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1. PURPOSE OF REPORT

- To update on the force's position regarding key areas of assurance on the theme of Equality & Disproportionality, covering areas agreed at the joint scoping meeting with the OPCC.
- To provide information about assurance activity, both ongoing and planned, and to make recommendations for positive change in this thematic area.

2. BACKGROUND

Since the last paper on this subject was written in July 2018, the issues of equality and disproportionality have further intensified in profile and coverage, both nationally and internationally. Events in the United States sparked a protest movement that spread globally; and locally, leading to the removal of the statue of Edward Colston in Bristol.

Since 2018, the organisation's ability to report on delivery areas regarding equality and disproportionality has improved, and continues to improve, through the use of Qlik Sense. Actions to improve our data quality in terms of external delivery, and improve our data offering in terms of internal delivery have also resulted in greater visibility and understanding.

One issue that can hinder the progress of accurately measuring disproportionality is the age of the dataset we use to measure ourselves against – the 2011 Census.

| Ethnic Group | Geographical Area | | |
|--------------|-------------------|----------|-----------|
| | Bristol | Somerset | Northeast |
| White | 84% | 98.10% | 94.60% |
| Asian | 5.50% | 0.90% | 2.60% |
| Black | 6% | 0.20% | 0.80% |
| Other | 0.90% | - | 0.40% |
| Mixed | 3.60% | 0.80% | 1.60% |

Data from 2011 census

Fig.1 – 2011 Census data for the force area

The census is now nine years old, and all estimates suggest that the force area has become more ethnically diverse, but we must continue to compare ourselves to the 2011 statistics until they are refreshed with the next census in March 2021.

Another issue which appears as a theme throughout the paper is Niche data quality. We cannot have a true picture of disproportionality with regard to victims, offenders or persons searched when we have a high proportion of those people with no ethnicity recorded. This also applies to our workforce data when looking at potential disproportionality within the organisation.

3. CURRENT UNDERSTANDING OF DISPROPORTIONALITY IN RELATION TO ETHNICITY FOR EXTERNAL SERVICE DELIVERY

There are various areas where we specifically monitor disproportionality and have additional lines of scrutiny and independent assurance.

3.1 Use of Force

All types of force used are monitored against five ethnic groups (Asian, Black, Mixed, Other, and White), as defined by the Home Office. That data is reported to the Diversity and Inclusion Board, every three months. Records are currently created through Niche, fed into a Qlik, and provided to the Home Office every April, and figures are published on our external website.

We have an internal and external scrutiny panel, which runs alongside the Stop and Search Panel. We also have additional Taser scrutiny, which is led by the lead Taser Trainer in Ops Training.

When compared to the population demographics of Avon and Somerset, Use of Force for the last two years is lower against subjects identified as White (- 8.9%) and Asian (-0.5%).

However, use of force is higher for subjects identified as Black (+7.4%), Mixed (+1.4%) and Other (+0.2%).

It is worth noting that our data does not contain sufficient detail to analyse and provide commentary on a variety of other ethnic identities that make up the population of Avon and Somerset. For example, the Gypsy, Roma and Traveller (GRT) communities, which the 2017 Lammy review highlights as having some of the worst disparities of all groups. However, this has been addressed in the redesign of the Use of Force form, which will now include 14 sub-categories for collecting ethnicity data.

It should also be noted that for the 2019/20 data there has been a 26% increase in the number use of force occurrences that are missing ethnicity information, from 2018/19 (from 2% to 28%). This is a known issue and is being investigated by the Qlik team but until this has been resolved caution should be taken when making direct comparisons between the 2 years.

3.1.1 Use of Force – Tactics

In 2018/19, all ethnicities appear to have a similar proportional experience of the different force tactics used with a range of 1%-6% between the upper and lower percentages.

The highest range was in the Restraint tactic (6.2%) - with subjects perceived as Black having the lower percentage (57.3%); and those perceived as Other, the highest (63.5%).

The data for 2019/20 shows similar proportionality in the use of force tactics across all ethnicities, but with a noticeable shift for all ethnicities to a decreased use of other tactics; and an increased use of Restraints.

The range in the upper and lower percentages has widened compared to the previous year to between 0.2% (Firearms) and 8% (Restraints). The same observation in the Black and Other groups having the lowest and highest use of Restraints is present again this year and this higher use of Restraints experienced by the Other group is also seen nationally.

In 2019/20 it is also observable that the use of Firearms as a tactic has only been experienced by subjects perceived as White.

A review of the use of force tactics within each ethnic group shows us that the proportionality is largely similar across all subjects and that changes in tactics year on year are similarly reflected across all groups.

3.1.2 Use of Force – Summary

High level data on the volume of force use tells us there is a disproportionate use experienced by subjects perceived as Black, Mixed and Other when compared to their relative population size.

A deeper analysis shows that whilst subjects perceived as Asian, Other or White do experience a disproportional use of force in regards to some tactics in some years, the disproportionality is more consistently weighted towards subjects perceived as Black or Mixed. This reflects the national picture.

