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Rt Hon Suella Braverman KC MP

Home Secretary

2 Marsham Street

London

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20 October 2023

Dear Home Secretary

**HMICFRS Reports: A review of the police service's leadership and governance arrangements for race-related matters and An inspection of race disparity in police criminal justice decision-making.**

Under Section 55(5) of the Police Act 1996, as Police and Crime Commissioner I am pleased to provide my formal response to the reports by HMICFRS entitled 'A review of the police service's leadership and governance arrangements for race-related matters' and 'An inspection of race disparity in police criminal justice decision-making.'

Both the Chief Constable and I welcome the publication of the two separate HMICFRS reports and the recommendations contained within them.

There are seventeen recommendations contained within both reports. Four in the first and thirteen in the second. They include recommendations for other policing stakeholders. The Chief Constable has provided a response to all recommendations which are applicable to the Constabulary. This response is shown at Appendix 1.

Within the first report there are four recommendations. These are for the National Police Chief's Council (NPCC) and the College of Policing (CoP). I acknowledge reference to the role of Police and Crime Commissioners within the report. I recognise the importance of ethical policing and included this as one of my five themes, within my Police and Crime Plan, developed to tackle crime and keep communities. Within my plan I outlined what we will do to ensure the police act with integrity and social responsibility, promoting a culture that is inclusive, diverse and takes equality seriously. I continue to deliver my commitment to ethical policing and report on this theme through my Annual Report and through regular papers provided to the Police and Crime Panel. Through my existing governance arrangements I continue to hold the Chief Constable to account against what we set out to achieve as outlined within my plan.

The second publication includes a further thirteen recommendations. Five of these are directed towards Chief Constables. The Chief Constable has provided a comprehensive response to each of the relevant recommendations and I recognise the commitment highlighted by the Constabulary to address each of them. I will continue to monitor progress.

I hope this response, and that of the Chief Constable, provides reassurance regarding the commitment of both myself and Cambridgeshire Constabulary to addressing the important issues highlighted within these reports.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Darryl Preston', written in a cursive style.

**Darryl Preston**

**Police and Crime Commissioner for Cambridgeshire and Peterborough**

Enc - Appendix 1 – Cambridgeshire Constabulary's response to HMICFRS reports 'A review of the police service's leadership and governance arrangements for race-related matters' and 'An inspection of race disparity in police criminal justice decision-making.'

## **Appendix 1**

**Cambridgeshire Constabulary's response to HMICFRS reports 'A review of the police service's leadership and governance arrangements for race-related matters' and 'An inspection of race disparity in police criminal justice decision-making.'**

Within the first report there are four recommendations:

### **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**

Response: This recommendation is for the NPCC diversity, equality and inclusion lead and CoP.

### **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.**

Response: This recommendation is for the NPCC and CoP.

### **Recommendation 3**

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

Response: This recommendation is for the CoP.

### **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).**

Force response: This recommendation is for the NPCC and CoP.

Within the second publication of race disparity in police criminal justice decision-making HMICFRS make thirteen recommendations, five of which are directed towards Chief Constables:

### **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.**

Force response: This recommendation is for the MoJ and Home Office.

### **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.**

Force response: This recommendation is for the NPCC criminal justice lead, the Home Office and MoJ.

### **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.**

Force Response: This recommendation is for the NPCC criminal justice and diversity, equality and inclusion lead.

### **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.**

Force Response: This recommendation is for the NPCC criminal justice lead, NPCC leads, the CoP and Association of Police and Crime Commissioners.

### **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.**

Force Response: This recommendation is for the Home Office.

### **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.**

Force Response: Within Cambridgeshire race disparity within the criminal justice system is analysed and reported on within several governance lines to ensure disproportionality is identified and addressed.

