

**'STATE OF POLICING: THE ANNUAL ASSESSMENT OF POLICING IN ENGLAND AND WALES
2022' PUBLISHED BY HMICFRS ON 9TH JUNE 2023
AVON & SOMERSET PCC RESPONSE DATED 31ST JULY 2023**

Introduction

"The police are experiencing one of their biggest crises in living memory. I can't recall a time when the relationship between the police and the public was more strained than it is now. The public's trust and confidence are unacceptably low. The fundamental principle of policing by consent, upon which the service is built, is at risk."

- His Majesty's Chief Inspector of Constabulary

Confidence in policing has continued to decline and is now at the lowest level it has been in years (based on our local Police and Crime Survey). Confidence has been damaged in a number of ways but there seem to be two significant perceptions:

- A failure to protect and respond to the public – police not delivering core policing services well enough.
- In addition, a perception that the police do not provide the same level of service to all parts of the community and are even doing harm to the public. Of particular concern here is the experience of Black and ethnic minority people over many years, which there is still much work to do to address. In addition to this, misogyny within policing has come into sharp focus, with deeply disturbing cases of police officers – such as Wayne Couzens and David Carrick – perpetrating awful crimes against women.

I am clear that, within Avon and Somerset, the Chief Constable must work to rebuild public trust and in my role I will support and challenge her to do this.

There are no new recommendations for Chief Constables in this annual assessment. However, there are some important issues I would like to comment on. This is written under the headings as they appear in the report.

The police aren't always focusing on the issues that matter the most to the public

Factors affecting police performance

I am the national lead for economic and cybercrime on behalf of the Association of Police and Crime Commissioners. This report highlights that fraud and computer misuse offences account for nearly half of all recorded crimes but that approximately only two percent of all police resources are allocated to tackling fraud. Individual police forces do not have the capacity to manage the volume of fraud reports so it is vital that there is an effective central system. Action Fraud has not proved itself to be fit for these purposes and is not sufficiently resourced. The new service, due in 2024, needs to encourage victims to report crimes, deliver a trauma informed response, signpost to relevant support and advice services and improve information disseminated to local forces.

The National Economic Crime Victim Care Unit helps to relieve pressure on police and victim service providers in the areas it operates. However, the care could be provided better by local services so national best practice needs to be developed and funding provided for local commissioning.

The national [Fraud Strategy](#) marks a significant step forward in bolstering our response at a local and national level. This will be supported by £400 million additional funding to tackle economic crime, including fraud. Prosecution and judicial outcomes for fraudsters is less than 5% for most police forces. Whilst this increase in resource will improve investigative capacity it will not be enough to radically improve these outcomes. Private sector partners will need to play a significant part in combatting this crime.

Stronger partnerships also need to be developed with the private sector. The Online Safety Bill and regulation of social media companies by Ofcom will go some way to addressing this but more needs to be done to consider other innovative evidence-based solutions to prevent fraud happening in the name of, or via other private sector organisations.

There is a clear role for a national awareness campaign to bring together existing evidence on economic crime and behavioural psychology to create advice that the public will listen to, understand and act upon to prevent them from becoming victims of fraud. Generating a consistent voice would help information resonate with the public and prevent duplication of effort at a local level.

Although this report only mentions it briefly, I want to ensure a spotlight continues to be shone on the epidemic of male violence against women and girls. This is an area of focus in my [Police and Crime Plan](#) and a lot of national effort is being put into tackle this. Although there are some early signs of progress – such as the increasing positive outcomes in rape cases – we need to see tangible and sustained improvements in outcomes for women and girls before we can draw any meaningful conclusions about the success of this work. The recent expansion of the [Soteria \(Bluestone\)](#) approach, to all police forces in England and Wales, I hope will help deliver the much needed change.

Although the changes that have been made to the Home Office Counting Rules so far are only minor, I welcome any initiative that will improve police efficiency and effectiveness and so support the full review mentioned.

Resources

When the Uplift programme came to an end on 31 March 2023, Avon and Somerset Police had 3,393 officers which surpassed even the temporary Home Office target of 3,371. This is 558 more officers than when the programme began in 2019. This is a significant achievement and I welcome the additional funding which made this possible. However, over the next five years the Constabulary have to make many millions of pounds of savings, which will inevitably result in cuts to police staff roles.