3.2 Stop and Search

There is a high level of assurance activity with regard to Stop and Search and the force is alive to the issue of disproportionality. This is a recognition of the high profile nature of this particular police power both locally, regionally and nationally.

There is a Stop and Search scrutiny panel, running alongside the Use of Force panel, which assesses a qualitative dip sample co-ordinated by the operational tactical lead for Stop and Search. This was initiated in response to an HMICFRS recommendation. Various directorates and departments attend, as well as the chair of the SIAG, staff associations, the Police Federation, and corporate communications. Constabulary Management Board and the Police & Crime Board are kept informed about the data, and an external bulletin is shared publicly every quarter.

When themes that have been spotted (e.g. a spike in BAME people Stop and Searched in a specific geographical area) they are investigated in detail. Additionally, themes are chosen for the panels to tackle such as Stop and Searches without BWV, or with no ethnicity recorded. Up until now, the dip sample has been of 70-100 searches per quarter, but after a successful call for more assistance, the group has the capability to check up to 500.

Additionally, the quantitative data is available via Qlik at any time; a specific app was designed at the outset to track disproportionality in Stop and Search. This app can track disproportionality by combined ethnic group (Asian, Black, Mixed, Other), by LPA, by outcome, and by Beat, over time (since the beginning of Qlik in early 2018). This data is presented to senior leaders in various arenas, including the quarterly Inclusion and Diversity meeting.

Black people are, on average, around 7-9 times more likely to be Stop and Searched than White people. This is for the whole of the force area – when broken down by local policing areas and respective demographics there is a large variation (5.1 in Bristol to 37.1 in Somerset) – this is explored in more detail in 7.2 below. People from the Mixed and Other groups are, on average, just over 3 times as likely, and Asian people are around 1.6 times as likely.

The 'Other' group is made up of a much smaller sample size (around 6400 residents compared to the other three combined groups which number 30-40000 each) and is therefore prone to extreme fluctuations even if a small number of people are searched.

BAME and White British have identical positive outcome rates for stop and search in the last 12 months (26.2% each, whereas BAME was lower than White British in the previous year). In terms of find rate, this is higher among White British (27.4%) than among BAME (26.1%). The main disproportionality within ethnic groups is the Asian group – both in terms of find rate and positive outcome, the positive outcome rate for Asian people is 5-6% higher than any other group, but this is based on low numbers – 20-50 per month compared to hundreds for Black, or White.

3.3 Custody

3.3.1 Arrest Data

In the last two years, arrests of people who are BAME, as a percentage of all arrests, is just over double the 2011 Census figure. Most arrests are of adults, but BAME youths make up a higher percentage of total youth arrests; than BAME adults do for total adult arrests.

11.4% of BAME youths arrested are listed as having addresses out of the force area – which is more than double the figure for White British youths. The number of BAME youths from outside the force area – many of which will have been arrested for County Lines-related activity - is small (roughly 40-50 per year) so does

not materially alter the fact that the proportion of BAME youths being arrested is 3-4 times the BAME youth population.

3.3.2 Breakdown by Custody suite

Patchway's BAME percentage is between 20-25%. Patchway takes in most of Bristol's Custody throughput so it is unsurprising that it has the highest percentage of BAME detainees, though the figure being 20-25% compared to a BAME population of 16% suggests possibly some disproportionality.

Keynsham is consistently around 14%; this would be disproportionate based on the North East LPA's BAME population of just over 5% but roughly half of Keynsham's detainee throughput comes from Bristol-based arrest locations.

Bridgwater has the lowest BAME detainee percentage, hovering around 7-7.5%. This is several times higher than the BAME population of the Somerset area (1.9%). However, over 10% of the detainee throughput comes from persons who live outside of Somerset.

3.4 Complaints of Incivility

BAME complainants in allegations of incivility usually makes up around 8-12% of all complainants, save for a spike in Q2 19-20 which appears to be an anomaly. This represents a slight disproportionality in comparison to the census figure.

However, on average, 35% of complainants are of unknown ethnicity. This may be because they do not wish to volunteer that information, or because they are not asked. Without that data being available, we cannot know the true picture regarding ethnicity of incivility complainants – additional improvements have been made within PSD processes to address this issue.

Across all ethnicities, the top three most common types of results of incivility allegations are "Local Resolution", "Resolved, and "Not Upheld by PSD". In those three types, persons of unknown ethnicity and white people are about as likely to have their complaint resolved, but BAME complainants have slightly less chance of that outcome occurring – roughly 5% fewer complaints are resolved, and 5% more are not upheld, when the complainant is recorded as BAME.

This data is subject to a caveat; the unknown ethnicity complainants could of course be BAME or white, so not knowing their ethnicity weakens the data, and the BAME figures are based on only 33 complaints over 2 years, as opposed to 183 for White, so smaller sample sizes can provide outliers.

3.5 Victim Profile

This section serves as an update to Section 2.8.1 of the previous ethnic disproportionality paper, from summer 2018, and uses the same terms of reference.

It must be noted that there is still a significant data quality issue in terms of the recording of victim demographic data – over 60% of victims did not have an ethnicity recorded on Niche in the last two financial years.

