

Devon and Cornwall Police and Crime Panel

Friday 8 July 2022

PRESENT:

Councillor Croad, in the Chair.

Councillor Mrs Pengelly, Vice Chair.

Councillors Atiya-Alla, Channon (Substituting), Chopak, Croad, Dewhirst, Guest (Substituting) Hopwood, Penberthy, Mrs Pengelly, Samuel and Tilbey.

Also in attendance: Alison Hernandez (Devon and Cornwall Police and Crime Commissioner), Frances Hughes (Chief Executive for the OPCC), Felicity Ridgway (Director of Operations for the OPCC) and Ross Jago (Head of Governance, Performance and Risk, PCC).

The meeting started at 10:30 and finished at 12:30.

Note: At a future meeting, the Panel will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

83. **Appointment of the Chair for Municipal Year 2022 - 2023**

Councillors Mrs Pengelly nominated Councillor Croad for the Chair of the Police and Crime Panel for the municipal year 2022 – 2023 which had been seconded by Councillor Guest.

The Panel voted in favour of Councillor Croad.

84. **Appointment of the Vice-Chair for Municipal Year 2022 - 2023**

Councillor Guest nominated Councillor Towill for Vice-Chair for the municipal year 2022 -2023 which had been seconded by Councillor Tilbey.

Councillor Dewhirst nominated Councillor Atiya-alla but this was not seconded.

The Panel voted and agreed to Councillor Towill to be the Vice-Chair for the municipal year 2022 – 2023.

Councillor Mrs Pengelly took the Vice-Chair for the meeting in the absence of Councillor Towill who had provided apologies.

85. **Minutes**

The minutes from 28 January 2022 were **agreed** as a true and accurate record.

86. **Declarations of Interest**

There were no declarations of interest.

87. **Public Questions**

The Panel received a question from Mr Alan Grant who had been present at the Panel meeting and asked:

‘Over 2500 complaints against Police Officers in the year 2021 & 2022, with only one ending up in a Disciplinary Hearing. Would the Panel investigate an indictment of the complaint process, reflecting a complete lack of priority on the part of the Police? The indifference to the complaints is to discourage complainants and cover up the scale. An average of 18 months between a complaint being received, and a disciplinary hearing, is appalling. The Panel are referred to an exposure by The Herald, on 19 March 2022. All facts quoted came from the FOI office of D & C police’.

The Commissioner answered:

‘Thank you for your interest in how police complaints are handled. My Police and Crime Plan sets out my commitment to improving public confidence through world class policing, and to achieve this it is important that a clear, transparent and accessible complaints system is in place.

In the two years 2021 and 2022 Devon & Cornwall Police (D&CP) recorded a total number of 2,940 complaints against officers, staff and special constables. The majority of these are about general levels of service and action following contact rather than misconduct allegations. Wherever possible, these are dealt with quickly through early service recovery and reflective practice.

The threshold for misconduct is very specific. It is set out in statutory guidance as behaviour so serious that it justifies disciplinary proceedings or behaviour that is a criminal matter. It is a good thing that we see relatively few of these cases in Devon and Cornwall, and I am assured that when such cases do arise they are taken seriously.

In those two years 2020 and 2021 the force recorded 238 cases. Of these, 167 have been concluded and 71 are still under investigation. Of those concluded, 25 proceeded to disciplinary proceedings, 18 of which were misconduct hearings, resulting in 7 dismissals.

So in reality, only 8% of all complaints were about misconduct in 2021 and 2022, 15% of those concluded were found to have cases to answer in formal proceedings and nearly half all of cases taken to misconduct hearings resulted in dismissal’.

88. **Commissioners Update Report**

Alison Hernandez, the Devon and Cornwall Police and Crime Commissioner presented the update report to the Panel and highlighted:

- a) The Chief Constable's retirement and subsequent recruitment to the post;
- b) Operation Medusa – an operation working with Merseyside Police's County Lines Task Force to reduce drugs supply from that force area into the Devon and Cornwall area;
- c) Prisoners building eco-homes to help tackle the South West housing crisis;
- d) Commissioner's Community Grant Schemes 2022;
- e) Opening of six police station front offices;
- f) Survey on 101 and 999 services;
- g) Police, Crime, Sentencing and Courts Act 2022;
- h) Shared Prosperity fund in the levelling up arrangements.

Members of the Panel discussed:

- a) Opening of rural police stations had been seen positively and has started to provide a presence in communities for the Police. It was acknowledged that there had been a challenge to open a front desk in Paignton and there were no viable options. The Commissioner would work with Councillor Hopwood to explore the possibility of a pop-up Police Station;
- b) A recommendation from the precept meeting that took place on 28 January 2022 would look to adopt recommendations from the male violence against women and girls commission. This had not been mentioned within the Commissioner's update report and it was recommended for this to be detailed within the next Commissioner's report;
- c) Mutual aid had been a requirement from all forces to provide support for big events and had been a strategic policing requirement from the Home Secretary to support large public order events. At times in the Summer season, Devon and Cornwall would be able to use Mutual Aid to bring officers down to help with the influx of visitors. Equally Devon and Cornwall would be required to support other forces across the country with supplying officers to large public order events;
- d) The Commissioner would update Councillor Tilbey with figures of Neighbourhood Policing numbers for Bude and Launceston due to reports from Neighbourhood Police teams not having increased staffing levels;

The Panel noted the report.

