


# PCC and CC Force Inspection response record

Version Dec 2024

<b>Force</b>	Staffordshire
<b>Police and Crime Commissioner</b>	Ben Adams
<b>Chief Constable</b>	Chris Noble
<b>Title of inspection</b>	<a href="#">Inspection of race disparity in police criminal justice decision making</a>
<b>Published Date</b>	25 August 2023
<b>Inspectorate</b>	 <p><b>HMICFRS</b> Making communities safer</p>
<b>Summary of inspection</b>	To explore race disparity in the police forces selected for fieldwork, and in particular how well they understand, scrutinise and communicate their relevant work.
<b>Grade</b>	
<b>Recommendations</b>	<p><b>Recommendation 1</b> By 30 September 2024, the Ministry of Justice and the Home Office should include more police criminal justice decision points in the data that is required to be published because of section 95 of the Criminal Justice Act 1991. The requirements should specifically include ethnicity information for all out-of-court disposals, police decisions to charge and decisions to bail after charge.</p> <p><b>Recommendation 2</b> By 30 September 2024, the National Police Chiefs’ Council criminal justice lead should work with the Home Office and the Ministry of Justice to create an action plan that will make sure information from all forces on police criminal justice race disparity is better gathered, analysed, scrutinised and published.</p> <p><b>Recommendation 3</b> By 30 September 2024, the National Police Chiefs’ Council criminal justice lead should work with the National Police Chiefs’ Council diversity, equality and inclusion lead to make sure that consideration of criminal justice race disparity is included in the revised ‘National Police Chiefs’ Council diversity, equality and inclusion strategy, Police Race Action Plan’ and associated documents.</p> <p><b>Recommendation 4</b> By 30 September 2024, the National Police Chiefs’ Council criminal justice lead should work with other relevant National Police Chiefs’ Council leads, the College of Policing and the Association of Police and Crime Commissioners to give guidance to chief constables on police criminal justice race disparity. This guidance should include ways to gather, analyse, scrutinise and publish information on police criminal justice race disparity.</p> <p><b>Recommendation 5</b> By 30 September 2024, the Home Office should revise its Crime Outcomes Framework. The revision should include:</p> <ul style="list-style-type: none"> <li>ending the use of a single crime outcome type for all charges irrespective of whether the police or Crown Prosecution Service made the decision; and</li> </ul>

- introducing two distinct crime outcome types: one for charging decisions made by the police; one for charging decisions made by the Crown Prosecution Service.

**Recommendation 6**

**By 30 September 2024, chief constables should make sure that forces carry out comprehensive analysis of race disparity in police criminal justice decision-making. Where this analysis indicates that people from ethnic minority backgrounds are disproportionately affected, police forces should explain, or revise, their ways of working.**

**Recommendation 7**

By 30 September 2024, the National Police Chiefs’ Council criminal justice lead should issue guidance to chief constables about using the Youth Justice Board summary disproportionality tool. This should include whether data-sharing agreements are required and how to incorporate the available data into the overall analysis, scrutiny and publication of police race disparity information.

**Recommendation 8**

**By 30 September 2024, chief constables should make sure that information from the Youth Justice Board summary disproportionality toolkit relevant to the force area is included in their force’s analysis of police criminal justice disparity.**

**Recommendation 9**

By 30 September 2024, the National Police Chiefs’ Council criminal justice lead should work with chief constables, and the relevant business user groups for police record management systems, to make sure that effective systems and processes are in place to gather information on potential race disparity in police criminal justice decisions. This should include making changes to record management systems so that recording data on self-defined ethnicity is mandatory.

**Recommendation 10**

**By 30 September 2024, chief constables should make sure that work takes place with communities, police and crime commissioners, and other agencies to establish or build on arrangements for the scrutiny of police criminal justice disparity.**

**Recommendation 11**

**By 30 September 2024, chief constables should make sure that information about criminal justice disparity is published on force websites, or that force websites clearly link to other websites where this information can be found. Published information should include any explanations for identified disparity and actions forces will take to address it.**

**Recommendation 12**

By 30 September 2024, the Ministry of Justice should work with the Home Office, the Association of Police and Crime Commissioners and other interested parties to decide whether Local Criminal Justice Boards should take a prominent role in collecting and publishing criminal justice disparity data.

**Recommendation 13**

By 30 September 2024, the College of Policing should adapt the training given to student officers about the Equality Act 2010 so that it includes the subject of gathering information about ethnicity and other protected characteristics, and why this is important. The specific learning module on the Equality Act 2010 should also include this information, and this module should become mandatory for all relevant police officers and staff.

**Areas for improvement**

## Police, Fire and Crime Commissioner's initial response

I welcome this report from HMICFRS. Tackling race disparity across the policing elements of the criminal justice system is fundamental to ensuring public confidence and trust in the service. In my role as Chair of the Local Criminal Justice Board I hold services to account for ensuring fair access to services and fair treatment of everyone engaged in the system. Understanding disproportionality is vital to this process and the wider public scrutiny of the CJS. I share HMICFRS' frustration that poor data quality continues to be a barrier to achieving much needed transparency. The clarity that these recommendations bring to data collection accuracy, analysis, scrutiny, publication and data sharing will support the LCJB to build on arrangements for the scrutiny of criminal justice disparity.

## Chief Constable's response

Reinforced by this HMICFRS report, the force is committed to address racial disparities in policing. The force's own Police Race Action Plan, which I have championed, is based around the deliverables in the national plan, with a particular focus on increasing engagement, improving racial disparities in the workforce, improving support for victims and tackling racial disparities in the use of police powers, such as stop and search.

