

Question from the Police and Crime Panel, 23 July 2020

The Panel asks the PCC on behalf of this resident: **“Why isn’t the PCC scrutinising potential racial bias in the issuing of FPNs by Herts Constabulary in the enforcement of the Covid 19 lockdown? And shouldn’t the PCC be carrying out this scrutiny?”**

Response

On 21 May the OPCC staff representative on Hertfordshire Constabulary’s Coercive Powers Board received an invitation to attend an ‘Extraordinary’ Coercive Powers Board¹ meeting on 12 June to discuss in detail the figures that had been released from the live ACRO Criminal Records Bureau database on the number of Fixed Penalty Notices (FPNs) issued across the country since 23 March 2020 broken down by force area and by self-defined ethnicity².

In advance of the Coercive Powers Board, Hertfordshire Constabulary shared with the OPCC the detailed breakdown of the FPN figures for the first 9 weeks of Covid-19 lockdown broken down by self-defined ethnicity. These figures were then discussed internally between the Police and Crime Commissioner and the Executive Management Team ahead of the Coercive Powers Board meeting. On initial scrutiny of the data, the OPCC were not concerned that there was disproportionality in the ACRO figures against BAME individuals, but recognised that there represented a number of records in the ‘not recorded/not-stated’ pile.

Following this review, the OPCC requested further information from Hertfordshire Constabulary on those FPNs where the ethnicity was ‘not recorded/ not stated’. This also coincided with the findings from the Extraordinary Coercive Powers Board which sought to address the data quality concerns and gaps with a view to further analysis.

As of 30 June 2020, ACRO figures showed that Hertfordshire Constabulary had issued 317 FPNs. When broken down by ‘self-defined’ ethnicity there were 87 FPNs that did not have an ethnicity recorded or stated. However, when cross checking these against ‘officer defined’ ethnicity, this reduced the number to 21 ‘not recorded or stated’. Overall, the 317 FPNs issued when combining ‘self-defined’ and ‘officer-defined’ ethnicity are broken down as follows:

- **21** not recorded / not stated
- **220** White
- **27** Asian
- **40** Black
- **5** mixed
- **4** other

The Extraordinary Coercive Powers Board is meeting regularly to track and scrutinise the volume of FPNs being issued and the ethnicity of those being issued. The next meeting is scheduled for Monday 20 July of which the OPCC is invited and is able to ask questions and scrutinise the data on behalf of the Commissioner. When the OPCC received the Freedom of Information request on 3 June, the Coercive Powers Board had not formally met and the OPCC was awaiting the data to be released to Hertfordshire Constabulary from ACRO.

¹ Membership of the Coercive Powers Board includes: Superintendent and Policy Lead for Best Use of Stop and Search, Superintendent for Local Policing Command, Head of Custody, Chief of Staff, Head of Performance, Director of Strategy, OPCC and Independent Chair of the Stop and Search Panel.

² ACRO – Criminal Records Bureau use self-defined ethnicity alone.