



HER MAJESTY'S CHIEF INSPECTOR
OF CONSTABULARY

ANNUAL REPORT
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Report of Her Majesty's Chief Inspector of Constabulary

2005–2007

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Report of Her Majesty's Chief Inspector of Constabulary

For the period 1 April 2005 – 31 March 2007

Ashley House
2 Monck Street
London SW1P 2BQ

The Rt Hon Jacqui Smith
Secretary of State for the Home Department

I present my Report upon the police forces of England and Wales
for the period 1 April 2005 – 31 March 2007

Sir Ronnie Flanagan GBE QPM MA

Contents

Foreword	8
Chapter 1: Issues for the Police Service	12
Police capabilities	13
The Review of Policing – Interim Report	14
Criminal Justice Inspectorates	16
Independent Inspectorates	16
Working together – the Joint Inspection Business Plan	17
Northern Ireland	17
Back office services	17
Freedom of Information	18
The Police Service	18
HMIC	18
Chapter 2: HMIC's Work	20
Baseline Assessment	21
Baseline Assessment until 31 March 2006	21
New Programmed Inspections	22
Thematic inspections	23
First Contact – a thematic inspection of Police Contact Management	23
Beyond the Call – a thematic inspection of police contact centres' contribution to incident management	25
Raising the Standard – a thematic inspection of professional standards	26
Personnel, Training and Diversity	27
Personnel and HR	27
Inspection of the HR Function in the Police Service of Northern Ireland	28
Health and Safety	29
Learning and Development	29
Safety Matters	30
Race and Diversity	31
Equalities audit	31

Northern Ireland	32
Her Majesty's Revenue and Customs Inspection	33
Handling of human intelligence sources	33
Preparedness to meet disclosure obligations	34
Further inspection deferred until new processes in place	34
Inspection of the Serious Organised Crime Agency	35
Special commissions	36
Jean Charles de Menezes	36
Iraq	36
Airport policing	36
Palace of Westminster	37
Counter-terrorism	37
Non-sanction detections	37
Other areas of inspection work	39
Royal Military Police	39
Cleveland Police/Cleveland Police Authority – Corporate Governance Inspection	40
Nottinghamshire Police	41
HMIC judgement	42
The Police National Computer and Information Management	43
The Police National Computer	43
Information Management	43
Going Local 3 Inspections	44
Our projected work	45
Protective services	45
Vulnerable persons	45
Neighbourhood Policing	45
Front-line Supervision	45
Thematic and commissioned workstreams	46
Senior Appointments Panel	47
Chapter 3: Joint Working	48
Joint Inspections of Criminal Justice Areas	49
Overall findings	49

Joint Inspections of Youth Offending Teams	50
Overall findings	51
Other joint reports	51
Managing Sex Offenders in the Community	51
Putting Risk of Harm in Context: An inspection promoting Public Protection	52
Without Consent: A report on the joint review of the investigation and prosecution of rape offences	53
Justice in Policing	54
Chapter 4: Police Service Performance	56
HMIC inspection methodology	57
Programmed Inspection	57
Phase 2	57
Phase 3	58
Phase 4	58
Police Performance Assessment Framework	58
Tackling crime	59
Serious crime and public protection	59
Protecting vulnerable people	60
Satisfaction and fairness	61
Implementation of Neighbourhood Policing	61
Local priorities	62
Resources and efficiency	62
Overall performance in 2006–07	63
Future joint performance assessments	63
Annex	64
Part One: Background	65
Part Two: Functions	65
Part Three: Organisation	66
Part Four: The Inspection, Assessment and Advisory Functions	67
Part Five: The Statutory Duties of HM Inspectors of Constabulary	76
Part Six: The Funding of HMIC	112
Part Seven: Our Contact Details	115
HMIC Regional Structure	118

FOREWORD



Adding value by improving law enforcement

As regular readers of these Annual Reports will know, it has been the custom of Her Majesty's Chief Inspectors of Constabulary to produce a report for each financial year. However, events affecting the Police Service and HMIC have been such over the past 24 months that it seemed right to reflect these changes in a report which took a broader 'sweep'. Hence, this Report covers a longer period than in the past: 1 April 2005 until 31 March 2007. Even then, it is difficult to write about a public service which sees daily change. I expect to be able to return to the more usual timeframe for our next Annual Report.

The Police Service has faced unprecedented policing challenges over the past two years, many of which derive from international tensions. The first thing I should say, therefore, is that the Police Service has responded professionally to these threats. As the events in London two years ago showed, there is now no down time for the Police Service: it must remain vigilant and effective, and the public expect no less. The pressures on those who deliver policing services, be they senior or junior, uniformed or civilian, have been intense. As Chief Inspector of Constabulary, I cannot offer any prospect that the intensity of demand for police services will slacken, but I can say that the tradition established so far has been one of which the Service as a whole can be extremely proud.

At the same time, the Service has also had to contend with a programme of potential amalgamation, which aimed to increase the capacity of the Service to deliver the Government objectives of tackling crime and protecting the public. Inevitably, this was an unsettling time for the Service, and I am pleased that many aspects of the work, particularly those that would trouble the Service most, are now behind us. Instead, we are working with the Service, the Home Office, the Association of Chief Police Officers and the Association of Police Authorities to put more collaborative working arrangements in place to achieve stakeholders' objectives.

As is widely known, I am presently engaged in a Review of Policing. The Home Secretary commissioned me to conduct this Review, and in Chapter 1 I spend a little more time reporting on the work so far. This is a major task, and reflects, I think, the importance which the Government attaches to efficient and effective policing. I will be able to reflect on the Review, its findings and how it has been received in my next Annual Report.

A changing HMIC

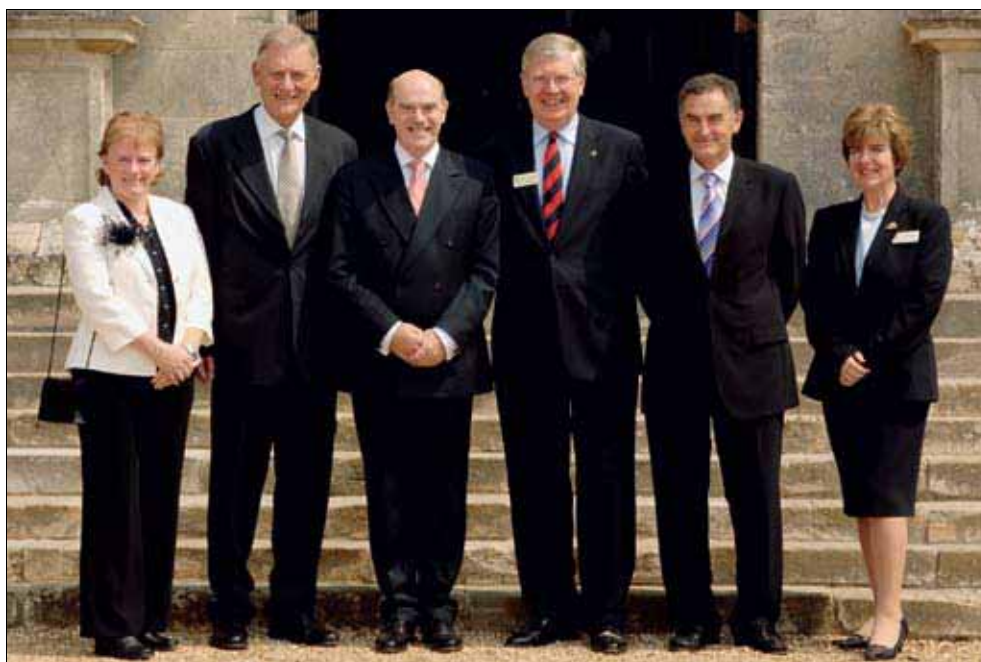
HMIC has also been facing pressures to change, from both inside and outside the Police Service. As I note in Chapter 3 of this Report, we are now pressing ahead with our partner Criminal Justice Inspectorates to embed an enhanced regime of joint working to give us all the opportunity to address problems which are better resolved when they are approached across the Criminal Justice System as a whole.

The Government's intention was to form a single Inspectorate in the area of justice, community safety and custody, and we are building on the principles which were established in the course of this constructive and important debate. As my Report shows, our working with partner Inspectorates is now even more an everyday feature of our inspection programme. This development is alongside our increasingly broad inspection portfolio, which now includes HM Revenue and Customs, the Serious Organised Crime Agency and counter-terrorism.

In one sense, these developments reflect the changes which have been absorbed by HMIC during its long and distinguished existence. I was proud to preside over our celebrations in the summer of 2006 of our 150th anniversary. Our history records just how much both the Service and HMIC have evolved to meet the new challenges. Further information can be found on our website at: www.inspectorates.homeoffice.gov.uk/hmic

A significant component of our inspection programme in recent years has been Baseline Assessment. With three years' experience of this new inspection regime behind us, and having adapted the Baseline Assessment Programme throughout those three years, we are now pursuing a four-phase sequence of assessing and inspecting particular characteristics of policing services. More detail is given in Chapters 2 and 4, but it is fair to say that our latest methodology and approach to programming inspections fully reflect the needs of the Service, and concentrate our resources on where they can be used to greatest effect. Long gone are the days of standardised, regular and frequent inspections which no longer suit the dynamics of a modern Police Service. This, I hope, shows HMIC responding to need, once again.

I have been blessed over the past two years with a steady and stable inspection team. The personnel making up the team are the same as at my last report, although, at the time of writing, we are about to lose Huw Jones when he retires from the Service. I am pleased to acknowledge his significant contribution to the work of HMIC, and this was recognised, alongside his substantial Police Service work, in the award of a Queen's Police Medal. This honour reflects the strong and determined nature of HMIC's workforce, which works long and hard in the service of our law enforcement colleagues and of the public.



Kate Flannery, Ken Williams, Sir Ronnie Flanagan, Robin Field-Smith, Denis O'Connor, Jane Stichbury

HMIC's work continues to be connected with the work of the Association of Police Authorities, the Association of Chief Police Officers and with other representative bodies, including our partner organisations in Scotland and Northern Ireland. We are now working with the National Policing Improvement Agency, as well as the Independent Police Complaints Commission, the Audit Commission, the Health and Safety Executive and many other interested and associated bodies. This, again, shows the collaborative nature of our work – as necessary in inspection as it is in all policing operations.

HMIC, with the Police Service and all our other partners, now looks to an exciting if challenging future. Our work is not inspection for inspection's sake but aims to help drive up performance and highlight good practice. We are also working more closely with colleagues in other Inspectorates. With our reputation firmly established, we are also inspecting other policing and security organisations, such as the Royal Military Police (page 38).

Of course there is a great deal of work still to be done but, after our years of working with the police, I know that those who work in the Police Service are keen to learn from the past while delivering a modern, relevant and trusted service to the public everywhere in the future.

CHAPTER 1

Issues for the Police Service

A modern Police Service will always face new challenges. Part of our role at HMIC is to support the Service in tackling these challenges to help improve performance



Police capabilities

Over the past two years a major preoccupation for us has been the work which the then Home Secretary commissioned us to do: namely, looking at the capacity and capability of the Police Service to deliver against the challenges of the new millennium, and a debate about amalgamating forces ensued.

For both ourselves and the Police Service, the amalgamations issue is now behind us. I neither want to dwell too much on the detail in this Report, nor to seek to describe the positions which were taken up by many interested observers. Suffice to say, however, that although this was a bruising experience for all those involved, HMIC has been at pains to draw out the benefits of the exercise for the Service.

As is well known, our analysis and assessment was based on the premise that we needed to establish appropriate levels of capacity and capability of individual forces – and the Service as a whole – to provide protective services to the public. In doing so, we were able to open a crucial debate and to provide a better understanding about the needs of communities in this important area of policing work and the ability of the Service to meet the public's expectations.

In April 2005 the Home Secretary commissioned us to undertake an assessment of the capability and capacity of the Police Service in relation to some of the more serious aspects of policing. *Closing the Gap* was published in September 2005 and detailed our response to that commission. The report highlighted that there were significant shortcomings not only in service provision but also in leadership development, resilience and, an area that has become more critical as time passes, the financing of policing.

Much work has been undertaken as to how best to close the gap identified. The initial thrust for structural solutions has been replaced with a drive for more co-operative and collaborative approaches, as outlined to forces and police authorities by the Police Minister in February 2007. This process includes 'Demonstrator Projects' (supported by funding from the Home Office and overseen by the National Policing Board), which range from comprehensive shared 'Protective Services' commands to joint major enquiry teams. The lessons learnt from this programme will be shared across the Service to assist in closing the gap. However, there is a requirement by the Minister that all forces and authorities include in their policing plans how they intend to provide the appropriate level of service provision in relation to these aspects of policing.

The Review of Policing – Interim Report

Following the publication in March 2007 of the policy review report *Building on Progress: Security, Crime and Justice*, the Home Secretary appointed me in April to conduct an Independent Review of Policing.

The Review examines the progress made in four areas and will make focused recommendations on:

- how we reduce bureaucracy and promote better business processes;
- how we sustain and mainstream the excellent progress that has been made on Neighbourhood Policing;
- how we can ensure that the public are driving local policing priorities and improve local involvement and accountability; and
- how the Service can manage its resources effectively to deliver on the tough challenges of the coming years.

It is my hope that this Review of Policing can help prepare the Service to be in a stronger position to tackle these challenges by:

- reducing the bureaucratic burden on police officers to give them greater freedom to tackle the issues that matter most to local communities;
- embedding Neighbourhood Policing within communities so that issues such as anti-social behaviour; domestic violence; and drug and alcohol abuse can be dealt with more effectively;
- making more effective use of available resources, of which people are the key element, in order to continuously improve performance; and
- enhancing the mechanisms for local accountability to enable local people to have a real role in setting policing priorities for their area and to have the means to rigorously hold their local police to account for delivery of these priorities.

Although there has been a significant programme of police reform, it is clear that in the public's estimation, crime and disorder undoubtedly remain as one of the most important issues we face today.

The context in which the Police Service operates continues to change at an even faster rate, and I believe that the next ten years will be at least as challenging as the past. I have no doubt, for example, that:

- resources will be tight;
- the threat from terrorism will continue;
- police and law enforcement agencies will need to move upstream of organised crime networks and deal with evolving technology through more effective integration and collaboration;

- the 'reassurance gap' (even if crime falls, the fear of crime does not necessarily do so) will probably remain stubbornly wide;
- new communities will continue to emerge;
- anti-social behaviour will not be completely obviated; and
- gun crime, knife crime and a gang culture among some of our most vulnerable young people will require a long-term, holistic response.

In September 2007, I presented *The Review of Policing – Interim Report* to the Home Secretary, in which I made recommendations in the areas of reducing bureaucracy and mainstreaming Neighbourhood Policing. I also reported on the progress being made in the other two workstreams. There were 26 recommendations in total.

My recommendations in the Interim Report include:

- The Home Office, the Association of Chief Police Officers and the Association of Police Authorities must demonstrate clear national leadership on the issue of risk aversion and must commit themselves to new ways of working to foster a culture in which officers and staff can rediscover their discretion to exercise professional judgement. This should find its first practical expression in a joint compact between the tripartite relationship and the Service to be delivered by the summer of 2008.
- The Government should look again at the priority given to different offences in the new performance regime for the forthcoming Comprehensive Spending Review and, in particular, the Public Service Agreement targets for offences brought to justice so that more proportionate weight is given to the different levels of seriousness applied to offences.
- The Home Office should redefine violent crime to include only those crimes which actually cause physical injury or where the threat to inflict such injury is likely to frighten a reasonable person.

The Review has now entered its final phase and will concentrate on the remaining two workstreams; it will report on all four areas. I will present the final report early in 2008.

The Interim Report is available at the Home Office website:
www.police.homeoffice.gov.uk

Criminal Justice Inspectorates

Independent Inspectorates

In my last Annual Report, I noted the steps which were being taken by the Government to bring together into a single Inspectorate the five Criminal Justice Inspectorates: ourselves and the Inspectorates of:

- Courts Administration;
- the Crown Prosecution Service;
- the National Probation Service; and
- the Prison Service.

It seems appropriate to mention this issue here, in this chapter, as the subject was of keen interest to the Police Service.

Plans were well advanced when, in October 2006, the Government accepted that the views of Parliament, particularly the House of Lords, should prevail and that the five independent Inspectorates should continue as independent bodies but work more closely together. In this way, many of the aims contained in the plan to move towards a single Inspectorate would still be achieved, but with considerably less disruption, uncertainty and controversy.

Since that time, my fellow Chief Inspectors and I have engaged in discussions, consultations and planning to move towards a greater degree of working together. In doing this, we were able to build on our past experience of joint working (as shown in Chapter 3), while at the same time exploring the need to put in place a more planned and synchronised approach to covering issues across the broader Criminal Justice System.

We have now produced a Joint Inspection Business Plan (see below) which we believe demonstrates our commitment to working with those we inspect in the Criminal Justice System to produce durable solutions which in turn are strengthened by our taking a lengthier and broader inspectorial view.

We remain, however, operating as five independent Inspectorates. This is important not least because we must retain credibility within the particular Service we each inspect, a credibility which we felt would have been lost if a single, overarching inspection body had been established, while retaining the influence over the Service, which we feel is necessary to bring about change and reform which will be of lasting benefit to the public.

Working together – the Joint Inspection Business Plan

One of our key priorities is the joint inspection of the Criminal Justice System in England, Wales and Northern Ireland, working together with our colleagues in the Criminal Justice Inspectorates.

The Police and Justice Act 2006 established new duties and powers for the five Criminal Justice Inspectorates to support and encourage enhanced joint planning and working. 2008–09 will be the first full year of joint inspection under the newly-established statutory framework. However, in advance of this statutory requirement, the five Criminal Justice Chief Inspectors have produced a Joint Inspection Business Plan for 2007–08 which sets out the scope and scale of activity that will be subject to joint scrutiny. The main areas of focus are:

- community safety;
- bringing offenders to justice;
- offender management;
- custodial conditions;
- victim and witness experience; and
- equality and diversity.

The *Criminal Justice Inspectorates: Joint Inspection Business Plan 2007–08* is available on the websites of all five Inspectorates. It can be downloaded in full from the HMIC site at: www.inspectorates.homeoffice.gov.uk/hmic

Northern Ireland

A full programme of inspection activity is agreed annually between HMIC and the Criminal Justice Inspectorate for Northern Ireland. See Chapter 2 for more on the HMIC Inspection of the Police Service of Northern Ireland.

There is more about joint inspections in the Criminal Justice System in Chapter 3.

Back office services

As part of our commitment to ministers that we would work more closely together across the Criminal Justice System, the Criminal Justice Chief Inspectors agreed to launch a programme to establish how the back office services in the Inspectorates could be directed to greater effect. This work is under way, and findings should be presented early in 2008.

Freedom of Information

The Police Service

The Freedom of Information Act has also had a significant impact on the workload of the Police Service.

In excess of 20,000 Freedom of Information requests are now received each year by forces, which by some estimates represents as much as 20% of all requests made to public authorities across England, Wales and Northern Ireland. Data from the Association of Chief Police Officers shows that the number of requests under the Act has risen by 50% in the past two years alone. Some 45% of requests come from the media.

The complexity of requests is increasing as applicants become more used to the legislation and, in some cases, the opinion of specialist counsel has been sought by applicants to frame public interest considerations for disclosure before actually submitting a Freedom of Information request itself. It is estimated that requests could continue to increase by as much as 100% over the next three years.

To help handle this growing workload, the Association of Chief Police Officers has set up a Central Referral Unit based at Hampshire Police Headquarters. This team of four operates as:

- a central conduit for advice, guidance and training on Freedom of Information issues across the Police Service; and
- a referral unit for requests affecting national security, media requests and those requests which may set precedents for the Service.