Of the circa 40% of victims who had their ethnicity recorded, the breakdown by ethnic group is as follows:

| Ethnic Group | 2018/19 | 2019/20 |
|------------------------------|----------------|----------------|
| White | 81.25% | 79.56% |
| Asian | 2.47% | 2.38% |
| Black | 3.63% | 3.54% |
| Gypsy/Irish Traveller | 0.01% | 0.01% |
| Mixed | 1.84% | 1.78% |
| Chinese | 0.14% | 0.14% |
| Other | 0.67% | 0.66% |

| | | |
|-------------------|-------|--------|
| Not Stated | 9.99% | 11.94% |
| BAME TOTAL | 8.76% | 8.50% |

Fig.2. Breakdown of all crime victims by ethnicity, 2018-20

Those with a self-defined ethnicity of white make up around 80% of recorded victims, which is down 8% from the previous two financial years. All other groups appear to be at similar numbers in the two years and the previous two years, as shown in the 2018 report. The significant rise has been in people who are asked their ethnicity but do not state it – up from 3% in the 2016-18 period to 10-12%.

As can be seen the proportion of victims who are classed as BAME remains fairly consistent across the two years, between 8.5 and 9%. This is above the Census figure, but possibly more in line with more recent estimates of the region’s demographics

3.5.1. Proportion of Victims who Decline to Prosecute by Ethnicity

The table below shows the total number of victims in the force area by ethnicity across the last two financial years, as per the previous report which covered the previous two year period. It also shows the percentage of victims who decline to prosecute.

| Ethnicity | No of Victims | % of victims who decline to prosecute |
|------------------|----------------------|--|
| 2018-2019 | | |
| White | 59130 | 32% |
| BAME | 13645 | 25% |
| 2019-2020 | | |
| White | 63134 | 33% |
| BAME | 16239 | 25% |

Fig.3. Proportion of victims who decline to prosecute by ethnicity

As can be seen in the table, the percentage of victims who decline to prosecute is higher among victims who, when asked, define their ethnicity as White.

3.6 DASH completions and ethnicity

DASH completion is over 90% in total and across all ethnic groups except Not Stated. There are not statistically significant differences between the percentages of DA victims with DASH recorded other than this.

However, DASH completion is subject to the same issue as other areas in Niche – that of non-completion of ethnicity fields. Almost half of all DA victims have no ethnicity recorded.

Another issue, which is not ethnicity-specific, is the quality of DASH completion. A dip sample of high risk DA cases found that a large proportion of DASH forms were being completed as ‘skeleton records’, to ensure compliance of the mandatory form being completed but offering little insight beyond that. The Domestic Abuse thematic team presented some recommendations to CMB which are being taken forward.

3.7 Use of Out of Court Disposals (OOCs)

The recent analysis of the ASCEND programme, which now manages OOCs, found some age, gender and ethnicity differences between offenders that received an OOC and offenders that were charged for an offence that would have been suitable for an OOC. Male offenders, offenders aged 26-40 and offenders with a Black Caribbean ethnicity were more likely to be charged with an offence than given an OOC. The percentage of Black Caribbean offenders that received an OOC is 3%, though the percentage of those charged with an offence that was suitable for an OOC was 6.5%. Further investigation is needed to explore why this might be.

In terms of the ethnic makeup of offenders subject to OOCs overall, almost 15% of offenders subject to an OOC are BAME, and that this figure has held over two years. This compares with approximately 13-14% of all persons arrested being BAME, and 19-20% of all persons charged/subject to Postal Requisition.

It is currently unclear as to why this is, but the Tactical OOC group have recognised the need for more training and exposure around OOC and will be coming up with an action plan to address this.

The report recommended that police officers should be provided with further information and guidance on screening for offenders who are eligible for an OOC to support the narrowing of gender, age and ethnicity disparities.

As the ASCEND report has only been published very recently, it is too early to expect recordable progress on the recommendations.

3.8 Lammy Review

In March 2020, the Lammy Review sub-group, part of the Local Criminal Justice Board, was placed on hold due to COVID-19. It met for the first time post-suspension in August 2020. In the August 2020 meeting, the priority theme areas were agreed. These are: Out of court disposals, judiciary, prisons, and youth justice. Additionally, BAME Recruitment, retention and development across the CJS is being prioritised as a stand-alone theme.

One key Police area of activity is Stop and Search - the task group for Stop and Search within the Lammy sub-group is in development, but the lead has scoped some in-depth analysis of searches, and an overview of complaints related to stop and search.

4. THE CURRENT UNDERSTANDING OF DISPROPORTIONALITY IN RELATION TO ETHNICITY FOR INTERNAL SERVICE DELIVERY

4.1 Officer Promotions

This refers to Police Officer promotions only because, up until the adoption of OLEEO in June 2020, equalities data was only held for staff roles on the application information, and a massive manual trawl would be needed of thousands of internal applicants for roles in order to provide any data. Additionally, staff are not seen to be 'promoted', as they apply for a new role, as opposed to Police Officers, who can apply for promotion via processes and boards.

