

Devon and Cornwall Police and Crime Panel

Friday 3 July 2020

PRESENT:

Councillor Batters, in the Chair.

Councillor Haydon, Vice Chair.

Councillors Atherfold, Derrick, Dewhirst, Fairman, Howgate, Knowles, Macaulay, Nelhams, Rule, Samuel and Towill.

Apologies for absence: Councillor Jarvis.

Also in attendance: Nicky Allen (Chief Finance Officer/ Treasurer, OPCC), Fran Hughes (Chief Executive, OPCC), Alison Hernandez (Police and Crime Commissioner), Andrew Loton (Head of Governance, Performance and Risk), Jamie Sheldon (Senior Governance Advisor).

The meeting started at 11.00 am and finished at 1.30 pm.

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.

1. Appointment of the Chair and Vice Chair for the municipal year 2020/21

The Panel received a nomination from Councillor Fairman for Councillor Batters to stand as Chair. This was seconded by Councillor Hackett.

There were no other nominations. The panel voted in favour of Councillor Batters taking the position as Chair for the next municipal year.

The Panel received a nomination from Councillor Batters (Chair) for Councillor Haydon to stand as Vice Chair. This was seconded by Councillor Rule.

There were no other nominations. The Panel voted in favour of Councillor Haydon taking the position as Vice Chair for the next municipal year.

2. Minutes

The Chair proposed the minutes of 7 February 2020 to the panel for approval; this was seconded by Councillor Haydon.

The minutes were agreed as a true and accurate record of the meeting.

3. Declarations of Interest

There were no declarations of interest made by members.

4. **Public Questions**

The Chair advised the Panel that one question had been received by Mr Agambar; this was read out by the Chair as follows:

With monuments/ places/ buildings etc being targeted before any consultation of the people of Plymouth, will there be increased monitoring to ensure confidence so the general public feel they do not need to protect these themselves.

The response was read out by the Chair as follows:

Unfortunately some of the media coverage has caused alarm to our community. This has meant that some of our communities in Devon, Cornwall and the Isles of Scilly wanted to either protest to support Black Lives Matter whilst others to protect our historical monuments and statues. Devon and Cornwall Police have proactively worked with both the protestors and the protectors to carry out a peaceful approach to their efforts. Since 4th June 2020 we have had 27 Black Lives Matter protests across the force area which from a national perspective puts them as the 9th highest for this protest activity.

Any monuments considered to be at risk have been identified and taken into consideration in the public order command strategy and liaison has occurred with the relevant local authority which has the responsibility to consider any physical protection. On the day of any protests, in reaction to any intelligence or reports received police in attendance will assess the situation that presents and respond in a considered and proportionate fashion. In Plymouth there has been comprehensive engagement with the City Council regarding any at risk sites. This is replicated across the force area and is assisted by public order command which risk assesses each protest including the monuments at risk and directs and informs local response and supports with additional resources where necessary.

5. **Continuing to deliver an effective Policing and Crime service to the Public throughout COVID-19**

Alison Hernandez, Police and Crime Commissioner, introduced the report on continuing to deliver an effective policing and crime service to the public throughout Covid 19.

The report set out the importance of ensuring that communities remained safe resilient and connected through the pandemic and highlighted that the Police and Crime Plan intentions remained valid. Working with partners across Devon and Cornwall, Criminal Justice and Policing, and supporting the Chief Constable, the Office of the Police and Crime Commissioner's team had adapted as a result of Covid 19 and a reprioritisation of activity was undertaken to meet new demands. Focus was upon enabling the access of sufficient resources to respond to emergencies, working in partnership to protect the public and a proportionate response to business as usual crimes throughout the current emergency.

The Police and Crime Commissioner highlighted the following key points:

- the collective effort made across the south west to keep the corona virus to a minimum and the leadership role of the police in the Leadership

Forum in coordinating and responding to the crisis;

- how the local accountability and guidance from government had affected decision making;
- Devon and Cornwall was in the top 3 police forces in the country to issues fixed penalty notices and the balance required to police people accessing open space and people travelling to second homes;
- the commissioning and introduction of a 24/7 Victim Support helpline and web-chat set up during the pandemic; this would continue post-Covid.

The Panel discussed:

- the response of the Police in dealing with second home owners travelling to the south west and the impact of some businesses encouraging travel to the south west for short breaks and stays;
- the Street Marshalls concept and their role and responsibilities;
- if the Police and Crime Commissioner was seeking additional guidance or enforcement powers in respect of local lockdown plans;
- the Police and Crime Commissioner's 'Anti-Social Behaviour and Policing Protest' podcast which was considered to discredit Plymouth City Council's actions in renaming Sir John Hawkins Square, and a request for this podcast to be taken down and for an apology to be provided;
- who would be responsible for funding the 24/7 Victim Support Helpline and web chat post Covid 19;
- how positive steps and good work carried out during the pandemic could be continued in the future;
- the Safer Summer Scheme and how this, specifically regarding Street Marshalls, could be used in areas where it previously wasn't required;
- fixed penalty notices issued and if there was a likelihood of challenge due to the confusion surrounding what was and wasn't acceptable in terms of turning away second home owners/ holiday makers;
- how business as usual policing was undertaken during the pandemic and training of call operators;
- if the Police and Crime Commissioner would agree that the only real protectors of statues and monuments should be Devon and Cornwall Police;
- the powers, or lack of, for Street Marshalls.