HMIC

The Freedom of Information Act 2000 came into force in January 2005. Although HMIC does not technically fall within the terms of the Act, we concluded that it should regard itself as being bound by it. There were two reasons for this. First, the Home Office is bound by the Act and, although HMIC is an independent Inspectorate, we felt that our close working relationship with the Home Office meant that we should adopt a similar position. Secondly, HMIC has been proud to publish almost all of its reports for many years, and it seemed right for HMIC to acknowledge this important new step in the public's access to public service documents.

Since the Act came into force, HMIC has dealt with about 30 information access requests. These have been varied and have, inevitably, mainly focused on those areas of HMIC business where reports have not been made available to the public. Many of these requests have been met – in whole or in part – but a few, in consultation with Freedom of Information advisers at the Department for Constitutional Affairs/Ministry of Justice, have been refused. These include a few cases where HMIC has concluded that withholding the information is in the public interest, because to do otherwise would either reveal information which would assist or encourage crime, or would inhibit HMIC's ability to contribute to the improvement of policing performance in the future.

Life in the Police Service continues to be an exciting and rewarding existence. Change will continue, with many new challenges to be faced.

CHAPTER 2

HMIC'S Work

HMIC continues to build a highly respected and rigorous inspection framework for the Police Service and many other law enforcement organisations seeking to improve their performance



HMIC's responsibilities have broadened and deepened. This reflects our responsiveness to the needs of policing stakeholders, and our methodologies have further evolved accordingly. Our work in assessing police performance through Baseline Assessment continues to change, and our work on thematic subjects and with partner Inspectorates (detailed in the next chapter) is changing too. What I might term 'special commissions' by Ministers are increasingly a requirement placed on us. We continue to contribute to the development of chief officers. All this amounts to a significant workload for HMIC.

Baseline Assessment

For the past three years we have jointly published, with the Home Office's Police and Crime Standards Directorate, police performance assessments which cover all 43 forces in England and Wales.

The principal methodology we have used during the course of all our police force inspections has been called Baseline Assessment. One of the key advantages of the Baseline Assessment model is that it produces a detailed agenda for improvement which is agreed by HMIC, the relevant police force and police authority.

Baseline Assessment until 31 March 2006

Briefly, Baseline Assessment helped the inspectors to monitor change in each police force against a performance 'baseline', which means that the performance of different police forces could be compared and assessed across a range of core policing functions and activities which, until the end of 2005–06, were assessed under the following headings:

- citizen focus
- reducing crime
- investigating crime
- promoting safety
- providing assistance
- resource use
- leadership and direction.

Achievement was graded in one of four bands, allowing the public to understand and interpret performance:

- Excellent
- Good
- Fair
- Poor.

In addition, we also offered a 'direction of travel' assessment, for example 'improved', 'stable' or 'deteriorated'.

The HMIC website also has an area devoted to Baseline Assessments at: www.inspectorates.homeoffice.gov.uk/hmic

New Programmed Inspections

In the latest police performance assessments (1 April 2006 to 31 March 2007), our methodology changed to better reflect HMIC's inspection approach, which now focuses on key areas of policing work.

This new approach allows for a more in-depth, relevant and thorough assessment of those areas that pose the greatest risk in the delivery of services to the public. This will be a four-phase programme of such inspections. The performance assessments reflect a combination of information that is based on data and independent judgement.

There is more on this in Chapter 4.

Thematic inspections

Thematic inspections are an important aspect of our work. They allow us to examine a key policing issue in some depth across a representative number of police forces, and then comment on the effectiveness of performance.

Thematic inspections also help police forces to develop future strategy on the specific points that these inspections highlight. The thematic reports we have carried out can be viewed at: www.inspectorates.homeoffice.gov.uk/hmic

Three thematic inspections cover the period for this Annual Report:

- *First Contact*, published November 2005;
- *Beyond the Call*, published March 2007; and
- *Raising the Standard*, published June 2006.

First Contact – a thematic inspection of Police Contact Management

This was the first phase of a two-phase thematic inspection into contact management between the police and the public:

- *First Contact* dealt with the period from the first call from the public to the dispatch of a police officer; and
- *Beyond the Call* inspected day-to-day management of the Control Room from the point the decision was made to dispatch an officer.

Every year the Police Service receives over 80 million calls for assistance from the public. These calls are frequently the public's main – and first – contact with the police, and the manner in which they are handled sets the context for public perception of the efficiency and effectiveness of their local police service. For this reason, I firmly believe that alongside crime reduction and investigation, contact management must be recognised as one of the most important police activities and absolutely crucial to achieving and sustaining public confidence and support.

Despite the importance of the subject, however, in the 2004 Baseline Assessment, call management was the second worst performing function across a wide range of policing activities and it was clear that there was a need for significant improvement.

In 2004, the Home Office and the Association of Chief Police Officers introduced a Quality of Service Commitment, which set standards for:

- ease of contacting the police;
- quality of service offered;
- initial handling of enquiries; and
- provision of information and feedback.

In April the same year, the Home Office and ACPO also published the National Call Handling Standards to try to standardise practice across all forces. HMIC was involved in the formulation of the sections on Measurement and Assessment and in particular we devised a framework for good practice and a self-development matrix which we then used as the basis for both of our thematic inspections on contact management, and which we further enhanced in the process.

In *First Contact* we looked at good practice in commercial contact centres to see how the Police Service might learn from these practices, and as a result we identified key business drivers that are important to contact management, whether in the private or public sectors:

- **customer focus** – while some police forces struggled with the concept of 'customer', it is clear that specific and focused feedback from service users – such as victims, witnesses and general callers – is needed to help tailor and continuously improve the quality of service provided;
- **business culture** – contact management must be overtly recognised as a core operational priority and contact centre representatives should feature prominently within National Intelligence Model structures;
- **strategy and structures** – there is a priority need for a clear national contact management strategy that dovetails into Basic Command Unit, departmental and force strategies;
- **people** – staff progression plans are important and staff surveys and exit interviews should be routine;
- **training, skills and education** – contact management should be seen as a police specialism with nationally recognised training courses for all staff, including senior managers;
- **location and facilities** – there is a need for central consolidation of good practice and updated guidance on contact management processes, design and procurement;
- **technology** – IT information from forces should be consolidated to develop a central bank of technological good practice; and
- **performance information** – a wider range of standard performance indicators should be developed across all forces.

The inspection made 21 recommendations and 17 suggestions for improvement. Key recommendations were that all forces should:

- develop a detailed, structured and timely process to capture the customer experience and satisfaction levels; and
- have a specific Human Resources strategy for contact management which encourages a high level of involvement from HR specialists and incorporates

key issues which drive operational performance – effective resource planning to demand, and a staff retention, succession planning and recruitment policy.

In addition, we recommended the formulation of a joint national contact management strategy; a tripartite forum to drive implementation of the national standards; and a suite of performance measures across the full range of contact management activities.

First Contact provided the catalyst for the Service as a whole and forces individually to improve their handling of telephone calls and other forms of contact from the public. Many forces reported that the good practice framework and self-assessment matrix helped identify areas for improvement.

The full report can be downloaded at:
www.inspectorates.homeoffice.gov.uk/hmic

Beyond the Call – a thematic inspection of police contact centres' contribution to incident management

Beyond the Call was the second phase of the thematic inspection into the contact between the police and the public and focused on the way in which contact centre staff manage and resolve the incidents that result from the calls they receive.

Broadly, the same drivers were the focus for *Beyond the Call* as had been used for *First Contact*. The inspection built upon the earlier scrutiny and in particular expanded the scope of the self-assessment matrix and good practice framework, to reflect the additional aspects of incident management.

There were 19 recommendations and 17 suggestions. These included recommendations to:

- use staffing models for both contact centres and patrolling officers to effectively align resources to demand; and
- gather relevant information at the first point of contact, and agree with customers the appropriate means and timescale for providing them with timely, meaningful information and feedback on progress.

The full report can be downloaded at:
www.inspectorates.homeoffice.gov.uk/hmic

Taken together, these two inspections and their respective products (eg the good practice framework and self-assessment matrix) were recognised as having made a significant contribution to improvements in the quality of contact management across the Service.

Between 2004 and 2006, there have been considerable improvements in contact management nationally across nearly all forces. In the 2003–04 performance inspections, that is before the thematic inspection:

- no forces achieved the 'Excellent' grade;
- 16 achieved 'Good'; and
- five were deemed 'Poor'.

However, in the 2005–06 performance inspections:

- four police forces achieved the 'Excellent' grade;
- 20 achieved 'Good'; and
- only one was deemed 'Poor'.

During a reassessment during 2007, no forces were deemed 'Poor' and there is a growing acceptance that HMIC's assessment against the developed National Contact Management Standards represents a welcome form of 'accreditation' of performance which currently does not exist elsewhere in the public sector.

Raising the Standard – a thematic inspection of professional standards

Her Majesty's Inspectors of Constabulary have a statutory duty to keep themselves informed about the effectiveness of forces' handling of complaints against the police. We take this duty extremely seriously and the inspection of this function has traditionally been a core element of our work with individual forces. In recent years, forces have expanded their complaints departments to encompass the broader scrutiny of organisational integrity and standards, producing Professional Standards Departments in every force. I believe that it is impossible to overstate the importance of professional standards activity in the effective functioning of the Police Service.

In 2005, we carried out an inspection of professional standards in every force in England and Wales. As a result, in 2004–05 we produced a Baseline Assessment report on the performance of each force, published as a supplementary report to our annual Baseline Assessments. We also consolidated the findings from these individual reports and early in 2006 published a full thematic report based on the national issues and trends identified.

The honesty, integrity and professionalism of a police force are key determinants in how the public perceive that force, and, consequently, in the public's degree of confidence in and support for it.

The thematic inspection report observed that there was an urgent need for a standard template for professional standards, not least because different Professional Standards Departments had developed in an ad hoc manner with definitions, terminology and structures differing considerably from force to force.

Moreover, professional standards encompass a large number of issues which impact on the Service and, therefore, on levels of public confidence and support, including:

- the handling of complaints against members of the police;
- investigations into professional misconduct;
- tackling vulnerability to corruption;
- addressing staff competence; and
- stamping out discourteous or bullying behaviour, whether towards colleagues or the public.

The inspection made 19 key recommendations, including:

- ACPO taking the lead to establish a standard template for professional standards across England and Wales;
- embedding the National Intelligence Model across every aspect of professional standards; and
- completion of strategic threat assessments at local and national levels to focus on emerging trends and intelligence.

The full report can be downloaded from:
www.inspectorates.homeoffice.gov.uk/hmic

Personnel, Training and Diversity

Our work on personnel, training and diversity since my last Annual Report must be seen in the context of fast-changing influences on policing. But one aspect has not changed: my strongly held belief that the proper treatment of the public will happen only if the workforce itself is also properly treated.

Personnel and HR

Much valuable work has been carried out in response to *Closing the Gap: HMIC Thematic Report* (2005; available at: www.inspectorates.homeoffice.gov.uk/hmic), which included better collaboration, shared services and partnerships. There was also an agreement in principle to have an HR professional at chief officer level in every force – although this has not yet been realised.

The ACPO-led strategy to adopt new working practices, workforce mixes and a more intelligent response to demand offers a significant challenge to organisations, process and cultures. We must grasp the opportunity to become more professional and imaginative in the management of officers and staff.

Having responded very well to the 2003 and 2004 HMIC inspections, the police training agency, Centrex, migrated into the National Policing Improvement Agency in 2007. We continued to support Centrex as staff and functions transferred to the NPIA.

Inspection of the HR Function in the Police Service of Northern Ireland

Following the Baseline Assessment of the PSNI published in October 2004, it was agreed to carry out a comprehensive review of the HR function in the Service. We worked on this inspection programme with our colleagues in the Criminal Justice Inspectorate of Northern Ireland.

We recognised that in the five years since its inception, the PSNI had travelled a difficult journey, requiring the force to change into a community-based policing organisation which is more representative of the general population it serves.

As part of this change, the Service has had to reduce large numbers of its staff, many of whom were highly experienced, and recruit new personnel in similar numbers to replace those who had left. This was, in HR management terms, a major task; not least because it was not possible to replace specialised skills and experience overnight.

The greatest catalyst for change in the policing of Northern Ireland came with the 1999 Patten Report, which made 175 recommendations, many of which had a direct bearing on the HR function through some 360 action points, 300 of which have been delivered.

The inspection concluded that much has been achieved by PSNI in establishing more normalised policing in Northern Ireland following the Patten Report.

We made 24 recommendations, including:

- creation of an HR change management team;
- a major programme of work involving PSNI, the Policing Board and the Northern Ireland Office to integrate police staff and directly employed personnel;
- a review of the appraisal system; and
- an overhaul of the Policing Board's governance and scrutiny processes.

The full report can be downloaded from:
www.inspectorates.homeoffice.gov.uk/hmic

Health and Safety

HMIC has been developing working links with the Health and Safety Executive, which throughout 2006 and 2007 conducted a tailored round of inspections in police forces, with a specially recruited team.

We are committed to ensuring that forces embrace the key principles of a safe working environment, while balancing these principles against the realities of policing and public expectations.

Learning and Development

Learning and Development is a vital investment in the future and, overall, there is now a strong, operationally responsive and outcome-focused approach adopted by forces.

HMIC has concentrated on giving forces an enduring framework for self-assessment and peer review, which is now also being piloted by police authorities in a version tailored to the governance and scrutiny functions. A copy of the framework is available at: www.inspectorates.homeoffice.gov.uk/hmic

This framework is combined with developments in the costing process as part of the planning and value-for-money approaches. HMIC has been working with forces to refine the national costing model for training which will be relaunched in time for use in the 2008–09 financial year. Combined with a robust evaluation of the impact on performance, there is a real opportunity to gauge the return on investment.

The Queen's Award for Innovation in Police Training, which will be competed for again in 2008, will focus on operational impact and benefits.

In due course, HMIC intends to hand over the development of these support tools to NPJA, to sit alongside those for quality assurance and evaluating good practice. In future, it will be important to see learning and development:

- fully integrated in the wider HR function;
- aligned to operational priorities; and
- responsive to customer needs.

Following on from the Best Value Reviews which were conducted and inspected in 2003–05, culminating in the report *Value Matters*, we have produced a set of noteworthy practice in learning and development. This can also be found on our website at: www.inspectorates.homeoffice.gov.uk/hmic

Inspection work in 2006 included:

- some aspects of training for protective services;
- delivery of e-learning;
- continued monitoring of new national programmes such as the Initial Police Learning and Development Programme and the Core Leadership Development Programme; and
- officer safety training, culminating in the publication of *Safety Matters* (see below).

Safety Matters

Safety Matters: Review of Officer (Personal) Safety Training (April 2007) addresses issues of concern about safety training that the Police Federation of England and Wales had raised. During the course of the review, other issues of concern were also identified and these were reflected in the report.

We found that in many forces the ACPO-recommended 12 hours per year of safety training for each officer were not being adhered to. Delivery methods varied greatly from force to force: some delivering one block of training a year, others offering smaller blocks throughout the year.

We were pleased to note that the development of a National Occupational Standard for those who are involved in a training role in the Police Service is at an advanced stage. We regard this as being a high priority, because during the course of the review we noted that the qualifications of trainers varied greatly from force to force.

In addition, we found little evidence of any kind of quality assurance process. Programme content and trainers should be subject to a rigorous quality assurance system to make sure that students receive the best training possible.

The new occupational standards are essential in ensuring that a robust and auditable assessment process can be carried out by forces. We made 13 recommendations, including that ACPO:

- reviews the minimum hours required for Officer Safety Training;
- reviews the scheduling of Officer Safety Training to determine the most effective model to apply in order to achieve maximum skills development and retention;
- agrees the minimal National Occupational Standard; and
- develops an evaluation strategy.

The full report can be downloaded from:
www.inspectorates.homeoffice.gov.uk/hmic

Race and Diversity

As part of our response to the Commission for Racial Equality Formal Investigation, launched in 2004 in response to the BBC's *Secret Policeman* programme, HMIC carried out an inspection of race equality compliance, and its impact on service delivery and organisational effectiveness, involving a detailed scrutiny across six forces of:

- Stop and Search;
- hate crime;
- black and minority ethnic progression and retention; and
- procurement.

This was the first such inspection by any public service Inspectorate and it was welcomed by the CRE and many stakeholders. Our findings are due to be available soon.

Equalities audit

Our work has also covered the development of an equalities audit process, piloted in three forces and within HMIC, and a single equalities self-assessment framework to be used across all diversity issues.

HMIC supported ACPO's decision that all forces should undertake the Disability Standard benchmark in 2007. Early results show that police forces are performing as well as other major employers. We are also supporting Gender Agenda, the programme of work to give equality of opportunity and fair treatment for female officers and staff.

Our small Race and Diversity team also lends support to a range of work elsewhere in HMIC, including the inspection of professional standards and conducting impact assessments on plans and reports.

There was a recent decision to adjust the inspection programme so that we do not conduct a planned inspection of leadership and governance for HR and Diversity over the winter of 2007–08 but allow time for workforce modernisation and the introduction of the wider range of equalities duties to become embedded. We are likely, therefore, to return to this area towards the end of the decade. Meanwhile, we shall ensure that HR and Diversity issues receive the appropriate attention in all other inspection activity, and shall continue to inspect in specific areas in response to ongoing risk assessment.

Northern Ireland

Since its inception in October 2004, HMIC has worked in partnership with the Criminal Justice Inspectorate of Northern Ireland. Under the terms of primary legislation, HMIC retains lead responsibility for the inspection of the PSNI; however, CJINI also has inspection powers over the PSNI under its empowering legislation. Working to an agreed protocol, the two inspection bodies collaborate regularly to undertake co-ordinated inspections of the PSNI.

During the period under review, joint inspections have been conducted into the management and organisation of forensic support to crime investigation and into human resources (as mentioned earlier in this chapter).

As part of their arrangements with the PSNI, the two Inspectorates also routinely revisit the recommendations made in their reports to assess the progress made by the PSNI in terms of implementation. Recommendations are not 'signed off' by the PSNI until the HMI and the Chief Inspector of CJINI are satisfied that they have been implemented in full.

In addition to its joint work with CJINI, HMIC has also carried out Baseline Assessments of the Service during 2005 and 2006. Both assessments resulted in areas for improvement for the PSNI to enhance service delivery across Northern Ireland.

In February 2007, at the request of the Northern Ireland Office, HMIC commenced a value-for-money establishment review of the PSNI to assess future staffing levels after 2010–11, when the staffing numbers recommended by the Patten Commission into Policing in Northern Ireland lapse. The report made a number of recommendations, including the potential to downsize the PSNI by approximately 20%, assuming no deterioration in the security situation within Northern Ireland and continued progress towards policing a 'normal' society.

HMIC also advises the Policing Board of Northern Ireland about its responsibility to deliver Best Value. To assist the Board in this respect, inspections of the PSNI's Best Value Reviews are undertaken, to assess compliance with legislative requirements and to suggest improvements which might be considered.

Her Majesty's Revenue and Customs Inspection

I noted in my last Annual Report that we had begun an agreed programme of inspections of HMRC to ensure its compliance with the requirements of the Criminal Justice System. The external inspection of HMRC by HMIC was introduced as part of the legislation which merged HM Inland Revenue and HM Customs and Excise and came into effect in April 2005.

Given the sensitive nature of some of the information in our reports, some of the content may be excluded from publication on the grounds of:

- national security;
- jeopardising the safety of an individual; or
- prevention or detection of crime or the apprehension or prosecution of offenders.

It was agreed that the initial inspection themes were to be the handling of human intelligence sources, disclosure and controlled deliveries. These themes were selected because they had already been identified in earlier reviews as areas for concern.

Handling of human intelligence sources

An inspection was carried out between September 2005 and March 2006 of HMRC's handling of human intelligence sources. This included:

- analysing documents;
- examining sensitive informant files;
- visiting locations across the Department; and
- interviewing key staff.

