

Disproportionality Assurance Report – June 2022
Avon and Somerset Police thematic lead: ACC Will White

| Indicate below which IPQR Key Performance Questions this assurance report covers: | | | | | | | |
|--|---|---|---|---|---|---|---|
| 1. Are the public becoming more confident in the Constabulary? | ✓ | 2. How well are we preventing crime, ASB and demand? | | 3. How well are we responding to the public when they need us? | | 4. How well are we supporting victims of crime? | ✓ |
| 5. How well are we protecting vulnerable people? | ✓ | 6. How well are we investigating crime? | | 7. How well are we managing reoffending? | | 8. How well are we managing serious and organised crime? | |
| 9. How well are we meeting the requirements of the Strategic Policing Requirement? | | 10. How well are we engaging with the people we serve and treating them fairly, appropriately and respectfully? | ✓ | 11. Are we becoming a more inclusive and diverse organisation? | ✓ | 12. Are we developing a more engaged and happy workforce? | ✓ |
| 13. Are we creating a more digital and data literate workforce? | | 14. How effective is workforce planning across the organisation? | | 15. How well are we managing data quality and information governance? | | 16. Does our workforce have the right tools and working environment to do their best? | |

1. EXECUTIVE SUMMARY

Disproportionality is a priority for Avon and Somerset Constabulary (ASC), and links closely to the Police and Crime Plan priority ‘increasing the legitimacy of and public confidence in the police and criminal justice system’.

ASC is **developing a disproportionality programme of work** which will coordinate activity across the force and our partner agencies. Whilst this paper focus’ on external recommendations, the programme of work will respond to the range of recommendations outlined in the reports. The multi-agency approach will be led by Chief Constable Sarah Crew and the internal piece in response to the Police Race in Action plan is being led by ACC Will White and will be built around the **four key workstreams/pillars**. Each pillar has an identified lead and governance is being established around the monitoring and reporting of activity to tackle disproportionality.

A self-assessment undertaken against each of the external recommendations within the above report illustrates the activity that is already underway but also identifies the elements that require further progress.

The data available Organisationally and used within this report has demonstrated that **accurately identifying disproportionality within specific areas is not always possible**

It has not yet been possible to scrutinise the extent of disproportionality within vehicle stops but a revised recording process has been implemented that will enable us to do this moving forward.

There appear to be some identified **issues with disproportionality within complaints** as highlighted in this report. The level of discrimination complaints upheld appears to be **considerably lower for Asian and Black complainants** than for White.

Work is being undertaken to better understand this data and a lived experience role is being recruited within PSD to support improvements in this area.

Victim satisfaction rates have declined in the last 12 months when compared to the previous two reporting years. The last years data shows a satisfaction rate for BME victims that is lower than that of white victims, however this was the reverse for the preceding two years.

Due to the **low numbers of completed surveys** it has not been possible to draw any firm conclusions in relation to disproportionality for treatment by the police and overall satisfaction.

Over half of the crimes recorded on Niche where a victim has been linked **do not have a victim ethnicity recorded**, making it difficult to analyse the extent of disproportionality in relation to outcomes.

There would appear to be some identified **disproportionality within our use of out of court disposals** where white offenders have a higher rate of OoCD than other ethnicity groups.

An agreed approach to measuring disproportionality needs to be in place across the Organisation to ensure consistency of data and comparability to previous reports and findings.



2. PURPOSE OF REPORT

This paper seeks to inform and assure the boards and senior leadership of the Constabulary's approach relating to the management and investigation of disproportionality. The paper will focus on:

- Self-assessment against the police focussed recommendations contained within 'Identifying disproportionality in the Avon and Somerset Criminal Justice System', 'Police Race Action Plan: Improving policing for Black People' and 'Disproportionate use of police powers – a spotlight on stop and search and the use of force'
- Providing an overview of any evidence of disproportionality across the five key areas identified by the OPCC
- Aspects of equality and disproportionality associated with the *external* delivery of our policing service

The focus of this report is disproportionality relating to ethnicity in order to link with the findings of the 'Identifying Disproportionality Report' and the 'Police Race in Action Plan'.

3. SELF ASSESSMENT AGAINST POLICE FOCUSED RECOMMENDATIONS

Three inputs have been identified for the basis of the self-assessment within this paper:

1. 'Identifying disproportionality in the Avon and Somerset Criminal Justice System' local report

Published February 2022. Chief Constable Sarah Crew is leading the partnership response to this report. Of the **83 recommendations**, ASC are responsible for **40, 11 of which are externally focussed covering stop and search, out of court disposals (OoCD) and HR**. ACC Will White is leading the internal ASC response including these recommendations.

The self-assessment undertaken to review where we are with each of these recommendations shows that 2 are assessed as being Red and the remainder assessed as Amber.

The 2 assessed as Red are in relation to external scrutiny and the co-production of an information framework with our partners, both of which will be key parts of work being led by the Tackling Disproportionality Programme under CC Sarah Crew.

This programme will bring a multi-agency approach to 5 key areas:

- HR
- Judiciary
- Out of Court Disposals
- Stop & Search
- Youth Justice
- Prisons

The assessment illustrates there is a lot of work underway in support of the recommendations identified in the report and further detail of the self-assessment can be found in Appendix A.

2. 'Police Race Action Plan: Improving policing for Black People' national report

Published May 2022, The Police Race Action Plan was developed jointly by the College of Policing and the National Police Chiefs' Council (NPCC), working in collaboration with Black communities and partners. The plan aims to improve policing for Black people, address racial disparities, and change a legacy of distrust.