Firstly, a key enabler for this work is ensuring data quality. The Constabulary's work in this area is showing marked and continued evidence of improvement. Suspect ethnicity not recorded figure is now at 11.3%, the lowest figure recorded; it has been falling every month for six months and is supported by the Constabulary's changes in data collection processes which has mandated usage. For arrestees, the figure is even more positive with only 1.3 % of suspects' ethnicity data not being captured by officers (Officer defined data). Through Crime Standards Delivery Group oversight, the force identified inflexibility of the software of Single Online Home and its design being as 'non mandatory' as possible and the person completing not necessarily being the victim. The force is in continued discussions with Single Online Home to drive more effective data collection. There is also relevant and regular collection and review of ethnicity data as part of the Constabulary Criminal Justice, Custody and Investigation Standards Department governance structures, providing a strong foundation for more detailed future analysis and problem solving.

Secondly, the force has established strong oversight and governance on both stop-search and use-of-force, with both a data driven and independent scrutiny group. The force is currently developing a procedural justice supervisors check list and

feedback loop which will further increase ability to address disproportionality in this area.

Thirdly, the force has completed a detailed analysis of criminal justice outcome racial disparities from a victim's perspective. This aims primarily to determine whether Black victims in Cambridgeshire receive an inferior service relative to other victims. This will inform work in addressing racial disproportionality in services to victims.

Fourthly, the force is commissioning further analytical research, per the recommendation, in racial disparity in decision making from a suspect-perspective. Both pieces of analysis will result in an action plan to improve service or explain why ways of working cannot be improved further to remove disparities, which will be in place prior to the September 2024 deadline.

Fifthly, the force has a dedicated Inclusion, Legitimacy & Ethics co-ordinator to drive improvements in these areas of business.

Sixthly, the force has established a legitimacy and confidence working group which is examining how to build police-legitimacy primarily through the implementation of procedural justice principles- PJ training is being rolled out across the organisation to all front-line staff.

The force has well-established strong governance mechanisms to oversee this work, led by the Equality, Diversity, Ethics and Inclusion Strategic Group, chaired by a Chief Superintendent.

The force Race and Inclusion and Strategic Performance Board meetings are chaired by the Chief Constable and held on a bi-monthly and quarterly basis respectively. The purpose of these meetings is to ensure Chief Officer oversight of the force response to the national Police Race Action Plan under the four pillars and specific performance aspects to understand and address where race disparity in police criminal justice decision-making exists.

## **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.**

Force Response: This recommendation is for the NPCC criminal justice lead.

### **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.**

Force Response: Cambridgeshire Constabulary is committed to ensuring disparity in the criminal justice system and works with partners to ensure issues identified are addressed. Through the work of the force Race Action Plan, partnership work in the monthly CJB and performance management in the Force Performance Board there is already clear focus to ensure data is analysed and reviewed to identify and address issues.

### **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.**

Force Response: Within Cambridgeshire Constabulary there have been changes to the data collection processes to ensure the recording of ethnicity is mandated to all officers. Through strong governance the force has seen a significant increase in recording. The force continues to work with Single Online Home to ensure effective



data recording is mandated within these systems. As above at recommendation six, there is also relevant and regular collection and review of ethnicity data as part of the Criminal Justice, Custody and Investigation Standards Department governance structures providing a strong foundation for more future detailed analysis and problem solving.

### **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.**

Force Response: Within Cambridgeshire Constabulary there are close workings with the OPCC to ensure effective independent scrutiny of stop and search and use of force by officers, to ensure the force is continually learning and improving service to the public. The Terms of Reference for the Cambridgeshire Criminal Justice Board, chaired by the PCC were rewritten in 2023 to include a specific reference to disproportionality (“Board members will seek to understand and remove any element of disproportionality which may be present in respective agencies or across the system as a whole”) and there is now a dedicated space on the agency update template for each agency to comment on any disproportionality issues for consideration, discussion and problem solving by the wider criminal justice network at these strategic board meetings which are held on a quarterly basis.

### **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.**

Force Response: The Stop and Search and Use of Force Scrutiny minutes and work, alongside with the force’s figures are published on the Cambridgeshire Constabulary’s website to ensure the force is working with Single Online Home to

ensure effective data and information made available to the public. The force is also working to publish Out of Court Scrutiny panel information, including information about any disproportionality in advance of the deadline for this as a national requirement.

### **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.**

Force Response: This recommendation is for the MoJ, Home Office and Association of Police and Crime Commissioners.

### **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.**

Force Response: This recommendation is for the CoP.