We found that HMRC has adopted the guidance standards used by other law enforcement agencies but there were some concerns about the management of human intelligence.

As a result of the inspection, an audit of HMRC's human intelligence sources was carried out and a report of the findings submitted to HMRC senior management in October 2006. The report can be viewed at: www.inspectorates.homeoffice.gov.uk/hmic

Preparedness to meet disclosure obligations

Between April and November 2006 an inspection was also carried out into HMRC's preparedness to meet its disclosure obligations under the Criminal Procedure and Investigations Act 1996 (amended by the Criminal Justice Act 2003). Again, a large amount of documentary evidence was analysed and staff were interviewed.

Our report was published in August 2007. It acknowledged the steps that HMRC has taken to improve its performance, in particular in respect of the considerable progress made by HMRC and the Revenue and Customs Prosecutions Office in developing a co-ordinated approach to disclosure.

The report made recommendations concerning the provision of training to improve the consistency of approach to the disclosure of unused material across the two sides of the merged department and the introduction of bespoke joint HMRC/RCPO disclosure guidance. Some concerns were expressed about the control of potentially disclosable and evidential property in the indirect tax side of criminal investigation.

The report can be viewed at: www.inspectorates.homeoffice.gov.uk/hmic

Further inspection deferred until new processes in place

A major change in HMRC's business focus was brought about by the transfer of responsibility for the investigation of organised smuggling of controlled drugs to the Serious Organised Crime Agency and the de-merger of a large number of former HM Customs and Excise personnel to SOCA. As a result, since April 2006, HMRC has not had responsibility for the management of controlled deliveries of drug consignments from the country of origin to the point of delivery in the UK. HMRC has retained responsibility for the management of controlled deliveries of other goods that incur duty, such as tobacco and cigarettes. It was agreed that HMIC would defer inspection of HMRC's controlled deliveries until the new processes and procedures dealing with this area of work have been introduced.

In February 2007, we started an inspection of the HMRC Detection Directorate's contribution to:

- frontier control and border management; and
- its relationships with other key stakeholders.

The report is to be submitted to the Chancellor.

Inspection of the Serious Organised Crime Agency

In keeping with the responsibility laid on HMIC by the Serious Organised Crime and Police Act 2005, HMIC has conducted four inspections of SOCA since April 2006. These inspections covered:

- a review of SOCA's change and relationship management in its first 100 days;
- SOCA's implementation of appropriate firearms standards;
- the risk management arrangements for SOCA's overseas activities; and
- aspects of its covert investigative capabilities, particularly in relation to its collaboration with police forces.

SOCA has drawn up implementation programmes for each of HMIC's recommendations and has instituted a number of changes within its organisation following HMIC's inspections. For example, it has given lead responsibility for developing relationships with specific police forces to a senior SOCA officer in each SOCA region in the UK. It has also streamlined its tasking and co-ordination processes, which has had the additional benefit of improving the operational support it provides to its law enforcement partners. In terms of its international work, it has enhanced its strategic risk management processes so that its senior management has an improved strategic, holistic oversight of what are complex international activities and relationships. In the context of its last review, HMIC has noted that SOCA has made considerable progress since its launch in April 2006 in setting up co-ordination arrangements for the sound oversight and management of covert investigative work within the organisation.

There is more about SOCA and its work at: www.soca.gov.uk

Special commissions

One aspect of our work which provides us with our greatest challenge and often an opportunity for significant impact is responding to requests to assist in addressing major risks either to service delivery or the reputation of the Service, or indeed to take part in the shaping of the Service in testing environments. Often these requests take the form of special commissions from Ministers.

Often such commissions are carried out co-operatively, for example we worked with colleagues from the Home Office, the Association of Police Authorities and ACPO to review aspects of crime recording. This review highlighted weaknesses in relation to the recording of non-sanction detections and recommended changes to the National Crime Recording Standard. More on this follows.

Jean Charles de Menezes

I was commissioned by the Home Secretary to review the Independent Police Complaints Commission's recommendations from the shooting of Jean Charles de Menezes, and I produced a report which was accepted by the Home Secretary. ACPO is continuing to work on the recommendations and critical success factors nationally to improve the police response to suspected suicide terrorists.

Iraq

The Secretary of State for Defence commissioned me to review the state of readiness to take full responsibility for security in the four British-controlled southern provinces of Iraq. Two visits were made by HMIC and a final review and report prepared. I worked closely with the General in overall command of British forces in Iraq and the Ministry of Defence to produce the report. Some of the report's recommendations have been accepted in full and others are still being worked on.

Airport policing

We conducted an inspection of Aviation Security (Heathrow) at the request of the Metropolitan Police Service. Our report contained a number of recommendations on the benefits of a considered approach to security involving the public and private sectors. We have since contributed to the Independent Review of Airport Policing and continue to contribute to the subsequent work led by the Department for Transport and Home Office to consider the issues raised in that review.

Palace of Westminster

In November 2006, HMIC and the National Audit Office were requested by the Joint Committee on Security of the Houses of Parliament to act as independent assessors, working with the Sergeant at Arms, Black Rod and the Metropolitan Police Service Palace of Westminster Division, to conduct a fundamental review of the resources committed to policing and security of the Parliamentary Estate.

We scrutinised the role and function of every staffed security and armed officer post. The review also took account of the existing physical security measures (such as the entrance, egress and searching regime) and the programme of security improvements then being implemented. Our report included options for the Joint Committee on Security to consider to enhance security and improve efficiency.

Counter-terrorism

Our country is facing the most sustained period of severe threat from terrorism. Against this backdrop, in October 2006, HMIC completed a thematic inspection of the capacity and capability of the Police Service in England and Wales in respect of counter-terrorism and domestic extremism. This inspection took account of the appreciable and continuing development of police capability since September 2001, led by ACPO's Terrorism and Allied Matters Committee and in recognition of the significant funding provided to the Police Service for countering terrorism. Evidence for the inspection was collected through fieldwork visits to every force and consultation across government departments, ACPO and the Security Service.

Our report included 11 recommendations for ACPO and the Home Office, aimed at creating a more comprehensive approach to countering terrorism at a strategic level and which would assist the Police Service to accelerate and to better focus the work already under way. In particular, the report identified that integration of the community element of preventing terrorism was not as advanced as it was, for example, in the area of serious crime. We therefore recommended the urgent need for a programme of work to harness the contribution of communities to defeat terrorism. It also identified areas of developing practice for consideration at local force and national level which would assist in integrating counter-terrorism within policing.

Non-sanction detections

Home Office Counting Rules provide for how forces can claim that a crime has been successfully detected and include supporting Rules for how the case should be handled. Most of the focus on police performance in recent years has been on sanction detections (ie detections where the offender is subject to some penalty for the offence). NSDs (also referred to as administrative detections) are also subject to the Rules but are not generally counted for the purposes of police performance.

Concerns in relation to the accuracy of NSDs and the implications for data precision, sharing and retrieval were first brought to Ministers' attention in February 2006. The potential vulnerability, particularly in relation to the vetting process, was immediately recognised and a substantial programme, involving all relevant stakeholders, to remedy the failings was put in place, co-ordinated through a Non-Sanction Detection Taskforce chaired by the Home Office. Given the potential numbers of records which were of questionable provenance, the 'high-risk (serious offences)' cases were seen as the most pressing issue and were prioritised for action. As part of this process, ACPO worked closely with forces and concluded that the great majority of forces had dealt with NSDs appropriately within their disclosure processes and that there were no significant public protection issues arising from non-compliance with NSD administrative procedures. Subsequently, HMIC undertook to assess forces' progress and, in particular, compliance by forces with the Rules for NSDs. This assessment revealed that the basic mandatory principles to claim an NSD as laid out in the Rules had not been fully complied with and as a consequence many detections were no longer sustainable.

This position was considered to be untenable, and following a review by stakeholders it was agreed that forces should retain the use of NSDs for only a handful of the most serious offences. As a consequence, the Rules were amended from 1 April 2007 and limited NSDs to indictable only offences (offences sufficiently serious that they must be tried at the Crown Court) and stated that the only form of NSDs which may be claimed are where the offender dies before proceedings can be initiated or completed, or where the Crown Prosecution Service decides not to prosecute. This change is expected to reduce the number of such detections to a very small number and limit their use to circumstances where they will be rigorously monitored.

Other areas of inspection work

Royal Military Police

The HMIC inspection of the Royal Military Police was commissioned by the Ministry of Defence Director General (Security and Safety), who requested an inspection of the investigative function of the Special Investigation Branch.

We were pleased to carry out the inspection on the understanding that we would not review individual operations or cases but focus instead on an assessment of the processes and procedures of High Level 3 investigations. These are investigations that deal with offences or incidents reported to or detected by the RMP that, because of their gravity or complexity, normally require investigation by the SIB.

The SIB is organised into two units operating from bases in the UK and Germany, with outstations in Canada, Cyprus, the Falkland Islands and Gibraltar. Both the SIB (UK) and the SIB (Germany) provide services to military garrisons on operations, including Iraq and Afghanistan.

Investigating crime overseas, particularly in operational environments, presents a range of challenges and pressures. In addition to the specific Rules of Engagement for a particular theatre, service personnel are also subject to the laws of England and Wales.

We found an SIB of dedicated and professional investigators operating in a very difficult working environment, with different Rules of Engagement to consider and all under the high-profile scrutiny of the media, both in the UK and abroad.

We made a total of 19 recommendations. These included:

- liaison between the SIB and the ACPO Homicide Working Group, with a view to identifying exchange opportunities;
- the formal adoption of the National Intelligence Model; and
- a review of the methods that the SIB uses for capturing and submitting criminal justice DNA and fingerprint samples.

We very much hope that this inspection will serve as an indication of how HMIC may be able to support the Ministry of Defence in the wider context of service policing in the future.

Our report can be downloaded from: www.inspectorates.homeoffice.gov.uk/hmic

Cleveland Police/Cleveland Police Authority – Corporate Governance Inspection

In 2004 an estimated budget gap of £7.3m was identified in Cleveland Police. The Audit Commission investigated the issues that had given rise to this budget gap and made 16 recommendations. At the same time, we were invited by the then chair of the Police Authority to carry out an inspection of the corporate governance arrangements in Cleveland Police and Cleveland Police Authority. This invitation was unusual in that, other than in very limited circumstances, HMIC has no inspection powers relating to police authorities except for the purpose of inspecting Best Value Reviews.

After carrying out the inspection, HMIC concluded that the police force and the Police Authority were better configured in structure and staffing to be able to effectively deliver on their core business. Although a great deal of work still needed to be done, we were convinced that the police force and the Police Authority had the motivation, people and structure to deliver effective corporate governance and improved operational performance.

The recognition by the police force and the Police Authority of the need to have effective oversight of the budget has led to medium-term financial planning being introduced. We were also assured that the level of professional financial advice has improved and this is allied to the provision of budget seminars, which were not previously available.

We made nine recommendations which, as we made clear, we expected to see implemented and progressed without delay. These included that:

- Cleveland Police Authority should formally review its decision-making structure within an agreed timeframe and make the necessary amendments; and
- the police force should actively monitor, assess and prioritise emerging workloads and issues to ensure staff levels/skills remain appropriate and reflect the complexities of the work and depth of enquiry needed to produce actionable recommendations.

Our report can be downloaded from: www.inspectorates.homeoffice.gov.uk/hmic

Nottinghamshire Police

From time to time, HMIC devotes extra time and resources to forces where particular difficulties are being faced. For example, Nottinghamshire Police has been helped by HMIC over the past six years, during which time we have inspected the force in a series of visits:

- **2001** – we highlighted structural problems;
- **March 2003** – we noted that while there were encouraging 'green shoots' dealing with the structural problems, these green shoots were nonetheless fragile; unusually, we recommended that the force should be reinspected later that year;
- **October 2003** – we reported that there had been further improvements, although performance lagged behind similar forces;
- **November 2004** – we noted that there was 'real and sustained progress' but there remained a number of areas where further improvement was needed if improvements were to be sustained, particularly in respect of performance accountability at local area command and individual level, and in intelligence-led policing;
- **March 2005** – the Chief Constable publicly voiced the view that his force was facing an intolerable burden of serious crime and was insufficiently resourced to meet the challenge which this presented. The Home Secretary asked HMIC to follow up these assertions, and accordingly we undertook a review of the force's capacity and capability in tackling murder and other serious crime. We found that, indeed, the force was stretched both by policing demands and by pressure of resources. The force had already been underperforming on volume crime and had received support from HMIC and from what was then the Home Office's Police Standards Unit. We recommended and arranged further intensive support, including the assistance of the ACPO Homicide Working Group, and the secondment of a Deputy Chief Constable of another force for three months. We revisited the force three months after our first report and, while we found evidence of real progress, we identified seven areas for essential further development in liaison with the force, the Police Authority and the Police Standards Unit;
- **January 2006** – we revisited the force to examine specific progress against the recommendations. We found substantial development had been made, for example: in the creation of a dedicated proactive unit for serious and organised crime; in staffing three teams to prevent and investigate homicide; in recruiting a Director of Intelligence; in strengthening its source-handling capability; and in equipping three major incident rooms; and
- **June 2006** – the findings are outlined in brief below.

During the 2006 inspection, we examined some 80 files of documentation supplied by the force across three broad areas of activity:

- Neighbourhood Policing, which aims to provide visibility and reassurance;
- tackling volume crime (for example burglary or car theft) at BCU level; and
- the prevention and investigation of serious and organised criminality, including murder.

HMIC judgement

We felt that another 'green shoots' report would be unhelpful. The force had been under review for several years and there was a need for some certainty – either to initiate a statutory intervention, with the resulting consequences for the force and the county, or to declare the force to be efficient and effective, with or without qualifications.

We looked for 'substantial practical advancement' to generate a final judgement on the force's efficiency and effectiveness.

We judged that Neighbourhood Policing had been a success. There was real and sustained progress in improving the police force's response to the demands of Level 2 (ie cross-border) policing. However, the picture for volume crime was challenging. Despite some creditable results, levels of burglary and vehicle crime in Nottinghamshire, and in Nottingham in particular, are still higher than in similar areas elsewhere.

Taking all the evidence into account, however, we concluded that Nottinghamshire is efficient and effective within the terms of the Police Act 1996. We acknowledged that unacceptably high levels of burglary and vehicle crime persist but that policing is a wider mission than tackling volume crime. We expect the force to continue making progress in reducing crime and we shall continue to monitor the force's performance.

The 2006 report can be downloaded from the HMIC website at:
www.inspectorates.homeoffice.gov.uk/hmic

The Police National Computer and Information Management

The Police National Computer

The PNC is a vital operational asset in supporting forces. The PNC is the Police Service's national computer system. The data held on the PNC is not only used by police forces but is increasingly accessed by other agencies (for example, the Criminal Records Bureau, and the Prison and National Probation Services) to assist with the detection and prevention of crime and in protecting the public. It is vital that the information held on the PNC is accurate and that data is input onto it in a timely manner.

The HMIC PNC Compliance Audit Team is a small specialist team based in our offices in Wakefield and Bromsgrove, and managed from our London office. The team has continued to carry out focused PNC Inspections of all forces in England, Wales and Scotland. These were completed in 2006 and the team is currently continuing the inspection of forces in Jersey, Guernsey and the Isle of Man, and of the British Transport Police.

The PNC inspections began in 2003 as a result of concerns about the quality and timeliness of data input. In 2004, the Bichard Inquiry Report on child protection procedures in Humberside Police and Cambridgeshire Constabulary, after the murders of Jessica Chapman and Holly Wells in Soham, recommended that PNC data input should be routinely inspected.

In addition to the inspection work, the PNC team monitors force performance against nationally agreed targets included in a statutory Code of Practice.

Information Management

HMIC is aware of the several national and local systems being developed for police forces to record and manage intelligence and data.

In addition, the IMPACT programme was developed as a result of the Bichard Inquiry Report, in which a recommendation outlined the need for IT solutions to improve the management and sharing of information and intelligence by the Police Service at national and local levels.

IMPACT will also deliver the Police National Database, which will replace the existing PNC. We have been, and continue to be, involved in overseeing the development of IMPACT and the standards and policies for its use.

During 2007 the HMIC PNC team has expanded its remit from its core focus on the PNC to include the broader areas of the Management of Police Information.

Forces are currently working to comply with the Code of Practice on the Management of Police Information that has been developed by NPIA. A cycle of inspections will be carried out by the HMIC PNC team on Information Management in forces in England and Wales in 2009.

Going Local 3 Inspections

Police Reform places the BCU at the forefront of community and Neighbourhood Policing and will increasingly render BCUs directly accountable to local communities for service delivery.

There are over 300 BCUs in England and Wales. They vary in size from over 1,000 officers to just under 100; some serve densely populated, ethnically diverse inner cities, while others cover vast tracts of sparsely populated countryside.

The new 'Going Local' process encompasses and addresses the issues emerging from 'Going Local 2'. GL3 will ensure that future BCU inspection effort focuses upon the relatively small number of BCUs where performance indicates a need for inspection-driven improvement.

There are four core elements to GL3:

- initial selection based on performance data;
- self-assessment modelled on the core components of the Baseline Assessment, followed by validation and review to identify those BCUs which will be subject to a full inspection;
- inspection, including a mandatory leadership audit; and
- notional contract and follow-up activity.

Some inspections will also be carried out in high-performing BCUs (with the relevant force's agreement) to highlight and share their successful approaches.

The intention is that the GL3 methodology will strike the appropriate balance between recognising and learning from successful BCUs, while concentrating limited HMIC resources on those BCUs which will most benefit from a detailed inspection. Alignment with force-level scrutiny will also ensure that the database of evidence gained from BCU self-assessment can be used by the force and HMIC in future assessments. In addition, GL3 will lead to a national repository of common strengths and areas for improvement, helping to identify national issues of concern.

There is more about GL3 at: www.inspectorates.homeoffice.gov.uk/hmic

Our projected work

We shall continue to build on our core programme of work as outlined in this Report by focusing on those areas of service delivery where there are the greatest concerns or vulnerabilities. There is more about this in Chapter 4.

In view of the Government's decision not to progress with the creation of amalgamated strategic police forces, effective collaboration between police forces and active progress towards closing the service gaps are major Police Service priorities. Accordingly, HMIC will focus specifically on forces' delivery of protective services as a core component of inspection during the next two business years.

Protective services

HMIC will carry out an inspection and review progress on counter-terrorism. The remaining protective services will be examined in depth, in prioritised sequence.

Vulnerable persons

Although not technically 'protective services', HMIC will also incorporate early scrutiny of 'protecting vulnerable persons' into this core inspection, as well as a revisit of the inspection of professional standards.

Neighbourhood Policing

We will carry out a further inspection of Neighbourhood Policing to coincide with the Government's pledge to provide Neighbourhood Policing teams across all areas of England and Wales by April 2008. As this comes at the three-year programme's conclusion, our inspection will focus on outcomes, including the levels of satisfaction and confidence experienced by local people in their police service. We will also be analysing the degree to which Neighbourhood Policing is embedded within mainstream service delivery and into the wider Citizen Focus agenda. For this reason, an inspection of Citizen Focus will be conducted at the same time.

Front-line Supervision

As this Annual Report goes to press, we are carrying out a thematic review which focuses on uniformed 24/7 response policing sergeants. This review is a 'snapshot in time' that looks at the role of police sergeants within all 43 police forces in England and Wales.

The scope of the review will focus on assessing whether the Police Service is equipping sergeants with the necessary skills to lead and manage front-line staff and effectively initially manage critical incidents.

The review will also:

- identify areas of related good practice; and
- explore and test whether the current experience profile is appropriate for the demanding role of the police sergeant.

The review involves reaching as many sergeants as possible through a comprehensive questionnaire which, in turn, will help inform where a number of in-depth field visits will take place.

The report will be completed in spring 2008.