The required outcomes of the plan are summarised under 4 themes/pillars and are as follows:

| Not under-protected | Not over-policed | Involved | Represented |
|---|---|---|--|
| <p>A police service that protects Black people from crime, and seeks justice for Black victims.</p> <ul style="list-style-type: none"> ■ Making sure Black people feel, and are, safer. ■ Reducing Black victimisation, especially of hate crime and serious youth violence. ■ Reducing the harm caused by the crime and disorder experienced by Black people, particularly by the most vulnerable. ■ Treating Black victims and witnesses better, understanding their needs and vulnerabilities. ■ Improving the quality and outcome of our investigations for Black victims. ■ Taking clearer action to tackle far-right extremism and racist violence. ■ Improving how we prevent, and respond to, the crime and disorder concerns of Black communities, particularly of young people. ■ Helping Black communities to address local crime and disorder problems. ■ Actively supporting services that make a difference to young Black people's lives, and reduce the need for us to be involved later on. | <p>A police service that is fair, respectful and equitable in its actions towards Black people.</p> <ul style="list-style-type: none"> ■ Eliminating any racial bias, stereotyping, profiling or discrimination in our actions. ■ Treating Black people as individuals, and taking account of their needs, vulnerabilities, experiences and circumstances, such as trauma. ■ Approaching racial disparities in our actions as problems in themselves, regardless of their causes, because of their impact on Black people. ■ Minimising any harms we inadvertently cause, because of their differential impact on Black people. ■ Reducing the risk of criminalising Black people by ensuring that they benefit from early action, prevention and diversion. | <p>A police service that routinely involves Black people in its governance.</p> <ul style="list-style-type: none"> ■ Accepting the impact of historic policing practice, which has led to community trauma and distrust of the police. ■ Understanding the frustrations of Black people about the slow speed of change. ■ Responding to community trauma and reconciling police and community divisions. ■ Involving Black people in our oversight and scrutiny processes proactively and as a matter of course. ■ Making sure that Black people: <ul style="list-style-type: none"> - can influence our decisions at different stages in the process - are able to voice their opinions, to which we listen and take into account - receive timely and meaningful information from us about our decisions and how we reached them - have opportunities to review our decisions and have appropriate means of redress - are treated with dignity and respect | <p>A police service that is representative of Black people, and supports its Black officers, staff and volunteers.</p> <ul style="list-style-type: none"> ■ Eliminating any racial bias, stereotyping, profiling or discrimination from our policies, procedures, processes and practices. ■ Approaching racial disparities in the police as problems in themselves, regardless of their causes, because of their impact on our Black officers, staff and volunteers. ■ Making sure that Black people: <ul style="list-style-type: none"> - are encouraged and well-prepared to apply for police roles - submit good applications - are not disadvantaged in the process - are assessed fairly - are able to develop and progress, including to the most senior levels - have their individual needs met - are listened to and have influence - have good experiences in the workplace - feel valued and want to stay in the police |

ASC has signed up to this plan and assigned Chief Officer Will White as the Chief officer lead responsible for our response. C/Supt Deryck Rees will take a lead role in delivering our response, supported by the 4 pillar leads:

- Not under Protected – Supt Paul Wigginton
- Not over Policed – Supt Tony Blatchford
- Involved – Supt Mark Runacres
- Represented – Sarika Morrison

There are currently no recommendations arising directly for individual forces however actions will form in time, and the overarching work streams have relevance to work locally. By signing the plan ASC have already committed to:

- Increase the awareness and understanding of every officer and member of staff of racism, anti-racism, Black history and its connection to policing through the introduction of a mandatory training programme
- Building on our work to develop a more representative workforce

- Increasing the involvement of Black communities in policing and improving our support for Black victims of crime
- Enabling Black people to have their voices heard, raise concerns, work on solving problems in their communities and providing feedback to us

A self-assessment in this area is not included in this paper as the programme of work to respond to the findings above is still in its infancy. Mapping activity is currently underway of all activities against the four pillars and can be provided at a later date on request.

3. 'Disproportionate use of police powers – a spotlight on stop and search and the use of force'

Published February 2021 the above report provided six police focussed recommendations, three of which have been completed and closed and three of which are still open and being progressed.

A self-assessment overview against each of the externally focussed recommendations within the Identifying Disproportionality paper and the HMICFRS recommendations can be found in Appendix A.

4. OVERVIEW OF DISPROPORTIONALITY IN SPECIFIC AREAS

4.1 To what extent do vehicle stops S163 display disproportionality?

To date it has not been possible to understand the extend of disproportionality within vehicle stops due to the data that is available.

A pilot was therefore launched on 1st December 2021 with the Tactical Support Teams to help design and test an online form to record all uses of Section 163 Road Traffic Act 1988 vehicle stops. The pilot streamlined the process as much as possible for practitioners, whilst still collecting the data needed to understand our use of this power. The form captures the following:

- Details of officer completing form
- Time / date / location of stop
- Vehicle registration number
- Officer defined ethnicity, age and gender of driver
- Officer defined ethnicity, age and gender of any passengers
- Reason for stop (from a pre-determined list)
- Outcome of stop

The process was launched force wide on 1st February 2022 and it was made mandatory for all stops made under s.163 RTA to be recorded using the online form. A Qlik page was set up to be able to track and interpret the data, which can be found [here](#).