Even if no further savings were required, the level of funding of the police does not enable them to be able to respond in a way that meets the expectations of the public. The imbalance of demand and resourcing is one of the reasons why victims do not always get the service they would like.

The system for police funding isn't fit for purpose

The funding formula must be reviewed. This has been promised and delayed for some time, so I urge the Government to do this soon.

In the current system, funding for Avon and Somerset is below the national average. If we received funding at the national average, we would have an additional £53.1million a year. This would be a 15% increase and would make a considerable difference to the service that could be provided locally.

Court backlogs

The court backlogs are impeding the delivery of justice in this country and they expose victims and communities to more risk.

I chair the Local Criminal Justice Board and I welcome the intention to put this position on a statutory basis following the [PCC Review Part 2](#). However, in the absence of stronger levers in respect of criminal justice agencies (other than the police) it is difficult for me to proactively solve problems like these.

The police need to carefully balance their priorities

One of the areas of focus in my [Police and Crime Plan](#) is demand management to increase visible policing and time to fight crime. This report provides support as to why this is important. The police have continued to deal with a significant level of non-crime demand including people with mental ill-health and picking up demand from other partners, particularly health demand. The police should not be dealing with situations they are not trained to deal with simply because other agencies cannot.

The Constabulary have already started to explore what changes they can make based on the Humberside Police model called [Right Care, Right Person](#).

The police aren't always getting the basics right

In our PEEL inspections, responding to the public and investigating crime are still the worst-performing areas

The ability to deliver core policing services has been hindered by a lack of capacity and capability. Although Uplift largely restores the numbers of officers that were lost during austerity, capacity is not fully restored due to the time spent at university and the need to tutor all the new officers. The fact that so much of the workforce has less than three years' service also means capability is not where it needs to be; time and experience are needed to address this.

An additional challenge is the lack of accredited detectives. In Avon and Somerset it will take more than another two years before they reach the target number of accredited detectives.

Investigative standards need to improve the service for victims and be perpetrator focused so that there is a greater proportion of 'Positive Outcomes'. In particular, stopping the increasing numbers of 'Outcome 16' where the victim declines to prosecute (suspect identified). Outcome 16 accounts for over half of outcomes in Domestic Abuse cases.

As well as challenges among officers there are also difficulties with recruitment and retention of police staff: with pay, flexible hours and home working all being factors. We have had challenges with call handlers, in the intelligence teams and in IT, to name a few.

For all officers and staff a key to being able to get the basics right is Continued Professional Development (CPD). We cannot expect that people are trained when they join the police and that is enough. To combat new and developing challenges there needs to be robust CPD for the policing workforce. However, CPD can be challenging to embed when balanced against operational commitments.

Effective neighbourhood policing is vital for prevention

Prevention is the overarching theme of my [Police and Crime Plan](#). Given that a small proportion of offenders commit a large proportion of crime the most effective way to tackle this problem is by reducing reoffending. To tackle reoffending the first step is to bring the offenders to justice. Therefore responding to and investigating crime is an essential part of prevention.

As this report states: neighbourhood policing plays a pivotal role in preventing crime. However, addressing the root causes of crime cannot be addressed by the police alone. It is critical that the police work with partner agencies in the public sector and voluntary, community and social enterprise sector alike. Taking this holistic approach will help ensure people get the help they really need and is the only way to truly break the revolving door of reoffending and prevent people committing crime in the first place.

Stop and search is an essential tool that needs to be better understood

I believe Stop and Search is an essential power for the police to be able to exercise – and as the report shows there is a lot of public support for it.

However, both national and local evidence shows this power is used disproportionately against Black and other ethnic minority people. This must be explained or reformed. My

office supports an Independent Scrutiny of Police Powers Panel which provides community oversight of Stop and Search in Avon and Somerset. Stop and Search is one of the pillars in the [Identifying Disproportionality in the Avon and Somerset Criminal Justice System](#) report. My office have facilitated a multi-agency group to implement the recommendations from this report and have recently established an independent community scrutiny group to oversee this. In addition, as part of the Police Race Action Plan the Constabulary are currently considering their policy on Stop and Search and how they might improve its use.

