

Devon and Cornwall Police and Crime Panel

Thursday 17 January 2013

PRESENT:

Councillor Croad, in the Chair.

Councillor Kennedy, Vice Chair.

Councillors Barker, Boyd, Folkes, Maddern, Penberthy, Saltern, Sanders, Sutton, Williams and Wright (substitute for Cllr Diviani).

Independent Members: Yvonne Atkinson and Rev Mike Firbank.

Apologies for absence: Councillors Diviani, Hare-Scott, Hicks and Wood

Also in attendance: Peter Aley, Head of Safer Communities, Sarah Hopkins, Community Safety Partnership Manager, and Judith Shore, Democratic and Member Services Manager.

The meeting started at 11am finished at 1pm.

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.

20. **MINUTES**

AGREED the minutes of the meeting held on 22 October 2012.

21. **OFFICE OF THE POLICE AND CRIME COMMISSIONER AND THE POLICE AND CRIME PANEL - WAYS OF WORKING**

The Chair, Councillor Croad, reported that he had met with the Police and Crime Commissioner, Mr Tony Hogg, on 28 November 2012. Discussions had centred around the need for the Panel and the Commissioner to work effectively together; the timetable and notification process for the appointment of the Chief Constable; the role of the Panel as a 'critical friend' and the desirability of early notification to the Panel of the proposed precept. The Chair confirmed that there was no immediate plan to adopt a formal memorandum of understanding but this could be revisited at a later stage should the need for one be identified.

22. **EMERGING STRATEGIC THEMES, OBJECTIVES AND PRIORITIES FOR THE POLICE AND CRIME PLAN**

The Police and Crime Commissioner (PCC), Mr Tony Hogg, gave a presentation about the emerging strategic themes, objectives and priorities for the Police and Crime Plan.

The PCC confirmed that the Plan was still under development and that the consultation period would start in the next few days. He considered that there

should be a closer working relationship between the business community, the health sector and the voluntary sector.

He strongly believed that the role of the PCC would be an effective one, looked forward to representing the police force, to working with the Chief Constable and the community and to consulting closely with the community. The draft Plan explained the role of the PCC and his priorities and how they would be delivered. He promised to be open, fair and accountable, to close the gap between the police and the public, to hold surgeries, to take account of local views, to work closely with the peninsula's community safety partnerships and to 'put the victim first'.

The presentation included references to how the plan would be developed, emerging objectives, reducing crime and bringing offenders to justice, giving victims and witnesses a stronger voice, listening and responding to the public, strong leadership and measuring success.

Following the presentation, the PCC answered members' questions:

Q How would the PCC ensure that the police were representative of the community they served?

A Public equality duty assurances would be contained in the Plan

Q The consultation period was going to be very short. How did the PCC intend to consult hard to reach groups? How did he intend to consult and communicate in future?

A Due to statutory timescales the consultation process in this first year was truncated. The Independent Advisory Group would assist with representing the interests of minority communities and the public engagement strategy was not yet finalised. The PCC undertook to inform the Panel about his consultation strategy.

Q You stressed the importance of community safety partnerships however they do not have secure finances – will you provide any funding?

A The PCC would meet with the partnerships to ensure that the Plan took account of their requirements/interests.

Q How transparent and open would the process for appointing your advisers be? You have appointed a Chief Adviser but no public adverts had been seen.

A The legislation allowed the PCC to appoint a deputy and other advisers. Generally, the appointment system would be transparent and the PCC would set up a recruitment group which would consider the points raised at this meeting. He would keep the Panel fully informed about his recruitment plans.

Q Which matters would not be a priority for you?

A Some specific areas had been included under more general headings. If anyone considered that something was missing from the Plan the PCC would be pleased to hear from them.

Q Did the PCC have more detail about the consultation strategy? Did he have

- a communications strategy? Would he use social networking?
- A The community engagement strategy and the communications strategy, which included the use of multi-media, were being finalised. A variety of methods would be used to communicate as widely as possible.
- Q How did the PCC plan to address public concern regarding understaffing, especially the lack of road traffic enforcement in the Tamar Valley?
- A This would be an operational matter and therefore the responsibility of the Chief Constable.
- Q Did the PCC agree that stronger partnerships would be key to closer working arrangements particularly in relation to children and adult safeguarding?
- A The PCC agreed and had signed off a paper about a new approach to safeguarding vulnerable people.
- Q The public didn't understand whose role it was to police issues relating to alcohol misuse – would you agree that partners must work more closely together as the public weren't aware who to complain to.
- A The PCC had asked for information about the responsible authorities and would be looking to meet with them and discuss these matters further. He confirmed that reducing alcohol misuse was a priority.
- Q How would you differentiate between dissimilar areas with regard to reducing crime?
- A This question will prompt us to consider whether we should undertake performance reviews at strategic or more local levels.
- Q The area was diverse, had an urban/rural divide and scarce resources to be targeted at reducing crime. People would look for an assurance that resource allocation addressed specific issues in different localities – the Plan didn't include this.
- A Resource allocation was usually based on the analysis of crime figures. Rural communities had specific needs and urban areas such as Plymouth would have additional pressures around the level of crime. Performance was monitored and considered in conjunction with resource allocation. The PCC undertook to look at the issue of providing greater clarity in the Plan.
- Q How were special constables, including training and equipment and seasonal variations, costed?
- A There were approximately 360 special constables at present and their use would be continued. Communities, especially in rural areas, were encouraged to help themselves. If a person wanted to apply and met the criteria they could be interviewed and, potentially, be located in their own area.
- Q With regards to anti-social behaviour issues, it was important that potentially vulnerable people were identified at an early stage and this would depend upon data and information sharing with partners. Could you give a commitment to progressing that?
- A The PCC undertook to progress the matter.