It was hoped that we would be able to report on disproportionality related to vehicle stops through this Qlik App but unfortunately the development of this section has been delayed and therefore the data is currently unavailable, this element should be rolled out over the next few weeks.

The use of this online form to record road traffic stops is the first recording of its type, not just in ASC but nationally, there is no benchmark to compare this data to. Time is required to understand average completion and compliance rate before drawing any firm conclusions on usage of s.163 RTA.

There are numerous recommendations and required outcomes from the Identifying Disproportionality and the Police Race in Action reports which the following activity will support:

Supporting Activity: ASC are currently refreshing the structure of the scrutiny of stop and search and will be bringing the governance of stop and search and use of force together under a wider theme of 'Police powers' led by Superintendent Tony Blatchford. This links with the wider requirements from the Identifying Disproportionality and Police Race in Action plans.

Supporting Activity: In addition to monitoring the vehicle stop data, all officers will complete stop and search training and refresher training will become mandatory.

Supporting Activity: To support supervisors in their role in this area, a supervisor's package has been created setting out their duties in reviewing and debriefing stop searches performed by their teams.

Supporting Activity: Internal assurance on stop search is used to shape and inform training, identifying any areas for improvement or development.

Supporting Activity: Development of community engagement to build confidence with communities is underway, with plans for a Stop Search 'Summit' to be held in Autumn 2022 incorporating all of the factors identified in the recommendations, and the internal and external scrutiny panels are currently being reinvigorated.

4.2 To what extent do public complaint resolutions display disproportionality?

Recent analysis of national data has shown that across most police forces, discrimination complaint allegations continue to be upheld at significantly lower rates than most other types of allegations.

2019/20 Police complaints statistics¹ show that of discrimination complaint allegations nationally, only 2% of discrimination complaint allegations were upheld. This compares with 11% upheld across all complaint allegations dealt with at the same level (investigated not subject to special requirements).

Disproportionality is one of the key strategic priorities of PSD and features as a tier 3 priority on the single delivery plan. The data included in this assurance report highlights that there is disproportionality in the number of discrimination complaints being upheld for black people compared to white people.

It shows that a complaint was not upheld more often for black people (**84.6%** of the time) than white (**73.7%** of the time) and upheld more for white people (**4.3%** of the time) than black people (**0.7%** of the time).

Proving discrimination allegations can be challenging as it requires exploration of comparative evidence.

Supporting Activity: PSD are currently enlisting 'Lived Experience Advisors' to provide opinion evidence in discrimination investigations.

It also appears that the **data reflects the national picture** – that those complaints about discriminatory behaviour is upheld less often. Nationally this is around 2% of the time and in ASC it is **2.9%** of the time. All other types of complaints aside from discrimination complaints are upheld nationally around 11% and for ASC, **9.6%** of the time.

Analysis of data for three years 1st Jan 2019 – 31st Dec 2021 shows a total of **625** schedule 3 complaints of discrimination.

¹ [IOPC Police complaints: Statistics for England and Wales 2019/20 \(policeconduct.gov.uk\)](https://www.policeconduct.gov.uk/policy-and-research/2020-01-01-2021-12-31)

Chart 1 below shows the volume of these complaints year on year and shows a clear increasing trend.

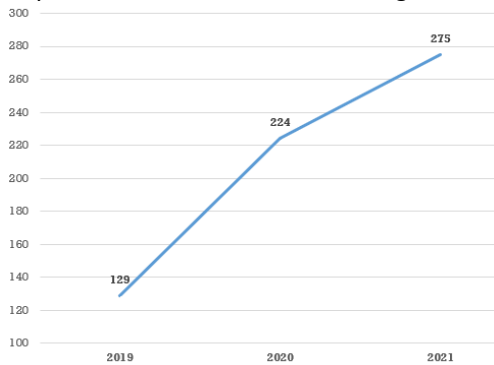


Chart 1

The breakdown of ethnicity for the complainants for discrimination complaints is detailed in Chart 2 below:

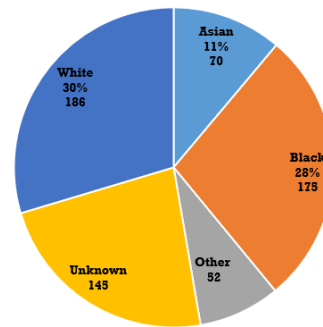


Chart 2

131 complaints of discrimination were considered to have no case to answer, NFA, undeterminable, withdrawn or blank (PSD SLT reviewing with a view to rectify number of blanks within data sets). The remaining 494 have been analysed.

480 (97.1%) complaints of discrimination went against the complainant and concluded that the service was acceptable, and the complaint was not upheld.

Whilst the proportion of complaints that were not upheld was considerably higher for black complainants than white, it is the Asian complainants that stand out as having the lowest proportion overall at **61.4%**.

The service provided WAS acceptable or complaint not upheld:

| Ethnicity | No. of complaints | Not upheld | % by ethnicity |
|-----------|-------------------|------------|----------------|
| Asian | 70 | 43 | 61.4% |
| Black | 175 | 148 | 84.6% |
| Other | 52 | 41 | 78.8% |
| Unknown | 145 | 111 | 76.6% |
| White | 186 | 137 | 73.7% |

14 (2.9%) complaints of discrimination went for the complainant and concluded that the service was not acceptable, and the complaint was upheld.