I fully support the national recommendation for there to be academic research to “*quantify the deterrent value of stop and search and the causes of disproportionality in its use*”.

The police don't collect and analyse data well enough

I accept that data quality is an issue within policing at a local and national level. However, the Constabulary do collect a lot of data and use this to help inform their operational policing deployment as well as strategic oversight. The Constabulary are very transparent with their data and my office have broad access to this to help me discharge my duties and scrutiny of policing.

Picking up on the theme of transparency I wanted to highlight the work I do with my office. We publish a [quarterly performance report](#), an [annual report](#) and on a monthly basis I hold a [Performance and Accountability Board](#) where the public can see me using data to hold the Chief Constable to account.

Governance, leadership and workforce reform

A modern governance structure for a modern service

The relationship between me (or any PCC) and their Chief Constable is critical to get right. HMICFRS have observed this has not always been the case in different areas. I am elected by the public and act as the voice of the public. I use my elected independence to hold the Chief Constable to account for the policing in Avon and Somerset, while recognising the importance of her operational independence to deliver policing. The political independence of the police is a cornerstone of the Peelian Principle of policing by consent.

In developing the [Police and Crime Plan](#) I worked collaboratively with the Chief Constable and know the plan represents a shared vision of the outstanding policing we want for Avon and Somerset.

The importance of independent inspections

As PCC I commission victim services; in the last year this was worth over £4 million in Avon and Somerset. His Majesty's Chief Inspector of Constabulary says HMICFRS should be able to inspect “*policing services, such as victim and witness services*”. As primary commissioner of victim services this is not a suggestion I support at this time.

Firstly, by definition, victim services are not policing services: they are often independent organisations that support victims irrespective of whether the victim has reported the crime to the police. These services are primarily provided by the voluntary, community and social enterprise (VCSE) sector. It is worth highlighting that my office already conduct regular contract management meetings with the services I commission and on a periodic basis there

is a process of recommissioning whereby all providers will need to demonstrate they can deliver a specified service to a particular standard otherwise existing services will not receive future funding.

This process in itself makes the commissioning of victims services very different to my commissioning of the police. Ultimately, I can withdraw funding from the victim services if they perform poorly and fund a different organisation instead: this is not the case with the police force. I believe HMICFRS does have a role in relation to victims and witnesses but only insofar as they inspect the service provided by police forces to victims and witnesses.

I am not aware of any consultation with the VCSE sector on these proposals and this would be required prior to any changes. If it was felt victim services did need some additional inspection, careful consideration would need to be given to whether HMICFRS are the right agency to do this. For example, HMICFRS would need to bring or train specialists in their workforce to understand what is best practice for victim services.

I have a legal duty to respond to HMICFRS reports within 8 weeks of their publication. As this report notes: after 8 weeks there is often not substantial progress from the police against recommendations made, nor would I expect there to be in most cases. The suggestion is that PCCs should be required to comment *“at least annually or more frequently as deemed reasonable in the particular circumstances”*. While I agree that commenting at a later point could be useful, for transparency, to the public I think this should only be as reasonable in the circumstances.

I do not consider it necessary to have additional legal powers or responsibilities to be able to follow up on how the Constabulary are progressing with their recommendations. I have already put effective arrangements in place to oversee the Constabulary’s progress against the areas for improvement from their PEEL report. I will now be improving the process by which I oversee other HMICFRS recommendations.

Selecting and supporting the right leaders

There is a recommendation in the report to *“re-establish the involvement of the Inspectors of Constabulary in the selection and appointment of police chief officers”*. While I recognise the insight that HMICFRS could provide in the appointment process, I believe any involvement should be at an early stage, and before short-listing of candidates. The ability of PCCs to appoint the Chief Constable is critical to our role in being able to hold them to account for providing efficient and effective policing. It is our responsibility and we can and should be held accountable, by the electorate, for this decision. Similarly, when it comes to appointing other chief officers this must ultimately be the preserve of the Chief Constable. A Chief Constable must have the ability to hire, promote and dismiss the officers and staff in their force.