The Police and Crime Commissioner clarified that –

- I. her comments regarding the change in name of Sir John Hawkins Square was linked to her attempt to move the issue from a political debate; she was of the opinion that the timing of the name change could be viewed negatively and that she was a strong believer in learning from history and supporting better education of issues such as racism.

The Chair proposed and Councillor Peterman seconded that the thanks of the Panel was noted in the minutes with regards to their support of the Police's response to the pandemic.

The Chair proposed and Councillor Haydon seconded to note the update from the Police and Crime Commissioner and the contents of the report.

6. **Devon and Cornwall OPCC annual report 2019-2020**

Alison Hernandez, Police and Crime Commissioner, introduced the Devon and Cornwall OPCC Annual Report 2019-2020.

The annual report set out the importance of building connectivity between organisations and the public they served to create more resilient communities. This, as well as providing a budget that allowed force strength to grow by over one hundred officers since the Police and Commissioner took office, was a major factor in Devon and Cornwall and the Isles of Scilly having the second lowest recorded crime per head of population.

The Police and Crime Commissioner highlighted the following key points:

- the Penzance Safer Towns Initiative, led by Safer Cornwall, was highlighted as being an example of successful partnership working; it was hoped that this approach could be brought to Devon;
- the recruitment of police officers this last year was prioritised with the actual figure recruited totalling 107 (to the end of March 2020);
- two police stations, one in Liskeard and one in Exeter, had been opened totalling £31m being invested in the policing estate for 2019-20. The new station in Exeter proved essential in tackling the police's response to the ongoing pandemic;
- the recognition of the efforts of the Chief Constable in the improvement of Her Majesties Inspectorate of Constabulary Fire and Rescue Services moving from a required improvement rating to a good rating;
- thanking those involved in the scrutiny of the service;
- key successes regarding the Turning Corners Programme which focused upon tackling gang related issues in South Devon; a great deal was learnt in how to deal with gangs and help young people to avoid joining a gang;

- the importance of Vision Zero;
- that the work surrounding partnership working with the Police and schools to help support children dealing with domestic violence had won a global award; this was a credit to all involved.

The Panel discussed:

- the high number of juveniles held in custody and if there was a better place for them to be held;
- the potential for the police supporting more 20mph zones;
- that satisfaction and public confidence appear to have reduced – it was queried as to why this was the case and how it could be addressed;
- thanks was passed onto gold control at Exeter for their speed watch – speed of traffic was decreasing already in these areas;
- that the overall uniform for force strength (including the number of PCSOs) should be included in the annual report and recorded accurately; it was considered that PCSOs had been cut by approximately 167 however this was not referenced;
- that there was an under reference to violent crime in the annual report and that these figures should be included;
- with regards to Stop and Search – the report did not specify if recommendations had been progressed and what that progress was;
- if the Police and Crime Commissioner would consider raising the level of funds spent in next year's budget on commissioning work in light of the increased money from Government.

The Police and Crime Commissioner clarified:

- that the number of juveniles held in custody, as detailed in the report, would be double checked;
- that overall force strength should be included accurately in report (including figures relating to PCSOs);
- that key graphs relating to violent crime over the period 2019-20 should be included in the report to aid with clarity;
- it would be helpful to circulate the results of public scrutiny to Panel Members once they were available.

The Chair proposed and Councillor Haydon seconded to note the report.

7. **Police and Crime Commissioner's Update Report**

Alison Hernandez, Police and Crime Commissioner, introduced the report 'as read' and Panel Members moved directly to questions.

The Panel discussed:

- the Devon and Cornwall Community Watch Association and who had been given dashboard cameras and how many had been distributed and where.

The Police and Crime Commissioner agreed to provide Panel Members with an update on the Devon and Cornwall Community Watch Association work; this was welcomed by Members.

The Chair proposed and Councillor Howgate seconded that the report is noted.

8. **Office of the Police and Crime Commissioner's Performance Report**

Alison Hernandez, Police and Crime Commissioner, introduced the Office of the Police and Crime Commissioner's Performance Report.

The report set out an overview of the levels of recorded crime for Devon, Cornwall and the Isles of Scilly published by the Office of National Statistics for the 12 months to 31 December 2019 and the OPCC assessment of current performance against the strategic indicators for the Police and Crime Plan 2017 – 2020.