The service provided was NOT acceptable and complaint was upheld

| Ethnicity | No. of complaints | Upheld | % by ethnicity |
|-----------|-------------------|--------|----------------|
| Asian | 70 | 1 | 2.4% |
| Black | 175 | 1 | 0.7% |
| Other | 52 | 1 | 2.4% |
| Unknown | 145 | 5 | 4.5% |
| White | 186 | 6 | 4.3% |

Of the complaints that were upheld, and the service was deemed to be not acceptable, there appears to be a lower percentage of people who recorded their ethnicity as black (**0.7%**) than of white (**4.3%**) and of Asian (**2.4%**)

Supporting Activity: PSD have made it a priority to improve data quality to draw more accurate insight from complaints data. Officers will soon be able to visualise on Qlik what data errors they have from the Centurion system in the way that officers are informed about their B2B errors from Niche. Alongside work to improve data, dip sampling of complaints of discrimination will answer such question as; is there more discriminatory behaviour in ASP? Is there more confidence by communities to report or more empathy and understanding by PSD towards complainants?

Supporting Activity: A Qlik App is to be explored to look at complaints reporting and misconduct outcomes broken down by protected characteristics

Supporting Activity: A lived experienced role profile has been drafted, agreed and now advertised-low numbers of applicants to date

Supporting Activity: PSD will promote any vacancies through the BPA and encourage attachments

Supporting Activity: As of 21st June, BAME representation in PSD has improved through recent police officer and police staff recruitment and promotion.

Reducing racial disparities in misconduct and complaints processes and improving support to Black officers and staff is one of the key actions within the ‘Police Race in Action’ plan following the findings of an NPCC commissioned report. The findings above will feed into the work being led by ACC Will White.

4.3 To what extent is disproportionality displayed in victim satisfaction?

Across the last three financial years, a total of **6318 victim surveys were completed**. The majority of these were completed in the last financial year, 2021/22; 3742 in that year and approximately 200% more than the previous 2 years. The four crime types surveyed are: burglary; violence, ASB and Hate Crime.

In 2019/20 and 2020/21 approximately 8.9% of respondents were BAME – please note that the data available does not drill down into specific ethnic groups, the options are either White, BAME, or ‘prefer not to say’. The percentage of respondents that were BAME increased to 18.7% in 2021/22.

The following charts show victim satisfaction rates by ethnicity (BAME & White) for ‘Police Treatment’ and ‘Overall Satisfaction’:

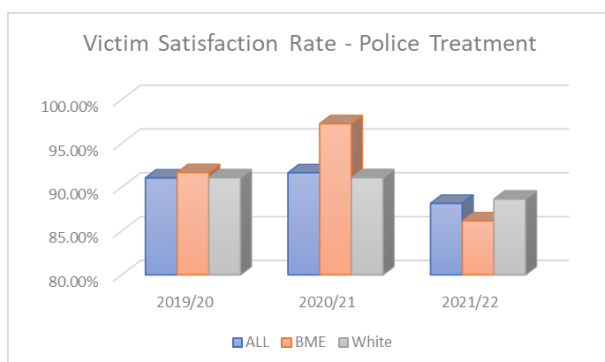


Chart 3

Chart 3 shows there has been a decrease in satisfaction rates from those surveyed in 2021/22 compared to previous years across both ethnicity types. With the two broad ethnicity groupings, the difference in satisfaction between BAME and White respondents has gone from roughly even in 2019/20, to a 6 percentage point gap in 2020/21 in favour of BAME, to a 2.5 percentage point gap the other way in 2021/22.

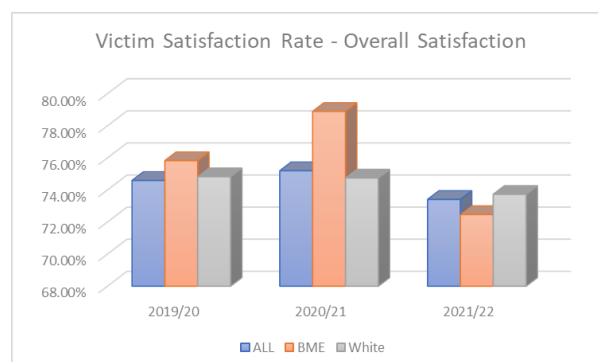


Chart 4

Chart 4 shows there has been a slight decrease in total satisfaction in the last year compared to 2020/21. BAME respondents appeared to be more satisfied, statistically, than their White counterparts in the two years when the BAME data sample was very small (see above), but when we sampled a larger number of BAME respondents in 2021/22, this decreases to just over 1 percentage point lower than the White group.

Domestic and sexual abuse:

At present, **the force does not have any data regarding victim satisfaction for victims of Domestic Abuse (DA)**, who are not asked to complete the general victim satisfaction survey. The National Outcomes Framework is demanding change in this area from all forces. To this end, the DA strategy recognises our lack of understanding about under-represented victims and part of the improvement activity is to try and engage with these groups, map existing service provision for them and review existing internal data to establish how it can (or rather what needs to happen to make it so) inform our service.

Related Activity: Domestic abuse victim satisfaction survey in development which will include ethnicity data capture

Rape and serious sexual abuse (RASSO):

Data is collated from ISVA surveys, where a victim satisfaction survey is presented to a victim by their ISVA. We have data up to the end of the financial year 2020/21, when ISVA surveys were stopped because of the academic study into Operation Bluestone commencing.

