

Warwickshire Joint Audit and Standards Committee Report Summary

Meeting Date: 16th March 2022

Subject: Analysis and Service Improvement – HMICFRS update

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Purpose of the Report:

This report provides an overview of activity in relation of Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) who independently assesses the effectiveness and efficiency of police forces.

Recommendation:

That the current activity is noted by members of JASC.

Background:

Within the TOR the Committee has the role to consider reports and policies from an ethics or standards perspective which includes HMICFRS reports

This activity is primarily governed within force through the Warwickshire Assurance Board, chaired by DCC Franklin-Smith. The Board receives regular updates on inspection activity and force's readiness.

Executive summary

There has been significant activity in terms of HMICFRS inspection and the force is now in the latest round of the PEEL continuous inspection process. Our custody inspection took place in September 2021 and the force has just undergone a thematic inspection on all areas of Child Protection, part of a national programme (NCPI). The final report into our custody inspection in September 2021 has now been published.

1) PEEL Inspection:

Preparation and response to HMICFRS is governed through the Warwickshire Assurance Board (WAB), chaired by DCC Franklin-Smith. The force's dedicated Force Liaison Officer (FLO), Inspector Angus Eagles is based within Analysis & Service Improvement team and works closely with the new HMICFRS Force Liaison Lead (Lydia Mason) to facilitate a detailed picture of the force. There are currently 13 outstanding areas of improvement/cause of concern from the previous PEEL inspections and these are being managed through the W.A.B.

The force's latest PEEL inspection process began in November 2021 (planning phase) and is now in the fieldwork activity phase, which runs through to early June 2022. It is a revised process which places more emphasis on continuous inspection during a longer period, rather than the traditional intensive 'all-in-one' inspection visit. Inspection activity comprises document sharing and evidence gathering (e.g. focus groups, 1-1 interviews, reality visits).

Part of the PEEL process involves inspection around the Victims Service Assessment (VSA). This audit is thorough and includes listening to calls, reviewing incident logs, crime recording and allocation, risk assessment, management of investigations, reviewing contacts, updates, risk assessments with/of victims, and assessing finalisation, supervision and outcomes. Warwickshire's VSA took place 21st-25th February 2022. Findings will be detailed in the final report in autumn 2022.

The final overall PEEL evidence collection phase is May-June and the planned date for publication of HMICFRS findings will be around October 2022.

2) National Child Protection Inspection (NCPI):

In addition to the main PEEL inspection, each force in England and Wales also undergoes a number of thematic inspections into various areas of their core policing business. One area is a deep-dive into Child Protection. Warwickshire Police has just undergone the NCPI from 7th to 18th February 2022. The activity was preceded by the submission of a large number of documents to HMICFRS for scrutiny. The actual activity phase saw 8 subject matter experts attend in-force and scrutinise a wide range of policing and partnership areas. Examples included:

- Response
- Neighbourhood
- Registered Sex Offender Management
- Domestic Abuse
- Harm Assessment
- Missing Persons
- Control Room
- Online Abuse
- Custody
- Engagement
- Training

Day 1 involved a Strategic Briefing to the inspectors, delivered by ACC Gardner and D/Supt Hill (Vulnerability & Safeguarding). The subsequent two weeks of inspection involved many hours of interviews, auditing and reality testing. The visit was closed on 18th February with a 'hot debrief' to chief and senior officers, where initial findings were shared by the Lead Inspector. The final report is not due for several months, but findings are already being built into a comprehensive action plan, which now awaits ACC sign-off, so early progress is being made.

3) Custody Inspection:

During September 2021 Warwickshire Police underwent a short-notice joint inspection (between HMICFRS and HMI Prisons) of its custody facilities. (This inspection replaced planned activity that was due to be undertaken in January 2021, but was cancelled due to Covid restrictions.)

Early findings were very much in line with previous custody inspections and, as expected, there were areas of good practice and areas for improvement.

HMICFRS noted: "...[HMICFRS] and [HMIP] found that Warwickshire Police had made several improvements since their last inspection in 2014.

For example, the police force prioritises diverting children and vulnerable people away from custody, and custody staff show a caring attitude and speak courteously and respectfully with detainees.

However, HMICFRS and HMIP said they had three main causes of concern about Warwickshire Police's custody services, which were:

- the safety of detainees in custody, including checks on detainees often being carried out only by looking through spyholes, and some checks are not done on time;
- the quality of custody reports, including confusing and contradictory entries, and not enough detail being provided; and
- meeting legal requirements, such as sometimes missing reviews of detention.

The inspectorates have therefore made recommendations for Warwickshire Police to address these concerns, while also highlighting an additional 22 areas for improvement.

Immediately after inspection, the force pro-actively put in place a detailed action plan. The deadline for submission to HMICFRS of the formal action plan is 9th May 2022, however much progress has already been made and many of a total of 88 points the force is addressing are already nearing completion or complete.

The report was published on 9th February 2022 and can be found on the HMICFRS website, here: <https://www.justiceinspectorates.gov.uk/hmicfrs/publications/unannounced-inspection-of-police-custody-suites-in-warwickshire/>.

4) Thematic Reports in last reporting period:

On 25th February 2022 HMICFRS published the second part of the joint inspection of the investigation and prosecution of rape in England and Wales. The first part (Phase 1) examined cases from the point when they were reported to the police through to the decision (either by the police or the CPS) to take no further action.

Phase 2 examines cases from the point of charge through to their conclusion, and includes those which were decided in court. It can be accessed here: <https://www.justiceinspectorates.gov.uk/hmicfrs/publications/a-joint-thematic-inspection-of-the-police-and-crown-prosecution-services-response-to-rape-phase-two-post-charge>

Three recommendations have been allocated to Warwickshire Police from this report. The FLO is consulting with senior leads around ownership and progression:

- *Immediately, forces should make sure that victims of rape are given the opportunity to make a victim personal statement (VPS) at the earliest possible time, with the option of updating this statement closer to the court trial date.*
- *Immediately, the police and the CPS should work collaboratively to ensure that bad character is considered in all rape cases, and progressed wherever it is applicable.*

- *Immediately, police and prosecutors should review and significantly improve communications with victims from the point of charge onwards.*

5) Cause for Concern (CfC) publication:

In October 2021, HMICFRS published on their website for the first time outstanding 'open' Causes for Concern allocated to forces, following the 2018-2019 round of PEEL inspections. This allows the public to view the CfC's and to monitor each force's progress. Warwickshire Police currently have three remaining open CfC's, each of which has been actively addressed:

Cause for Concern	Recommendation
The force does not have the capacity or capability to investigate crime effectively and this is affecting the service being provided to the public. There are failings in the way that crimes are being investigated.	HMIC recommends 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
The force does not have the capacity or capability to investigate crime effectively and this is affecting the service being provided to the public. There are failings in the way that crimes are being investigated.	HMIC recommends that within six months 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
The force does not have suitable arrangements in place to make sure it can maintain the full range of public services when its alliance with West Mercia Police ends. There are gaps in its workforce skills assessment and weaknesses in its investigative approach.	HMIC recommends that the force should immediately expand the skills project work to include an assessment of all skills, not only operational, and potential future skills requirements too, using this assessment to inform workforce planning.

Before closure, all recommendations, areas for improvement and causes for concern must be signed off at ACC Level or above. Once this is complete, the Force Liaison Office (Insp Angus Eagles) consults with the HMICFRS Force Liaison Lead (FLL Lydia Mason) via a managed online portal. Agreement is then reached around closure. However, due to large workloads for our FLL, we await this opportunity. There is a plan to address closure of the outstanding CfC's with our inspectors as part of the new PEEL process this year.