as their top concern. This was echoed when interviewing national leads.

Business leads find it difficult to plan, staff face uncertainty about the tenure of their posts, ROCUs struggle to attract and retain talent based on fixed-term arrangements and they can't invest effectively in specialist capabilities. This is neither effective nor efficient and is a cause of concern. This then links to the below recommendation:

Recommendation 7

By February 2022, the Home Office should lead work with the NPCC and the APCC to identify a sustainable funding model for ROCUs that:

- provides long-term clarity and certainty to the funding position of the ROCUs, to allow for future business planning and more financial stability; and
- enables ROCUs to lead the response to SOC in their region.

The Home Secretary describes SOC as the most deadly national security threat faced by the UK, persistently eroding the economy and communities. The inspectorate highlights the role that ROCU's place as the *interface* between the local forces and the NCA.

The inspectorate found that the officers and staff within the ROCU's generally carry out their roles professionally and to a high standard, with each ROCU developing specialist capabilities to support both forces and national agencies.

The inspectorate commented on the fact that ROCU's do not lead the regional response to organised crime across most of the regions. The inspectorate highlighted issues with funding streams, conflicting leadership and governance. This means that ROCU's are answerable to a number of chief officers and PCC's. Certainly, the inspectorate would wish to see ROCU's leading the response against SOC.

Although the inspectorate highlights these problems, they also comment on the improvements made by ROCU's since the last inspection, specifically around the development of core capabilities.

Whilst a number of the recommendations are national ones, those that are relevant to the force will be taken forward by T/ACC David Gardener and governed internally through assurance board.

Criminal Justice Joint Inspection – Impact of the Pandemic on the Criminal Justice System

The report '*Impact of the Pandemic on the Criminal Justice System*' is a joint report completed by all four criminal justice inspectorates and was published on Tuesday 19th January 2021.

A summary of the report has been produced and has been included within the submitted papers (appendix 2). This has been shared internally with colleagues and any implications for Warwickshire will be considered through the CJ Steering Group and assured through Force Assurance Board.

Appointment of new Force Liaison Lead (FLL)

On Thursday 18th February, the force received notification that Andy Jolley would be replacing Gary Ashton as the FLL, effective from 28th June.

The letter states that this change has become necessary in preparation for the transition to the new PEEL methodology and that this decision has been made to ensure adequate support and visibility from the FLL.

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As the current projected date for the main PEEL inspection is May 2022, this should ensure that there is sufficient time to fully embed this change of personnel.

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HMICFRS Force Liaison Officer for Warwickshire Police
Appendix 1



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Wendy Williams CBE
Her Majesty's Inspector of Constabulary
Her Majesty's Inspector of Fire & Rescue
Services

By email

01 February 2021

Dear Martin,

REVIEW OF RECOMMENDATIONS FROM PEEL 2019

I am pleased to advise that the results of our recent review of investigations processes and structures are now available on the monitoring portal.

2. The findings will only be used to update the recommendations recorded on the monitoring portal. They will not be published. Doubtless you will discuss progress in relation to recommendations during the course of your regular interactions with PCC Philip Seccombe.

3. I would like to thank you for the support that the team received, both from you and from members of your force with their activities, all of which were conducted remotely. The preparation of the material necessary to support the review, the scheduling of interviews and the time given by your colleagues were all invaluable.

4. We very much look forward to working with the force again during our forthcoming PEEL 2021/22 inspections.

Yours sincerely,



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Wendy Williams CBE

Her Majesty's Inspector of Constabulary

Her Majesty's Inspector of Fire & Rescue Services