In the two financial years that this report can cover therefore, a total of 158 ISVA surveys were completed with the majority of respondents being female and white. A summary of the whole data is provided:

| | Satisfied | Dissatisfied | Other | Total | % Satisfied |
|--------------|------------|--------------|-----------|------------|--------------|
| Asian | 11 | 2 | 1 | 14 | 78.6% |
| Black | 2 | 0 | 0 | 2 | 100.0% |
| Mixed | 2 | 0 | 2 | 4 | 50.0% |
| Other | 1 | 2 | 0 | 3 | 33.3% |
| White | 107 | 8 | 20 | 135 | 79.3% |
| TOTAL | 123 | 12 | 23 | 158 | 77.8% |

Table 3

The results show broad approval from respondents of our treatment of them, but with such little numbers, especially in certain groups, it is impossible to come to any conclusions regarding disproportionality. Should the surveys recommence, work needs to be done in order to encourage wider representation across gender and ethnicity.

4.4 To what extent is disproportionality displayed in victim outcomes?

Data on victim outcomes has been analysed from Niche and disproportionality investigated against ethnicity.

Positive Outcome Rate by Victim Ethnicity

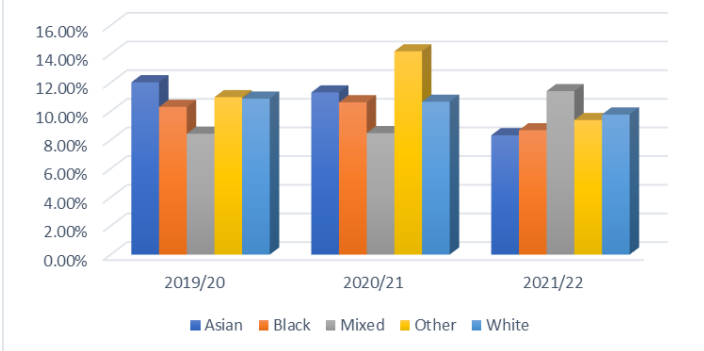


Chart 5

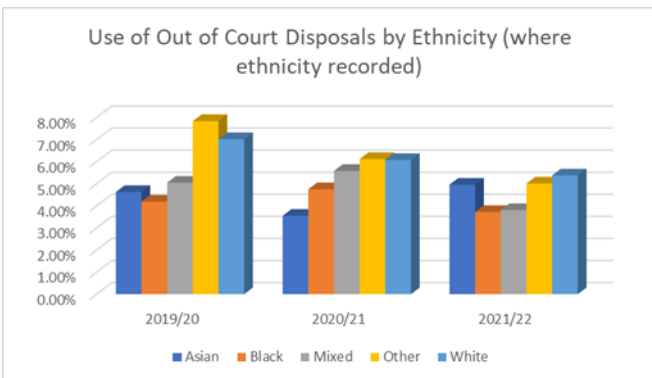
Data caveats:

- The data is recorded in terms of crimes not occurrences, so if one occurrence has three crimes with three outcomes, three entries are created on the dataset.
- There is a long-standing issue with the recording of demographic information on Niche occurrences; roughly half of crimes recorded in the three financial years detailed in this report have no recorded victim ethnicity or the ethnicity is not stated.
- Whilst all years will have a proportion of offences that are yet to be finalised, the most recent year will understandably have more of these, given that it only ended two months ago. ‘New’ offences such as this will not be analysed here and may explain the lower percentages.

Chart 5 above shows that, when the victim’s ethnicity is recorded, there is usually **not a consistent difference between the ethnicity groups in terms of positive outcome rate**. The Mixed group has gone from having the lowest rate to the highest in the last financial year, bucking a trend that has seen the rate fall both generally and in all other ethnicity groups.

However, we cannot truly know the extent of any potential disproportionality issues as over half of crimes have no data recorded on victim ethnicity.

4.5 To what extent is disproportionality seen in out of court disposals?



Approximately 7% of white named offenders were subject to OOCDD In 2019/20, compared to just over 4% for black named offenders. These figures dropped by 2021/22 for all groups except Asian, but there is still a higher proportion of white named offenders being subject to OOCDD than the other ethnicity groups.

Please note the figures used refer to percentages of the circa 45% of offenders subject to OOCDD that have ethnicity recorded, as opposed to all offenders.

Reducing the risk of criminalising Black people by ensuring that they benefit from early action, prevention and diversion is one of the key outcomes of the Police Race in Action plan and therefore out of court disposals will be one of the key feeds into the pillar work led by ACC White.

Supporting Activity: The Scrutiny Panel have created capacity and provision to review cases for disproportionality.

Supporting Activity: The provision for Interpretation within ASC has gone to tender and a private company will be taking this on. This will include the provision of language and communication barriers within custody units. A nominated SPOC within CJ is taking this forward.

Supporting Activity: The LCJB are bringing key stakeholders together with the Force Outreach Team to develop methods and processes to update communities around the OOC process, building on the earlier work involving IAGs.

Supporting Activity: The Pathway and Partnership Coordinator will be liaising with Forces who have adopted the MOJ Chance to Change Pilot.

Supporting Activity: At present we have a deferred prosecution initiative running exclusively for Bristol East – ‘Call In Programme’ - which defers individuals away from prosecution toward a six month mentoring scheme targeting 16 – 24yr olds.

