

Her Majesty's Inspectorate of Constabulary (HMIC)

Basics	Web site	http://www.hmic.gov.uk/Pages/home.aspx
	Geographical coverage	England and Wales
Constitutional Aspects	Legal Framework/Basis	<p>Her Majesty's Inspectors of the Constabulary ('HMICs') have an extensive history, as the first HMICs were appointed under the provisions of the County and Borough Police Act 1856. In 1962, the Royal Commission on the Police (Final Report, Cmnd. 1728) formally acknowledged their contribution to policing.</p> <p>HMIC is governed by the Police Act 1996, which states that 'inspectors of constabulary' will inspect every police force in England and Wales in relation to their 'efficiency and effectiveness'.</p> <p>The Police Act 1996 (sections 54 to 56 and Schedule 4A) describes the appointment procedure, functions and powers of HMIC including its duty to arrange for publication of its reports. HMIC's core function is to inspect the efficiency and effectiveness of police forces (s. 54).</p> <p>The Police Reform and Social Responsibility Act 2011 made significant changes to the powers/functions of HMIC. HMIC no longer reports directly to the Secretary of State, in order to secure its independence, and it is now HMIC that arranges to publish its reports as it considers appropriate. HMIC's powers now include the ability to request (and be mandatorily given) information by chief police officers and the power to enter police premises (paragraphs 6A and 6B of Schedule 4A) as appear to HMIC to be required for the purposes of an inspection under section 54.</p> <p>In addition to HMIC's proactive inspections, if a local policing body requests inspectors to carry out an inspection of a particular police force, or a specified section or activity of that force, HMIC may carry out such an inspection (with the policing body paying HMIC's reasonable costs per s. 54 of the 1996 Act). Similarly an inspection of a force or a particular part/activity of the force can be required by the Secretary of State (s. 54 (2B)). HMIC also regularly conducts joint inspections with other inspectorates and cooperates with other public bodies (such as the Independent Police Complaints Commission) in line with HMIC's statutory powers/obligations to do so (such as paragraphs 4 and 5 of Schedule 4A).</p> <p>The Chief Inspector of Constabulary must prepare and (following approval from the Secretary of State) lay before Parliament an inspection framework/programme setting out what inspections will be carried out and the manner in which he will perform his functions (paragraph 2 of Schedule 4A).</p> <p>Much of HMIC's work relates to the mainstream police forces in England and Wales. However, HMIC inspects other law enforcement agencies, including the Serious Organised Crime Agency, Civil Nuclear Constabulary, Armed Forces, National Crime Agency (once implemented), Ministry of Defence Police and HM Revenue and Customs.</p>
	Independence	Her Majesty's Inspectors of Constabulary are appointed by the Crown,

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		<p>with their numbers set by the Secretary of State; one of the Inspectors appointed will be appointed to be the Chief Inspector.</p> <p>Neither the Inspectors nor the Chief Inspector are employed by the police service or the government.</p> <p>This ensures the Inspectors' independence from both the government and the police service.</p>
	Financial Independence	See Police Act 1996 sec. 56 (3) Persons appointed under this section shall be paid such salary and allowance as the Secretary of State may with the consent of the Treasury determine.
Membership	Composition of body	<p>Currently there are four HMIs (in addition to the Chief Inspector), supplemented by a team of assistant inspectors. (http://www.hmic.gov.uk/about-us/who-we-are/)</p> <p>Two of the Inspectors have previously occupied the posts of Chief Constables of police forces; the third Inspector has previously been a Chief Crown Prosecutor for London for the Crown Prosecution Service and the fourth Inspector was a director at the Audit Commission. Together they bring a range of useful experience and fresh perspectives to HMIC.</p>
	Appointment	The first HMIs were appointed under the provision of the County and Borough Police Act 1856. The appointment process is now governed by s. 54 of the Police Act 1996, whereby the Crown appoints Inspectors and the Chief Inspector (with assistant inspectors then being appointed to work under the Inspectors).
	Expertise	In October 1993, and in accordance with the Citizen's Charter principle that Inspectorates should include a "lay element", two HMIs were appointed from non-police backgrounds. This development underlined the Inspectorate's commitment to objectivity, independence and openness. It also broadened and enhanced its professional base by introducing top management experience from other organisations. This was taken forward and currently two HMIs are from non-police backgrounds, one from the Crown Prosecution Service and one from the Audit Commission.
Visiting Mandate	Places of deprivation of liberty to be visited	<p>In discharging its function of inspecting the efficiency and effectiveness of police forces (s. 54), HMIC the inspectors of constabulary shall inspect, and report on the efficiency and effectiveness of, every police force maintained for a police area.</p> <p>HMIC has conducted detailed inspections in every one of the 43 Home Office forces in England and Wales. In terms of custody inspections HMIC has with their colleagues from HMI Prisons conducted 29 custody inspections to date and currently carry out approximately 15 inspections of forces and boroughs within the Metropolitan Police Service per year.</p> <p>HMIC has recently been given the power, contained in Schedule 4A, to conduct inspections of courts' custody areas where necessary for an end-to-end inspection of a police force it is conducting.</p>
	Frequency of visits	Website: HMIC carry out many force inspections and regulatory visits