Overall, the level of representation for protected characteristics vary across all ranks but on the whole remain relatively low. SAP data for the current workforce reflects a high level of non-disclosure and this could reflect an undercounting of our diversity for some characteristics.

At present, the application rate is below 7% for all protected characteristics other than female – inclusive of BAME, disability, and others. At Inspector level we see the highest proportion of BAME applicants. As with any diversity data, lower representation may be caused in part a disclosure issues as a proportion of all applicants will opt for prefer not to say.

In July 2020, CMB received a report on promotions, which stated that Disability, BAME and LGBT candidates' numbers are very low or zero at the application stage, which due to losses through shortlisting and assessment leads to low numbers being successful through the process. Disability and BAME success rates at assessment centres have been zero for Chief Inspector and Chief Superintendent Ranks, since the current process has been in place suggesting a disproportionate impact on candidates with these characteristics. This report's findings and recommendations were only published in July so any assessment of progress would be more appropriate at a later date.

4.2 Disciplinary Data

Due to an issue in our recording of conduct, a fully accurate picture of the ethnic makeup of officers who are subject to disciplinary procedures is not available at present. P&OD are putting measures into place to ensure that this is available as soon as possible.

For those officers who were referred to a Misconduct Hearing, this has not previously been measured and to do so retrospectively would require a large piece of manual work. Going forward, this should be recorded as soon as the Misconduct Hearing is arranged.

4.3 2019 People Survey – disproportionality overview

In terms of ethnicity disproportionality, the only significant trend that was identified was in the bullying and harassment questions. 14% of BAME respondents had replied to the survey to state that they felt that they had been bullied or harassed in the preceding 12 months. This had reduced from 2018 to 2019, but was still a significant percentage. – 3% higher than the figure for all respondents.

It is worth noting that only 28.5% of BAME persons invited to complete the survey did so, compared to an average across the force of 46%, so there appears to be an issue with ensuring that as many BAME employees/volunteers feel able to complete the survey.

5. GAPS IN DATA THAT MAY AFFECT OUR OVERALL ASSESSMENT OF DISPROPORTIONALITY

5.1 Ethnicity recording on Niche occurrences and Use of Force form

Of all victims recorded on Niche, 69% of them in 2018/19 had no ethnicity recorded. This slightly reduced to 68% in 2019/20. In terms of offender ethnicity recording, the picture is similar – 71% in 2018/19 and 70% in 2019/20.

It is not possible to make the self-defined ethnicity field mandatory (making it impossible to continue completing the person record without completing the field), because that would not be agreed by the Minerva Group.

A communications campaign has commenced, in order to push the message internally that recording of ethnicity is important and a key aspect of the force’s vision to become the most inclusive police force in the country. 5,000 laminated cards have been printed, which will be distributed to all staff having frontline contact with the public. They fit easily in a pocket, have a form of words agreed nationally that explains why we are asking the question and crucially have the 18+1 definitions of self-defined ethnicity so that people can make an informed choice. A digital version of the laminated card can also be found. Additional steps in this drive include:

- Added the recording of SDE to the My Work App, so that personal compliance is visible to frontline staff (initially in relation to just hate crime and stop-search, but will be expanded as time develops).
- Developed a briefing package for all frontline teams.
- Secured a VLOG from the Chief talking about SDE (part of the briefing package)
- Ensured two questions regarding SDE are added to the standard call-script for all calls reporting crime via Comms – this data can be extracted for future assurance purposes.
- Included a section on SDE within data quality training due to roll out in the next few weeks

Since the launch of the communications campaign at the beginning of September there has been a visible improvement in the completion of self-defined ethnicity on Niche:



With Use of Force, four recommendations were made to CMB in March 2020 as a result of the ongoing challenge of recording Use of Force on Niche. Two of these recommendations were:

- To look into redesigning the use of force form so it is easier to use, with the Minerva group;
- Further research is needed to establish the ethnicity of all people who come into contact with the police in order to truly ascertain whether force is applied disproportionately to any particular group

The Use of Force form has been redesigned and a new system for entering use of force information is being put in place, starting on October 1st. This will change the way we measure ethnicity, gender, and other diversity areas, as well as how we capture officer ID and bias too. It will make our reporting much clearer and more accurate than it presently is. This is achieved by using a third party system – FORMATIONS – to record the forms, as opposed to Niche, which will not allow mandatory fields. Feedback from officers testing the document has been overwhelmingly positive.

Among the changes includes some mandatory fields – including ethnicity – to ensure that incomplete or poor data collection is harder for an officer to do. Additionally, the five ethnic groups that were listed on the old Use of Force form have been replaced with 14 new options, which break down umbrella terms such as 'black' into sub-groupings that better represent our diverse communities, after consultations with the outreach team and community groups.

Regarding Stop and Search, records without ethnicity recorded is a regular thematic assurance area that the scrutiny panel and quarterly bulletin covers and assesses. In fact, the scrutiny panel looks at all records with no ethnicity recorded. Between the last two bulletins, there has been a 38.5% drop in searches with no ethnicity recorded. As of the most recent bulletin, only 2% of searches are recorded without ethnicity – roughly 40-60 per month. It is thought that roughly a third of these are caused by the ethnicity being recorded elsewhere on the Niche record in error. Those who record the ethnicity in the wrong place, or not at all, are given guidance from the tactical lead.

