

Devon and Cornwall Police and Crime Panel

Friday 19 December 2014

PRESENT:

Councillor Croad, in the Chair.

Councillors Barker, Brown, Davey (substitute for Councillor Eginton), Excell, Penberthy, Sutton, Kate Taylor (substitute for Councillor Rennie), Watson (substitute for Councillor James), and Wright.

Independent Members: Ms Yvonne Atkinson and Ms Sarah Rapson.

Apologies for absence: Councillors Batters, Eddowes, Eginton, Inch, James, Rennie, Rule, Saltern and Sanders.

Also in attendance: Tony Hogg, Police and Crime Commissioner, Andrew White, OPCC Chief Executive, Duncan Walton, OPCC Treasurer, and Ian Ansell, OPCC Criminal Justice, Partnerships and Commissioning Manager, Sarah Hopkins, Community Safety and Partnerships Manager, Jo Heather, Portfolio Advisory and Scrutiny Officer, Cornwall Council, and Katey Johns, Democratic Support Officer.

The meeting started at 10.30 am and finished at 3.25 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.

28. **MINUTES**

Agreed the minutes of the meeting held on 17 October 2014.

29. **DECLARATIONS OF INTEREST**

The following declaration of interest was made in respect of items under consideration at the meeting –

| Name | Minute No | Reason | Interest |
|-------------------|------------------|---|-----------------|
| Councillor Excell | 30 - 39 | Executive Lead for Torbay's Safer Communities Partnership | Personal |

30. **PUBLIC QUESTIONS**

There were no questions from members of the public.

31. **FINDINGS AND RECOMMENDATIONS IN RESPECT OF THE POLICE AND CRIME COMMISSIONER'S ANNUAL REPORT PRESENTED TO THE PANEL ON 17 OCTOBER 2014**

Further to the panel's consideration of the Police and Crime Commissioner's Annual Report at its meeting on 17 October 2014, the Community Safety and

Partnerships Manager submitted a draft report setting out the panel's findings and recommendations, along with the Police and Crime Commissioner's response.

In the absence of any further observations/comments, the panel agreed –

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| (1) | the draft report; |
| (2) | to review the Police and Crime Commissioner's response to its findings and recommendations and consider items for inclusion into its work programme. |

32. **FINDINGS AND RECOMMENDATIONS FROM THE 'REACTIVE SCRUTINY ITEM' OF THE POLICE AND CRIME COMMISSIONER'S AND CHIEF CONSTABLE'S DEVON AND CORNWALL POLICE PUBLIC CONTACT STRATEGY - STATION ENQUIRY RATIONALISATION**

Further to the panel's scrutiny of the Devon and Cornwall Police Public Contact Strategy – Station Enquiry Rationalisation - at its meeting on 17 October 2014, the Community Safety and Partnerships Manager submitted a draft report setting out the panel's findings and recommendations, along with the Police and Crime Commissioner's response.

Having considered the draft scrutiny report, together with the Police and Crime Commissioner's response, the following points of concern were raised by the panel -

- the lack of an engagement plan for Plymouth;
- anyone living in Cornwall who was required to attend a Police Station in order to present documentation would now be expected to travel to either Bodmin or Plymouth;
- the lack of any mechanism for feeding back progress/action taken in respect of the panel's recommendations.

In response to the above, the panel was advised that -

- (a) there was no engagement plan for Plymouth as engagement plans had only been required where front desk closures were being introduced;
- (b) from the research undertaken prior to the closure of front desk offices, evidence had suggested that there had been very little to no activity relating to production of documents, therefore the impact was expected to be very limited;
- (c) an action plan would be drawn up to ensure that recommendations were cascaded down to the relevant area and implemented.

The panel agreed –

- (1) the draft report;
- (2) to review the Police and Crime Commissioner's response to its findings and recommendations and consider items for inclusion into its work

programme.