I believe the culture in policing must change and I will comment more on this below. The key to changing organisational culture is leadership. I am pleased to say in Avon and Somerset the Chief Constable is leading from the top to address these concerns. However, there remain challenges in front-line leadership. There needs to be better support for and accountability of leaders at this level. It is these leaders who can really change behaviours and, in turn, the culture of the organisation.

I am pleased with the developments – being made by the College of Policing – that are mentioned in this report. During my time as PCC I have supported the Constabulary in introducing their own Leadership Academy to improve standards locally. In the last year I agreed for them to expand this Academy to provide additional targeted support for officers before their first promotion.

Standards and culture must improve

Misogyny and racism in policing are not just a result of a few ‘bad apples’ that slip through vetting. Vetting absolutely needs to improve but there is a bigger challenge of culture. There is no place for racism, misogyny or any discrimination within policing. Policing doesn’t exist in a vacuum and where we still have misogyny and racism in society at large this will inevitably find its way into policing. This is exacerbated by the lack of diversity within the police workforce and policing traditionally operating in an insular and defensive manner. There needs to be a truly inclusive culture so that people from diverse backgrounds feel valued and want to stay in the police once recruited. Institutional racism can only be overcome through cultural change.

On a daily basis, people in policing demonstrate extraordinary courage in the situations they respond to and deal with. However, it is important they display this same level of courage, internally, in being able to challenge and report inappropriate behaviour by colleagues. Staff need to be empowered and supported to act on ‘vapour trails’ i.e. act on concerning signs at an early stage rather than waiting for behaviour of colleagues to escalate before taking action.

I agree with the report that standards of appearance can be overlooked but are actually very important. Not only is it reassuring for the public to see a professional police force it also sets the right culture: that detail matters.

Dismissing corrupt and incompetent officers

I think the process for dismissing corrupt and incompetent officers should be easier. I completely agree that if officers have their vetting clearance withdrawn then they should be dismissed, as they are clearly unable to do their job.

I also strongly believe that Chief Constables should have more direct control over the dismissal of officers. Currently, most misconduct hearings are held by a panel with an independent Legally Qualified Chair. While their independence and expertise is welcome there have been several cases where the Chair has decided *not* to dismiss the officer even after a finding of gross misconduct. I agree with His Majesty’s Chief Inspector of Constabulary that *“as a matter of principle, the head of an organisation should be able to decide who is employed by that organisation.”*

Recruiting the right people and keeping them in the service

Now that the Uplift has been achieved the police need to take a more considered and targeted approach to recruitment to bring greater diversity into the policing workforce. Specifically, bringing in higher levels of recruits that are from an ethnic minority background and female recruits. Increasing representation of different people in policing will help tackle some of the cultural issues discussed above.

Police officer pay

I have heard first-hand the concerns about pay in policing and I completely understand that the police feel like they are being left behind. It's important to recognise that, unlike most public sector organisations, the police are legally prohibited from going on strike and must accept any pay award they are given.

I think there is a need for detailed research into pay and allowances for officers and staff. This needs to be considered at a national and regional level with an aim of also bringing greater consistency across forces so they can collaborate more easily and do not compete with each other for staff.

Well-being

It is absolutely right that I acknowledge the bravery of those who work in policing – particularly front line officers – who routinely put themselves in harm's way to help keep us all safe. This is something we should never forget when discussing policing in this country. The minimum that should be expected in return is that the workforce are supported to be happy and healthy. It has long been acknowledged the risk of physical injury that officers expose themselves to in doing their jobs. However, there is now better recognition of the psychological impact that policing can have on officers and staff. The Chief Constable has started to develop a 'trauma-informed' approach for the workforce so that colleagues can better support each other. Again, good leadership, at all levels, is essential to improve this.

Conclusion

The police do a great job with the resources available to them but public confidence in the police needs to be restored to keep the Peelian model of policing by consent. I will continue to play my part by being the voice of our communities and transparently holding the Chief Constable to account for delivering efficient, effective and legitimate policing.

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