5.2 Analyse how we police our varied communities; who are experiencing similar crime problems to identify if there is any evidence of differing approaches

An in-depth analysis of beats that are similar in demand but different in ethnicity of population needs to take place which was not possible in the time available. These beats should have similar total demand scores both in total but also in the crime areas where Stop and Search are usually used for (theft, robbery, burglary, weapons and drugs offences). Additionally, they should have different demographics in terms of population, and, notably, are not large city centres, because Bristol, Bath and Weston-Super-Mare city centres are subject to high numbers of non-residents being in the area at any given time due to tourism and the night-time economy.

Work has begun on this, but in order to ensure that contextual analysis is added to the comparison, more time is needed in order to understand any potential data disparities. This is outlined in the recommendations at the end of this document.

5.3 Gaps in internal recording 'prefer not to say'

Since September 2019, People and OD have included, for the first time, statistics on our people preferring not to divulge information based on equalities, which includes ethnicity. Across all areas monitored except gender, the 'prefer not to say' percentage has decreased slightly over the last year.

Work is ongoing to try and ensure that all employees and volunteers feel that they can answer these questions, and this will be aligned with a new Qlik application.

As part of a wider piece of work across the People and OD, Finance and Business Services and the Transformation and Improvement directorates, data has been gathered for two Qlik apps, which seek to provide the best picture of our internal diversity that the force has ever seen. Extensive work has been done to (a) set out the correct questions to be asked in order to provide the board with more concise HR diversity data; and (b) agree on the data used, the presentation of it and the performance metrics. These apps are in their test phase and will be published soon.

A change to various equalities data in SAP, the introduction of OLEEO, and COVID-19, all contributed to a delay in this work being completed.

The directorates involved in this piece of work agree that the SAP change and the creation of the data products represents a unique opportunity to tackle the issue of officers/staff preferring not to divulge demographic information. To this end, work is being planned within People and OD to improve confidence amongst staff so that they feel able to divulge this information. This has not yet been finalised but will include an extensive communications drive.

5.4 Internal service areas which may benefit from greater insight into disproportionality

People and OD already monitor disproportionality for underrepresented groups through recruitment processes for Police Officers and PCSOs. The introduction of OLEEO gives a far more significant ability to be able to report at each stage of the recruitment process for all recruitment. This was a specific requirement stated in the procurement of the system. The current focus is on the launch and embedding of the system but we will be able to bring the regular reporting and review of equality through the recruitment stages and hence any disproportionality in due course. This will be reported through the Inclusion and Diversity Board.

In addition PSD and HR Advisory are now monitoring protected characteristics through disciplinary, grievance and UPP processes, again looking for and considering how best to address disproportionality. This is monitored through the Standards and Confidence meeting.

ASP are already ahead of national legislation by publishing both a Gender Equality pay gap report and a Race Equality Pay gap report, highlighting pay disproportionality. Going forward this will also include LGBT and disability pay gap reporting.

Equality impact assessments are made for the Police Officer Promotion processes, allowing for consideration of disproportionality and looking at what further can be done to address issues arising. An example is the lack of BAME representation at Chief Inspector rank and above, hence the procurement and introduction of the BAME positive action programme working with Berkshire Consultancy for Sergeants and Inspectors – our pipeline for more senior ranks.

People and OD are also looking to improve other employee lifecycle processes such as exit procedures, retention and progression modelling and sick absence where there is further opportunity to analyse and address disproportionality. Additionally, both the extensive internal work to design the new disproportionality Qlik app, which answers disproportionality queries to the same high standard as Bristol City Council (across areas such as pay, sickness, promotions, etc. as well as pure numbers) and the national online assessment process will also add to how we can measure more accurately any disproportionality.

Using the new employer branding and with our broader attraction campaigns the talent team are expanding our attraction campaigns, i.e. more local radio and a broader range of job websites, via OLEEO we will be able to measure our success more accurately than ever before.

Therefore it is important that this work is allowed to 'bed in' and its' success be analysed before setting further objectives.

6. ASSESSMENT OF THE CONSTABULARY AGAINST THE FINDINGS IN RELATION TO YOUNG PEOPLE IN THE MOJ REPORT 'TACKLING RACIAL DISPARITY IN THE CJS: 2020 UPDATE'

In February 2020 the MoJ published a report on the experiences of young people in the Criminal Justice System through the lens of ethnicity. The report made a range of recommendations and it was agreed it would be useful to make an initial self-assessment of how these may be relevant to ASP.

6.1 Building trust with early interactions

6.1.1 Police presence in schools

The report identified that building trust is essential and early interactions such as police presence in schools can make a real difference. To assess this consideration was given to our police presence in schools; and if it is equitable across all schools, including those where there is a higher proportion of children from a BAME community.

It has not been possible to fully address this question as currently data about our engagement in schools is not collated in a consistent way.