33. **SCRUTINY OF THE POLICE AND CRIME COMMISSIONER'S REVIEW OF THE 101 SERVICE PROVISION IN DEVON AND CORNWALL**

The Police and Crime Commissioner reported on the review of the 101 service provision in Devon and Cornwall. The panel was advised -

- (a) the Police and Crime Plan published in April 2014 had contained a commitment to review the 101 non-emergency police contact service in response to concerns raised by the public;
- (b) the review, which comprised a public consultation, listening to calls received in the call centre and logging the nature and outcome for a significant sample of calls, sought to establish the effectiveness of the service;
- (c) that a key finding of the review was that the 101 system was structurally flawed. Whilst calls were answered quickly by the switchboard (first stage), and there was a customer satisfaction rate of more than 85% from those who had had their enquiries dealt with, difficulties arose during the distribution (second stage) phase of the call, when a non-standard response and/or follow-up action was required;
- (d) it was clear that the technology in place was significantly impeding delivery of the service;
- (e) there was little evidence to demonstrate that many of the calls being taken by the 101 service were for other agencies.

In response to questions raised, the panel was further advised that –

- (e) performance against other 101 services compared well in respect of first point of contact via the switchboard, however, it was probably one of worst in regard to the second stage;
- (f) the technology refresh scheduled for the first quarter of next year would help address some of the issues and opportunities to learn from good practice established in call centres elsewhere were being taken;
- (g) consideration was being given to the panel's proposal to prioritise calls made from 'blue light' phones however it was looking like this may not be possible;
- (h) the current triage system would be abandoned as it had no proven advantage with less than 10% of calls being resolved at first point of contact;
- (i) there had been occasions when police officers had been unable to report crimes through the 101 service, however, mobile data entry via the internet would address this and provide an alternative contact route for

members of the public;

- (j) the Chief Constable had formally responded to the review and agreed with all of the recommendations.

The panel agreed to-

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| (1) | note the report; |
| (2) | review progress against the report's recommendations as part of the scheduled work programme item on the IOI service at its meeting on 10 April 2015. |

34. **SCRUTINY ON "HOW IS THE POLICE AND CRIME COMMISSIONER STRENGTHENING RELATIONSHIPS AND SHOWING LEADERSHIP IN PARTNERSHIP WORKING?"**

In preparation for the scrutiny, and in order to set the scene, the Community Safety and Partnerships Manager submitted and presented a report which –

- (a) advised that, as part of the scrutiny consultation process for this review, letters had been sent to a large number of partnerships and agencies throughout Devon, Cornwall and the Isles of Scilly and an 'open letter' inviting participation had been published on the Police and Crime Panel website;
- (b) despite the low response rate to the consultation, provided an analysis of the feedback received;
- (c) included information provided by the Police and Crime Commissioner in order to add context and assist the panel in conducting a robust and effective scrutiny review;
- (d) indicated that, despite the best efforts of the host authority, it had not been possible to get any witness to attend on this occasion.

Adopting a select-committee style approach, the panel then questioned at length the Police and Crime Commissioner and members of his senior management team, the responses to which were summarised as follows –

- the Police and Crime Commissioner acknowledged the importance of partnership working and had an officer within his team committed to this role and to developing these, and other, relationships further;
- key partnership relationships included Criminal Justice Boards, Community Safety Partnerships, Health and Wellbeing Boards and Safeguarding Boards, however, in addition to key partnerships, the Police and Crime Commissioner and his team actively engaged with a vast number of informal partnerships/voluntary and community organisations;
- the Police and Crime Commissioner had received an award from CoPaCC for public engagement;