Thematic and commissioned workstreams

We have also been commissioned or requested to examine:

- **airports policing** – in the context of increased terrorism threats, trafficking and illegal immigration to determine the overall effectiveness of policing at Heathrow Airport, with particular focus on security arrangements;
- **policing the Olympics** – to provide professional scrutiny of the security concept, planning, operational arrangements, resource requirements and security costs;
- **Parliamentary security** – to act as independent assessors for a review of the resourcing of the security operation of the Parliamentary Estate and giving evidence to the Joint Committee on Security; and
- **collaboration** – as part of the Government's drive to close the gap identified in the provision of protective services, HMIC is helping to develop and select forces to test interventions designed to close that gap; then assessing longer-term developments to ensure that they deliver the best possible benefits.

Senior Appointments Panel

The Chairmanship of the Home Office's Senior Appointments Panel is one of my most important responsibilities.

It is through the mechanism of the Panel that the selection and appointment by police authorities of the most senior leaders in the Police Service is connected to the Home Secretary's own responsibilities in this area.

The work of the Panel can be extremely challenging and we take our responsibilities extremely seriously.

During the financial year 2005–06 the Panel considered:

- three applicants for one post at Chief Constable level;
- 34 applicants for eight posts at Deputy Chief Constable level; and
- 90 applicants for 16 posts at Assistant Chief Constable level.

During the financial year 2006–07 the Panel considered:

- 31 applicants for 11 posts at Chief Constable level;
- 51 applicants for 13 posts at Deputy Chief Constable level; and
- 119 applicants for 30 posts at Assistant Chief Constable level.

A major issue for the Panel recently has been the effects of the amalgamation debate on recruitment and appointment to the top ranks in the Service. I would like to pay tribute to Panel members for taking us through this difficult time.

Our work not only reflects a fast-changing Service but also highlights the importance of in-depth inspection work to help inform policing strategy.

CHAPTER 3

Joint Working

HMIC has continued to work ever more closely with colleagues in government departments and other organisations to help to improve policing and other services and the public's confidence in those services



Joint Inspections of Criminal Justice Areas

The Criminal Justice Inspectorates' *Joint Inspection Business Plan 2007–08* outlined the new broad objectives for inspection (see page 17).

HMIC has continued to work closely and collaboratively in a continuing programme of joint inspections with the Chief Inspectors from:

- the Crown Prosecution Service;
- HM Inspectorate of Court Administration;
- the Prison Service; and
- the National Probation Service.

Each inspection formed part of a wider programme of work to inspect each of the 42 Criminal Justice Areas, each of which has a Local Criminal Justice Board.

For some time, the Criminal Justice Inspectorates have been placing a greater emphasis on the effectiveness of relationships between the organisations that they are responsible for inspecting. In particular, it is important to evaluate how successful those agencies have been in improving performance through co-operation within a framework that recognises the inter-dependencies of the Criminal Justice System, while respecting the separate and independent roles of the different agencies themselves.

The reports looked at how each Criminal Justice Area was performing within the inspection framework. The areas were measured against three key Public Service Agreements that can also be tailored to relate to specific local circumstances. The targets were as follows:

- Improving public confidence and public engagement.
- Bringing offenders to justice.
- Reducing the level of ineffective trials.

The reports also identify strengths and areas for improvement, draw attention to good practice and make recommendations.

Overall findings

Over the course of this reporting period, the joint inspections found that Local Criminal Justice Boards are increasing their effectiveness in bringing offenders to justice.

Police forces and the CPS are also working more closely together to:

- recover the proceeds of crime; and
- ensure that Anti-Social Behaviour Orders are used in a targeted and judicious way.

The reports of the joint inspections of individual Criminal Justice Areas can be downloaded in full from the HM Inspectorate of Probation website at: www.inspectorates.homeoffice.gov.uk/hmiprobation

Joint Inspections of Youth Offending Teams

HMIC continues to work with a range of partners in a Joint Inspection of YOTs in England and Wales. Those partners include the following:

- Audit Commission;
- Commission for Social Care Inspection;
- Estyn (HM Chief Inspector of Education and Training in Wales);
- Healthcare Commission;
- HM Inspectorate of Prisons;
- HM Inspectorate of Probation;
- Office for Standards in Education, Children's Services and Skills; and
- Care and Social Services Inspectorate Wales.

The inspection programme began in 2003 and is the first to examine the work of the YOTs. The programme has been implemented in three phases and will cover all 155 YOTs in England and Wales over a five-year cycle.

The third phase of the inspection started in September 2005. It included all YOTs not previously inspected and covers five core areas of work:

- management and partnership arrangements;
- work in the courts;
- work with children and young people in the community;
- work with children and young people who are subject to Detention and Training Orders; and
- victims and restorative justice.

Each inspection report provides an overview, highlights strengths and areas for improvement, and makes recommendations for the five core areas of work.

At the end of each inspection, the YOT is asked to prepare an action plan. This is forwarded to the Youth Justice Board, which monitors its implementation.

Overall findings

Although much has been achieved over the past 18 months, the Inspectors found that there is still considerable room for improvement. It is vital to ensure that there are better day-to-day working processes and communication between the Police Service and YOTs to prevent children and young people from being criminalised.

The reports of the joint inspections of YOTs in England and Wales can be downloaded in full from the HM Inspectorate of Probation website at: www.inspectorates.homeoffice.gov.uk/hmiprobation

Other joint reports

HMIC also worked with partners on a number of joint reports covering matters of public interest and concern.

Managing Sex Offenders in the Community

This was a joint report, published in December 2005, led by HM Inspectorate of Probation with HMIC. Five probation and police areas were selected as being representative of rural and urban parts of the country.

It is important that sex offenders are managed effectively in the community. Although inspectors were encouraged by the National Probation Service and Police Service's greater focus on improving the assessment and management of 'High Risk of Harm' offenders, there were also many disappointing findings.

- There was a lack of integrated and accountable case management of sex offenders, and this was delivered in a poorly co-ordinated and inconsistent way.
- Multi-Agency Public Protection Arrangements meetings were not always integrated with probation and police records.
- Staff inadequately recorded the amount of time spent with sex offenders.
- OASys – a comprehensive offender assessment tool for practitioners to analyse risk – was poorly used.

We also found that most of the areas of work identified in our 2002 report *Protecting Children from Potentially Dangerous People: An Inter-agency Inspection on Children's Safeguards* had only been partially addressed or were still outstanding three years later.

We made six recommendations to the various agencies involved in managing sex offenders. We agreed that the Home Office, the Association of Chief Police Officers, National Probation Service, and National Offender Management Service should ensure the following.

- A joint training programme should be developed for police and probation staff involved in working with sex offenders to include:
 - assessment and management of risk of harm; and
 - current legislation and new powers that are available.
- Chief Constables should ensure that properly trained specialist officers are managing sex offenders in the community. These officers should be supervised centrally and should receive dedicated 'intrusive supervision'.

The report can be downloaded in full from the HM Inspectorate of Probation website at: www.inspectorates.homeoffice.gov.uk/hmiprobation

Putting Risk of Harm in Context: An inspection promoting Public Protection

This joint thematic inspection in 2005 was led by HM Inspectorate of Probation with HMIC and HM Inspectorate of Prisons. The aim was to take a snapshot of the progress being made towards more co-ordinated working between the police and prisons and probation staff to manage offenders in the community and to protect the public.

Tackling the complexities of Risk of Harm effectively requires co-ordinated practice as well as co-ordinated policy. The recognition that no single agency has the capacity to deliver effective public protection on its own led to the development of MAPPA and to designating the Police Service, the Prison and National Probation Service as Responsible Authorities.

The inspection examined work carried out by criminal justice agencies to:

- prevent re-offending by offenders who were subject to MAPPA;
- exchange information and intelligence at significant points in a sentence;
- carry out restrictive interventions;
- evaluate the use of assessment tools; and
- inspect the quality and links between assessment, intervention and outcomes.

Eight probation and police areas were selected for the inspection. It made ten key recommendations, including that the Police Service, the Prison Service and the National Probation Service should ensure that:

- good public protection principles are given high priority and are reflected in clear standards and targets for each agency;
- there is a more consistent understanding and use of MAPPA, including common definitions shared by all agencies, better recording of caseloads, streamlined processes, shared targets and co-location of staff where feasible; and
- high-quality Risk of Harm assessments are completed and used in every case as a key component of effective offender management.

The report can be downloaded in full from the HM Inspectorate of Probation website at: www.inspectorates.homeoffice.gov.uk/hmiprobation

Without Consent: A report on the joint review of the investigation and prosecution of rape offences

Maintaining the confidence of rape victims in the criminal justice process is absolutely vital if offenders are to be brought to justice.

Without Consent was a joint review carried out by HM Crown Prosecution Service Inspectorate and HMIC to assess progress following a joint thematic inspection in 2002 into the investigation and prosecution of rape offences. The report made 18 recommendations.

Without Consent found that, in many cases, the relevant policies are sound and in place. The inspectors were impressed by the dedication and commitment of many individuals, and much good practice was identified. However, challenges remain: many of these are to make sure that what is being done is effective and is carried out to a consistently high standard, and that the efforts of those involved are properly supported and co-ordinated.

An important issue in both the 2002 report and this latest review was that of attrition – when cases do not proceed to court. For those victims who do come forward, between a half and two-thirds of cases will not proceed beyond the investigation stage. Where cases are referred to prosecutors for a charging decision, a proportion will not proceed. Of those cases that do reach court, between a third and a half of those involving adults result in acquittals. Taken on their own, these figures are stark. However, attrition does need to be set in the context of the definitions of the ways in which detections were defined following the introduction of the National Crime Recording Standard in 2002, when the definition of rape was broadened.

Since 2002, there have been a number of significant developments in policy, law and practice, several of which were aimed specifically at improving the investigation and prosecution of rape offences.

Our latest report made a total of 18 recommendations, including the following.

- Police forces should issue guidance (in line with ACPO guidance) to first response officers on the action to be taken when attending a report of a rape, including taking an initial account from a victim.
- Chief Crown Prosecutors should ensure that one specialist prosecutor is involved in, and accountable for, a rape prosecution from beginning to end. Consultation with a second specialist should be undertaken if no further action is to be advised, or if a prosecution is to be dropped. The consultation should be recorded and the second specialist should be identified.

The report can be downloaded in full from the HMCPSI website at: www.hmcpsi.gov.uk

Justice in Policing

Justice in Policing was a joint thematic review carried out by HMCPSI and HMIC to analyse the quality of the handling of cases involving alleged criminal misconduct by a person serving with the police. These cases are often referred to as police complaints cases.

The review considered the following:

- the timeliness of investigations, submission of papers to the CPS and decision making;
- the quality, integrity and consistency of decision making and casework handling generally; and
- the relationship, in the context of police complaints cases, between:
 - CPS headquarters (Policy Directorate and Special Crime Division);
 - CPS areas;
 - the Independent Police Complaints Commission; and
 - Professional Standards Departments.

Many cases involving complaints against the police have a high profile at the national or local level. Moreover, public confidence requires that criminal law should operate with the police disciplinary system to provide a robust but fair and proportionate response to the full range of potential misconduct.

The report found that the existing arrangements for handling police complaints cases did not operate satisfactorily, and that there was a lack of clarity surrounding the criteria for the referral of cases to the CPS. In addition, the service

level agreements between the CPS and police forces have not been as effective or been implemented as consistently as was intended. The quality of files submitted by the police varies considerably, and Professional Standards Departments keep records of the length of time an investigation takes from complaint to file submission.

The report made 17 recommendations, including the following:

- Police forces and CPS Areas should ensure that they have an up-to-date, signed service level agreement that is regularly reviewed and updated. It should clearly set out the different arrangements for advice in cases involving police officers and others, on- and off-duty conduct and behaviour outside force areas.
- The criterion for referral of a case to the CPS (that a criminal offence 'may' have been committed) should be reviewed by the Home Office and replaced by a clearer test which requires CPS consideration of cases only when there is some evidence on which a decision to prosecute could be based.
- These revised requirements should be balanced by creating a right on the part of the complainant to have a decision by a police force not to submit a file to the CPS reviewed by the Independent Police Complaints Commission.

The report can be downloaded in full from the HMCPSI website at:
www.hmcpsi.gov.uk

Joint working with an increasing number of partner organisations is, and continues to be, pivotal to our role in helping to provide a better Criminal Justice System.

CHAPTER 4

Police Service Performance

Our methodology for assessing police performance is based on examining key areas of work which are essential in a modern police force



HMIC inspection methodology

Our inspection methodology has changed radically over the years, with the pace of change accelerating in recent times. There is more about our history at: www.inspectorates.homeoffice.gov.uk/hmic

Not so long ago, we conducted annual inspections of each police force, largely with the objective of certifying that they were efficient (for police grant purposes). This was a triennial inspection process, with performance assessment reviews in between.

We also focused our attention on where our inspection energies and resources could be best directed. Today, there are two key aspects of our work:

- performance reviews; and
- focused inspections.

Programmed Inspection

This new approach allows for a more in-depth, relevant and thorough assessment of those areas which pose the greatest risks in terms of the delivery of services to the public. The emphasis has been on protective services and Neighbourhood Policing. Our planned inspection programme for forthcoming years has recently been agreed with our primary stakeholders, following discussions with interested parties about where best to direct HMIC's resources. We now refer to this as Programmed Inspection, and it is currently being delivered in four phases. Phase 1 was completed in October 2007 and Phase 2 is due for completion in September 2008.

Phase 2

Phase 2 will focus on core areas for policing and customer engagement:

- serious organised and major crime;
- counter-terrorism;
- Neighbourhood Policing; and
- customer service and accessibility.

To some extent, these continue or build on other HMIC assessment activities. Counter-terrorism is, as I noted earlier, a major preoccupation of the Police Service. It is right that at this crucial stage of police readiness to tackle the challenges in this field HMIC looks at the Police Service's plans to meet those challenges.

Phase 3

This will focus on:

- critical incidents;
- public order; and
- civil contingencies, emergency planning and the Protect responsibilities of the Service.

These are also important areas, and have associated links to the Police Service's counter-terrorism work.

Phase 4

This will focus on:

- professional standards;
- strategic roads policing; and
- leadership.

This set will enable us to complete an assessment of the elements of protective services. The leadership component will have the advantage of being informed by the findings of the Front-line Supervision thematic review (see page 45).

Police Performance Assessment Framework

For the past three years, we have published police performance assessments with the Police and Crime Standards Directorate of the Home Office. The most recent report – published in October 2007 – covers assessments made and data collected for the period 1 April 2006 to 31 March 2007.

The seven key areas, known as 'domains', assessed were:

- tackling crime;
- serious crime and public protection;
- protecting vulnerable people;
- satisfaction and fairness;
- implementation of Neighbourhood Policing;

- local priorities; and
- resources and efficiency.

The performance assessments reflect a combination of information which is based on data and our independent judgement.

The full PPAF report for 2006–07 can be downloaded from the HMIC website at: www.inspectorates.homeoffice.gov.uk/hmic

Previous assessments are also available on the site.

An overview of the key areas of work follows.

Tackling crime

This performance area focuses on reducing and preventing crime. But when crime does happen, the public rightly expect the police to investigate that crime effectively and to bring the offenders to justice.

The assessment includes British Crime Survey measures of victimisation, along with recorded crime indicators on acquisitive crime and violent crime. These are assessed alongside measures of sanction detection rate and the proportion of offenders being brought to justice.

Overall performance in this area has improved. Ten police forces were graded 'Excellent' and none were 'Poor'.

Priorities that have been set for the police and their community and criminal justice partners recognise that reducing crime and bringing offenders to justice cannot be achieved by the police alone. Effective partnerships at both the local and national level are vital. There are many good examples of good partnership working, and good practice examples are being shared through guidance and the setting of national standards.

Serious crime and public protection

This is a new assessment, and it reflects the importance of dealing with incidents and offences which are low-volume but which cause the greatest harm to individuals and communities.

Previous assessments did not take enough account of the investment of police resources and effort in tackling the most serious crimes, incidents and offenders.

The new assessment is derived from performance measures on:

- life-threatening crime and gun crime;
- asset recovery; and
- deaths and serious injuries on the roads.

The new assessment also incorporates HMIC judgements on:

- specialist operational support;
- the National Intelligence Model; and
- strategic roads policing.

Delivery is linked to protecting the most vulnerable members of society (which is reported as a separate but related area of work below).

The results of these assessments confirmed that capability and capacity in relation to these aspects of policing vary across the Service and have informed forces and police authorities as to their vulnerabilities. This assessment provides a baseline from which future performance can be judged.

It also provides a foundation for the further development and sophistication of our inspection regime and the lessons learnt are being tested in our current inspections. I will report on these matters in my next report.

Protecting vulnerable people

This area was first developed in 2006 as part of our Baseline Assessment Programme. It replaced two existing frameworks – Reducing and Investigating Hate Crime, and Crimes Against Vulnerable Victims – which focused mainly on hate crime (predominantly racially motivated), domestic violence and child protection.

The new single framework has four components:

- domestic violence;
- the investigation and prevention of child abuse;
- the management of sex offenders and dangerous offenders; and
- vulnerable missing persons.

Each of these components is linked, and they all share a common theme – dealing with vulnerable victims where there is a high risk that an incident could quickly become critical. Consequently, when forces were inspected in 2006 they were given a single assessment grade for their overall performance.

The 2006 assessment showed that many forces were meeting acceptable performance standards across the framework as a whole. A number of areas for improvement – some of which were significant – were identified within the four component parts. As a result, no force achieved an overall 'Excellent' grading, only three achieved a 'Good' and eight were graded as 'Poor'.

Changes to the HMIC inspection programme in 2007 allowed the scope of the inspection to be broadened to include more detailed scrutiny of the individual components. Each component is now assessed and graded separately, to give a more comprehensive picture.

Again, success in this complex and challenging area requires strong and committed partnership working – like the joint working arrangements that exist with social services for investigating child abuse, and the Multi-Agency Public Protection Arrangements that are in place for the management of sex offenders. Progress is being made, but the momentum needs to be maintained and improvements need to be sustained.

Satisfaction and fairness

This area takes the information and feedback provided by the public about the levels of service received from the police in response to specific matters, and combines it with an assessment of how this service is delivered fairly across different groups in society. This area aims to reflect the importance of having an engaged community which trusts the police.

Over the past year, there have been improvements at the national level, with many police forces and authorities making great strides.

Research also shows that the public would like to know more about – and become more involved with – the way in which local policing services are delivered. When members of the public become victims of crime, it is very important that they are kept regularly informed about their case. Research shows that more people are now satisfied with the progress updates that they receive from the police.

The following took place last year:

- A Code of Practice for victims of crime was developed.
- A quality of service commitment was made.
- National Call Handling Standards were established.

All of this helped to keep people informed about what they could expect from the police.

This is a very important area of work and there will be a continuing emphasis on it over the coming years.

Implementation of Neighbourhood Policing

The Association of Chief Police Officers launched the Neighbourhood Policing Programme in 2005 to support the vision of an accessible and responsive Police Service. The programme is due for completion in April 2008.

In 2006, HMIC inspected the programme as part of the Baseline Assessment and found that the majority of forces were advanced with their implementation plans.

The programme was inspected again in 2007 and focused on how far the implementation plans had progressed – including coverage, engagement and joint problem solving.

The standard against which forces were inspected was higher than in 2006. Overall performance has improved, with more 'Excellent' and fewer 'Poor' grades being awarded. Given the challenges set by the inspection criteria, this is a significant achievement.

The HMIC inspection for 2008 will assess whether full implementation has been achieved and the outcomes realised – such as increased public satisfaction and confidence.

Local priorities

For the first time, the 2007 assessment included locally-selected indicators to reflect the priorities set by police forces and police authorities which work with local people to identify and discuss issues of concern. These are then reflected in improvement targets which are measured and monitored locally by the force and authority. This is an important step forward in finding a balance between national and local priorities.