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	<p>each week, through the network of regional offices, and publish findings within the Inspections area of the website. On average custody inspection events take place every 3-4 weeks.</p>
Types of visits	<p>The formal inspection process has long been a core Inspectorate activity, through which HM Inspectors of Constabulary conduct detailed examinations of those areas of policing organisation and practice judged to be central to the efficient and effective discharge of the policing function.</p> <p>The HMIC/HMI Prisons inspection of police custody suites follows the UK's ratification of the UN Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).</p>
Access to premises	<p>HMIC has two practical powers in relation to inspecting, recently added to its toolkit: the power to require information and the power to access police premises.</p> <p>In relation to the latter, under paragraph 6B of Schedule 4A, a chief officer of police must secure access for inspectors to premises occupied for the purposes of that force, to documents and other things on those premises.</p>
Access to information	<p>Under paragraph 6A of Schedule 4A to the Police Act 1996, a chief officer of police must provide inspectors with such information, documents, evidence or other things that the inspector may specify as appear to be required for the purposes of an inspection under section 54 of the Police Act 1996.</p>
Publication of inspection reports	<p>The inspectors of constabulary must arrange for any report prepared under section 54 to be published in such manner as appears to the inspectors to be appropriate, section 55 (1) Police Act 1996.</p> <p>HMIC must exclude from publication anything which they consider to be against the interests of national security or that might jeopardise the safety of any person. Anything excluded must be disclosed to the Secretary of State, per Section 55 (2) Police Act 1996. Similar provisions apply to inspections involving devolved jurisdictions (e.g. Northern Ireland).</p> <ul style="list-style-type: none"> • HMIC must send a copy of the published report to: <ul style="list-style-type: none"> • the Secretary of State • the local policing body (PCC) • the relevant Chief Constable • the relevant Police and Crime Panel • The PCC must prepare comments and invite the Chief Constable to submit comments on the published report. • The PCC is responsible for publishing these comments as they think 'appropriate'. <p>The PCC must send a copy of their comments to the Secretary of State.</p> <p>Website: HMIC carry out many force inspections and regulatory visits each week, through the network of regional offices, and publish all inspection reports within the Inspections area of its website,</p>

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		http://www.hmic.gov.uk/ . There are also reports on broad policing themes and specific subjects – from terrorism and serious organised crime to custody arrangements.
	Coordination of visits	<p>Website: HMIC has a long history of engaging in joint inspection activity with HM Crown Prosecution Service Inspectorate, HM Inspectorate of Court Administration, HM Inspectorate of Probation and HM Inspectorate of Prisons. The Police and Justice Act 2006 established a statutory responsibility on each of the five inspectorates to:</p> <ul style="list-style-type: none"> * co-operate with each other, and other named inspectorates * draw up a joint inspection programme and associated framework * consult their Secretary of State, other inspectorates and named stakeholders in the formulation of the plan * act as 'gate keeper' for all inspection of specified organisations, and * delegate authority to inspect such organisations to each other, or other public authorities, as appropriate. <p>HMIC continues to regularly conduct joint inspections with other inspectorates and cooperates with other public bodies (such as the Independent Police Complaints Commission) in line with HMIC's statutory powers/obligations to do so (such as paragraphs 4 and 5 of Schedule 4A). A number of reports arising from joint inspections are available on the HMIC website.</p>
Other Aspects of Mandate	Recommendations and suggestions for amendments to legislation	Although HMIC's enabling legislation, the Police Act 1996, does not require HMIC to make recommendations as to amendments to legislation (HMIC no longer being the Home Secretary's professional adviser on policing), nor does it prohibit HMIC making such recommendations (where doing so furthers HMIC's statutory purpose and the public interest). If HMIC were to discover that the efficiency and effectiveness of police forces in a certain area of policing are not maximised due to a lacuna in existing legislation, there is no legislative or legal barrier to HMIC including recommendations for statutory amendments in its report (although this is not common practise). Furthermore, HMIC, much like any other independent body or organisation, can respond to consultations initiated by the Government in respect of legislative changes.
	Preventive activities	Website: in addition to inspections and surveys, HMIC provide a high-quality professional advice to police - using experienced officers and other experts, to identify the 'best practice' which all forces can aspire to.

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Standards	Legal standards applied	<p>Methodology: HMIC's bring together a range of quantitative and qualitative information and judgements which are used to compile an assessment of each force or business area. This generates a bespoke report for each force, unless the inspection is part of a thematic inspection, with areas of critical weakness or under-performance being made subject to a focused inspection.</p> <p>Inspection Protocols: The inspection process is built around a series of inspection protocols which are used to examine identified functions, issues or areas of operation. Each protocol has a standard structure based on the criteria used in the European Foundation for Quality Management (EFQM) 'Excellence Model'.</p> <p>For details see: http://inspectrates.homeoffice.gov.uk/hmic/methodologies/</p>
Reports	Annual reports	<p>The chief inspector of constabulary shall in each year submit to the Secretary of State a report, and the chief inspector shall lay a copy of that report before Parliament. Section 54 (4) Police Act 1996.</p> <p>A report under section 54 (4) must include the chief inspector's assessment of the efficiency and effectiveness of policing in England and Wales for the year in respect of which the report is prepared. Section 54 (4A) Police Act 1996.</p>