5. NEXT STEPS

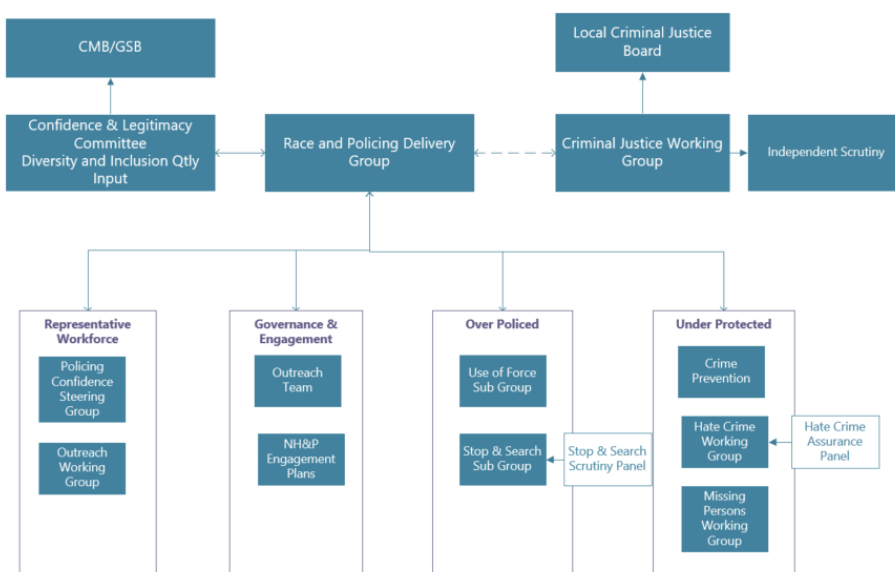
A programme of work responding to the findings of multiple Disproportionality focussed reports and reviews is being undertaken within ASC.

As mentioned in Section 3 the multi-agency response to the findings of the Identifying Disproportionality Report is being led by Chief Constable Sarah Crew, supported by project lead Nichola Grierson. A workshop is taking place in July which will bring all of the key partner agencies together to agree a way forward for tackling disproportionality. This will be followed by an additional workshop in September.

The above will be supported by the internal programme of work being led by ACC Will White, supported by C/Supt Deryck Rees and a number of pillar leads and supporting SME’s. A workshop is taking place on the 5th July to start shaping the activities required to achieve the outcomes highlighted in the Police Race in Action plan and to ensure the priorities are clearly defined and focussed.

Clear reporting and governance structures are to be developed to ensure progress is closely monitored and reviewed.

Draft governance structure below:



An Anti-Racism Strategy will be developed in consultation with our communities and staff which will clearly articulate the vision and objectives to support the outcomes of the Police Race in Action Plan.

APENDIX A Self-assessment

Identifying Disproportionality in the Avon and Somerset Criminal Justice System service delivery recommendations

| Recommendation | Update | RAG | What good looks like |
|--|---|-------|---|
| <p>ASC to analyse the grounds for all stop and searches to understand what is officer led and intelligence led to enable further scrutiny of the policing approach to stop and search. Police must evaluate and quantify decision making to ensure powers are being consistently used fairly, responsibly, respectfully and without unlawful discrimination. A clear strategy needs to be developed and effectively communicated, to respond to any breach of power around stop and search to address disproportionality.</p> | <p>Unable to define in Niche officer led v intelligence led - consideration for Pronto app in April 2022.</p> <p>Any scrutiny work will still categorise reason for initiation of stop. Stop Search CPD package will include input on grounds and intelligence</p> | Amber | <p>Recording system (which feeds into reporting system) that allows provenance of grounds to be selected by inputting officer based on categories (i.e. MOP observations, intelligence, officer observations)</p> <p>Clear assurance and scrutiny processes, both internally and independently that ensures grounds are reasonable and objectively formed, as well as identifying breaches of power that can be addressed through management, learning and / or disciplinary processes as appropriate</p> |
| <p>ASC's scrutiny of the 'smell of cannabis' as the sole grounds for a stop and search, to continue to be a focus theme of the ISOPPP and internal scrutiny panel to ensure any contravention is identified. A strategy needs to be developed to ensure comprehensive training and communications are provided to police officers, as appropriate, to ensure understanding of the policy and improved policing approach to stop and search</p> | <p>Smell of cannabis as sole factor will feature in stop search CPD package. Unable to keep as a running theme for scrutiny, as this will prevent other areas being looked at, but a quarterly Business Objects search will be run to try and understand how many searches mention smell of cannabis (what it can't do without individual searches being reviewed is say if it is the sole reason for search)</p> | Amber | <p>Smell of cannabis is never used solely as the grounds for search</p> <p>Wherever smell of cannabis is cited in grounds, it is in conjunction with other, objective factors that provide reasonable grounds for search</p> <p>All officers will have completed the CPD package and passed the knowledge check. Stop Search CPD refreshers will be mandatory every year</p> |
| <p>ASC must focus scrutiny of disproportionality into stop and search for drugs offences to research the relationship between the grounds for stop and search, the disproportionality in stop and searches for suspected drug offences within the Asian, Black, Mixed and Other Ethnicity groups and corresponding find rates. Within find rates, the specific focus needs to be upon investigating the disparity in finding an object other than that searched for in the Asian, Black, Mixed and Other Ethnicity groups in comparison to the White group</p> | <p>Further work analytical work to be done in area of item other than that searched for found to be done, need more understanding in this area to focus any action to address. Also need a detailed analysis of drugs offences and disproportionality, particularly possession offences - will be addressed by VHM</p> | Amber | <p>ASC has a clear understanding of its use of stop and search across a number of key variables and indicators and can explain any outliers or apparent trends or themes.</p> <p>Line managers and supervisors of officers using stop search powers have a detailed understanding of who their teams are stopping and searching and why – with disproportionality featuring clearly in their supervisory oversight</p> |
| <p>Stop and searches for suspected drug offences indicate disproportionality across Arrest, VA, charge and OOC</p> | | Red | <p>ASC has a clear understanding of the relationship between stop and search, drug offences</p> |

