

**Norfolk Police and Crime Commissioner (PCC) response to the Report on Tees Valley Inclusion Project’s super-complaint published jointly by His Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), the College of Policing and the Independent Office for Police Conduct**

*The report required local Police and Crime Commissioners to respond to recommendations within the report, to the APCC, within 56 days.*

Inspection Title:	<b>How the police respond to victims of sexual abuse when the victim is from an ethnic minority background and may be at risk of honour-based abuse</b>
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**KEY FINDINGS:**

A super-complaint is a complaint that ‘a feature, or combination of features, of policing in England and Wales by one or more than one police force is, or appears to be, harming the interests of the public’ (section 29A, Police Reform Act 2002).

On 7 August 2020 HMICFRS received a super-complaint from the Tees Valley Inclusion Project (TVIP). This super-complaint was about the police response to victims of sexual abuse from ethnic minority backgrounds who may be at risk of honour-based abuse.

In its super-complaint, TVIP stated that there are nine features of policing that are causing significant harm to these victims:

1. Overuse of voluntary suspect interviews.
2. Failure to consider honour-based abuse as a concomitant safeguarding concern following sexual abuse reporting.
3. Failure to keep victims informed following the report of sexual abuse.
4. Failure to provide information during the prosecution process.
5. Failure to discuss special measures and other protective measures with victims/survivors.
6. Lack of empathy from the police.

7. Ineffective and inadequate use of police resources.
8. Disproportionate focus on community impact.
9. Failure to understand the retraumatising effect of the prosecution process.

HMICFRS, the College of Policing and the Independent Office for Police Conduct (IOPC) conducted an investigation and have published a report in response to this super-complaint.

The investigation examined whether there was evidence that the concerns set out by TVIP are features of policing. The inspectors considered whether there was evidence that they are, or appear to be, causing significant harm to the public interest.

The inspection carried out an extensive literature review, examining relevant reviews, reports, and data. This provided good evidence, including the experiences of victims of sexual abuse when they report to the police. Much of this evidence was recent and (like the super-complaint) included the end-to-end experiences of victims in the criminal justice system, from first report through to prosecution. However, none of this evidence specifically related to the experiences of those from specific ethnic minority backgrounds. The investigation also examined the emerging findings from Operation Soteria Bluestone. This is part of a joint programme involving the police, Crown Prosecution Service and academics. It seeks to improve the investigation and prosecution of rape and sexual abuse cases.

Between them, the reports and the programme provided some evidence in support of most of TVIP's allegations (specifically, features 1, 3, 4, 5, 6, 7 and 9). However, it is again emphasised that the evidence was about the experiences of all victims of sexual abuse, as opposed to victims whose cultural background means reporting sexual abuse may put them at risk of honour-based abuse.

While the super-complaint system applies only to policing, the investigation also found evidence about some of the features relating to other parts of the criminal justice system, such as the prosecution process.

The inspections review of police-recorded data found that it is too patchy, poor-quality, and inconsistent for inspectors to be able to compare the experiences of people of different ethnicities. This means there could be no statistically significant findings about any disparities either in reports to the police or in victims' experiences after reporting crimes.

The inspection carried out fieldwork in six forces: Cleveland Police, Devon & Cornwall Police, Gwent Police, Merseyside Police, Suffolk Constabulary and West Midlands Police.

Interviews were also conducted with national stakeholders and academics. Inspectors consulted on their emerging findings, mainly to test the results of their preliminary evidence review and to gather new evidence specifically on the two features that aren't covered in the major recent reports.

The approach in this investigation was to assess policing practice through the eyes of the victim. To do this, inspectors drew extensively on the victim testimonies TVIP provided in its super-complaint, inspectors spoke to one further new victim and spoke to two victims named in the super-complaint. The inspectors also tried to find further victims to come forward for interview. They conducted interviews with practitioners from specialist victim support services, who shared insight from their many relevant cases.

The report, published off the back of the investigation, details the inspections conclusion. The investigation found that there is far too much inconsistency in the service these victims receive from the police. Too often, investigations are beset by delays, poor communication and, sometimes, a lack of empathy. There is a lot of policing activity to improve victims' experiences, however the inspectors recognised the additional barriers faced by ethnic minority victims of sexual abuse who may be at risk of honour-based abuse. Some of these barriers (such as community and family pressures not to report) are outside policing's control. However, the major gap in data is a problem largely created by policing and one which the police service must work on breaking down, at pace. The report makes recommendations to this effect.

The investigation went further by suggesting that improved data will allow police to monitor and improve their service and assure the public they are treating everyone fairly. It will also help bring about smarter commissioning of specialist victim services, which can support victims through court processes. These data improvements must progress alongside a much better understanding of the communities that police forces serve, including the risks and vulnerabilities specific to ethnic minority victims of sexual abuse who may be at risk of honour-based abuse.

The report's conclusion suggests that these data improvements must progress alongside a much better understanding of the communities that police forces serve, including the risks and vulnerabilities specific to ethnic minority victims of sexual abuse who may be at risk of honour-based abuse. The report stipulates that there must be processes, policies, and training to support this better understanding. Furthermore, forces must also give officers and staff enough time to consider, absorb and make the most of awareness-raising opportunities and improve the way they collect data. The case for all these changes has been made in the Police Race Action Plan. It is important that forces understand that although that plan focuses on Black people and Black communities, these improvements need to extend much wider and benefit people from all ethnic minority backgrounds.