However, a recent piece of work undertaken in to review the service provided to schools utilised a questionnaire to gather this information. This questionnaire was issued to schools across Avon and Somerset at the end of July 2020 to which there were 180 responses. A gauge for the level of police presence at schools is whether the school knows who their named officer is. By geographical location schools who didn't know their Named School Officer was; Somerset: 13%, North East: 22%, Bristol 28% and North Somerset 21%.

In the absence of accurate data on school ethnicity demographics, assuming that pupil diversity corresponds in a similar way to that of the general population for each area (as shown in the Census data at section 2 of this document), there would appear to be a higher level of police engagement at schools in Somerset which have a lower percentage of BME pupils in comparison to schools in Bristol and Northeast where BME pupil numbers are likely to be higher. This needs to be explored further to identify if there is any further evidence to support this.

Schools are now informed of who their local PCSO or Beat Manager is, and staff engagement within schools was improving at the time of the PIR last year. There is still inconsistency across differing schools though and across the area. Overall, 76% of respondents to the recent survey knew who their named PCSO was, although this could be higher. The issue of not being able to record accurately our work in schools is being addressed further at the moment with plans to design a simple questionnaire which will feed into Qlik to capture this data and it is hoped that moving forward we will be able to see a clearer picture of our work within schools.

6.1.2. BAME participation in our Cadets and Mini Police programmes

Regarding Cadets, White British had the highest number of applications (84.7%) with non-white british groups equating to 15.3%. The percentage of each group that made a successful application varies, partly due to the low numbers of applicants within some groups. The non-white british groups have a slightly increased acceptance rate making up 16.3% of successful applications which exceeds the population proportion for non-white people within Avon and Somerset.

As of June 2020, the ethnicity of the cadet population as at June 2020 was recorded; the largest percentage of cadets had opted not to state their ethnicity on joining (66.8%). Excluding the 'not stated' group, white British make up 88.3% of cadets with non-white british groups making up 11.7% of the current cadet population.

The BPA does support Cadets, mainly the Bristol Central unit (based within a diverse community) but there are not currently any specific plans to widen participation and diversity as most units are (or were, pre-COVID) closed for recruitment as there were no vacancies and applicants pending or on waiting lists.

The Mini Police initiative is delivered by members of the local neighbourhood policing team in partnership with schools and offers children aged between 9 and 11 years old the chance to build positive relationships with their local police team, whilst helping out in their school and the wider community.

In terms of Mini Police ethnicity, we have the same data issue – as it is optional for participants to record their ethnicity, 76.7% have decided not to share this information. Excluding the 'Not Stated' group, White British make up 90.4% of the Mini Police population with non-white groups making up the remaining 9.6% which is slightly higher than the population percentage of non-white people in Avon and Somerset (6.7%).

Due to the current low volumes in recorded ethnicity for Mini Police participants, the focus has been to seek to improve the number of participants that share their ethnic information. This formed part of the discussion at a recent Gold Citizens in Policing meeting where an action was taken to help communicate the rationale for collecting this data with the hope this will encourage more to do so.

6.1.3. Disproportionality with stop and search of young people from a BAME background compared to adults

Using the Stop and Search Disproportionality Qlik application, the data can be broken down to under-18s, to compare to both the total disproportionality figures, which are detailed at the beginning of this report, and those of adults.

At present, the disproportionality figures for youths vs. adults are as follows for the past 12 months:

| Ethnic Group | Youth DS | Adult DS | Youths stopped | Adults stopped |
|--------------|----------|----------|----------------|----------------|
| Asian | 2.44 | 1.92 | 52 | 335 |
| Black | 9.33 | 8.88 | 313 | 1313 |
| Mixed | 6.38 | 3.16 | 146 | 393 |
| Other | 7.23 | 5.61 | 8 | 121 |
| White | N/A | N/A | 1700 | 7305 |

Fig.4. Ethnic Disproportionality of Stop & Search – adults vs. young people comparison

As the table shows, the ethnic disproportionality score is higher with young people in every ethnic group. As discussed previously in the paper, the scrutiny panel has a number of thematic areas that assesses alongside a dip sample of all Stop and Searches – young people is one of those thematic areas.

6.2 Experiences in police custody

6.2.1 Communication with young people arrested around the reasoning, process and likelihood of time in custody

Youths get the same contact as adults in terms of booking in, as per the Custody Standard Operating Procedure, but any communication may be amended in order to suit the needs of the individual. Appropriate adults are contacted as per the Custody SOP.

No dip sampling has been done recently regarding the experience of young people in Custody due to COVID-19, but this has traditionally been done in the past – the last instance being September 2019.

In this dip sample, 90 Custody records of young people were assessed for 5 compliance areas; contacting an appropriate adult as soon as possible, requesting that the young person see a healthcare professional, ensuring that the young person be placed on a minimum supervision level of 1 (every 30 minutes), use of discreet booking-in facilities, and justification if the young person was detained overnight. Results showed that we are achieving the first three compliance areas in at least 70% of records, which is satisfactory but can be improved on. However, use of discreet booking-in rooms was almost never done, and justification for overnight detention was only recorded around 50% of the time. That isn't to say that detention was unjustified in the other 50% of records, more that the justification was not recorded well enough. These results have been fed back to the Custody SLT.