This is also an important measure in assessing how confident the public are about the ways in which the police deliver services, as well as assessing how the public feel about levels of anti-social behaviour, drug use and crime.

Public perceptions about the performance of local police forces have remained stable, although the assessments highlight the challenges that some forces face in addressing locally identified issues.

Resources and efficiency

This area considers how well police forces manage their resources. Once again resource use remains an area of strong performance, with no forces assessed as 'Poor'.

Police forces also continue to demonstrate good progress against targets for efficiency improvements. All forces achieved their targets of delivering gains of 3% of net revenue expenditure, 1.5% of which must be cashable. The majority of forces are rated either 'Good' or 'Excellent' when assessed on the measure of time spent carrying out front-line duties.

For the second year, police use of resources was assessed by the Audit Commission in England, and by the Welsh Audit Office in Wales.

Overall performance in 2006–07

Across the seven 'headline' assessments, the range of grades awarded was as follows:

Excellent	14%
Good	46%
Fair	35%
Poor	5%

The assessments also showed that, among other things:

- some 75% of forces received a 'Good' or 'Excellent' rating for tackling crime;
- victim satisfaction with the Police Service has increased;
- the implementation of the Neighbourhood Policing Programme has seen good progress;
- more forces achieved a 'Good' or 'Excellent' rating than in the previous year's assessments;
- fewer 'Poor' grades were awarded than in the previous year; and
- forces achieved 60% of their grades as 'Good' or 'Excellent'.

This is all good news and shows the value of our developing our methodologies and adjusting our inspection approaches to reflect the needs of the Police Service and the public.

Future joint performance assessments

2008 will see the publication of the last PPAF assessments. Stakeholders have identified the need to develop a framework which is more inclusive of partnership activity and the wider criminal justice and community safety arena. Partners – including HMIC – have been developing the new Assessment of Policing and Community Safety, which will be first published in 2009, based on the 2008–09 financial year.

We are constantly striving to improve the ways in which we carry out our inspections so that they not only reveal a clear and accurate picture, but also help to improve future performance in tackling crime and protecting the public.

Annex

The Functions, Role and Work of Her Majesty's Inspectorate of Constabulary for England, Wales and Northern Ireland



Part One: Background

For over a century and a half, Her Majesty's Inspectors of Constabulary have been charged with examining and improving the efficiency of the Police Service in England and Wales, with the first HMIs appointed under the provisions of the County and Borough Police Act 1856. In 1962, the Royal Commission on the Police formally acknowledged their contribution to policing.

HMIs are appointed by the Crown on the recommendation of the Home Secretary and report to Her Majesty's Chief Inspector of Constabulary, who is the Home Secretary's principal professional policing adviser. He is independent both of the Home Office and of the Police Service.

This Annex briefly describes the role and work of HMIC. Further information can be found in HMIC's Annual Reports, which can be accessed via our website at: www.inspectorates.homeoffice.gov.uk/hmic

Part Two: Functions

The functions of the Inspectorate can be divided into three main areas:

- The formal inspection and assessment of the 43 police forces in England and Wales; the Police Service of Northern Ireland (supporting the Chief Inspector of Criminal Justice in Northern Ireland); the Civil Nuclear Constabulary; the British Transport Police; and the Ministry of Defence Police and Guarding Agency, including those at the Sovereign Base in Cyprus. HMIC also inspects HM Revenue and Customs, and the Serious Organised Crime Agency. Also inspected, by invitation, are the three island forces (Jersey, Guernsey and the Isle of Man) and other organisations responsible for policing such as police forces overseas (including Gibraltar). Thematic inspections are also undertaken, some in conjunction with other bodies, especially the other Criminal Justice System Inspectorates. Inspections are conducted openly and the recommendations of the HMIs are arrived at independently. HMIs' reports are normally published and placed on our website, and good practice is garnered and disseminated. These inspections are described more fully further on in this Annex.

- HMIC plays a key advisory role within the tripartite system (Home Office, chief officer and police authority/Northern Ireland Policing Board), where its independence and professional expertise are recognised by all parties. HMIs also provide a crucial link between forces and the Home Office, and, as the Home Secretary's principal professional police adviser, HMCIC links directly with the Home Office Crime Reduction and Community Safety Group.
- HMIC advises the Home Secretary on senior appointments in the Police Service, via the Senior Appointments Panel which HMCIC chairs.

In addition, the Inspectorate keeps abreast of policing issues worldwide by fostering links with international agencies such as Interpol and the FBI. HMIC also contributes to the development of inspection science through its association with other Inspectorates, both within and outside the Criminal Justice System.

Part Five sets out the statutory duties of HMIC. Part Six deals with HMIC's finances. Part Seven provides contact details.

Part Three: Organisation

HMIC is independent of both the Police Service and the Home Office. HMCIC for England, Wales and Northern Ireland is based in London and is supported by Assistant Inspectors of Constabulary, who have clearly defined functional responsibilities, a financial adviser and a small administrative staff. HMCIC visits police forces frequently but inspects rarely; the role generally is to direct and co-ordinate the work of HMIs, particularly those who have responsibility for inspecting a number of forces in one or more of the regions. HMCIC provides advice at national level and is available to advise Ministers and Home Office officials on aspects of policing, as well as advising the Police Service, on both operational and management matters.

The regional HMIs are located in regional offices (details in Part Seven) and are supported by a small staff. Their primary function is to inspect and assess police forces and to report their findings publicly. HMIs also have an important advisory function and seek to influence the development of policing by disseminating good practice and providing advice to police forces and police authorities. Assistance to each HMI is provided by staff officers and the financial adviser, each of whom has a key role in the inspection process.

There is one further HMI, from a non-police background, holding responsibility for inspecting police personnel, training and diversity. This HMI is fully engaged in the inspection and performance development work of HMIC.

HMIC's inspection staff are almost entirely provided by forces, HM Revenue and Customs and others (including those engaged in national security) on a secondment basis, some being on short-term loan. These arrangements provide HMIC with up-to-date experience.

Through the inspection and assessment processes and the recommendations made in published reports, HMIC seeks to influence chief officers, the Home Office, police authorities and the Northern Ireland Policing Board to ensure the provision of an efficient and effective Police Service. HMIC is required to submit to the Home Secretary an Annual Report, subsequently laid before Parliament and published, which summarises the main findings from the previous year's inspections and provides an overview of topical policing issues.

Since April 2003, HMIs have been responsible for overseeing Personal Development Reviews for chief officers. PDRs and the general process of performance review are a central component in the development of leadership in the top ranks of the Police Service.

The role of HMIC outside formal inspections is as important as the inspection process. HMIC is well placed to provide professional advice through the knowledge derived from the inspection process, its wide-ranging contacts within the tripartite system and the expertise of its members.

Part Four: The Inspection, Assessment and Advisory Functions

The formal inspection process is a core HMIC activity, through which HMIs conduct detailed examinations of those areas of policing organisation and practice judged to be central to the efficient and effective discharge of the policing function. HMIs report on the efficiency and effectiveness of each force – and other organisations – which they inspect; that is, the extent to which each force achieves the best results with the resources available and whether those results are the right ones. They take into consideration: the Government's Public Service Agreement performance targets for policing; the objectives set locally by police authorities and the Northern Ireland Policing Board; other priorities determined in consultation with the Home Office; and issues determined by HMIs, based on trends identified during the inspection process. Inspection protocols form the basis of these inspections.

The type, frequency, form, duration and priority of inspections is determined by HMIC. At present, inspections take several forms.

The Force (and other policing organisation) Inspection

HMIs conduct detailed examinations of those areas of policing organisation and practice judged to be central to the efficient and effective discharge of the policing function.

These inspections have been triggered through a risk assessment process. They check on the performance of forces in key areas (including ministerial priorities and crime targets, and objectives set locally by police authorities) and make recommendations for improvement where weaknesses are identified. Focused forms of these inspections are also conducted in relation to specific areas.

Our principal methodology, Baseline Assessment – see below – means that regular force-wide inspections are not now mounted. However, where the force's Baseline Assessment so indicates, where there are particular concerns, or when so directed by the Home Secretary, HMIC will conduct a full force inspection.

The Thematic Inspection

These inspections examine a key issue across a representative number of forces, and comment solely on the effectiveness of performance in relation to that key issue.

This type of inspection identifies deficiencies relevant to the Police Service as a whole and disseminates good practice regarding a specific aspect of policing. Such inspections have proved key in identifying critical issues and sticking points and in offering solutions for moving the Police Service forward in areas such as race and diversity, efficiency and value for money, crime recording, police integrity, the use of scientific and technological advances to tackle volume crime, rape, child protection, reassurance, training, and personnel issues such as recruiting.

The Best Value Review Inspection

This duty of inspection, introduced under the Local Government Act 1999, gave HMIC a remit to inspect Best Value in police authorities to ensure that Best Value Reviews have been carried out in accordance with the statutory requirements and that they are likely to bring about the desired improvements. HMIC liaises closely with other Best Value Inspectorates, particularly the district auditors, who also have a role in inspecting Best Value in police authorities. This activity is now generally undertaken in the context of the other inspection and assessment activities.

The Basic Command Unit Inspection

These inspections focused on the local aspects of policing. Concentrating on leadership and performance, the inspections sought to identify reasons for variations in performance between apparently similar BCUs. HMIC has been inspecting every BCU in England and Wales over a five-year period (which began in 2001–02) and has conducted re-inspections. However, as with Best Value Review inspections, these inspections will now normally feature in other inspection and assessment work (unless circumstances indicate otherwise).

HMIC's methodology in this field has developed, and is known as 'Going Local 3'.

GL3 ensures that BCU inspection effort focuses upon the relatively small number of BCUs where performance indicates a need for inspection-driven improvement.

There are four core elements to GL3:

- initial selection based on performance data;
- self-assessment modelled on the core components of the Baseline Assessment; followed by validation and review to identify those BCUs which will be subject to a full inspection;
- inspection including a mandatory leadership audit; and
- notional contract and follow-up activity.

Some inspections are also carried out in high-performance BCUs to highlight and share their successful approaches.

The GL3 methodology strikes the appropriate balance between recognising and learning from successful BCUs while concentrating limited HMIC resources on those BCUs which will most benefit from a detailed inspection. Alignment with force-level scrutiny also ensures that the database of evidence gained from BCU self-assessment can be used by the force and HMIC in future assessments. In addition, GL3 leads to a national repository of common strengths and areas for improvement, helping to identify national issues of concern.

Baseline Assessment and Programmed Inspections

In common with other Inspectorates, HMIC keeps its inspection methodology under review. One significant change was the move away from annual inspection to a three-year cycle and the introduction of the Performance Review assessment at the mid-point of the cycle. More recently, HMIC introduced risk assessment to focus the inspection effort and developed systems for inspecting BCUs and Best Value Reviews. In 2002, HMIC identified a need to rethink the conventional 'formal' inspection methodology used at force level in the light of changing circumstances, especially the major developments which flowed from the Police Reform Act 2002. The approach was termed 'Baseline Assessment' because it

sought to monitor change in each force (improvement or deterioration) against a baseline of performance identified in spring 2004.

For the past three years HMIC has jointly published, with the Home Office's Police and Crime Standards Directorate, police performance assessments which cover all 43 forces in England and Wales.

The principal methodology used during the course of these assessments has been Baseline Assessment. One of the key advantages of the Baseline Assessment model was that it produced a detailed agenda for improvement which was agreed by HMIC, the relevant police force and police authority.

Baseline Assessment until 31 March 2006

Briefly, Baseline Assessment helped the inspectors to monitor change in each police force against the performance 'baseline', which meant that the performance of different police forces could be compared and assessed across a range of core policing functions and activities which, until the end of 2005–06, were assessed under the following headings:

- citizen focus
- reducing crime
- investigating crime
- promoting safety
- providing assistance
- resource use
- leadership and direction.

Achievement was graded in one of four bands, allowing the public to understand and interpret performance:

- Excellent
- Good
- Fair
- Poor.

In addition, HMIC also offered a 'direction of travel' assessment, for example, 'improved', 'stable' or 'deteriorated'.

New Programmed Inspections

In the latest police performance assessments (1 April 2006 to 31 March 2007), our methodology changed to better reflect HMIC's inspection approach which now focuses on key areas of policing work.

This new approach allows for a more in-depth, relevant and thorough assessment of those areas that pose the greatest risk in the delivery of services to the public. We now refer to this methodology as Programmed Inspections. The performance assessments reflect a combination of information which is based on data and independent judgement.

Advice on Policing

HMIC provides professional advice and support on all aspects of policing, including operational and management matters, to police forces, police authorities and the Northern Ireland Policing Board. HMIC is well placed to act as an agent for change. The role of HMIC in ensuring collaboration between neighbouring forces and encouraging the sharing of new ideas, good practice and the timely utilisation of new equipment and techniques is considered important by the Home Secretary. This is achieved through the inspection and assessment processes, by offering information and advice to forces, and by collaboration with other agencies, such as the Audit Commission. Increasingly, HMIC undertakes joint inspections with other Inspectorates. The work of HMIC, in ensuring that police services are delivered as efficiently and effectively as possible and meet public needs, reinforces the principles that police forces should be responsive and provide high-quality services which represent good value for money.

During the course of inspection and assessment, HMIs also look closely at the progress made by police authorities and forces in building effective partnerships with both the local community and other agencies within the Criminal Justice System.

The Home Secretary relies on HMIC as the principal source of objective professional advice on all aspects of policing, both operational and managerial. In addition, HMIC advises on the formulation of policy proposals relating to the police, and liaises with the appropriate administrative units in the Home Office. However, HMIC does not form part of the Home Office's policy-making function. HMIC allocates specific subjects to individual HMIs and Assistant Inspectors on which they in turn provide professional advice. HMIC has the right to report to the Home Secretary on any matter considered appropriate.

HMCIC provides advice to the Home Secretary on the suitability of candidates seeking senior appointments within the Police Service. He provides this advice with the help of the Senior Appointments Panel. Panel members are drawn from the Association of Chief Police Officers, the Association of Police Authorities, the Metropolitan Police Authority and the Home Office, and the panel also includes an independent member. HMIs are expected to provide advice to police authorities and service authorities during the selection of chief officers and may sit as advisers on interview panels. HMCIC also provides advice on chief officers' nominations for honours and bravery awards.

The Home Secretary's powers of direction

The Home Secretary gained new powers of direction in the Police Reform Act 2002 (details in Part Five). These powers define HMCIC's formal and central role in the new police performance monitoring regime.

Monitoring of performance

HMCIC's assessments of comparative force performance, which contribute to prioritising the formal inspection programme, provide feedback to chief officers and police authorities about their force's performance, in both absolute and comparative terms. HMCIC liaises with the force to discuss any serious performance issues. This approach may identify a causal factor and the force may already be initiating a recovery plan to improve performance. HMCIC provides advice and guidance on specific issues and initiatives which have proved to be good practice elsewhere and which have delivered an improvement in performance.

Engagement

The Home Office would decide whether a formal offer of assistance from it should be made – this type of assistance is categorised as a formal engagement. The Home Office will continue to monitor to assess whether the action being taken is securing and sustaining improvement. If there is no significant improvement within a reasonable timescale, both in absolute terms and in comparison with the Most Similar Force average, the position will be reviewed to consider whether more needs to be done to implement an effective recovery plan, including an escalation to a formal collaboration.

Collaboration

Collaborations are initiated where engagements have not produced sufficient improvement in performance or there are very serious performance issues to address. They involve more substantive work with forces where serious, persistent or systematic problems have been identified. The Home Office (in conjunction with HMIC and others, as appropriate) will look to develop a more in-depth programme of work with the force and their authority. This could include collaboration at the more local level of a specific BCU.

Where appropriate, the Home Office may recommend that it would be desirable to call in expert advisers such as HMIC, assistance from partner agencies, or support from management consultants who could provide a review of structures, systems and processes as well as professional advice on finance and personnel issues.

The force, in conjunction with their authority, is expected to work up an effective plan and show progress and improvement in the implementation of this plan. The Home Office will monitor the progress of the force and, if necessary, advise Ministers on whether a further inspection should be carried out by HMIC.

Formal intervention

The final level of action would involve the use of powers provided in Section 40 or 41B of the Police Act 1996. The expectation is that formal intervention would usually follow only where an attempt at collaboration had proved unsuccessful. Such a step would require prior Home Secretary approval and would take place only in exceptional circumstances, after detailed discussion with the force at an earlier stage.

A formal inspection and assessment conducted by HMIC, under Section 54 of the Police Act 1996 (and at the request of the Home Secretary), would have to precede any direction and conclude that the force or BCU was not efficient or effective (or was likely to become so) either generally or in a particular respect. The Home Secretary could then decide to direct the police authority to take such remedial action as is required in the direction (under Section 4), or to submit an action plan within 12 weeks, setting out the remedial measures which the authority proposed to take (under Section 41B). Under a Section 41 direction, the authority would be asked to submit an action plan, which would be prepared by the chief officer of the force, but the authority could ask for changes before it was sent to the Home Secretary. The Home Secretary can indicate to the chief officer and police authority that the plan is inadequate, and the police authority would consult the chief officer about any revisions required. A revised plan would be submitted to the Home Secretary.

Clearly, though, it would have to be seen that any formal intervention steps would be wholly exceptional, and thoroughly regrettable. HMIC works fully with forces in circumstances of poor performance to avoid intervention. Indeed, HMIC has solid examples, over many years, of how working with forces drives up performance.

Other Inspection Activities

These include:

Personnel, Training and Diversity

Our specific capability to inspect police training was established in 2000. Training should aim to equip police personnel with the skills they need to fulfil their jobs professionally, and this supposes that training and development is delivered consistently, effectively and efficiently in all police organisations. It is a key role for HMIC to ensure that training is delivered to nationally agreed standards, provides value for money and supports front-line policing.

The Central Police Training and Development Authority (trading under the name Centrex) was formed as a non-departmental public body, out of National Police Training, on 1 April 2002. HMIC assumed statutory responsibility for the inspection of Centrex until its absorption into the National Policing Improvement Agency in early 2007.

HMIC also includes expertise to inspect both HR capacity and equality and diversity. These are key components of police organisational capability and service delivery. HMIC is thus leading by example in championing these areas at the highest level.

Police National Computer

The PNC is the only truly national policing system. HMIC, through the work of a small specialist team, audits how forces (including those in Scotland) meet their responsibility to enter data on to the PNC in an accurate and timely manner. The level and frequency of force audits are determined through a risk-based programme which closely scrutinises a number of key business areas and their impact on force performance.

Efficiency Plans

Police authorities are required to produce efficiency plans as part of their annual policing plans. The plans indicate how the efficiency gains target set by the Home Office is to be achieved, and are intended to provide a transparent, but basic, link between resource inputs and measurable performance outcomes.

HMIC staff, supported by external auditors, inspect the progress of the plans of each police authority and force throughout the year. Progress reports are provided to the Home Office for Ministers and the Treasury. HMIs regularly remind police authorities and forces of the importance of monitoring and linking police performance to the achievement of efficiency gains.

In 2006–07, the Service achieved £346m in efficiency gains, which has been recycled into front-line policing, against a target for the year of £319m.

Conclusion

HMIC's statement of purpose notes that we set out to ensure that *performance is improved*. HMIC's inspection and assessment activities are directed firmly at achieving that objective. The intention is to secure long-term, durable and sustainable progress in performance and delivery: continuous improvement for the benefit of all the communities served.

Part Five: The Statutory Duties of HM Inspectors of Constabulary

The principal statutory duties of Her Majesty's Inspectors of Constabulary are set out in the Police Act 1996.

54. - (1) Her Majesty may appoint such number of inspectors (to be known as Her Majesty's Inspectors of Constabulary) as the Secretary of State may with the consent of the Treasury determine, and of the persons so appointed one may be appointed as chief inspector of constabulary.

(2) The inspectors of constabulary shall inspect, and report to the Secretary of State on the efficiency and effectiveness of, every police force maintained for a police area.