- the Police and Crime Commissioner was keen to link in with other commissioning arrangements as well as devolved funding arrangements to Community Safety Partnerships and Restorative Justice via the Community Safety Partnerships;
- the new Victim Code and EU Directive for Victims was driving the Police and Crime Commissioner's victim commissioning arrangements from 2015;
- the Police and Crime Commissioner had concerns that some national funding streams (Victim and Witness Fund) were ending and was doing everything he could to influence the Home Office and Ministry of Justice (MoJ) to maintain those funds in order that the services could continue in Devon and Cornwall;
- there was a gap in terms of SI36 (Detention of Mentally Ill Adults and Juveniles in police custody). A National Crisis Care Concordat had now been published and a SI36 Protocol had been signed up to by 17 agencies – this placed some clear duties and expectations on partners for when a person should be taken to a place of safety which is not a police station;
- The Police and Crime Commissioner was concerned that in respect of Health & Wellbeing Boards there was still not a good join-up with community safety agenda issues, including mental health and the alcohol agenda. He was also of the view that Plymouth's Health and Wellbeing Board was heading in the 'right direction' so he needed to focus his attention elsewhere, as a 'compliment' to Plymouth. That was why he regularly sent a representative to Plymouth's Health and Wellbeing Board rather than attend in person;
- the Police and Crime Commissioner had persistently tried to ensure that Community Safety was embedded in the plans for Health and Wellbeing Boards and that community safety was given more prominence in their strategies. He had also been trying to improve Health & Wellbeing Boards' engagement with the public;
- the Police Service already had an element of volunteering in a structured way, for example Special Constables and Police Cadets. However, a more fit-for-purpose approach to volunteering/citizens in policing needed revitalising and this was now a '6th priority'. A pilot existed in East Cornwall looking at how a model of volunteering could be improved. There was a need to build a new 'relationship' and 'mind-set' within the Police for working with volunteers and this was mentioned in the Police and Crime Plan, although work was still in its infancy;
- the Chief Constable was the ACPO lead for Police Cadets which were a good news story in respect of volunteering. The Police and Crime Commissioner was not aware of the Chief Constable's view on the current programme of volunteering and whether it was fit for purpose. However, the Police and Crime Commissioner was keen to get the Chief Constable to see volunteering beyond the traditional way;
- the Police hadn't entirely withdrawn their commitment to Neighbourhood Watch. It worked better in some areas than others and was lacking structure, some hardware and an effective community messaging system. The Neighbourhood Watch IT system had recently been upgraded. If membership numbers had reduced significantly, the community and police needed to look at this together. With regard to the issue raised in Plymouth, the Police and Crime Commissioner be happy to discuss the matter with Chief Superintendent Andy Boulting to verify what support was being provided but the community as a whole needed to look at this;

- Sexual Assault Referral Centres (SARCs) were a provision that the Police and Crime Commissioner supported. However, they were supported differently in each area. From April 2015 Public Health England (PHE) would be the lead commissioner in respect of the medical care; the Police and Crime Commissioner would ensure funds were available for forensic examinations. There were currently three SARCs across Devon and Cornwall catering for both acute and historic cases. PHE was about to publish some 'user specifications' for SARCs nationally. Different strands of funding would pay for the different aspects of support and care and the national drive was determining who was paying for what. The Police and Crime Commissioner needed to review the cost of meeting the new PHE user requirements as each centre may need to become a 24/7, 365 days a year provision for adult and paediatric services and could therefore become more expensive. The issue in respect of Plymouth paediatrics provision was not a lack of funding or a commissioning issue but was due to a lack of facilities and individuals with the appropriate qualifications to provide a service for children in Plymouth. The Exeter service had been expanded to take paediatric referrals from Plymouth for the remainder of this financial year. However, it was acknowledged that it was more important to have a facility closer to users' homes and the Police and Crime Commissioner was still talking to commissioners about how that gap can be closed in the new financial year. PHE and the Police and Crime Commissioner would offer another 12 months' contract to service providers to continue existing arrangements whilst the new PHE arrangements were being developed;
- the Police and Crime Commissioner had been closely observing the new Probation arrangements and transition and was aware of the risks and the mitigation of any risks. It was his view that the MoJ had been keeping Police and Crime Commissioners at 'arms-length' from the process and contract arrangements although he had managed to obtain a position on a number of related boards. Working Links had been confirmed as the CRC provider for the Devon, Cornwall and Dorset package area. The resettlement arrangements for prisoners on short term sentences would be via Exeter and those on longer term licenses would go through HMP Channing's Wood in Newton Abbot. There was an opportunity for Community Safety Partnerships to be involved in contract management. Performance measures needed to be established and, in particular, how reoffending was measured needed to be carefully considered. The Police and Crime Commissioner already had a meeting arranged with the National Offender Management Service (NOMS) Rehabilitation Services Contract Management Deputy Director (Midlands and the South West) to talk about how such scrutiny arrangements could be built locally so that local agencies could engage in the holding to account process. The Police and Crime Commissioner would like confidence that the relationship between Community Safety Partnerships and the new Probation arrangements was going to work if resourcing of Community Safety Partnerships was under pressure;
- the Police and Crime Commissioner was concerned whether Community Safety Partnerships were the correct bodies to hold Community Rehabilitation Companies and the National Probation Service to account given that both were 'statutory' members of Community Safety Partnership as part of the new Probation arrangements and that Community Safety Partnership partner organisations were not remitted to scrutinise each other. The Police and Crime Commissioner suggested that he himself or the LCJB