6.2.2. Access to legal advice and appropriate adults in custody

The Custody SOP states that the Duty Solicitors should be contacted if the young person wishes for this to occur, but in reality the duty solicitor is contacted in all youth detentions, on the basis that the Youth Offending Teams (YOTs) request it. Appropriate Adults are always contacted as standard for under-18s. Ideally this would be a parent/guardian, but, if that's not possible, an Appropriate Adult is arranged through the YOT of the relevant local authority area where the young person lives. This can cause issues with out of force offenders given the time it can take for a YOT member from locations far from the force area to attend.

Data is recorded as free text entries on the Custody record – which makes it very onerous to accurately record how quickly Duty Solicitors or Appropriate Adults are contacted. The dip sample mentioned above provides the most detailed outlook we have at present and that shows that there is around a 70% rate of compliance in terms of contacting Appropriate Adults. Dip sampling will now continue across Custody in a number of theme areas including children and young people, to make sure we were offering legal advice among other things. One potential way to improve recording of this is to look into removing free text entries from Niche Custody, and create a specific field in Niche Custody for contact with Appropriate Adults/Duty Solicitors.

6.2.3 Are appropriate adults/duty solicitors representative of the offender cohorts?

Data for appropriate adults is not available via the YOTs, however many Appropriate Adults are relatives of the arrested person.

In terms of duty solicitors, the numbers released to the LCJB state that 10 duty solicitors are BAME, alongside 6 defence barristers and 6 accredited reps/agents. The current Duty Solicitor lists, published by the Ministry of Justice, show 93 Duty Solicitors covering the Courts in the force area, so the 10 BAME solicitors constitute 11% of the total.

7. UPDATE ON PROGRESS MADE IN ADDITIONAL AREAS HIGHLIGHTED IN THE JULY 2019 EQUALITY ASSURANCE REPORT

7.1 Examine whether it is possible to identify 'officer- led' stops (as opposed to "intelligence led") and use this to assess disproportionality of each.

Having discussed this issue with both tactical and operational leads in Stop and Search, the report finds that, without looking at individual stops in depth, it is not possible to ascertain whether a stop is officer-led or intelligence-led. This is being recorded in the extended dip samples for the scrutiny panel.

7.2 Explore what data is available that helps the Force understand the disproportionality in Somerset – e.g. County Lines operations. Discuss any difficulties with this data and how it could be enhanced through the use of a resident or non-resident marker on those stopped.

Work is ongoing. For the scrutiny panel, a sample of records were reviewed to understand more about the situations and circumstances in which persons identifying as Black were searched in Somerset. The aim is to discover whether 'County Lines' were part of the reason for the increase in disproportionality. The scrutiny panel found that of the 39 records reviewed by the panel, 41% of the searches reviewed included County Lines in the grounds for the search, suggesting that this is a key factor in the considerations of officers when determining whether to undertake a search of black people in Somerset. Drugs is by far the most common item searched for, 82% of the searches recorded were done under s.23 of the Misuse of Drugs Act.

41% of people searched in the records reviewed provided a home address that was over thirty miles away from where they were stopped and searched. Work is still being done to review the context of this information, but initial reviews have not indicated strongly that those searched have been visiting the area as part of employment or leisure activity.

For individuals who did not provide their home address (as this is not mandatory) the internal panel used the last known address, if provided, by that person on Police systems. If this was not present, the address was recorded as unknown and did not form part of the data used to calculate those who were searched over thirty miles from their home address.

Of the total number of search records reviewed by the internal panel group, 25.6% were conducted by Op Remedy. Additionally, 70% of the searches conducted by Op Remedy had County Lines cited in the grounds for the Stop and Search. By comparison, 30% of the searches conducted by Patrol had mention of County Lines specifically in the grounds. Further work will be undertaken by the internal panel in relation to

the effectiveness of stop and search and Op Remedy.

Additionally, for this report, a summary of all drugs arrests in the last two financial years was conducted. 17.5% of all people arrested for drug offences in Somerset were based out of force, compared to 9.3% for the other two LPAs combined. 71 of the 135 out-of-force detainees in Somerset identified as an ethnicity counted as BAME, compared to just 51 of the 115 out-of-force detainees in the other two LPAs.

This shows that there are more out-of-force detainees for drugs offences arrested in Somerset than in the entire rest of the force combined, and a slightly higher proportion of the Somerset detainees are BAME.