89. **Police and Crime Plan Scorecard**

Alison Hernandez, Police and Crime Commissioner presented the report to members and members discussed:

- a) The baseline had been set to the date of June 2019 due to a relatively false sense of what crime looked like due to the majority of the public remaining at home from the COVID lockdowns in years 2020 and 2021. A workshop would be arranged for members of the Panel on the Scorecard, to unpick any issues that members may have had and this would take place within two months;
- b) Hate crime had increased by 41% in Devon and Cornwall which had been concerning for members of the Panel and the Commissioner. Members of the Panel were also concerned that the community in Devon and Cornwall had been reporting that the specialist hate crime function had been removed. Members of the Panel reaffirmed the requirement for a specialist hate crime function in order to build trust with communities.

The Office of the Police and Crime Commissioner advised that the National Chief Police Council had produced a race action plan which had 'landed' with the Force and that the Force had been in the process of recruiting a non-executive director with race and inclusion as part of their portfolio. The Commissioner recognised that the Force had been underrepresenting ethnic minorities in policing and welcomed more scrutiny on hate crime. Hate crime had become a mission critical strategic indicator within the Police and Crime Plan in order to ensure monitoring would take place openly and transparently. The Commissioner highlighted that Community Cohesion had been vital in resolving hate crime and that she would like to hear from people that had been having poor experiences within their communities. Devon and Cornwall Police had been recording misogyny as a hate crime which had been against the trend nationally for forces.

The Panel heard from the Chief Executive, Frances Hughes that the Office of the Police and Crime Commissioner had been re-organising community engagement and would not be reducing the amount of engagement with communities. The Devon and Cornwall Office of the Police and Crime Commissioner had been leading nationally on community engagement and co-chaired the national collaboration board on behalf of all Offices of Police and Crime Commissioners.

The Commissioner would respond to Councillor Penberthy in relation to his query as to whether the specialist hate crime function in Plymouth had been removed and also reaffirmed her position to build trust in communities and for hate crime to be a priority as part of the recruitment process for the new Chief Constable.

The Panel noted the report.

90. **Police and Crime Plan: Road Safety Profile**

Alison Hernandez, The Police and Crime Commissioner presented the item to the Panel and highlighted the following key points:

- a) Deaths of bikers in the region had increased substantially with 23 killed or seriously injured with 10 killed between 1 January and 8 July 2022, the baseline for all deaths on the road had been set to 58 for the year by Vision Zero. The Police had continued and increased efforts to get messages out to the public which had been supported by the Fire Service. Speed continued to be an issue for the increase in deaths in the region and the Commissioner re-affirmed her commitment for speed cameras and Community Speed Watch programmes;
- b) Torbay Council had not engaged fully with the Vision Zero Partnership. The authority had a high number of pedestrian deaths and the Commissioner requested for more input from the authority in an attempt to drive a decrease in deaths.

Members discussed:

- a) There had been an increase in noise complaints from residents in the region around motorbikes and the Panel were concerned about reports from residents indicating that baffles had been removed to increase noise. The Panel had been interested in noise cameras for noise hotspots in the region but noted only 5 had been allocated nationally. The Commissioner advised that ASB had been a priority within the Police and Crime Plan; there had been successful efforts with car owners through Sgt Owen Messenger and George's Car Media through social media to address safety concerns but recognised more needed to be done with owners of motorcycles;
- b) The '20 plenty' scheme in Cornwall had gathered pace with infrastructure in place with regards to staffing, the Commissioner endorsed the scheme but clarified that it was a Council led Policy;
- c) For future the meetings the Commissioner would report on the monitoring of funded projects from the Office of the Police and Crime Commissioner specifically the effects whether they had been positive or negative in relation to the funding granted to them;

The Panel noted the report.

91. **Draft Annual Report 2021 - 2022**

Alison Hernandez, The Police and Crime Commissioner presented the report to the Panel and highlighted the following points:

- a) Serious Violence Prevention Partnership
- b) 10 year strategic victim support contract
- c) Independent Custody Visiting scheme

Members discussed:

- a) Hate crime should be reflected more in the next annual report should it be unable to detailed more in the 2021 – 22 report. Violence against women and girls should have a higher priority within the report. The Commissioner confirmed that this would be detailed much more in the annual report due to their strategic importance.
- b) The Panel recommended that sections on hate crime and violence against women and girls be included in the Annual Report 2021 – 2022.

The Panel noted the report.

92. **Complaints against The Police and Crime Commissioner received under The Police Reform and Social Responsibility Act**

Frances Hughes, Chief Executive reported to the Panel that there had been one complaint in the reporting period which had dealt with by the Chair, Councillor Croad, in conjunction with Frances Hughes under Delegated Powers with no on-going issues.

The Panel noted the report.

93. **Work Programme**

Members of the Panel added the following items to the work programme:

- Hate crime
- Violence against women and girls
- Confirmation of the Chief Constable

Frances Hughes, Chief Executive advised the Panel that the Independent Office for Police Conduct had offered to come to the September meeting to deliver a presentation on the process of Police complaints

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