| | | | |
|---|--|-------|---|
| rates. ASC must scrutinise outcomes to explain disparities and develop strategy to address any disproportionality | | | and outcomes. Thematic leads for Stop Search and OOCd are familiar with each other's areas of work and the interaction between them. |
| ASC must build confidence with its communities around police powers by developing an Inclusion and Engagement framework that is co-produced with communities. This will develop engagement with communities, improve public access to information about stop and search and increase the transparency of the scrutiny process. As part of this framework the 'lived experience' of communities affected by stop and search must be captured and analysed alongside the quantitative data in the scrutiny of stop and search | Work is ongoing in relation to this currently, with plans for a Stop Search 'Summit' to be held in Autumn 2022 incorporating all of the factors identified in recommendation 13. Work will be done alongside Deepak Kenth, to ensure it is consistent with the Community Engagement / Inclusive Policing thematic areas | Amber | Good community engagement, for all areas of the force and different communities within – clear messaging about stop and search use as well as easily accessible methods for members of the public to understand their rights. |
| The A&S PCC Out of Court Scrutiny Panel should follow the joint MOJ/NPCC National Scrutiny Guidance which sets out best practice around local scrutiny of decision-making on OOCds which contains the scope, panel membership, frequency of meetings, case selection and outcome and reporting, and adopt a methodology that allows them to examine, at least annually, disproportionality in respect of OOCds which includes the conditions that are applied. | The Scrutiny Panel have adopted the guidance set out within the recommendation and have now created capacity and provision to review cases for disproportionality. The next Panel meeting is due to take place in June where disproportionality will be one of two themes to be examined. This recommendation can be closed as the Panel are indeed working to the spirit of the Recommendation | Amber | Two sessions per year focussing on Disproportionality (one for solely youth cases and one for wider issues), complimented by a 360 feedback mechanism for updating Investigating Officers around specific observations plus 360 feeding back into the wider Out of Court Disposals portfolio and ASCEND Team for organisational learning and trends emerging from the Panel work. |
| A&S OPCC to set up a scrutiny framework that scrutinises cases that have been charged, but may have been eligible for an OOCd, rather than reviewing only cases that have resulted in an OOCd. | Raised with the Scrutiny Panel from an OPPC coordination perspective and have more recently included this in the pre Scrutiny Panel report. Next Steps – To be raised during the Panel session in June 22 | Amber | Periodic dip sampling and a twice yearly approach to this pending observations of the Panel Chair |
| A&S Constabulary need to develop the OOCd Information Sheet with input from the Independent Advisory Groups (IAG), local communities, and Legal profession representatives, to improve offender engagement and understanding of the OOCd process and build trust. Consideration is required of format (Leaflet, Audio, Webpage, App etc.), language, special educational needs, disabilities, etc. to ensure that the information is accessible. | Advised that the provision for wholesale interpretation within A&S has gone to tender and a private company will be taking this on from 8th April. This will include the provision of language and communication barriers within Custody Units and will result in an automatic uplift of this recommendation through this service. This will negate the need for any additional work on this recommendation in the form of paper | Amber | Mainstream interpretation service provided to detainees through CJU via contract service is available 24/7 for access by all who require it and the service caters for OOCd in line with wider service provision |

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| | <p>notices. A nominated SPOC within CJ to take this forward is required</p> <p>Next Steps – Service is active now requires bespoke monitoring via CJ SPOC.</p> | | |
| <p>An Information Framework needs to be co-produced between Police, PCC, CJS partners and the communities of A&S to increase engagement with local communities and develop public knowledge and understanding of plea decisions and the out of court disposal process.</p> | <p>This recommendation best sits under the oversight of the LCJB in bringing key stakeholders together with the Force Outreach Team to develop methods and processes to update Communities around the OOCd process (build on the earlier work involving IAGs)</p> <p>Next Steps – canvass LCJB support role (if any) around observations on the LCJB taking this forward?</p> | Red | <p>Clear and living programme of Community Engagement and information to Stakeholders (as opposed to a one hit approach) , this is also built into ongoing IAG discussion and wider Outreach work.</p> |
| <p>Avon and Somerset Constabulary need to actively monitor the outcome of the MOJ Chance to Change pilots and develop local policy around a diversion prosecution model for Avon and Somerset to include: pilot design and eligibility, quality assurance, data collection and intended outcomes.</p> | <p>Pathway and Partnership Coordinator will be doing some liaison with Forces who have adopted the MOJ Chance to Change Pilot and will report back.</p> <p>At present we have a deferred prosecution initiative running exclusively for Bristol East “Call In” programme which defers away from prosecution toward a six month mentoring scheme targeting 16 – 24yr olds.</p> <p>Offences would not have otherwise fallen into the bracket of OOCd and would have been charged if not deferred to this scheme.</p> | Amber | <p>Deferred Prosecution Schemes in place in line with the success that other Forces have seen and NPCC guidance.</p> |
| <p>ASC need to develop a more diverse workforce, representative of its communities as current census data (2011) indicates ASC is currently under-represented by people who identify within the BAME Groups.</p> | <p>Focussed Positive Action support workshops for Uniform roles- PCDA & DHEP</p> <p>Dedicated focus question on oleo system to direct under rep candidates to Positive Action support through Outreach Team.</p> <p>Positive Action Pre-application workshops for PCSOs, Comms and Police Staff Investigators (PSIs)</p> <p>Three roadshows carried out focussing on diverse communities with hyper-focussed approach.</p> <p>Monthly Discoveries run by Outreach team each month.</p> | Amber | <p>For ASP diverse workforce to reflect the 2011 census data, particularly around our Diverse communities and with a review of the data to identify any new emerging BAME communities, eliminating racial bias, disadvantage & disparities across all of our recruitment processes.</p> <p>Ensuring our BAME candidates are encouraged and well-prepared in applying for police roles and have a good experience in the workplace.</p> |

