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Your ref: n/a
Our ref: SH
Date: 12 October 2023
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Dear Home Secretary

I write in response to the two recent HMICFRS inspection reports: **Race and policing: A review of the police service's leadership and governance arrangements for race-related matters** and **Race and policing: An inspection of race disparity in police criminal justice decision-making**.

I acknowledge the 17 recommendations made across the two reports and understand that four (recommendations 6, 8, 10 and 11 in *Race and policing: An inspection of race disparity in police criminal justice decision-making*, shown in the appendix to this letter) are directly applicable to Essex Police, and all forces.

The Chief Constable has provided a detailed response to me regarding the four recommendations applicable to all Forces and assured me that they have been added to the force's register of HMICFRS recommendations. I am pleased to see that Essex Police is working towards compliance with all four of these recommendations, with an expectation of becoming compliant ahead of the deadline set.

It is important that policing, and the rest of the criminal justice system, understand racial disparity so that the causes can be addressed. I am pleased that Essex Police already undertake a significant amount of monitoring in this area, underpinned by the Force Diversity, Equality & Inclusion (DE&I) Strategy 2020 – 2025, which sets out the ambition to build a representative workforce and to ensure that the Force narrows any disparity between protected groups and non-protected groups in the use of police powers such as stops, searches and the use of force.

The Chief Constable chairs a quarterly Corporate Diversity and Inclusion Board, in addition to the ACC-led Equality, Diversity Inclusion Cohesion (EDIC) Stop & Search Board (on which I am represented) and local Diversity & Inclusion Boards. Diversity and disparity on a range of themes is reported to me directly through my monthly Performance and Resources Scrutiny Board.

Essex is fortunate to have a number of effective multi-agency partnerships, including the Essex Criminal Justice Board, which I chair. Through this Board I receive information on disparity experienced by partner agencies, and we are able to gain a more holistic view of racial disparity within the whole criminal justice system.

I note the comments in the report 'Race and policing: A review of the police service's leadership and governance arrangements for race-related matters' regarding Police and Crime Commissioners, Police and Crime Plans and the Association of Police and Crime Commissioners (APCC).

My own Police and Crime Plan 2021-2024 refers to the Public Sector Equality Duty, and how my commitment to work with, alongside and for all local communities within Essex depends on this duty being delivered effectively. The plan also refers to my Equality, Diversity and Inclusion Strategy and its key objectives. As disproportionality is a cross-cutting thematic it is unhelpful to assess the 43 Police and Crime Plans by their inclusion or exclusion of race as a defined priority, but more effective to review the content and intention of Plans.

I will continue to maintain close scrutiny of the work of Essex Police in this regard, and to hold the Chief Constable to account.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R. Hirst', written in a cursive style.

Roger Hirst
Police Fire and Crime Commissioner for Essex

c.c. Ben-Julian Harrington, Chief Constable, Essex Police

Appendix A – Recommendations in *Race and policing A review of the police service’s leadership and governance arrangements for race-related matters*

Recommendation 1

As soon as practicable, and no later than 31 March 2024, the National Police Chiefs’ Council lead on diversity, equality and inclusion and the College of Policing should publish the revised 2018–2025 diversity, equality and inclusion strategy. This revised strategy should address fully the matters raised in The Macpherson Report: Twenty-two years on and include requirements for: • forces to self-assess their implementation of the strategy; • National Police Chiefs’ Council reviews of force self-assessments and/or College of Policing peer reviews; and • sharing organisational learning within the police service from these reviews.

Recommendation 2

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

Recommendation 3

By 31 March 2024, the College of Policing should establish national standards for police diversity, equality and inclusion training.

Recommendation 4

By 30 April 2024, the National Police Chiefs’ Council and College of Policing should jointly implement the technology solutions and training required to make sure forces consistently record and share data on protected characteristics, in particular with regard to race (colour, nationality, and ethnic or national origins).

Appendix B – Recommendations in *Race and policing An inspection of race disparity in police criminal justice decision-making*

Recommendation 1

By 30 September 2024, the Ministry of Justice and the Home Office should include more police criminal justice decision points in the data that is required to be published because of section 95 of the Criminal Justice Act 1991. The requirements should specifically include ethnicity information for all out-of-court disposals, police decisions to charge and decisions to bail after charge.

Recommendation 2

By 30 September 2024, the National Police Chiefs’ Council criminal justice lead should work with the Home Office and the Ministry of Justice to create an action plan that will make sure information from all forces on police criminal justice race disparity is better gathered, analysed, scrutinised and published.

Recommendation 3

By 30 September 2024, the National Police Chiefs’ Council criminal justice lead should work with the National Police Chiefs’ Council diversity, equality and inclusion lead to make sure that consideration of criminal justice race disparity is included in the revised National Police Chiefs’ Council diversity, equality and inclusion strategy, Police Race Action Plan and associated documents.

Recommendation 4

By 30 September 2024, the National Police Chiefs' Council criminal justice lead should work with other relevant National Police Chiefs' Council leads, the College of Policing and the Association of Police and Crime Commissioners to give guidance to chief constables on police criminal justice race disparity. This guidance should include ways to gather, analyse, scrutinise and publish information on police criminal justice race disparity.

Recommendation 5

By 30 September 2024, the Home Office should revise its Crime Outcomes Framework. The revision should include:

- ending the use of a single crime outcome type for all charges irrespective of whether the police or Crown Prosecution Service made the decision; and
- introducing two distinct crime outcome types: one for charging decisions made by the police; one for charging decisions made by the Crown Prosecution Service.

Recommendation 6

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

Recommendation 7

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

Recommendation 8

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

Recommendation 9

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

Recommendation 10

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

Recommendation 11

By 30 September 2024, chief constables should make sure that information about criminal justice disparity is published on force websites, or that force websites clearly link to other

websites where this information can be found. Published information should include any explanations for identified disparity and actions forces will take to address it.

Recommendation 12

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

Recommendation 13

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