

Cheshire Police and Crime Commissioner's Response to His Majesty's Inspectorate of Police and Fire and Rescue Services (HMICFRS) Inspections

Title of Inspection	Race and Policing: A review of the police service's leadership and governance arrangements for race-related matters.		
	Race and Policing: An inspection of race disparity in police criminal justice decision-making.		
Date Inspection Published	25 August 2023		
Type of Inspection	Thematic		
	Cheshire Specific	No	
	Cheshire Quoted	No	
Recommendations	National	Yes	
	Local	No	

Report/s Summary

In July 2021, the Home Affairs Committee published '*The Macpherson Report: Twenty-two years on*' and it has been recommended that a series of inspections of race and policing should be carried out by HMICFRS to start in 2022. The effectiveness of the national leadership and governance arrangements that relate to race and policing was the first in this series.

Alongside the review, HMICFRS published an inspection of race disparity in police criminal justice decision-making. Concluding that leadership and governance from central government and senior police officer needs improvement, it also states the lack of published data nationally to be concerning, given the impact on communities and individuals. Despite there being evidence of race disparity in police criminal justice, the report calls for greater understanding to explain why. Given that it is not helpful that ethnicity is not recorded in a consistent manner, the review indicates that police officers receive inadequate guidance and training explaining the reasons for the importance of gathering accurate information on the ethnicity. Consistency in scrutinising police powers as well a wider community involvement in this is needed to bring greater transparency.

Recommendations:

As soon as possible, the National Police Chiefs' Council and the College of Policing should finalise and publish the Police Race Action Plan. Forces should implement this plan, following its publication, without delay.

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.

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.

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.

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.

Constabulary response:

As a force, we have a duty to enforce the Equality Act (2010), both internally and externally. We have established a Diversity, Equality, and Inclusion (DEI) team to ensure that these values are enforced in line with protected characteristics.

In 2022 we launched our own Police Race Action Plan in support of the NPCC plan. Our plan includes a number of workstreams geared towards us achieving compliance with the recommendations from the 2023 HMICFRS reports on Race and Policing.

The foundation of these improvements is the information that we collect to help us understand the problems. We have significantly improved our recording practices and monitoring processes and we now have dedicated analytical resources looking at protected characteristics and disproportionality.

Our External DEI board (EDEI) is responsible for the monitoring of DEI performance. The EDEI Board are tasked with the reviewing of DEI data in order to analyse patterns and trends, and in turn, to find areas for improvement - but also evaluating the adequacy of the action taken by the Constabulary in regard to these proposed areas of improvement.

Commissioner's response

I was pleased to receive the reports from HMICFRS on race and policing and have discussed the content with the Chief Constable.

The reports emphasise the need for police and crime commissioners to hold their chief constables to account in this area, but some were not doing this due to limitations in their Police and Crime Plan. I have been able to hold the Chief Constable to account based on the following pledges in my plan:

- Continue to work with the Chief Constable, Cheshire Police staff networks and most importantly people from under-represented communities themselves, to understand the disparities and inequalities that exist and how I can play my part in tackling them.
- Ensure the Constabulary implements the principles of the Police Race Action Plan which has been developed by the National Police Chiefs' Council and the College of

Policing, to address the significantly lower levels of trust and confidence in the police among some Black communities and the race disparities affecting Black people.

- Be a key advocate for diversity-related issues and tackling racism and discrimination.
- Encourage and scrutinise the use of Out of Court Disposals to provide a positive outcome for victims.

When I returned to office in May 2021 one of my top priorities was to improve transparency, and a key activity has been to establish an Independent Ethics Panel. This panel not only examines ethical issues but was asked last year in an extension to their remit to scrutinise the Constabulary in relation to race and disparity. Their findings are published on my website for wider reassurance to the public of Cheshire.

Commissioners can bring together other agencies via Local Criminal Justice Boards, and here in Cheshire there is work ongoing through a subgroup which looks at disproportionality in the criminal justice system. The focus of their work has been around the Lammy Review and they have reported back on their findings and how the recommendations have been progressed. The group will continue to review this on an annual basis and report back as appropriate.

The review implies that external community scrutiny of police-decision making in relation to disparity is insufficient. Activity that my office has undertaken has been to overhaul the panel that reviews out of court disposals, an area the review gave significant attention. I am pleased to report that there is already scrutiny of Community Resolutions in Cheshire, and the makeup of the panel includes community representatives as well as criminal justice and victim service partners. Work is ongoing to recruit more community representatives with a focus on them being from diverse backgrounds, as well as young people.

The Association of Police and Crime Commissioners (APCC) have created various tools to assist Commissioners and their offices in creating an effective 'holding to account' framework. My office is currently refining these guidelines to create a bespoke plan suitable for local needs.

My work with staff networks, and external organisations representing minority communities such as Pearls of Cheshire, enable me to understand first-hand the experiences of disproportionality. Furthermore, my office supports me in attending panels such as Custody Scrutiny Panel and is already alive to the concerns in the report, suggesting improvements in reporting more clearly the disparity that may exist in charges, cautions and community resolutions.

I will continue to work with the Chief Constable in challenging disparity at every opportunity and will do so in partnership with the communities I represent.



John Dwyer

Police and Crime Commissioner for Cheshire