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| | <p>Outreach link with NPT to support events and engagement with diverse communities.</p> <p>Community Leader engagement event for Recruitment May 2022 – to understand what is working well and what we need to do differently / more.</p> | | |
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HMICFRS: Disproportionate use of police powers – a spotlight on stop and search and the use of force

| Recommendation | Update | RAG |
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| <p>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.</p> | <p>ASC now run (as of Sept 21) a 2-day conflict management course every year for officers in line with National Policing Guidelines. De-escalation is threaded through the course of this along with PST and Taser courses</p> <p>There is a standalone conflict management package from the College of Policing, which is somewhat similar to the de-escalation training that Avon and Somerset delivered some. We have applied to the College for a licence. However, this package is likely to be delivered during initial training, rather than increase our current 2 day package to 3.</p> <p>We do not deliver de-escalation as a stand-alone package anymore, however it does form a thread through all personal safety training, as per the Scheme of Work and Lesson Plans.</p> <p>As of 10.01.22 ASC are on track with this training.</p> | Green |
| <p>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.</p> | <p>Communication skills, especially in the context of stop search have been part of front line officers training in ASC for the last two years. This training has gone to all Patrol, Neighbourhood and Op Remedy officers.</p> <p>The training consisted of; Stop and Search legislation, Input on Body Worn Video use, Community Impact, Data Quality input – focussing on correct form completion and use of Niche, CPS. Speaker from ASC Safeguarding team talking about recognising vulnerability, especially when dealing with stop search. All of these elements has aspects of communication skills running through them.</p> <p>To support supervisors in their role in this area, a supervisors package has been created setting out their duties in reviewing and debriefing stop searches performed by their teams. This expectation includes review BWV footage of any stop searches, identifying any issues and providing appropriate feedback to those issues and sharing good practice across the team</p> <p>Internal assurance on stop search is used to shape and inform our training, identifying any areas for improvement or development.</p> <p>ASC also provide a quarterly update on stop search to all front line officers. The first section showcases good work, and is one way of sharing good practise quickly to the relevant officers.</p> <p>What good looks like</p> <p>There are further plans for 2022. Stop search CPD will go live in April 2022 – they will include a Microsoft Sway input covering key issues in stop search identified through recent scrutiny, a video introducing the</p> | Amber |

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| | <p>new supervisor Niche template and refreshing management expectations in the area, and a focus on completing the stop search MLE package. Later on in the year a s.60 CPD input will be delivered- likely Autumn, so it doesn't get lost during peak demand of summer but exact date is yet to be confirmed</p> | |
| <p>By March 2022, all police forces should ensure information on the protected characteristics of victims is accurately and consistently recorded.</p> <p>Victims' needs should be a central consideration of any investigation. Victims should be fully supported towards a result that reflects their wishes and considers any discrimination and inequality they may face. Consistent and accurate recording of information on the protected characteristics of victims is needed to help ensure the right support is offered.</p> | <p>A survey was undertaken in late 2021 to assess officers recording of protected characteristics; however, the response was too small to draw any meaningful conclusions.</p> <p>Compliance around the recording of protected characteristics was reviewed in August 2021 looking at data from the financial year April 20-March 21. This showed that for victims age and gender were recorded for 97% and 99% respectively, race 56%, marital status 16% and religion and gender reassignment for 1%. Ethnicity data recording has been identified as an area for improvement via Bluestone. Further work needs to be undertaken to better understand low levels of recording for some of the protected characteristics and to identify interim measures to improve recording, until a technical solution is agreed national by the Minerva working group.</p> <p>April 2022: guidance as to the recording of protected characteristics is required: there is not at present consensus amongst stakeholders. Then, the systems (such as IT) and processes (such as training) to deliver on those decisions is required.</p> <p>Local workarounds may unfortunately be necessary: the Niche solution to this issue will probably not be implemented until at least 2024 as their small team of developers is focused on the Digital Evidence work. This clearly is undesirable and is hampering our work with victims. Because these recommendations arose in the context of rape and VAWG, there were on the radar for Project Bluestone and specifically "pillar 5", which deals with our work on data and is led for us by Jon Dowey. Jon and his group, including Op Bluestone lead DCI Rich Marsh, have continued to look at options since the recommendations were first allocated to me in January.</p> <p>One possibility is that we use a new Niche form, designed primarily to address some evaluation shortfalls in our RASSO recording, is swiftly developed also to include an initial attempt at recording protected characteristics for that crime type. This would address the recommendations for the most part and allow some learning and evaluation before any decisions are made as to the wider (and very necessary) context of other crime.</p> | <p>Amber</p> |