(3) The inspectors of constabulary shall carry out such other duties for the purpose of furthering police efficiency and effectiveness as the Secretary of State may from time to time direct.

(4) The chief inspector of constabulary shall in each year submit to the Secretary of State a report in such form as the Secretary of State may direct, and the Secretary of State shall lay a copy of that report before Parliament.

(5) The inspectors of constabulary shall be paid such salary and allowances as the Secretary of State may with the consent of the Treasury determine.

55. - (1) Subject to subsection (2), the Secretary of State shall arrange for any report received by him under section 54(2) to be published in such manner as appears to him to be appropriate.

(2) The Secretary of State may exclude from publication under subsection (1) any part of a report if, in his opinion, the publication of that part-

- (a) would be against the interests of national security, or
- (b) might jeopardise the safety of any person.

- (3) The Secretary of State shall send a copy of the published report-
- (a) [(except where he is himself the police authority)] to the police authority maintaining the police force to which the report relates, and
 - (b) to the chief officer of police of that police force.
- (4) The police authority shall invite the chief officer of police to submit comments on the published report to the authority before such date as it may specify.
- (5) The police authority shall prepare comments on the published report and shall arrange for-
- (a) its comments,
 - (b) any comments submitted by the chief officer of police in accordance with subsection (4), and
 - (c) any response which the authority has to the comments submitted by the chief officer of police,
- to be published in such manner as appears to the authority to be appropriate.
- (6) The police authority [(except where it is the Secretary of State)] shall send a copy of any document published under subsection (5) to the Secretary of State.
56. - (1) The Secretary of State may appoint assistant inspectors of constabulary.
- (2) Members of a police force may be appointed by the Secretary of State to be assistant inspectors of constabulary or to be staff officers to the inspectors of constabulary.
- (3) Persons appointed under this section shall be paid such salary and allowances as the Secretary of State may with the consent of the Treasury determine.

Under Section 77 of the 1996 Act, there is a responsibility to review the investigation and handling of complaints.

77. Every police authority in carrying out its duty with respect to the maintenance of an efficient and effective police force, and inspectors of constabulary in carrying out their duties with respect to the efficiency and effectiveness of any police force, shall keep themselves informed as to the working of sections 67 to 76 in relation to the force.

Best Value Review inspections are conducted under the auspices of Section 24 of the Local Government Act 1999.

24. - (1) Section 8(2) of the Police Act 1996 (local policing plans) shall be amended by-

- (a) the omission of the word "and" after paragraph (b), and
- (b) the insertion of the following after paragraph (c)-

", and

(d) any action proposed for the purpose of complying with the requirements of Part I of the Local Government Act 1999 (best value)."

(2) In section 54 of that Act (inspectors of constabulary) after subsection (2) there shall be inserted-

"(2A) The inspectors of constabulary may inspect, and report to the Secretary of State on, a police authority's compliance with the requirements of Part I of the Local Government Act 1999 (best value)."

(3) In section 55(1) of that Act (publication of reports) after "section 54(2)" there shall be inserted "or (2A)".

There are further powers in the Police Reform Act 2002.

3. Powers to require inspection and report

In Section 54 of the 1996 Act (appointment and functions of inspectors of constabulary), after subsection (2A) there shall be inserted-

"(2B) The Secretary of State may at any time require the inspectors of constabulary to carry out an inspection under this section of-

- (a) a police force maintained for any police area;
- (b) the National Criminal Intelligence Service; or
- (c) the National Crime Squad;

and a requirement under this subsection may include a requirement for the inspection to be confined to a particular part of the force, Service or Squad in question, to particular matters or to particular activities of that force, Service or Squad.

(2C) Where the inspectors carry out an inspection under subsection (2B), they shall send a report on that inspection to the Secretary of State.";

and in section 55(1) of that Act (publication of reports) for "or (2A)" there shall be substituted ", (2A) or (2C)".

(2) In section 41 of the Police (Northern Ireland) Act 1998 (c. 32) (appointment and functions of inspectors), after subsection (3) there shall be inserted-

"(3A) The Secretary of State may at any time require the inspectors to carry out an inspection under this section of-

- (a) the Police Service of Northern Ireland; or
- (b) the National Criminal Intelligence Service;

and a requirement under this subsection may include a requirement for the inspection to be confined to a particular part of the Service in question, to particular matters or to particular activities of that Service.

(3B) Where the inspectors carry out an inspection under subsection (3A), they shall send a report on that inspection to the Secretary of State.";

and in section 42(1) of that Act (publication of reports) for "or (3)" there shall be substituted ", (3) or (3B)".

4 *Directions to police authorities*

For section 40 of the 1996 Act (power to give directions in response to report on an inspection of a police force carried out for the purposes of that section) there shall be substituted-

"40 Power to give directions to a police authority

(1) Where a report made to the Secretary of State on an inspection under section 54 states, in relation to any police force maintained under section 2, or in relation to the metropolitan police force-

(a) that, in the opinion of the person making the report, the whole or any part of the force inspection is, whether generally or in particular respects, not efficient or not effective, or

(b) that, in that person's opinion, the whole or a part of the force will cease to be efficient or effective, whether generally or in particular respects, unless remedial measures are taken,

the Secretary of State may direct the police authority responsible for maintaining that force to take such remedial measures as may be specified in the direction.

(2) Those remedial measures must not relate to any matter other than-

(a) a matter by reference to which the report contains a statement of opinion falling within subsection (1)(a) or (b); or

(b) a matter that the Secretary of State considers relevant to any matter falling within paragraph (a).

(3) If the Secretary of State exercises his power to give a direction under this section in relation to a police force-

(a) he shall prepare a report on his exercise of that power in relation to that force; and

(b) he shall lay that report before Parliament.

(4) A report under subsection (3)-

- (a) shall be prepared at such time as the Secretary of State considers appropriate; and
- (b) may relate to more than one exercise of the power mentioned in that subsection.

(5) The Secretary of State shall not give a direction under this section in relation to any police force unless-

- (a) the police authority maintaining that force and the chief officer of that force have each been given such information about the Secretary of State's grounds for proposing to give that direction as he considers appropriate for enabling them to make representations or proposals under the following paragraphs of this subsection;
- (b) that police authority and chief officer have each been given an opportunity of making representations about those grounds;
- (c) that police authority has had an opportunity of making proposals for the taking of remedial measures that would make the giving of the direction unnecessary; and
- (d) the Secretary of State has considered any such representations and any such proposals.

(6) The Secretary of State may by regulations make further provision as to the procedure to be followed in cases where a proposal is made for the giving of a direction under this section.

(7) Before making any regulations under this section, the Secretary of State shall consult with-

- (a) persons whom he considers to represent the interests of police authorities;
- (b) persons whom he considers to represent the interests of chief officers of police; and
- (c) such other persons as he thinks fit.

(8) Regulations under this section may make different provision for different cases and circumstances.

(9) A statutory instrument containing regulations under this section shall not be made unless a draft of the regulations has been laid before Parliament and approved by a resolution of each House."

5 *Directions as to action plans*

After section 41 of the 1996 Act there shall be inserted-

"41A *Power to give directions as to action plans*

(1) This section applies where a report made to the Secretary of State on an inspection under section 54 states, in relation to a police force for a police area-

(a) that, in the opinion of the person making the report, the whole or any part of the force is, whether generally or in particular respects, not efficient or not effective; or

(b) that, in that person's opinion, the whole or a part of the force will cease to be efficient or effective, whether generally or in particular respects, unless remedial measures are taken.

(2) If the Secretary of State considers that remedial measures are required in relation to any matter identified by the report, he may direct the police authority responsible for maintaining the force to submit an action plan to him.

(3) An action plan is a plan setting out the remedial measures which the police authority proposes to take in relation to the matters in respect of which the direction is given.

(4) If a police authority is directed to submit an action plan, that authority shall direct the chief officer of police of the force in question to prepare a draft of it and to submit it to the police authority for that authority to consider.

(5) The police authority, on considering a draft action plan submitted to it under subsection (4) may submit the plan to the Secretary of State, with or without modifications.

(6) If the police authority proposes to make modifications to the draft of the action plan submitted under subsection (4), it must consult with the chief officer of police.

(7) On considering an action plan submitted to him in accordance with a direction under this section, the Secretary of State may, if he is of the opinion that the remedial measures contained in the action plan submitted to him are inadequate, notify the police authority and the chief officer of the force in question of that opinion and of his reasons for it.

(8) If a police authority is notified under subsection (7)-

(a) it shall consider, after consultation with the chief officer of the police force in question about the matters notified, whether to revise the action plan in the light of those matters; and

(b) if it does revise that plan, it shall send a copy of the revised plan to the Secretary of State.

(9) On giving a direction under this section to the police authority responsible for maintaining a police force, the Secretary of State shall notify the chief officer of police of that force that he has given that direction.

(10) The period within which a direction to submit an action plan must be complied with is such period of not less than four weeks and not more than twelve weeks after it is given as may be specified in the direction.

(11) The provision that a direction under this section may require to be included in an action plan to be submitted to the Secretary of State includes-

(a) provision setting out the steps that the police authority proposes should be taken in respect of the matters to which the direction relates and the performance targets the authority proposes should be met;

(b) provision setting out the authority's proposals as to the times within which those steps are to be taken and those targets to be met and the means by which the success of the plan's implementation is to be measured;

- (c) provision for the making of progress reports to the Secretary of State about the implementation of the action plan;
- (d) provision as to the times at which, and the manner in which, any progress report is to be made; and
- (e) provision for the duration of the plan and for it to cease to apply in the circumstances determined by the Secretary of State.

(12) Nothing in this section shall authorise the Secretary of State or a police authority to direct the inclusion in an action plan or draft action plan of any requirement to do or not to do anything in a particular case identified for the purposes of the requirement, or in relation to a particular person so identified.

(13) In this section references, in relation to a case in which there is already an action plan in force, to the submission of a plan to the Secretary of State include references to the submission of revisions of the existing plan; and the preceding provisions of this section shall have effect accordingly.

(14) A police authority shall comply with any direction given to it under this section.

(15) A chief officer of police of any police force shall comply with any direction given to him under this section.

(16) Nothing in this section or in section 40 prevents the Secretary of State in the case of the same report under section 54 from exercising (whether in relation to the same matter or different matters or at the same time or at different times) both his powers under this section and his powers under section 40.

41B *Procedure for directions under section 41A*

(1) The Secretary of State shall not give a direction under section 41A in relation to any police force unless-

- (a) the police authority maintaining that force and the chief officer of that force have each been given such information about the Secretary of State's grounds for proposing to give that direction as he considers appropriate for enabling them to make representations or proposals under the following paragraphs of this subsection;

- (b) that police authority and chief officer have each been given an opportunity of making representations about those grounds;
 - (c) that police authority has had an opportunity of making proposals for the taking of remedial measures that would make the giving of the direction unnecessary; and
 - (d) the Secretary of State has considered any such representations and any such proposals.
- (2) The Secretary of State may by regulations make further provision as to the procedure to be followed in cases where a proposal is made for the giving of a direction under section 41A.
- (3) Before making any regulations under this section, the Secretary of State shall consult with-
- (a) persons whom he considers to represent the interests of police authorities;
 - (b) persons whom he considers to represent the interests of chief officers of police; and
 - (c) such other persons as he thinks fit.
- (4) Regulations under this section may make different provision for different cases and circumstances.
- (5) A statutory instrument containing regulations under this section shall not be made unless a draft of the regulations has been laid before Parliament and approved by a resolution of each House.
- (6) If the Secretary of State exercises his power to give a direction under section 41A in relation to a police force-
- (a) he shall prepare a report on his exercise of that power in relation to that force; and
 - (b) he shall lay that report before Parliament.

(7) A report under subsection (6)-

(a) shall be prepared at such time as the Secretary of State considers appropriate; and

(b) may relate to more than one exercise of the power mentioned in that subsection.”

On Police Training, in the Criminal Justice and Police Act 2001.

93 Inspections of the [Central Police Training and Development] Authority

(1) The Secretary of State may at any time require the inspectors of constabulary to carry out an inspection of the Authority under section 54 of the 1996 Act.

(2) Where a report made to the Secretary of State on an inspection of the Authority under that section states-

(a) that, in the opinion of the person making the report, the Authority are not carrying out their duties efficiently and effectively, or

(b) that in his opinion, unless remedial measures are taken, the Authority will cease to carry out their duties efficiently and effectively,

the Secretary of State may direct the Authority to take such measures as may be specified in the direction.

On Northern Ireland, in the Police (Northern Ireland) Act 1998.

41 Appointment of inspectors of constabulary

(1) The Secretary of State may appoint from among Her Majesty's Inspectors of Constabulary appointed under section 54 of the Police Act 1996 such number of inspectors of constabulary for Northern Ireland as he may determine.

(2) The inspectors shall at least once in every year inspect and report to the Secretary of State on the efficiency and effectiveness of the Northern Ireland Police Service.

(3) The inspectors may inspect and report to the Secretary of State on the efficiency and effectiveness of the National Criminal Intelligence Service.

(4) The inspectors shall carry out such other duties for the purpose of furthering the efficiency and effectiveness of the Northern Ireland Police Service and make such other reports as the Secretary of State may from time to time direct.

(5) Any expenditure incurred for the purposes of or in connection with an inspection under this section shall be defrayed by the Secretary of State.

42 Publication of reports of inspectors of constabulary

(1) Subject to subsection (2), the Secretary of State shall arrange for any report received by him under Section 41(2) or (3) to be published in such manner as appears to him to be appropriate.

(2) The Secretary of State may exclude from publication under subsection (1) any part of a report if, in his opinion, the publication of that part-

- (a) would be against the interests of national security or prejudicial to public order; or
- (b) might jeopardise the safety of any person.

(3) The Secretary of State shall send a copy of the published report to-

- (a) the Police Authority; and
- (b) the Chief Constable.

(4) The Police Authority shall invite the Chief Constable to submit comments on the published report to the Authority before such date as it may specify.

(5) The Police Authority shall prepare comments on the published report and shall arrange for-

- (a) its comments;
- (b) any comments submitted by the Chief Constable in accordance with subsection (4); and
- (c) any response which the Authority has to the comments submitted by the Chief Constable,

to be published in such manner as appears to the Authority to be appropriate.

(6) The Police Authority shall send a copy of any document published under subsection (5) to the Secretary of State.

(7) Subsections (3) to (6) shall apply in relation to a report relating to the National Criminal Intelligence Service as if-

- (a) references to the Police Authority were references to the Service Authority for the National Criminal Intelligence Service; and
- (b) references to the Chief Constable were references to the Director General of the National Criminal Intelligence Service.

Amended by Section 30 of the Police (Northern Ireland) Act 2000.

(9) In section 41 of the 1998 Act (inspectors of constabulary) for subsection (4) there shall be substituted-

- "(4) The inspectors shall-
- (a) if the Secretary of State so directs, carry out an inspection of the Board's [the Northern Ireland Policing Board] compliance with the requirements of section 28 of the Police (Northern Ireland) Act 2000;
 - (b) carry out such other duties for the purpose of furthering the efficiency and effectiveness of the police, the police support staff and traffic wardens as the Secretary of State may from time to time direct;

(c) make such reports as the Secretary of State may from time to time direct.”

(10) In section 42(1) of the 1998 Act (publication of certain reports of inspectors) after “under section 41(2) or (3)” there shall be inserted “and any report of an inspection under section 41(4)(a)”.

Schedule 8 of Part 6 of the Justice (Northern Ireland) Act 2002, in respect of the Chief Inspector of Criminal Justice in Northern Ireland.

Inspections of Police Service

- 8 (1) Before an inspection of the Police Service of Northern Ireland or Police Service of Northern Ireland Reserve is carried out under section 46, the Chief Inspector must inform those of Her Majesty’s Inspectors of Constabulary who have been appointed under section 41(1) of the Police (Northern Ireland) Act 1998 (c. 32) as inspectors of constabulary for Northern Ireland.
- (2) If those inspectors notify the Chief Inspector that they wish to carry out the inspection, the Chief Inspector must delegate its carrying out to them under paragraph 7.
- (3) If those inspectors do not notify the Chief Inspector that they wish to carry out the inspection, the Chief Inspector must, before the inspection or review is carried out, consult the Secretary of State with a view to obtaining his approval of the inspection which it is proposed to carry out.

The Ministry of Defence Police and Guarding Agency, in the Police Reform Act 2002.

80 *Functions of inspectors of constabulary*

Before section 5 of the Ministry of Defence Police Act 1987 (c. 4) there shall be inserted-

"4B Functions of inspectors of constabulary

(1) The inspectors of constabulary shall inspect, and report to the Secretary of State on, the efficiency and effectiveness of the Ministry of Defence Police.

(2) The Secretary of State may at any time require the inspectors of constabulary to carry out an inspection under this section of the Ministry of Defence Police [Act] and to report to him on that inspection.

(3) A requirement under subsection (2) may include a requirement for the inspection to be confined to a particular part of the Ministry of Defence Police, to particular matters or to particular activities of the Ministry of Defence Police.

(4) The inspectors of constabulary shall carry out such other duties for the purposes of furthering the efficiency and effectiveness of the Ministry of Defence Police as the Secretary of State may from time to time direct.

(5) Before carrying out any inspection by virtue of subsection (1) in Scotland, the inspectors of constabulary shall consult the Scottish inspectors with respect to the scope and conduct of the proposed inspection.

(6) In this section-

"the inspectors of constabulary" means Her Majesty's Inspectors of Constabulary appointed under section 54 of the Police Act 1996 (c. 16);

"the Scottish inspectors" means the inspectors of constabulary appointed under section 33 of the Police (Scotland) Act 1967 (c. 77).

4C Publication of reports

(1) Subject to subsection (2) below, the Secretary of State shall arrange for any report received by him under section 4B above to be published in such manner as appears to him to be appropriate.

(2) The Secretary of State may exclude from publication under subsection (1) above any part of a report if, in his opinion, the publication of that part-

- (a) would be against the interests of national security; or
- (b) might jeopardise the safety of any person.

(3) The Secretary of State shall-

- (a) send a copy of the published report to the chief constable of the Ministry of Defence Police; and
- (b) invite the chief constable to submit comments on the published report to the Secretary of State before such date as the Secretary of State may specify.

(4) The Secretary of State shall arrange for-

- (a) any comments submitted by the chief constable in accordance with subsection (3) above, and
- (b) any response that the Secretary of State may prepare to the published report or to any comments submitted by the chief constable,

to be published in such manner as he considers appropriate.”

British Transport Police, in the Railways and Transport Safety Act 2003.

63 *Inspection*

(1) Her Majesty’s Inspectors of Constabulary shall inspect the Police Force from time to time.

(2) Her Majesty’s Inspectors of Constabulary shall also inspect the Police Force if requested by the Secretary of State to inspect the force-

- (a) generally, or
- (b) in respect of a particular matter.

- (3) Following an inspection the inspectors shall report to the Secretary of State on the efficiency and effectiveness of the force-
- (a) generally, or
 - (b) in the case of an inspection under subsection (2)(b), in respect of the matters to which the inspection related.
- (4) A report under subsection (3) must be in such form as the Secretary of State may direct.
- (5) Where the Secretary of State receives a report under subsection (3) he shall publish it.
- (6) Section 55 of the Police Act 1996 (c. 16) (inspection reports: publication and comment) shall have effect, with any necessary modifications, in relation to a report of an inspection under this section.
- (7) The Authority shall pay to the Secretary of State such amounts as the Secretary of State may specify in respect of an inspection carried out under this section.

The Civil Nuclear Constabulary, in the Energy Act 2004.