could be appropriate scrutiny bodies but also recognised that local authority Crime and Disorder Scrutiny Panels, who have a statutory responsibility to scrutinise the work of Community Safety Partnerships, could play a part and undertake this role (although unless it also became a statutory responsibility, this would only take place if they so wished to undertake the work);

- the Police and Crime Commissioner was also concerned that data sharing issues in respect of victims still existed. It was a challenging problem which would not be solved overnight. In terms of victims' care, the Police and Crime Commissioner was leading the way along with Cambridge. Police compliance with the Victims Code was still being reviewed although improvements would likely be made through the new Victims Services commissioning and 'victims consent' to their information being shared and by minimising victims not getting the care they need. All the activity was being carried out jointly between the Police and OPCC in order to meet the 'victim's code' requirements as well as the EU directive;
- the Police and Crime Commissioner was of the view that resources must be transferred from reaction to prevention. This was currently being exercised through Community Safety Partnerships, Youth Offending Teams (YOTs), and other partners working closely with the Police. However, financially, this was challenging. The Police and Crime Commissioner was concerned that neighbourhood policing could 'wither on the vine' in favour of more reactive policing demands. It was important to define what neighbourhood policing was, what the resources were for it and how it could be protected so that prevention resource was protected. At the next panel meeting the Police and Crime Commissioner would provide details on how he intended to 'transform' policing to cope with future demands;
- the Police and Crime Commissioner was considering a more business based budgetary mechanism to address new and emerging threats and the resources needed to address them. There were two new threats, the first being cybercrime, where 'capability' locally was very low, and the second being child sexual exploitation, which was complex, however the Chief Constable was looking at best practice across the UK in terms of historic child sexual exploitation and it would potentially be included in the new Police and Crime Plan. Other priorities were determined through the Community Safety Partnership Peninsula Strategic Assessment. The views of the public were listened to whenever possible but it was challenging balancing what the public wanted against what could be afforded and police professional judgement in relation to how the force area should be policed is complex. The public view is that they would like action taken in relation to parking and speeding issues, the inefficiency of the 101 number and local/neighbourhood policing interface and visibility to the public;
- a review was being undertaken in relation to what individual victims of crime can do to prevent re-victimisation. As part of the new Victim's Code, in respect of businesses, they were entitled to the same care and consideration as individual victims. A survey of Devon & Cornwall Business Council had been undertaken to understand what crimes were being committed in relation to businesses, how much was reported and what businesses need in terms of support;
- one of the main considerations for efficiencies/collaborative working was the potential strategic alliance with Dorset which had nearly 30 projects working within it. There were significant cultural similarities and differences to work within. The Police and Crime Commissioner were looking at innovative ways

for income generation for policing, but this work was not at a sufficient stage to be fully shared as yet. However, it included different uses of the estate, more support financially and in-kind from local businesses and ways in which offenders could be pursued for costs through the criminal justice system, particularly when they were responsible for injuries to police officers who subsequently lost duty time. The Police and Crime Commissioner would continue to have local discussions regarding options for collaboration;

