Cumbria Office of Police and Crime Commissioner

**Cumbria Police and Crime Commissioner (PCC) response to inspections of Cumbria Constabulary published by Her Majesty’s Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS)**

*Section 33 of the Police Act 1996 (as amended by section 37 of the Policing and Crime Act 2017) requires local policing bodies to respond to recommendations in inspectors reports within 56 days.*

|  |  |
| --- | --- |
| **Inspection Title:** | Disproportionate use of Police Powers – A Spotlight on Stop & Search & the Use of Force |
| **Date Published:** | 26th February 2021 |
| **Type of Inspection:** | National Inspection |
| **Key Findings** | |
| The public rightly expect the police to protect them by using their powers in an effective and fair manner. When the police use their powers disproportionately – in differing proportions on different ethnic groups – it causes suspicion among some communities that they are being unfairly targeted  This can undermine police legitimacy, which is a fundamental aspect of the British model of policing by consent.  For some, particularly Black, Asian and Minority Ethnic people, it can reinforce the perception that there is a culture of discrimination within the police.  HMICFRS found during this inspection that police forces still do not fully understand the impact on individuals and communities of the use of police powers, despite stop and search data being available since the mid-1980’s. | |
| **Recommendations:** | |
| 1. With immediate effect, forces should ensure that all stop and search records include detail of the self-defined ethnicity of the subject. When this information is refused by the subject, the officer-defined ethnicity code should be recorded. 2. By July 2021, forces should ensure that communication skills are reinforced as part of the programme of continuing professional development for officers and staff, and that supervisors are supported to routinely and frequently debrief officers on these skills using body-worn video footage 3. By July 2021, forces should ensure they have effective internal monitoring processes on the use of force, to help them to identify and understand disproportionate use, explain the reasons and implement any necessary improvement action 4. By July 2021, forces should ensure they have effective external scrutiny processes in place in relation to the use of force. Forces should take account of feedback and update the scrutiny panel and the community on the action taken. 5. By September 2021, forces should:  * ensure that officers record on body-worn video (when this is available) the entirety of all stop and search encounters, including traffic stops and use of force incidents; * have a structured process for regularly reviewing and monitoring internally a sufficient sample of body-worn video footage to identify and disseminate learning and hold officers to account when behaviour falls below acceptable standards; and * provide external scrutiny panel members with access to samples of body-worn video footage showing stop and search encounters and use of force incidents, taking account of the safeguards in the College of Policing’s Authorised Professional Practice.  1. By July 2022, forces should ensure that officers and staff have effective communication skills, in line with the National Policing Guidelines on Conflict Management. This should be in addition to existing training on conflict management and de-escalation. | |
| **PCC & Chief Constable Response to Report and Recommendation:** | |
| The Cumbria Police & Crime Commissioner and the Chief Constable both welcome this national inspection report and fully support the recommendations. The Police & Crime Commissioner said “As with all HMICFRS inspection reports, I will continue to monitor and scrutinise the Chief Constables response to the recommendations made in this report through my Public Accountability Conferences and one-to-one meetings. In addition, my office meets with the Constabulary’s HMICFRS Professional Lead on a bi-monthly basis to review and discuss requirements arising from HMICFRS inspections and published reports. This provides an understanding of HMICFRS activity and provides direct assurance against the progress made to address statutory requirements both locally and nationally. This provides additional scrutiny in these important areas.”  The Chief Constable said “I am absolutely committed to getting this right. We will continue to review our practices to ensure we do not disproportionally use our stop and search powers and use of force.” | |