## RECOMMENDATIONS:

Following this investigation, the report provided five recommendations to Chief Constables or equivalents, Police and Crime Commissioners, and the National Police Chiefs' Council. Below are those directed to, or involving, Police and Crime Commissioners and Chief Constables:

### **Recommendation 1 – The risk of honour-based abuse**

We found forces generally only include the risk of honour-based abuse in their domestic abuse policies, so we recommend that Chief Constables update their forces sexual abuse policies to include the risk of honour-based abuse.

The College of Policing will update its existing sexual abuse authorised professional practice to include the risk of honour-based abuse

### **Recommendation 2 – Cultural awareness**

During our investigation, we found forces generally lack awareness and understanding of different cultures and religions. This means some officers are unlikely to recognise the wider risks of honour-based abuse after some victims report sexual abuse. Chief Constables should make sure that:

- a. Officers and staff are aware of the demographics of the communities they police so they can understand the nuances of different cultures and have time to learn about those communities.
- b. Independent Advisory Groups or equivalent groups reflect these demographics.
- c. Forces work with the local communities they police to prepare up-to-date information on culture and religion and ensure officers have access to it; and
- d. Investigations consider any extra factors that might be relevant because of the culture and background of the victim or suspect.

The information in the third point must include:

- the potential risks of honour-based abuse that some victims of sexual abuse face; and
- any additional challenges and pressures relating to traumatisation that victims of sexual abuse from different ethnic minority backgrounds may experience.

### **Recommendation 3 – Data**

As part of the Government's '*Tackling violence against women and girls' strategy*' (2021), forces are working on understanding crime data in relation to sexual abuse and honour-based abuse. Chief Constables must prioritise this work. Tackling violence against women and girls is to become a strategic policing requirement in 2023. Forces should pay due regard to all elements of violence against women and girls, including honour-based abuse.

We are aware of the recently commissioned work taking place through the NPCC's diversity, equality, and inclusion co-ordination committee. This involves a working group with the College of Policing developing data standards for recording all protected characteristics. HMICFRS will also cover race and policing in its inspection programme, with the first two reports due to be published in early 2023.

We recommend that the NPCC and the College of Policing consider the findings from this investigation so they can be satisfied that the proposed changes and standards they are working on address the lack of recorded ethnicity data, including:

- Data on voluntary attendance.
- Data on the use of interpreters; and
- Data on offering and providing special measures.

We recommend this work includes how officers and staff collect data, and their confidence and capability to ask the right questions.

#### **Recommendation 4 – Victim support**

Both Police and Crime Commissioners (PCCs) and Community Safety Partnerships include a consultation process as part of their work to identify their priorities. PCCs should make sure this consultation process is inclusive and representative of the whole community before commissioning services for victims.

PCCs should then work with local police, safeguarding partners and specialist support organisations to understand the needs of ethnic minority victims of sexual abuse who may be at risk of honour-based abuse. PCCs should consider these needs when commissioning local support services. The aim of this is to give victims the confidence to report incidents, to feel safe and empowered, and to stay involved in any investigation and prosecution.

#### **Recommendation 5 – To all those subject to recommendations**

Advise HMICFRS, the College of Policing and the Independent Office for Police Conduct (IOPC) within 56 days of the date of publication of this report whether they accept the recommendations made to them. Chief Constables should direct their responses to the NPCC, and Police and Crime Commissioners should direct their responses to the Association of Police and Crime Commissioners. The NPCC and Association of Police and Crime Commissioners will then share the collated responses with the College of Policing, IOPC and HMICFRS.

## **PCC RESPONSE TO REPORT AND ANY RECOMMENDATIONS**

Norfolk supports the direction of this report.

### **Recommendation 1 - The risk of honour-based abuse**

Agreed

### **Recommendation 2 - Cultural awareness**

Agreed. The PCC runs the IAG so that it is independent of the Constabulary.

### **Recommendation 3 - Data**

Agreed, but with a caveat. The recommendation states that "Chief Constables must prioritise this work." In the context of this report, this is unarguable and is already in hand in Norfolk in response to the government's VAWG strategy and the inclusion of VAWG as a strategic policing requirement.

However, taking a wider perspective, there are numerous reports and other policy documents insisting that their recommendations should be priorities. There is a risk, with too many other competing priorities, that this issue could become lost. Such a risk increases as policing budgets continue to be squeezed and decisions have to be taken how best to use resources to achieve appropriate effects on the ground in local contexts.

### **Recommendation 4 - Victim support**

Content to agree in principle, but we are not convinced that this would work in practice. The PCC is already required to consult on his priorities for the Police and Crime Plan and also the setting of the Police Precept of Council Tax. However, we tend to find that responses from a more diverse cross section of the public are, in reality, few.

For example, in the latest consultation on the precept, there were 1093 responses from a population of circa 1 million, i.e. 0.1%, and these responses did not provide a representative sample with the majority of respondents, circa 60%, being male and coming from the 45-75 age groups.

Furthermore, many respondents do not complete surveys because they do not recognise the value of answering questions about gender, age, ethnicity, etc., which some may perceive as unnecessary. In the example cited, 19% of surveys were incomplete because of a refusal to complete such questions. The real challenge is, as the report mentions, allaying victims' fears on why the police are collecting their data and collecting this in a robust fashion rather than introducing any public consultation that won't reach the right people or capture the data needed.

Meanwhile, commissioning services for victims is already driven by evidence-based-need, set against the Police and Crime and Community Safety Plans, and includes appropriate input from the IAG. Public consultation, while it might look attractive in principle, would

probably not deliver the intended value-add in practice, rather there's a clear need to reach out to vulnerable groups via community policing instead.

**Recommendation 5 - To all those subject to recommendations**

The PCC response to recommendations 1-4 was submitted to the APCC on the 10 February 2023.