The long timescales given by HMICFRS on the recommendations reflect the important and difficulties of the subject.

The force is dedicated to disparity/disproportionality and will ensure work is ongoing. This is a priority for the force and the senior leadership team. The emphasis we have made on these recommendations are reflected in the fact that the work under the Police Race Action Plan (PRAP) is being chaired at a Gold level by me personally. This meeting sees a range of partners coming together to look at how we can improve equality and make a real difference in relation to racial inequality.

### **Recommendation 6**

*By 30 September 2024, chief constables should make sure that forces carry out comprehensive analysis of race disparity in police criminal justice decision-making. Where this analysis indicates that people from ethnic minority backgrounds are disproportionately affected, police forces should explain, or revise, their ways of working.*

This recommendation is focused on how we use race disparity data to inform better decision making across the criminal justice journey for victims, witnesses and those accused of crimes. Importantly, the work under the PRAP focuses on racial inequality but Staffordshire Police takes all aspects of inequality seriously.

Since the recommendations were published a number of activities commenced in relation to the PRAP and improving the way that Staffordshire understands and deals with racial disparity. There are two things in particular that support and allow this outstanding recommendation to be finalised. Firstly, the Staffordshire Centre for Data Analytics completed a disproportionality product that looked at an array of disproportionality stats and included specifically racial disparity. That product has been fed into the performance framework and into thematic leads to enable change and improvement. This was a one-

off bespoke piece of analysis that has helped provide important context and opportunity to staff and leaders.

Secondly, the performance framework developed through the PRAP has started to provide visibility of a range of metrics, including disproportionality data to aid decision making and performance management. This is both through internal custody review processes and the PRAP board. This is now business as usual and is being tracked by the Performance Team. The refresh of the policing plan April 2025 will see KPIs being developed which will include disproportionality being amongst other force KPIs for the first time for tracking and visibility - therefore improving analysis and improvement in decision making.

### **Recommendation 8**

*By 30 September 2024, chief constables should make sure that information from the Youth Justice Board summary disproportionality toolkit relevant to the force area is included in their force's analysis of police criminal justice disparity.*

A review has taken place in relation to the disproportionality toolkit and the approach to how it is used within the force to support analysis and improving criminal justice disparity. The toolkit has been embraced by the Youth Offending Team. The toolkit has supported analysis by police and partners, with an emphasis being place on identifying disparity within processes and procedures. There are two YOT officers, one County and one City. There are established pathways with partners that see the toolkit being used in decision making to support outcomes for each child. When this concerns a child offender, the toolkit is used to balance outcome, disparity and ensuring rights for victims are considered. This is used to support understanding across the partnership, for example in things like appropriateness and analysis of O OCD for children. On the basis that this is embedded in how the YOT work and is part of the ongoing decision making with partners, this recommendation is complete and ongoing analysis is in place to continually improve disparity in this area of the justice system.

### **Recommendation 10**

*By 30 September 2024, chief constables should make sure that work takes place with communities, police and crime commissioners, and other agencies to establish or build on arrangements for the scrutiny of police criminal justice disparity.*

This action sits at the heart of the Police Race Action Plan. The force has taken a serious approach to improving across a number of areas where disparity is evident. The approach is such that this has seen the force adopt a gold structure in relation to progress. As Chief Constable, I chair this group, placing a clear emphasis on the importance of the approach within Staffordshire. This recommendation is also completed in the sense that the work continues with the Staffordshire Commissioner's Office and through Ethics, Transparency and Audit panels to ensure that disparity data is looked at when thematic reviews take place. This affords the ability for members of the public to directly scrutinise the work that the police undertake, particularly highlighting disparity issues.

In addition to this. the Gold group for PRAP has now introduced members outside of Staffordshire Police to the meeting. This includes members of the public, universities and partners. This offers a unique and important array for views, enabling a robust approach to scrutiny in how Staffordshire Police reduces disparity in the services we deliver.

In the above two aspects, it is perhaps crucial to highlight that the approach taken is not only one of scrutiny, but also one to look at the community, PFCC and others directly influencing and supporting the plan as it develops.

**Recommendation 11**

*By 30 September 2024, chief constables should make sure that information about criminal justice disparity is published on force websites, or that force websites clearly link to other websites where this information can be found. Published information should include any explanations for identified disparity and actions forces will take to address it.*

This recommendation is now complete with Staffordshire Police ensuring that data is published on the force website to enable transparency and visibility with the communities we serve and the wider public. This disparity data is now published on the force website and one such example is the stop and search disparity data, which can be accessed here:

<https://www.staffordshire.police.uk/SysSiteAssets/media/downloads/staffordshire/stats-and-data/stop-and-search/stop-search-report---2023---2024.pdf>

In addition to this, the force is seeking to ensure a wider publication system for key performance indicators, particularly focused upon disparity datasets.

**Police, Fire and Crime Commissioner's overall comments**

I welcome the Staffordshire Chief Constable's response to this report and the importance he has placed on progressing the improvements detailed in the Police Race Action Plan. As with all recommendations to be addressed locally, I will maintain oversight of progress the force is making towards them. The majority of the issues highlighted are national ones which need continued pressure on the wider CJS to ensure momentum is maintained. As Chair of Staffordshire's Local Criminal Justice Board, I will continue to hold criminal justice partners to account for ensuring fair access to the system and fair treatment of those in it.