

# WITNESS STATEMENT OF

**Wendy Williams CBE**

**September Hearing**

**I, WENDY █████ WILLIAMS, DOB █████.65, formerly His Majesty's Inspector of Constabulary at His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), 8<sup>TH</sup> floor, 23 Stephenson Street, Birmingham B2 4BH, wish to state the following:**

## **Professional background**

### ***1. Please briefly outline your professional background.***

I am a qualified solicitor (since 1991) and from April 2015 until March 2024, I was one of His Majesty's Inspectors of Constabulary and Fire & Rescue Service. From 2003 to 2015, I was a senior prosecutor in the Crown Prosecution Service (CPS), serving as a Chief Crown Prosecutor from 2009. Previously, I was a solicitor and then partner in private practice. From 2018-2020, I carried out an independent 'lessons learned' review of the Home Office's handling of the Windrush Scandal, and a progress update and report in 2022. I am also a Non-Executive Director on the board of the Financial Services Compensation Scheme, a role I have held since 2020. I also sit on various advisory boards.

**2. In particular, please provide the Inquiry with an outline of your experience relating to policing and race.**

I was a criminal defence solicitor in private practice between 1992-2000 and (following three years as a Legal Inspector at the CPS Inspectorate) a prosecutor from 2003-2015. From 2015-2024, as one of His Majesty's Inspectors of Constabulary, I was responsible for inspecting 13 of the 43 police forces in England and Wales, as well as carrying out joint and national thematic inspections of all forces into areas including Race and Policing in 2023. As the Legitimacy lead for HMICFRS, I was the senior responsible officer for our Legitimacy inspections, including inspections related to the use of police powers.

**HMICFRS Report: Disproportionate use of police powers: A spotlight on stop and search and use of force(SBPI-00645)**

**3. Please confirm that you authored the, 'HMICFRS Report: Disproportionate use of police powers: A spotlight on stop and search and use of force' published in 2021.**

I confirm that I authored the above-named report.

**4. Please briefly outline the circumstances that gave rise to this report.**

In 2014, HMICFRS had introduced a rolling programme of Police Efficiency, Effectiveness and Legitimacy (known as PEEL) inspections for all 43 police forces in England and Wales. PEEL inspections are carried out across a number of policing areas and stop and search was one of the main areas considered under the 'Legitimacy' pillar of PEEL. (Other topics included the ethical leadership of forces, the treatment of the workforce, and the handling of police complaints). PEEL

inspections were followed up by stop and search update inspections (called Best Use of Stop and Search), which are available on the HMICFRS website. A few years ago, following a review of the methodology, the PEEL inspection process was changed, and forces are now inspected against 10 policing questions. Stop and search and the use of force are considered under the 'Public treatment' inspection question. I joined HMICFRS in 2015, after publication of the 2015 thematic report into the police use of stop and search. This report made various recommendations for forces, aimed at improving transparency and policing practice. The 2021 report concluded that there was still disproportionality in the use of the power which could adversely affect public confidence in the police. The report also updated the position on the use of force which, following a National Police Chiefs' Council (NPCC) directive issued in 2017, was now also subject to the requirement that all police forces should record when, where, how, by whom and against whom force was used. HMICFRS made various recommendations which are set out in the report.

***5. Please briefly outline how HMICFRS monitored the implementation of the recommendations made in the report.***

As part of HMICFRS's inspection methodology, forces are assessed on their progress in implementing previous recommendations. The PEEL inspection is a graded assessment and for each of the 10 policing questions, forces are awarded one of five grades: Outstanding; Good; Adequate; Requires Improvement; and Inadequate. Thematic inspections are not graded.

More recently, HMICFRS has introduced a recommendations portal where progress made against recommendations is recorded and progress is monitored by inspectors.

## Training

- 6. The 2021 report contains a section explaining 'Why diversity training is not enough on its own'. What in your view is the most effective approach to implementing training on race in policing?***

The report provides examples of good practice in relation to training, whether in terms of diversity and inclusion, public safety or the formal use of police powers. Forces with better overall outcomes tend to approach training from the perspective of improving professional practice. The quality of the training (including hearing from members of the public of their experience of the use of police powers and the positive or negative effects) and techniques for avoiding or de-fusing conflict or providing supervisors with the necessary tools to manage performance effectively, are examples. Some forces focused more on quantitative rather than qualitative measures to demonstrate that the workforce was fully trained. Often the content of the training failed to address all the issues relevant to the use of police powers and in some forces officers and staff received no refresher training, the assumption being that, having received training once, they were now equipped to deal with a wide range of scenarios.