- in relation to offenders with mental health issues, Devon and Cornwall had just been awarded substantial funding to assist with liaison and diversion in police custody, looking at arrested individuals for a substantial criminal offence rather than being taken to the police station because they were not mentally well. However, it was acknowledged that the two issues could be closely linked. There were too many people entering the criminal justice system with mental health issues who were being criminalised when what was needed was actually a care requirement, which the liaison and diversion scheme assisted with. Also the 'Street Triage' schemes in Plymouth, Devon and Torbay were working well to support police with assessing offenders' medical needs and the best course of action. Although this still needed evaluating, it was helping to reduce detention of people with mental health issues, speeding up access into the right services and supporting people threatening to self-harm. The funding for 'street triage' ended in March 2015 but the Police and Crime Commissioner was working with partners to extend this valuable service. A new SI36 Review had just been published by the Home Office providing valuable new advice, especially in relation to the holding of children in custody;
- there was no contribution currently towards CCTV provision from either the Police and Crime Commissioner or the Police and other blue light services who benefited hugely from it;
- in terms of more effective policing provision –
 - for the first time in policing in the Devon and Cornwall area, a substantial team of volunteers was working out of the Victim Care Unit alongside Police staff, carrying out complementary roles as an integrated team;
 - there would be roll-out of an additional 20 'speed-watch schemes' across Devon and Cornwall;
 - a review had been funded on the effectiveness and integration of the Special Constabulary, considering its expansion and better use within the wider policing family. The outcome of the review will be reported to the Police and Crime Commissioner in January 2015;
 - one of the OPCC's managers was dedicated full-time to reviewing the internal use of volunteers. It would be ensured, that if they were not already linked in with 'Community Builders', they would be in future;
- the alcohol agenda was very sizeable, A large proportion of the programme was still at an early stage establishing local and national relationships. Plymouth had a particularly good Alcohol Policy and the Police and Crime Commissioner was the national PCC lead on the alcohol agenda across the 43 police force areas. Examples of the programme included –
 - the 'breathalysing pilot', which was recently launched in Torbay to address pre-loading and other issues, and there had been good 'buy-in' from the industry;

- the Police and Crime Commissioner had established a national lobbying platform and had taken these issues to 16 of the 18 MPs in the policing area. He had also met with the Policing Minister, who he found to be supportive of his work and recommended a meeting with the Minister for Crime Prevention, which would take place in 2015;
- working with Cornwall Council to look at key messages to target 18-25 year olds. 40% of the Police and Crime Commissioner's small grants scheme was targeted at alcohol related issues;
- in respect of data collection, in the Police and Crime Plan, to date, there hasn't been the mechanism to relate crime to alcohol, but such a mechanism is being established for 2015/16 in order for the data collected to be more evidence based;
- the Police and Crime Commissioner had met and was establishing relationships with the supermarkets, and was trying to engage with them to talk about the issues. Whilst some supermarkets were engaging, many are not, meaning there was a very substantial 'fighting fund' from the industry to oppose any change to alcohol legislation;
- the Police and Crime Commissioner was also a member of the Criminal Justice Council for the UK and he was going to meet with all the licensing organisations locally in the New Year to see if there was something more that could be done with them to act, without the fear of being taken to court by the industry fighting fund;
- the Police and Crime Commissioner advised he was trying to work with and support licensees via the Best Bar None and Purple Flag schemes as part of his strategy;
- in response to the A&E data collection issue, the Police and Crime Commissioner had funded the roll out of some of the Assault Related Injuries Database (ARID) databases to improve data linkages.

35. **FINDINGS FROM SCRUTINY OF "HOW IS THE POLICE AND CRIME COMMISSIONER STRENGTHENING RELATIONSHIPS AND SHOWING LEADERSHIP IN PARTNERSHIP WORKING?"**

In a departure from the previous scrutiny review proceedings, the Chair proposed that responsibility for drafting the panel's findings and recommendations arising from this scrutiny be delegated to the host authority, in consultation with himself, and that a draft report is then circulated to the panel for comment. The draft report to then be formally reviewed and agreed at the panel's next meeting. That proposal, having been seconded by Councillor Wright, was put to the vote and declared carried.

Further to the discussion that had taken place around CoPaCC (an organisation which compares Police and Crime Commissioners), it was also agreed that the thematic report's findings on PCCs and Partnership be added to the panel's work programme for future consideration.