- Q You have considered alcohol related domestic violence and there was a tendency to put the blame on the licensee. However, the figures illustrated that drinking at home greatly contributed to domestic violence and to problems in the streets. Will you take this, and the contribution that licensees make to the night time economy, into account when you examine alcohol related problems?
- A The PCC advised that 50% of domestic abuse was alcohol related and tackling alcohol related issues was very resource intensive. There were excellent licensee schemes and considerable police effort expended on tackling the issue. He confirmed that close working relations with the licensing authorities should ensure a joined up and proportionate approach.
- Q With regards to reoffending rates – there was a lack of public tolerance towards ex-offenders, very few schemes that would offer employment and too few agencies willing to work with ex-offenders. It was essential to commission more support to reduce the reoffending figure - would the PCC agree?
- A The PCC agreed that this was an important area and advised that the commissioning budget would be retained for the 2013/2014 financial year. Future funding would be reviewed with the aim of gaining additional benefits.

The Chair, Councillor Croad, thanked Mr Hogg for presenting his draft Police and Crime Plan to the Panel and for answering Members' questions.

23. **CHIEF CONSTABLE APPOINTMENT - CONFIRMATORY HEARING PROCESS**

Mrs Hopkins introduced the report which included the proposed date (8 February) for the confirmatory hearing. She advised that the media had already widely reported that Mr Shaun Sawyer was the preferred candidate for the position of Chief Constable. However, the Panel had not yet been formally notified of this choice though it expected to be notified imminently. The Host Authority, in liaison with the Chair, had done all it reasonably could to prepare for the confirmatory hearing process.

Mrs Hopkins advised that the PCC had asked the Host Authority to consider holding a confirmatory hearing earlier than 8 February. She acknowledged that convening meetings to suit the availability of all Members was challenging, especially at short notice. She reminded the Panel that the Local Government Association's advice was that the public should be given ample opportunity to attend the confirmatory hearing and that, in order for the Panel to be able to exercise the power of veto, 2/3rds of the Panel members (14 Members) would need to be present.

Members considered that trying to organise an additional Panel meeting at short notice would be impracticable. A number of dates were proposed and Members' availability was canvassed; it was evident that not enough Members would be able to attend on any date earlier than 8 February. Therefore, there would be no change to the date.

The PCC advised that he would be present at the confirmatory hearing for the Chief Constable.

In response to Members' questions, the Chair confirmed that:

- the PCC would be asked supply information which would assist in the process of ensuring that the confirmatory hearing did not duplicate the interview process
- the LGA advised that a private meeting should take place at which the questions should be agreed and this was scheduled to take place immediately after the Panel's formal meeting

A member stated that although the Panel had not received formal notification of the PCC's preferred candidate, that information had appeared in the media. The PCC responded that it was regrettable that the information was in the public domain as only a few people had known who the preferred candidate was.

AGREED:

- the process outlined in this report and in Appendix 2 for the confirmatory hearing of the PCC's proposed Chief Constable appointment
- the principles of professional competence and personal independence contained in Appendix 4 of this report, for the evaluation of the candidate
- that further discussions will be held, in private, following this meeting to formulate questions to be asked at the confirmatory hearing.
- that any further refinements to the questions following receipt of any additional information from the PCC is delegated to the Head of Safer Communities, in consultation with the Panel chair, before the confirmatory hearing is held
- that, subject to having received the PCC's notification, the confirmation hearing will take place on Friday 8 February 2013
- if there is any further delay in the PCC notifying the Panel, the confirmation hearing meeting is provisionally scheduled to take place on Friday 22 February 2013

There was a five minute adjournment before the next item.

24. **HANDLING NON-CRIMINAL COMPLAINTS**

Mrs Hopkins introduced the report and confirmed that a further, detailed report would be brought before the Panel so they would be able to properly consider the most appropriate method of handling non-criminal complaints.

Members who had received copies of complaints about the PCC were advised to send them to the Community Safety Partnership Manager.

Members commented that there should be a three month time limit for a report about the handling of non- criminal complaints to be received by the Panel. They

questioned whether the PCC's office could properly investigate a complaint about the PCC.

The Head of Safer Communities advised that a number of aspects had to be taken into consideration including resources (both financial and staffing) as well as the unknown number of complaints. He further advised that a complaints procedure delegated to the Office of the PCC (OPCC) would not be dissimilar to local authority complaints procedures, in that the local authority investigated all complaints in the first instance. The Panel had responsibilities with regard to complaints conferred on it by legislation and not every aspect could be delegated to the OPCC. The future report would take this into account.

AGREED that:

- the handling of non-criminal complaints is delegated, for a three month period, to the OPCC.
- the OPCC will report back to the Panel about the number and nature of complaints and how many were successfully resolved
- officers of the Host Authority will continue to work with the OPCC to draft options for presentation to a Panel meeting in the near future

25. **PRECEPT REGULATION AND TIMELINE**

Mrs Hopkins introduced the report.

Members commented that the Home Office did not necessarily appreciate the conflict between the various sets of legislation.

AGREED that:

- the letter that the Chair of the Devon and Cornwall Police and Crime Panel wrote to the Home Office copying in all other Police and Crime Panels is noted
- the Home Office reply and feedback from other Panels is noted

26. **PUBLIC QUESTIONS**

No public questions were submitted.