62 *Inspection*

- (1) Her Majesty's Inspectors of Constabulary must inspect the Constabulary from time to time.
- (2) Her Majesty's Inspectors of Constabulary must also inspect the Constabulary if requested to do so by the Secretary of State either-
- (a) generally; or
 - (b) in respect of a particular matter.
- (3) Before carrying out an inspection under this section wholly or partly in Scotland, Her Majesty's Inspectors of Constabulary must consult the Scottish inspectors-
- (a) in the case of any inspection by virtue of subsection (1) or (2)(a), about the scope and conduct in Scotland of the proposed inspection; and
 - (b) in any other case, about its conduct in Scotland.

(4) Following an inspection under this section, Her Majesty's Inspectors of Constabulary must report to the Secretary of State on the efficiency and effectiveness of the Constabulary either-

- (a) generally; or
- (b) in the case of an inspection under subsection (2)(b), in respect of the matter to which the inspection related.

(5) A report under subsection (4) must be in such form as the Secretary of State may direct.

(6) The Secretary of State must arrange for every report which he receives under subsection (4) to be published in such manner as appears to him to be appropriate.

(7) The Secretary of State may exclude from publication under subsection (6) any part of a report if, in his opinion, the publication of that part-

- (a) would be against the interests of national security; or
- (b) might jeopardise the safety of any person.

(8) The Secretary of State must send a copy of the published report-

- (a) to the Police Authority; and
- (b) to the chief constable.

(9) The Police Authority must pay to the Secretary of State such amounts as he may determine in respect of an inspection carried out under this section.

(10) The Secretary of State must pay sums received by him under subsection (9) into the Consolidated Fund.

Serious Organised Crime Agency, in the Serious Organised Crime and Police Act 2005.

16 Inspections

(1) Her Majesty's Inspectors of Constabulary ("HMIC") must inspect SOCA from time to time.

(2) HMIC must also inspect SOCA if requested to do so by the Secretary of State either-

- (a) generally, or
- (b) in respect of a particular matter.

(3) Before requesting an inspection that would fall to be carried out wholly or partly in Scotland, the Secretary of State must consult the Scottish Ministers.

(4) Any inspection under this section must be carried out jointly by HMIC and the Scottish inspectors-

- (a) if it is carried out wholly in Scotland, or
- (b) in a case where it is carried out partly in Scotland, to the extent that it is carried out there.

(5) Following an inspection under this section, HMIC must report to the Secretary of State on the efficiency and effectiveness of SOCA either-

- (a) generally, or
- (b) in the case of an inspection under subsection (2)(b), in respect of the matter to which the inspection related.

(6) A report under subsection (5) must be in such form as the Secretary of State may direct.

(7) The Secretary of State must arrange for every report which he receives under subsection (5) to be published in such manner as he considers appropriate.

(8) The Secretary of State may exclude from publication under subsection (7) any part of a report if, in his opinion, the publication of that part-

- (a) would be against the interests of national security, or
- (b) could prejudice the prevention or detection of crime or the apprehension or prosecution of offenders, or
- (c) might jeopardise the safety of any person.

(9) The Secretary of State must send a copy of the published report-

- (a) to SOCA, and
- (b) if subsection (4) applied to the inspection, to the Scottish Ministers.

(10) SOCA must-

- (a) prepare comments on the published report, and
- (b) arrange for its comments to be published in such manner as it considers appropriate.

(11) SOCA must send a copy of any document published under subsection (10)(b)-

- (a) to the Secretary of State, and
- (b) if subsection (4) applied to the inspection, to the Scottish Ministers.

(12) The inspectors shall carry out such other duties for the purpose of furthering the efficiency and effectiveness of SOCA as the Secretary of State may from time to time direct.

(13) In this section "the Scottish inspectors" means the inspectors of constabulary appointed under section 33(1) of the Police (Scotland) Act 1967 (c. 77).

HM Revenue and Customs, in the Commissioners for Revenue and Customs Act 2005.

Inspection

(1) The Treasury may make regulations conferring functions on Her Majesty's Inspectors of Constabulary, the Scottish inspectors or the Northern Ireland inspectors in relation to-

- (a) the Commissioners for Her Majesty's Revenue and Customs, and
- (b) officers of Revenue and Customs.

(2) Regulations under subsection (1)-

- (a) may-
 - (i) in relation to Her Majesty's Inspectors of Constabulary, apply (with or without modification) or make provision similar to any provision of sections 54 to 56 of the Police Act 1996 (c. 16) (inspection);
 - (ii) in relation to the Scottish inspectors, apply (with or without modification) or make provision similar to any provision of section 33 or 34 of the Police (Scotland) Act 1967 (c. 77) (inspection);

- (iii) in relation to the Northern Ireland inspectors, apply (with or without modification) or make provision similar to any provision of section 41 or 42 of the Police (Northern Ireland) Act 1998 (c. 32) (inspection);
 - (b) may enable a Minister of the Crown or the Commissioners to require an inspection to be carried out;
 - (c) shall provide for a report of an inspection to be made and, subject to any exceptions required or permitted by the regulations, published;
 - (d) shall provide for an annual report by Her Majesty's Inspectors of Constabulary;
 - (e) may make provision for payment by the Commissioners to or in respect of Her Majesty's Inspectors of Constabulary, the Scottish inspectors or the Northern Ireland inspectors.
- (3) An inspection carried out by virtue of this section may not address a matter of a kind which the Comptroller and Auditor General may examine under section 6 of the National Audit Act 1983 (c. 44).
- (4) An inspection carried out by virtue of this section shall be carried out jointly by Her Majesty's Inspectors of Constabulary and the Scottish inspectors-
 - (a) if it is carried out wholly in Scotland, or
 - (b) in a case where it is carried out partly in Scotland, to the extent that it is carried out there.
- (5) Regulations under subsection (1)-
 - (a) shall be made by statutory instrument, and
 - (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) In this section-
 - (a) "the Scottish inspectors" means the inspectors of constabulary appointed under section 33(1) of the Police (Scotland) Act 1967, and
 - (b) "the Northern Ireland inspectors" means the inspectors of constabulary appointed under section 41(1) of the Police (Northern Ireland) Act 1998.

Confidentiality, &c.

(1) Where Her Majesty's Inspectors of Constabulary, the Scottish inspectors or the Northern Ireland inspectors obtain information in the course of exercising a function by virtue of section 27-

- (a) they may not disclose it without the consent of the Commissioners, and
- (b) they may not use it for any purpose other than the exercise of the function by virtue of section 27.

(2) A report of an inspection by virtue of section 27 may not include information relating to a specified person without his content.

(3) Where the Independent Police Complaints Commission or a person acting on its behalf obtains information from the Commissioners or an officer of Revenue and Customs, or from the Parliamentary Commissioner for Administration, in the course of exercising a function by virtue of section 28-

- (a) the Commission or person shall comply with any restriction on disclosure imposed by regulations under that section (and those regulations may, in particular, prohibit disclosure generally or only in specified circumstances or only without the consent of the Commissioners), and
- (b) the Commission or person may not use the information for any purpose other than the exercise of the function by virtue of that section.

(4) A person commits an offence if he contravenes a provision of this section.

(5) It is a defence for a person charged with an offence under this section of disclosing or using information to prove that he reasonably believed-

- (a) that the disclosure or use was lawful, or
- (b) that the information had already and lawfully been made available to the public.

- (6) A person guilty of an offence under this section shall be liable-
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years, to a fine or to both, or
 - (b) on summary conviction, to imprisonment for a term not exceeding 12 months, to a fine not exceeding the statutory maximum or to both.
- (7) A prosecution for an offence under this section may be instituted in England and Wales only-
- (a) by the Director of Revenue and Customs Prosecutions, or
 - (b) with the consent of the Director of Public Prosecutions.
- (8) A prosecution for an offence under this section may be instituted in Northern Ireland only-
- (a) by the Commissioners, or
 - (b) with the consent of the Director of Public Prosecutions for Northern Ireland.
- (9) In the application of this section to Scotland or Northern Ireland the reference in subsection (6)(b) to 12 months shall be taken as a reference to six months.
- (10) In this section a reference to the Scottish inspectors or the Northern Ireland inspectors has the same meaning as in section 27.

The Revenue and Customs (Inspections) Regulations 2005.

The Treasury, in exercise of the powers conferred on them by sections 27(1) and (2) of the Commissioners for Revenue and Customs Act 2005, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Revenue and Customs (Inspections) Regulations 2005 and shall come into force on 29th April 2005.

Interpretation

2. - (1) In these Regulations-

"the Act" means the Commissioners for Revenue and Customs Act 2005;

"appropriate inspectors" means in relation to-

- (a) an inspection in England and Wales, the inspectors of constabulary,
- (b) an inspection in Scotland, the inspectors of constabulary and the Scottish inspectors acting jointly,
- (c) an inspection in Northern Ireland, the Northern Ireland inspectors;

"Chairman" means the Commissioner for the time being designated as chairman of Her Majesty's Revenue and Customs in Letters Patent under section 1(1) of the Act;

"civil penalty" means any penalty for which the Commissioners have power under any enactment to make an assessment or a demand;

"Commissioners" means the Commissioners for Revenue and Customs;

"criminal investigation" means any investigation for the purpose of considering whether an offence has been committed or discovering by whom an offence has been committed;

"Director" means the Director of Revenue and Customs Prosecutions;

"inspectors of constabulary" means Her Majesty's Inspectors of Constabulary;

"officer" means an officer of Revenue and Customs;

"revenue" has the meaning given by section 5(4) of the Act;

"risk" means the likelihood of an officer or the Commissioners doing or omitting to do something which affects-

- (a) the prevention, detection or investigation of an offence by an officer or the Commissioners,
- (b) any criminal proceedings in England and Wales conducted by the Director,
- (c) any criminal proceedings conducted in Scotland under the direction of the Lord Advocate or a procurator fiscal, or

(d) any criminal proceedings conducted in Northern Ireland by the Commissioners or the Director of Public Prosecutions for Northern Ireland,

and the possible effect of such an act or omission on the prevention, detection or investigation of that offence or those proceedings.

(2) A reference to the Scottish inspectors or to the Northern Ireland inspectors has the same meaning as in section 27(6) of the Act.

Inspection Functions: England and Wales

3. - (1) The inspectors of constabulary may carry out inspections in England and Wales for the purpose of assessing the effectiveness of the following conduct-

(a) any acts or omissions of an officer or the Commissioners in connection with the prevention, detection or investigation of an offence by him or them, or

(b) any acts or omissions of an officer or the Commissioners in connection with criminal proceedings conducted by the Director.

(2) The inspectors of constabulary may carry out inspections in England and Wales to assess the effectiveness of any matter described in regulation 6.

(3) The inspectors of constabulary may exercise the powers under this regulation on their own initiative or at the request of the Chancellor of the Exchequer or the Commissioners but the Chancellor of the Exchequer may not make a request to carry out an inspection in relation to a particular person.

(4) The chief inspector of constabulary may include in his report under section 54(4) of the Police Act 1996 (annual reports) a report on the Commissioners and officers.

Inspection Functions: Scotland

4. - (1) The inspectors of constabulary and the Scottish inspectors may jointly carry out inspections in Scotland for the purpose of assessing the effectiveness of the following conduct-

(a) any acts or omissions of an officer or the Commissioners in connection with the prevention, detection or investigation of an offence by him or them, or

(b) any acts or omissions of an officer or the Commissioners in connection with criminal proceedings conducted under the direction of the Lord Advocate or a procurator fiscal.

(2) The inspectors of constabulary and the Scottish inspectors may jointly carry out inspections in Scotland to assess the effectiveness of any matter described in regulation 6.

(3) The inspectors of constabulary and the Scottish inspectors may jointly exercise the powers under this regulation on their own initiative or at the request of the Chancellor of the Exchequer or the Commissioners but the Chancellor of the Exchequer may not make a request to carry out an inspection in relation to a particular person.

Inspection Functions: Northern Ireland

5. - (1) The Northern Ireland inspectors may carry out inspections in Northern Ireland for the purpose of assessing the effectiveness of the following conduct-

(a) any acts or omissions of an officer or the Commissioners in connection with the prevention, detection or investigation of an offence by him or them, or

(b) any acts or omissions of an officer or the Commissioners in connection with criminal proceedings conducted in Northern Ireland by the Commissioners or the Director of Public Prosecutions for Northern Ireland.

(2) The Northern Ireland inspectors may carry out inspections in Northern Ireland to assess the effectiveness of any of the matters described in regulation 6.

(3) The Northern Ireland inspectors may exercise the powers under this regulation on their own initiative or at the request of the Chancellor of the Exchequer or the Commissioners but the Chancellor of the Exchequer may not make a request to carry out an inspection in relation to a particular person.

Inspection of means of dealing with risks

6. The matters to which regulations 3(2), 4(2) and 5(2) apply are-

(a) any method devised by or for Her Majesty's Revenue and Customs for identifying and dealing with a risk;

- (b) any measures devised by or for Her Majesty's Revenue and Customs for assuring that an officer or the Commissioners are properly applying that method, and
- (c) the operation of any such method or measures by an officer or the Commissioners.

Access

7. - (1) This regulation applies to an inspection carried out under regulation 3, 4 or 5.

(2) For the purposes of an inspection the Commissioners shall provide to the appropriate inspectors such of the following as are reasonably required by the appropriate inspectors-

- (a) access to any premises belonging to the Commissioners;
- (b) access to any system operated by or on behalf of the Commissioners for storing and retrieving information electronically;
- (c) any information or documents held by the Commissioners.

(3) For the purposes of an inspection an officer shall provide to the appropriate inspectors such information or documents held by him as are reasonably required by the inspectors.

Inspections of guidance

8. The appropriate inspectors may, if the Chancellor of the Exchequer or the Commissioners request them to do so, carry out an inspection of-

- (a) the operation of any guidance issued by the Commissioners to officers for assessing or demanding a civil penalty instead of carrying out a criminal investigation into any matter or vice versa, or
- (b) the operation of any guidance issued by the Commissioners for using other powers to secure any revenue, for the collection and management of which the Commissioners are responsible, instead of assessing or demanding a civil penalty or carrying out a criminal investigation.

Reports

9. - (1) Where-

- (a) the inspectors of constabulary carry out an inspection under regulation 3 or 8,
- (b) the inspectors of constabulary and the Scottish inspectors jointly carry out an inspection under regulation 4 or 8, or
- (c) the Northern Ireland inspectors carry out an inspection under regulation 5 or 8,

they shall provide a report of the inspection to the Chancellor of the Exchequer.

(2) Subject to paragraph (3), the Chancellor of the Exchequer shall arrange for any report received by him to be published.

(3) The Chancellor of the Exchequer may exclude from publication under paragraph (2) any part of a report if, in his opinion, the publication of that part-

- (a) would be against the interests of national security;
- (b) might jeopardise the safety of any person;
- (c) would contravene section 29(2) of the Act, or
- (d) might prejudice the prevention or detection of crime or the apprehension or prosecution of offenders.

(4) The Chancellor of the Exchequer shall send a copy of the published report to the Chairman.

(5) The Commissioners shall-

- (a) prepare comments on the published report;
- (b) send a copy of the comments to the Chancellor of the Exchequer before such date as may be specified by him;
- (c) publish the comments in such manner as appears to the Commissioners to be appropriate.

(6) Where the inspectors of constabulary and the Scottish inspectors provide a report of an inspection to the Chancellor of the Exchequer he shall send a copy of the published report to the Scottish Ministers.

Appointment of assistant inspectors and staff officers

10. - (1) Section 56 of the Police Act 1996 (appointment of assistant inspectors and staff officers) shall have effect subject to the following modifications-

(a) in section 56(1) after "constabulary" insert "for the purpose of carrying out functions under the Revenue and Customs (Inspections) Regulations 2005", and

(b) in section 56(2) for "Members of a police force" substitute "Officers of Revenue and Customs".

(2) Section 34 of the Police (Scotland) Act 1967 (appointment of assistant inspectors and staff officers) shall have effect subject to the following modifications-

(a) in section 34(1) after "constabulary" insert "for the purpose of carrying out functions under the Revenue and Customs (Inspections) Regulations 2005", and

(b) in section 34(1A) for "Constables" substitute "Officers of Revenue and Customs".

Payment

11. - (1) The Commissioners shall pay to the inspectors of constabulary, for functions carried out by those inspectors under these Regulations, such amount as may be agreed between the Commissioners and those inspectors or, in the absence of an agreement, such amount as the Treasury, after consultation with the Secretary of State, may determine.

(2) The Commissioners shall pay to the inspectors of constabulary and the Scottish inspectors, for functions carried out jointly by those inspectors under these Regulations, such amount as may be agreed between the Commissioners and those inspectors or, in the absence of an agreement, such amount as the Treasury, after consultation with the Secretary of State and Scottish Ministers, may determine.

(3) The Commissioners shall pay to the Northern Ireland inspectors for functions carried out by those inspectors under these Regulations such amount as may be agreed between the Commissioners and those inspectors or, in the absence of an agreement, such amount as the Treasury, after consultation with the Secretary of State, may determine.

Explanatory note

(This note is not part of the Regulations)

These Regulations confer functions on inspectors of constabulary for England and Wales, Scotland, and Northern Ireland in relation to Her Majesty's Revenue and Customs. The Regulations define the scope of, and the arrangements for, inspections of Her Majesty's Revenue and Customs.

Regulation 3(1) enables Her Majesty's Inspectors of Constabulary to carry out inspections in England and Wales into the effectiveness of the actions of an officer or the Commissioners in relation to the prevention, detection or investigation of any offence, or any subsequent criminal proceedings conducted by the Director of Revenue and Customs Prosecutions.

Regulation 3(2), read with regulation 6, provides for inspections of the methods by which Her Majesty's Revenue and Customs identify and manage risks in relation to its law enforcement activities. Regulation 3(3) sets out the circumstances in which an inspection may be carried out.

Regulation 3(4) enables the chief inspector of constabulary to include in his annual report a report in respect of Her Majesty's Revenue and Customs.

Regulations 4 and 5 make provision similar to regulation 3 for Scotland and Northern Ireland respectively but make no provision similar to regulation 3(4). Regulation 7 requires the Commissioners to provide the inspectors with reasonable access to enable them to carry out their inspections.

Regulation 8 provides for inspection of the operation of guidance issued by the Commissioners to their officers about alternatives to criminal investigations or levying civil penalties. Inspections may only be undertaken at the request of the Chancellor of the Exchequer or the Commissioners.

Regulation 9 creates a scheme for publishing reports of inspections and a procedure for responding to reports.

The effect of regulation 10 is to enable officers of Revenue and Customs to be appointed as assistant inspectors and staff officers to carry out inspections of Her Majesty's Revenue and Customs in England and Wales and in Scotland.

Regulation 11 requires the Commissioners to pay for functions undertaken by inspectors of constabulary under these Regulations.

A full regulatory impact assessment has not been produced for this instrument, as it has no impact on the costs of businesses, charities or voluntary bodies.

On joint inspection, in the Police and Justice Act 2006

29 Her Majesty's Inspectors of Constabulary

(1) In section 54 of the Police Act 1996 (c. 16) (appointment and functions of Her Majesty's Inspectors of Constabulary), after subsection (5) there is inserted–

“(6) Schedule 4A (which makes further provision about the inspectors of constabulary) has effect.”

(2) After Schedule 4 to that Act there is inserted–

"SCHEDULE 4A

Section 54

FURTHER PROVISION ABOUT HER MAJESTY'S INSPECTORS OF CONSTABULARY

Delegation of functions

- 1 (1) An inspector of constabulary may delegate any of his functions (to such extent as he may determine) to another public authority.
- (2) If an inspector of constabulary delegates the carrying out of an inspection under sub-paragraph (1) it is nevertheless to be regarded for the purposes of section 54 and this Schedule as carried out by the inspector.
- (3) In this Schedule "public authority" includes any person certain of whose functions are functions of a public nature.

Inspection programmes and inspection frameworks

- 2 (1) The chief inspector of constabulary shall from time to time, or at such times as the Secretary of State may specify by order, prepare–
 - (a) a document setting out what inspections he proposes to carry out (an "inspection programme");
 - (b) a document setting out the manner in which he proposes to carry out his functions of inspecting and reporting (an "inspection framework").