The report makes clear that incidents can escalate quickly, and officers and staff may have to make split second judgements, which can have positive or negative consequences. Police forces should therefore promote continuing professional development for officers and staff.

## Data

- 7. The 2021 report draws its findings from a variety of data sets including on stop and search and use of force. How important is the collection of ethnicity data in relation to the exercise of policing functions?***

Data is an essential tool for forces to assess what works or what does not, and therefore what practices might need to be reinforced or changed. This is an essential element of any business organisation and policing is no different. In terms of public safety, police forces and other criminal justice agencies should understand the impact of the use of their powers and whether they are leading to overall crime reduction. If so, that will lead to positive outcomes for the public and the agencies concerned. The rate of disproportionality in relation to certain communities is an important part of that assessment.

In terms of ethnicity data, if forces are incorrectly collecting this data, it could provide a distorted picture of a force's performance, in a way which could inaccurately reflect that a force is performing poorly. Accurate data collection may either highlight positive practice to be disseminated across a force or inconsistent practices across a force, division or team, which could lead to remedial action being taken to the benefit of the force and the public. Data is therefore potentially an effective performance management tool.

There are certain communities that feel they are being over-policed, and the data tends to show that individuals from Black and minority ethnic communities are more likely to be stopped and searched, or to have force used on them, for example. It is therefore important that forces accurately record and properly analyse their data and explain to communities what the data reveals.

**8. Do you have any advice on how to promote fuller data collection?**

Forces should consider a range of methods of communication between senior, middle-ranking and frontline officers and staff as a means of explaining and demonstrating the benefits of effective data collection. For example, the many examples, day in and day out, involving officers and staff who have provided effective safeguarding and positive outcomes for their local communities may be lost if accurate records are not kept. Equally, learning opportunities and opportunities to improve may be missed, which could lead to an escalation of poor practice.

## **Scrutiny**

**9. The 2021 report promoted the benefits of external scrutiny. How can scrutiny panels be most effectively used in the policing context?**

Most police forces have independent advisory groups. However, HMICFRS's inspections demonstrate that those forces that also have independent scrutiny panels can be seen as more transparent by local communities, which can positively promote public confidence. Scrutiny panels usually comprise a range of members, including those from diverse communities, such as less well-heard (as opposed to 'harder to reach') groups. This can include older and younger members, members from minority communities and those with other protected characteristics.

The HMICFRS 2021 report, and other HMICFRS reports, have found that panels are most effective when the panel is the right size to promote full participation by members and panel members are properly trained in the policing area they are considering, such as stop and search or the use of force. The 2021 advocates separate stop and search and use of force panels and gives examples of good practice, including panels

that consider stop and search or use of force data, as well as police body worn video footage of encounters to determine good practice or learning opportunities. Feedback to officers and supervisors, and forces that report back to panel members on action that has been taken and the impact of any actions taken, can lead to improved performance and outcomes.

## **Approach to making recommendations**

***10. The 2021 report sets out your findings and eight recommendations relating to the unfair and disproportionate use of power in relation to racialised minorities in policing. You also made recommendations as part of your Windrush Lessons Learned Review published in 2020. Please could you provide the Inquiry with your comments on how you approach making effective recommendations.***

Having carried out a review in accordance with the terms of reference, the recommendations should seek to address the causes to either promote improvements and/or seek to avoid any repetition.

Occasionally, the root cause may be attributable to a single factor which, if addressed, could prove decisive. If so, consideration should be given to whether that fundamental recommendation is achievable. More often, there will be a range of factors which, if addressed, would lead to significant changes.

In either case, in my view, any recommendations should be linked according to the salient issues identified. So, for example, in the Windrush Lessons Learned Review my 30 recommendations were grouped into three themes: the department (home office) and the communities it serves; the department and its people; and the department's role in wider

government. To help the organisation that is the subject of the inquiry or review, any recommendations should, wherever possible, be specific, measurable, achievable, realistic and time bound. The outcomes that the recommendations are designed to achieve should also be clearly identified.

## **Miscellaneous**

***11. Please include the following wording in the final paragraph of your statement:***

I believe the facts stated in this witness statement are true. I understand that this statement may form part of the evidence before the Inquiry and be published on the Inquiry's website.

**Signed:** 

**Dated: 13 September 2024**