

10 October 2023

Ref: AB/KW/VLR

To: The Home Secretary
His Majesty's Inspectorate of Constabulary
and Fire and Rescue Services

Dear Home Secretary and HMICFRS

Response from Dr Alan Billings, Police and Crime Commissioner for South Yorkshire to the HMICFRS Report: Race and Policing: An Inspection of Race Disparity in Police Criminal Justice Decision-making.

I welcome this timely report into race disparity in police criminal justice decision-making.

This is an important area to understand. It can be an emotive area of policing and can have far reaching consequences for building trust and confidence in policing across many communities. However, as the report makes clear, disparity doesn't necessarily mean there has been discrimination or misuse of police powers. But forces should be able to explain disparities and show evidence to the public that the police's use of their powers is fair, lawful, and appropriate.

Both my latest Police and Crime Plan for South Yorkshire and previous plans, have included a priority to Treat People Fairly and an area of focus seeking to understand disproportionality in the wider criminal justice system. As a result, in South Yorkshire, race disparity has been a focus for some time.

Currently, there are two main ways that I have tackled the issue, both of which are areas that receive attention in the report (scrutiny and data). Firstly, by setting up a task and finish group as part of the Local Criminal Justice Board to look at the issue of disproportionality in the wider criminal justice system – the issue is wider than policing. This group has encountered the same issues outlined in the report, namely the lack of available, good quality data, to be able to understand the reasons for disparities. Secondly, my Independent Ethics Panel look in depth at South Yorkshire Police's use of Stop and Search and Use of Force powers – two areas where race disparity exists and provide me with assurance on the effectiveness of both South Yorkshire Police's External Stop and Search and Use of Force External Scrutiny Panels.

The Independent Ethics Panel has also considered race disparity in police decision making in the field of digital policing (covering artificial intelligence), something which the report does not cover explicitly but which is an issue that links clearly to the use of data in decision making. The report covers this in depth. The Panel has created a

comprehensive checklist for South Yorkshire Police to use when considering or using decision making by algorithms, or other forms of non-human decision making. This checklist alerts officers and staff to consider, understand and address any potential bias in existing data as well as the risk of causing race disparities in decision making because of a lack of data.

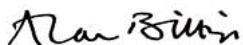
The Independent Ethics Panel also focus on race disparity in the workforce, something that is not considered in the report, but which also impacts on trust and confidence in under-represented communities.

In South Yorkshire we have been trying for several years to improve the collection of good quality ethnicity data both of victims and suspects. There has been some improvement, but it is a slow process and I sense HMICFRS' frustration at the lack of pace in this area. I am equally frustrated at the pace of progress and so welcome HMICFRS' focus here including some pertinent recommendations. I am hoping that this will help drive the pace locally as well as nationally.

I note the letter published recently by HMICFRS from the Home Secretary asking for a review by HMICFRS of activism and impartiality in the police. The terms of reference have still to be agreed but the letter does ask the review to consider selection processes and transparency relating to Independent Advisory Groups. It will be interesting to see the conclusions of any such review, taking account of the findings in this report on the lack of external community scrutiny of police decision making and the related recommendation asking Chief Constables to work with communities to establish or build on arrangements for the scrutiny of police criminal justice disparity.

The recommendations for all Chief Constables detailed in the report (some referencing the APCC and PCCs) have been accepted by the Chief Constable of South Yorkshire Police and as PCC I have clear oversight of the implementation of these recommendations and updates from lead police officers to whom each of the recommendations have been allocated for progression.

All good wishes



Dr Alan Billings
South Yorkshire Police & Crime Commissioner