36. **STRATEGIC ALLIANCE WITH DORSET**

The Police and Crime Commissioner updated the panel on progress made to date with the proposals for a strategic alliance between Devon and Cornwall and Dorset Police Forces. He reported that –

- (a) the requirement to provide a continued service, despite reduced funding,

meant that combining resources would enable reinvestment to meet new and emerging threats;

- (b) a merger between Devon and Cornwall and Dorset was possible because they had similar policing styles and ethos and delivery would –
 - enable interoperability;
 - ensure resilience and the sustainability of neighbourhood policing/other services
- (c) a Senior Responsible Officer and team had been appointed to bring the proposal together and a rolling programme of business cases would be coming forward over the next 18 months;
- (d) there was a commitment from all four of the political leaders involved to try and make the alliance work

Following the presentation, a number of issues were raised by members and discussed, including –

- concerns over the closure of Dorset’s prison and the impact on their ability to manage rehabilitation;
- how a new strategically aligned Force would be managed. Under a collaborative arrangement the two could work jointly together with separate Chief Constables and Police and Crime Commissioners. Any formal merger arrangement would require a change in legislation.

The panel agreed that the -

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| (1) | update on the journey so far is noted; |
| (2) | panel keeps the matter under review and adds a further update to its work programme for later in 2015. |

37. **POLICE AND CRIME COMMISSIONER'S PERFORMANCE REPORT**

The Police and Crime Commissioner submitted an update on the performance measures set out in the Police and Crime Plan 2014-17. Highlights of the report included that -

- (a) the long term trend in victim-based crime (with the exception of hate crime) continued to go down;
- (b) total crime over the summer period had been significantly less compared to the previous year and questions as to why that was were still to be answered;
- (c) violence without injury remained a particular challenge and formed the focus of activity related to the Police and Crime Plan priority to reduce alcohol-related harm;

- (d) rape and sexual offences continued to climb steadily and, whilst this could be down to increased reporting, caution should be exercised and further investigation may be required.

Concern was raised by members around –

- the format of the report which remained unchanged despite the panel's request for figures as well as percentages to be included, as well as actuals and targets;
- the level of the detail contained in the report being insufficient.

The Police and Crime Commissioner responded that the level of detail was publicly available in papers presented to the Performance and Accountability Board and if members wished he would include that detail and revise the format for future meetings of the Police and Crime Panel.

Agreed that the report is noted.

38. **POLICE AND CRIME COMMISSIONER'S UPDATE REPORT**

The Police and Crime Commissioner submitted an update reporting on the activities of the office of the Police and Crime Commissioner and progress made in delivering the Police and Crime Plan since the last meeting in October 2014. He commented on the report's highlights as follows –

- his findings into the review of the 101 service had now been published and an action plan established to deliver the required improvements;
- a new pilot had been launched in Torquay addressing the issues of pre-loading. Anyone appearing drunk would be breathalysed prior to entering a pub or club and refused entry if it was proven to be the case;
- development of a new social media competition around the Drinkaware campaign for launch early in 2015;
- savings would be achieved on office accommodation costs as a result of the move to Middlemoor;
- with regard to Transforming Rehabilitation, the preferred bidder had now been announced (Working Links) who were also the preferred bidder for the other south west package areas;
- a new S136 multi-agency protocol had been drafted in regard to Mental Health
- commissioning arrangements for Victim Services would be changing from 1 April 2015;
- a review of the Special Constabulary service would be undertaken as Specials moving into regular police officer positions was having an impact on achieving the target of 150,000 hours.

In addition, the Police and Crime Commissioner's Treasurer reported a reduction in the police grant settlement of 5% which would impact upon their budget. Further detail on this would be presented to the panel as part of its precept considerations in February 2015.

Agreed that the report is noted.

39. **REPORT FROM THE OFFICE OF THE POLICE AND CRIME COMMISSIONER IN RESPECT OF ANY NON-CRIMINAL COMPLAINTS ABOUT THE POLICE AND CRIME COMMISSIONER**

The panel noted that no complaints had been received during the period 2 October to 26 November 2014.

40. **FUTURE MEETING DATES**

The agreed dates of future panel meetings were noted as follows –

- 6 February 2015 (Precept)
- 20 February 2015 (only required if Precept veto'd)
- 10 April 2015 (Provisional)