- (2) Before preparing an inspection programme or an inspection framework the chief inspector of constabulary shall consult the Secretary of State and (subject to sub-paragraph (3))–
- (a) Her Majesty’s Chief Inspector of Prisons,
 - (b) Her Majesty’s Chief Inspector of the Crown Prosecution Service,
 - (c) Her Majesty’s Chief Inspector of the National Probation Service for England and Wales,
 - (d) Her Majesty’s Chief Inspector of Court Administration,
 - (e) Her Majesty’s Chief Inspector of Education, Children’s Services and Skills,
 - (f) the Commission for Healthcare Audit and Inspection,
 - (g) the Commission for Social Care Inspection,
 - (h) the Audit Commission for Local Government and the National Health Service in England and Wales,
 - (i) the Auditor General for Wales, and
 - (j) any other person or body specified by an order made by the Secretary of State,

and he shall send to each of those persons or bodies a copy of each programme or framework once it is prepared.

- (3) The requirement in sub-paragraph (2) to consult, and to send copies to, a person or body listed in paragraphs (a) to (j) of that sub-paragraph is subject to any agreement made between the chief inspector and that person or body to waive the requirement in such cases or circumstances as may be specified in the agreement.
- (4) The Secretary of State may by order specify the form that inspection programmes or inspection frameworks are to take.
- (5) Nothing in any inspection programme or inspection framework is to be read as preventing the inspectors of constabulary from making visits without notice.

Inspections by other inspectors of organisations within remit of inspectors of constabulary

3 (1) If–

- (a) a person or body within sub-paragraph (2) is proposing to carry out an inspection that would involve inspecting a specified organisation, and
- (b) the chief inspector of constabulary considers that the proposed inspection would impose an unreasonable burden on that organisation, or would do so if carried out in a particular manner,

the chief inspector of constabulary shall, subject to sub-paragraph (7), give a notice to that person or body not to carry out the proposed inspection, or not to carry it out in that manner.

(2) The persons or bodies within this sub-paragraph are–

- (a) Her Majesty's Chief Inspector of Prisons;
- (b) Her Majesty's Chief Inspector of the Crown Prosecution Service;
- (c) Her Majesty's Inspectorate of the National Probation Service for England and Wales;
- (d) the Commission for Healthcare Audit and Inspection;
- (e) the Audit Commission for Local Government and the National Health Service in England and Wales.

(3) The Secretary of State may by order amend sub-paragraph (2).

(4) In sub-paragraph (1)(a) "specified organisation" means a person or body specified by an order made by the Secretary of State.

(5) A person or body may be specified under sub-paragraph (4) only if it exercises functions in relation to any matter falling within the scope of the duties of the inspectors of constabulary under section 54 of this Act or any other enactment.

- (6) A person or body may be specified under sub-paragraph (4) in relation to particular functions that it has.
In the case of a person or body so specified, sub-paragraph (1)(a) is to be read as referring to an inspection that would involve inspecting the discharge of any of its functions in relation to which it is specified.
- (7) The Secretary of State may by order specify cases or circumstances in which a notice need not, or may not, be given under this paragraph.
- (8) Where a notice is given under this paragraph, the proposed inspection is not to be carried out, or (as the case may be) is not to be carried out in the manner mentioned in the notice.
This is subject to sub-paragraph (9).
- (9) The Secretary of State, if satisfied that the proposed inspection—
- (a) would not impose an unreasonable burden on the organisation in question, or
 - (b) would not do so if carried out in a particular manner,
- may give consent to the inspection being carried out, or being carried out in that manner.
- (10) The Secretary of State may by order make provision supplementing that made by this paragraph, including in particular—
- (a) provision about the form of notices;
 - (b) provision prescribing the period within which notices are to be given;
 - (c) provision prescribing circumstances in which notices are, or are not, to be made public;
 - (d) provision for revising or withdrawing notices;
 - (e) provision for setting aside notices not validly given.

Co-operation

- 4 The inspectors of constabulary shall co-operate with–
- (a) Her Majesty's Chief Inspector of Prisons,
 - (b) Her Majesty's Chief Inspector of the Crown Prosecution Service,
 - (c) Her Majesty's Inspectorate of the National Probation Service for England and Wales,
 - (d) Her Majesty's Inspectorate of Court Administration,
 - (e) Her Majesty's Chief Inspector of Education, Children's Services and Skills,
 - (f) the Commission for Healthcare Audit and Inspection,
 - (g) the Commission for Social Care Inspection,
 - (h) the Audit Commission for Local Government and the National Health Service in England and Wales,
 - (i) the Auditor General for Wales, and
 - (j) any other public authority specified by an order made by the Secretary of State,
- where it is appropriate to do so for the efficient and effective discharge of the functions of the inspectors of constabulary.

Joint action

- 5 (1) The inspectors of constabulary may act jointly with another public authority where it is appropriate to do so for the efficient and effective discharge of their functions.
- (2) The chief inspector of constabulary, acting jointly with the chief inspectors within sub-paragraph (3), shall prepare a document (a "joint inspection programme") setting out–
- (a) what inspections the inspectors of constabulary propose to carry out in the exercise of the power conferred by sub-paragraph (1), and
 - (b) what inspections the chief inspectors within paragraph (3) (or their inspectorates) propose to carry out in the exercise of any corresponding powers conferred on them.

- (3) The chief inspectors within this sub-paragraph are—
- (a) Her Majesty's Chief Inspector of Prisons;
 - (b) Her Majesty's Chief Inspector of the Crown Prosecution Service;
 - (c) Her Majesty's Chief Inspector of the National Probation Service for England and Wales;
 - (d) Her Majesty's Chief Inspector of Court Administration.
- (4) A joint inspection programme must be prepared from time to time or at such times as the Secretary of State, the Lord Chancellor and the Attorney General may jointly direct.
- (5) Sub-paragraphs (2), (3) and (5) of paragraph 2 apply to a joint inspection programme as they apply to a document prepared under that paragraph.
- (6) The Secretary of State, the Lord Chancellor and the Attorney General may by a joint direction specify the form that a joint inspection programme is to take.

Assistance for other public authorities

- 6 (1) The chief inspector of constabulary may if he thinks it appropriate to do so provide assistance to any other public authority for the purpose of the exercise by that authority of its functions.
- (2) Assistance under this paragraph may be provided on such terms (including terms as to payment) as the chief inspector of constabulary thinks fit.

Orders under this Schedule

- 7 A statutory instrument containing an order under this Schedule shall be subject to annulment in pursuance of a resolution of either House of Parliament."

This is intended to assist and promote joint work and co-operation between the five criminal justice sector chief inspectors and other public sector inspection authorities. Equivalent provision is made in sections 28 and 30 to 32 in respect of HM Chief Inspector of Prisons, the Crown Prosecution Service, of the National Probation Service for England and Wales, and of Court Administration.

Part Six: The Funding of HMIC

Our resources

The resources for HMIC are provided directly by central Government through the Crime Reduction and Community Safety Group of the Home Office. Each year HMIC receives resources from two separate allocations. Day-to-day running costs (including income) are the subject of a specific funding allocation while capital expenditure is accounted for separately.

During 2006–07, HMIC's running costs resource consumption totalled £12.34m. This excludes the value of staff provided free of charge by forces, estimated at £1.40m, and income of £1.58m. Figure i indicates how the resources were applied.

It can be seen from Figure i that the majority of our costs relate to seconded police officers and Home Office staff (HM Inspectors, non-police Assistant Inspectors, specialist support and administration staff). A key feature of the way HMIC undertakes inspections is through the use of police (and other) secondments. For many officers, a secondment to HMIC is seen as an essential part of their career development.

April 2006 saw the introduction of revised funding arrangements for the Police Pension Scheme. As a result, the cost of each police officer seconded to HMIC rose by almost 37%.

For resource management, HMIC is considered to be part of the Home Office and follows its accounting and budgeting arrangements. Consequently, some costs, such as HQ accommodation, corporate IT and other central services are not charged, and do not appear as costs to HMIC.

Police authorities and forces in England and Wales which are funded by the Home Office are not charged for any inspections. External income is generated from the inspection of non-Home Office forces, both within the UK and abroad and other commissioned work. 2006–07 produced income of £0.5m from inspection work within HM Revenue and Customs, while inspections of non-Home Office forces generated income of £0.7m. In addition, the provision of data quality audits on behalf of the Home Office produced income of a further £0.4m. Other sources of refunded expenditure include the Serious Organised Crime Agency.

Capital expenditure in 2006–07 amounted to only £0.06m and related mainly to replacement vehicle purchases.

Comparisons with other Inspectorates indicate (even allowing for central costs within the Home Office not charged to individual units) that HMIC is cost effective. In 2006–07 the cost of policing in England, Wales and Northern Ireland was £12.5bn. The overall cost of HMIC (including all its activities) is only 0.1% of the cost of policing.

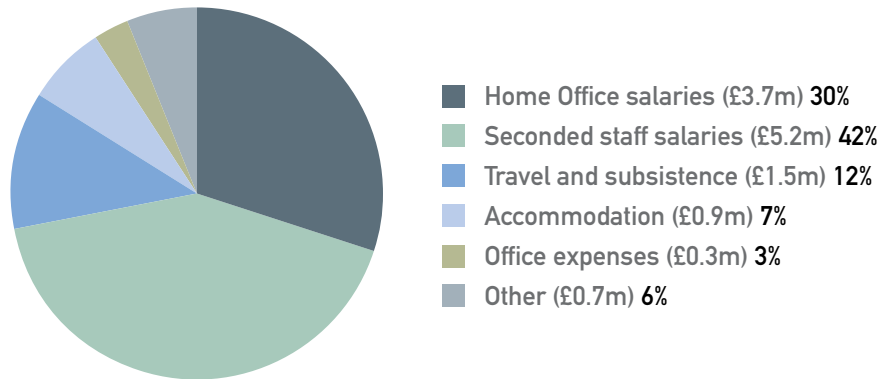
How we use our resources

Since April 2002 HMIC has used an activity recording system to measure how all our resources are applied and to cost all inspection activities.

Figure ii indicates how HMIC used its resources in 2006–07. The table illustrates that HMIC undertakes a wide range of functions including professional policing advice to the Home Office, senior appointments and the annual appraisal of chief constables.

The actual deployment of resources reflected HMIC's statutory responsibilities and our business plan for 2006–07, which focused on a balance between thematic inspections, force inspections and the programme of inspecting individual BCUs. In addition, the figure also demonstrates the resources applied to activities which are a specific responsibility of HMIC – to provide professional policing advice to the Home Office and to support the process of appointing senior officers in the Service.

Figure i – HMIC expenditure 2006–07



Source: HMIC

Figure ii – How HMIC used its resources

	2006–07		2005–06	
	£k	%	£k	%
Force inspections	5,429	44.0	4,232	42.8
Thematic inspections	1,616	13.1	2,156	21.8
Police support to Home Office, advice to Ministers, etc	1,098	8.9	1,028	10.4
Basic Command Unit inspections	901	7.3	910	9.2
Data quality audits	814	6.6	307	3.1
HM Revenue & Customs	592	4.8	435	4.4
Advice to forces and authorities	370	3.0	396	4.0
Senior appointments	345	2.8	227	2.3
Serious Organised Crime Agency	296	2.4	0	0.0
Force counter-terrorism	259	2.1	0	0.0
Chief Constables – annual appraisal	123	1.0	99	1.0
Working for other Inspectorates*	86	0.7	49	0.5
Other	407	3.3	49	0.5
TOTAL	12,339	100.0	9,888	100.0

* Note: Work with other Inspectorates where HMIC is the lead organisation is excluded from this line and is recorded in the relevant activity, eg Force Inspections.

Part Seven: Our Contact Details

HER MAJESTY'S INSPECTORATE OF CONSTABULARY ENGLAND, WALES AND NORTHERN IRELAND

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E-mail to individual personnel: first.name.surname@homeoffice.gsi.gov.uk
(unless otherwise stated).

HM Chief Inspector of Constabulary: Sir Ronnie Flanagan, GBE, QPM, MA

Senior Personal Secretary: Valerie Wetherall. Ext 2001.

Staff Officer: Superintendent Ian Grant. Ext 2174.

E-mail: Ian.Grant23@homeoffice.gsi.gov.uk

Head of Services: Stephen Wells. Ext 2022.

Personal Secretary: Janet Crowl. Ext 2020.

Head of Personnel & Administration: Kate Gregory. Ext 2021.

E-mail: Katherine.Gregory@homeoffice.gsi.gov.uk

Head of Senior Appointments Panel Secretariat: Frances Bright. Ext 2186.

Financial Adviser: Barry Coker. Ext 2007.

Assistant Inspector of Constabulary: Victor Towell, MBA, Dip Crim (Cantab). Ext 2172.

Personal Secretary: Geraldine Bradley. Ext 2010.

Areas of Responsibility: Crime & Kindred Matters, Operational Policing Support Services, Terrorism, Forensic and International Affairs.

General Enquiries: Inspection Support Manager. Ext 2011.

Assistant Inspector of Constabulary: Peter Todd, QPM, MSc. Ext 2009.

Personal Secretary: Janet Crowl. Ext 2020.

Areas of Responsibility: Police Reform, Business Change, Joint Inspection and Professional Standards.

General Enquiries: Business Manager. Ext 2190.

HM Inspector of Constabulary: Personnel, Training and Diversity:

Robin Field-Smith, MBE, MA, Chartered FCIPD, CCMi

White Rose Court, Oriental Road, Woking, Surrey GU22 7PJ

General Office Tel: 01483 215332. Fax: 01483 215347.

Senior Personal Secretary: Val Prott. Tel: 01483 215330.

Portfolio of responsibilities: Personnel, Training and Diversity Matters, Police Advisory Board for England and Wales, Police Promotion and Examination Boards, Police Workforce Efficiency Group.

Forces inspected: All forces for personnel, training and diversity issues.

Assistant Inspector of Constabulary: Everett Henry, CMS, DMS. Ext 2181.

[Based at Ashley House]

Responsibility: Race and Diversity.

Personal Secretary: Geraldine Bradley. Ext 2010.

North Region

Ken Williams, CVO, CBE, QPM, BA

Unit 2, Wakefield Office Village, Fryers Way, Silkwood Park, Wakefield, West Yorkshire WF5 9TJ

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Senior Personal Secretary: Linda Bilson. Tel: 01924 237722. Fax: 01924 332707.

Forces inspected: Cheshire, Cleveland, Cumbria, Durham, Greater Manchester, Humberside, Lancashire, Merseyside, Northumbria, North Yorkshire, South Yorkshire, West Yorkshire, Police Service for Northern Ireland, Isle of Man, Guernsey, Jersey and Gibraltar.

Central Region

Kate Flannery, OBE, BA

Bartleet House, 165a Birmingham Road, Bromsgrove, Worcs B61 0DJ

General Office Tel: 01527 882000. Fax: 01527 882005.

Senior Personal Secretary: Karen Aslett. Tel: 01527 882001.

Forces inspected: Cambridgeshire, Derbyshire, Dyfed Powys, Gwent, Leicestershire, Lincolnshire, Norfolk, Northamptonshire, North Wales, Nottinghamshire, South Wales, Staffordshire, Suffolk, Warwickshire, West Mercia and West Midlands.

South Region

Jane Stichbury, CBE, QPM, BA, MA

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General Office Tel: 01483 215328. Fax: 01483 215346.

Senior Personal Secretary: Nicky Foss. Tel: 01483 215320.

Forces inspected: Avon & Somerset, Bedfordshire, Devon & Cornwall, Dorset, Essex, Gloucestershire, Hampshire, Hertfordshire, Kent, Surrey, Sussex, Thames Valley, Wiltshire, Civil Nuclear Constabulary and the Ministry of Defence Police and Guarding Agency.

National

Denis O'Connor, CBE, QPM

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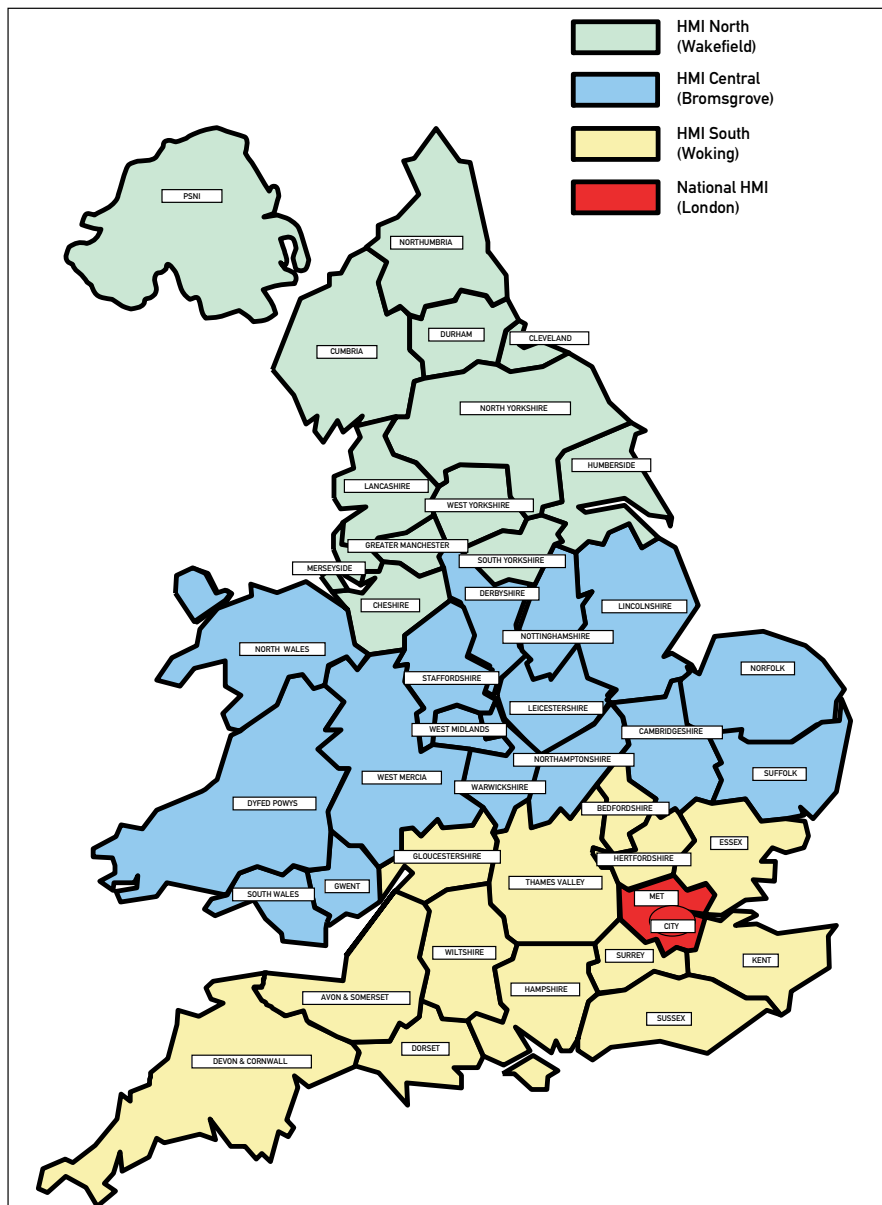
General Office Tel: 020 7035 5187. Fax: 020 7035 5184.

Assistant Inspector of Constabulary: Victor Towell. Tel: 020 7035 5115.

Personal Assistant: Rebecca Robinson. Tel: 020 7035 5713.

Portfolio of responsibilities: HM Revenue and Customs, Serious Organised Crime Agency, Metropolitan Police Service, City of London Police and British Transport Police. National issues otherwise unallocated, including counter-terrorism, airports policing and the London Olympics.

HMIC Regional Structure





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