The Police and Crime Commissioner highlighted the following key points:

- that Devon and Cornwall was one of only five policing areas where recorded crime levels had reduced; the other areas were Staffordshire, Lancashire, Northumbria and Dorset;
- worked well in partnership to tackle county lines crimes;
- Devon and Cornwall had the lowest rate for victim based crime in the country, as well as the lowest for residential burglary and shoplifting offences;
- from 2015 – 2019 there was a massive growth in violent crime with a peak at 2016-17; there had been a real reduction in those figures however the crime type had changed and more things were categorised as violent crime due to the changes to the Malicious Communications Act (resulting in a big uplift);
- that she had an apology with reference to a sentence in the report which read: "...this impact is thought to have been most pronounced in the relatively less harmful types of violent crime particularly in relation to stalking and harassment offences and malicious communication offences..."; it was

highlighted that in her role as Police and Crime Commissioner and that of her office, stalking and harassment and malicious communication were not a less harmful crime and that this sentence should not have been included in the report;

- the Interactive Voice Recognition (IVR) system had been introduced to better manage 101 call centre calls – it was considered successful in prioritising reporting crime however unsuccessful in pushing non urgent calls to the back of the queue; a new approach was required to better manage the system however web-chat was considered a success.

The Panel discussed:

- that the Plymouth police estate was considered old and very tired and required additional funding; this has been a concern for many years;
- the impact of Covid 19 on the National Investment Funding and that 50% of ring-fenced money had been diverted to aid with the tackling of the pandemic; how would this be reflected in the future Recruitment Plan;
- if increased scrutiny would occur with regards to the IOPC report that called for greater scrutiny of Taser use that disproportionately affected BAMP individuals and those with mental health issues;
- why the Commissioner bid for a £3m National Grant for Victim Support yet only spent less than one quarter of the funds received.

Nicola Allen, Treasurer and Chief Finance Officer of the Office of the Police and Crime Commissioner, provided the Panel with information upon the impact of Covid 19 upon the budget:

- it was the decision of the individual Police and Crime Commissioners if 50% of the ring-fenced national investment funding budget was moved to cover to Covid 19 costs; the Devon and Cornwall Police and Crime Commissioner had decided against that option;
- the cost of obtaining and supplying PPE was considered the biggest financial element in tackling the pandemic; officers were in discussion with the Home Officer to establish if further costs linked to Covid 19 would be reimbursed from Special or Government Grants. An announcement had recently been made and officers were currently assessing this;
- the impact of the supply chain had affected the sourcing of PPE however officers had worked hard and there wasn't considered to be as significant an impact on the Police in comparison to other public sector organisations;
- there was a Government directive that stated that the Police were required to pay suppliers immediately to help with the movement of money to small businesses; this had an impact on the budget;

- there was a cost to procuring and installing technology to enable staff to work safely from home; it was considered that this would benefit future ways of flexible working and would be beneficial going forward.

The Chair proposed and Councillor Derrick seconded that the report is noted.

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

Fran Hughes, Chief Executive - Office of the Police and Crime Commissioner, led on the agenda item: Complaints against the Police and Crime Commissioner received under the Police Reform and Social Responsibility Act.

Members were advised that a single complaint had been received since the date of the last Panel meeting and that this was still a live complaint and in order to avoid it being unduly influenced, questions were unable to be answered in terms of its content.

The Chief Executive had referred the complaint, in consultation with the Chair, to the IOPC for advice in March 2020 and were still waiting for them to confirm what and if any involvement they might have.

An update would be provided at the next meeting.

The Chair proposed and Councillor Atherfold seconded that the report is noted.

10. **Black Lives Matter** (Verbal Report)

The Chair introduced this item and highlighted that this was added to the agenda at the request of Panel Members.

Alison Hernandez, Police and Crime Commissioner, briefly spoke to the report and praised the fair and proactive policing in Devon and Cornwall with regards to the Black Lives Matter protests and referred to the low arrest rate (5) despite being the 9th busiest area for protests in the country.

The Panel discussed:

- if the Police and Crime Commissioner would reassure Members that she was confident that Devon and Cornwall Police were taking all actions to promote equality and diversity through internal culture, HR processes and effective monitoring of complaints and feedback and how policing policy and actions applied in the policing area;
- that BAME individuals were approximately 6.4 times more likely to be stopped by the Police than white people and what the Police and Crime Commissioner was going to do to re-establish trust and credibility.

The Chair proposed that the report was noted.

11. **Work Programme (discussion)**

The Chair introduced this item and highlighted the importance of establishing a work programme for future meetings – it was recognised that in order to receive best possible reporting, adequate notice was required on agenda item requests, and this could be facilitated through the population of a clear work programme.

Members discussed items to be included for the future work programme as follows:

- 101 and 999 call system – how were operators trained and how were calls triaged and how could this service be improved (this would benefit from a working group);
- Recommissioning of Victims Care;
- Violent Crime prevention work;
- Evaluation of Summer Policing Plan;
- Policy on arresting people;
- Domestic violence;
- Serious and organised crime;
- Black Lives Matter;
- BAME Community Relations;
- Knife Crime;
- Prosecution rate – why re the outcomes so much lower than they used to be in terms of prosecutions.

The benefits of undertaking in-depth scrutiny of some of the issues raised above, specifically the 101 system, was welcomed by the Police and Crime Commissioner.

Under this item Members highlighted the benefits of virtual meetings.

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