7.3. Proportionality of people arrested compared to those charged, how does this break down over the BAME groups

The table below outlines the ethnicities of all persons arrested between 1 September 2018 and 1 September 2020, alongside those of all persons, whether arrested or not, who have had their self-defined ethnicity recorded, and were correctly recorded on Niche as having been charged or subject to Postal Requisition, for the same period.

| Ethnic Group | Detainees | % of detainees | Charged | % Charged |
|-----------------------|-----------|----------------|---------|-----------|
| Asian | 1066 | 2.88% | 291 | 1.19% |
| Black | 2654 | 7.17% | 1582 | 6.49% |
| Gypsy/Irish Traveller | 47 | 0.13% | 60 | 0.25% |
| Mixed | 1224 | 3.31% | 877 | 3.60% |
| Not Stated | 1555 | 4.20% | 1812 | 7.43% |
| Chinese | 72 | 0.19% | 4 | 0.02% |
| Other | 403 | 1.09% | 193 | 0.79% |
| White | 30008 | 81.04% | 19558 | 80.23% |
| BAME | 7021 | 18.96% | 4819 | 19.77% |

Fig.5. Breakdown by ethnic group of those arrested vs. charged, 2018-20

As the table shows, in most ethnic groups, the difference between the arrest percentage and the charge percentage is under 2% each way, which does not suggest that a large proportion of people of any group are being arrested without a prospect of a charge being made.

In terms of the comparison between the Census figures and the arrest/charge figures, clearly almost 20% of persons arrested or charged being BAME is significantly higher than the 2011 Census figure showing the force's BAME population as 6.7%, but this data is out of date – Bristol City Council estimated in summer 2020 that 22% of the city's population is not White British, compared to the 2011 Census figure showing Bristol's non White British population to be 16% (that figure from Bristol not including White Other).

7.4 Dip sample of police charging decisions to explore equality in this part of the process (repeat of approach taken in 2018)

Due to the staffing issues that the force experiences over the summer period (which is the entire time between the scoping of this report and its' publication), the exacerbation of this due to COVID-19, and other resource-based factors, it has not been possible to repeat the 2018 exercise to quite the same sample size, and to look at police decisions not to charge, as well as those to charge.

Instead, data from CPS's PTPM reports, showing all Case References where a Police decision to charge, has been taken and cross-referenced with Niche Occurrences where the Case Reference was created in 2018, 2019 or 2020, to see whether there is a difference between the figures above for all charging when we look at Police decisions to charge only.

| Ethnic Group | Number Charged (Police Decision only) | % of this number | Difference between % for all charges |
|--------------|---------------------------------------|------------------|--------------------------------------|
| Asian | 198 | 1.92% | +0.73% |
| Black | 891 | 8.64% | +2.15% |
| Gypsy/Irish | 5 | 0.05% | -0.2% |

| | | | |
|-------------------|------|--------|--------|
| Traveller | | | |
| Mixed | 372 | 3.61% | +0.01% |
| Not Stated | 534 | 5.18% | -2.25% |
| Chinese | 6 | 0.06% | +0.04% |
| Other | 66 | 0.64% | -0.15% |
| White | 8236 | 79.90% | -0.33% |
| BAME | 1538 | 14.92% | -4.85% |

Fig.6. Table showing Percentage of suspects by ethnic group that are charged by Police

While the datasets are slightly different in terms of timeframes, they appear to show that BAME suspects make up a smaller proportion of the Police-based charging decisions than they do for all charging decisions.

7.5 User satisfaction, for BAME victims

In 7 of last the 8 quarters, including all of the last 6, BAME victims are more satisfied with the Police Actions Taken. In all but the most recent quarter, BAME victims are more satisfied with the follow-up actions. However, the scores are usually quite close, except for the follow-up action scores, which have been subject to large differences between the two cohorts in the last two years but seem to be stable now with both reporting a score of around 65%.

In terms of initial contact and treatment, the scores are very close across the two demographic types. Finally, re the whole experience, the scores are also very close. This suggests a high level of confidence that the survey shows little to no disproportionality in the way the force treats victims.

An area to explore more widely here is hate crime; White British has a satisfaction score 9.8% higher than BAME victims. This could, of course, be based on a lower sample size for White British hate crime victims, as they are less likely to be subject to ethnicity based hate crime.

8. RECOMMENDATIONS

This paper has outlined a variety of areas where we are able to gain a greater evidence base to establish if policing activity within our communities has any elements of disproportionality with regards to ethnicity. In addition recommendations based on the findings of this paper are:

- 1. Closely analyse the progress of the new Use of Force recording system and process:** If using a third-party application, outside of Niche, provides the downturn in 'no ethnicity recorded' Use of Force records, thanks to the improved customisation provided, this could be a catalyst for doing the same with other areas where Niche's inability to mandate record completion is allowing officers not to record ethnicity – for example, Stop and Search.
- 2. To introduce a process to automatically and accurately record the ethnicity of officers/staff subject to disciplinary procedures including misconduct Hearings.** This is an internal issue but being able to provide the numbers by ethnic group could provide reassurance externally that the ethnicity of the officer/staff member and of the complainant can be taken into account when analysing outcomes.
- 3. To monitor progress and findings from further investigations by the OOCd group in response to the ASCEND report in relation to differences in application of OOCds by ethnicity.** There were a number of findings within the ASCEND report which require further analysis and insight.
- 4. With reference to point 5.2. complete comparison of beat areas to understand any local differences in disproportionality associated with policing tactics.**
- 5. To carry out some additional analysis on victim satisfaction rates for BAME victims of hate crime.** Variations may be a result of sample sizes and data quality however it is important to fully understand if this is the case.