

Devon and Cornwall Police and Crime Panel

Friday 12 November 2021

PRESENT:

Councillor Croad, in the Chair.

Councillor Towill, Vice Chair.

Councillors Atiya-Alla, Biederman, Cheadle, Chopak, Fitter, Hackett, Hopwood, Knowles, Mrs Pengelly, Salmon, Tilbey and Wright.

Also in attendance: Alison Hernandez (Devon and Cornwall Police and Crime Commissioner), Frances Hughes (Chief Executive for Devon and Cornwall Office of the Police and Crime Commissioner), Nicola Allen (Treasurer and Chief Finance Officer for the Devon and Cornwall Office of the Police and Crime Commissioner), Andrew Loton (Head of Governance, Performance and Risk) and Jake Metcalfe (Democratic Advisor).

The meeting started at 10:00 and finished at 12:13.

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.

64. **Minutes**

The minutes of the meeting that took place on 17 September 2021 were signed as a true and accurate record subject to the following change:

Minute 59 - Councillor Hackett raised concerns in relation to dangerous driving on roads in Devon just outside of the DMP area which had caused fatalities in riders and horses.

65. **Declarations of Interest**

There were no declarations of interest.

66. **Public Questions**

Q1 - In light of the murder of Sarah Everard, and subsequent conviction and sentencing of Wayne Couzens, a serving police officer, will the Chief Constable guarantee that all officers will undertake a psychological profile test to reduce the risk of rogue individuals presenting a risk to the public?

The Police and Crime Commissioner needed to be assured that the Chief Constable was delivering the highest moral and ethical standards. The Chief Constable was responsible for the employment of all police officers and police staff.

The Chief Constable applied the national vetting process in accordance with the national Authorised Professional Practice, issued by the College of Policing. Those processes were subject to a National thematic inspection by HMICFRS at the direction of the Home Secretary. There were no requirements for a psychological test.

All police officers worked in a position of trust and as such every recruit went through a thorough vetting stage as part of their application process. This had been a nationally prescribed process and all Forces followed the same guidance. This included disclosing any convictions, motoring offences, outstanding charges or court summons and details about their family and friends for example, to ensure that they aren't vulnerable to extortion or blackmail. The vetting process also assessed all applicants against the College of Policing's Code of Ethics, which considered a wide range of factors.

For clarity there were 3 different types of vetting: Police Vetting, National Security Vetting and Non Police Personnel Vetting.

The police vetting processes were most relevant to the question. There were two levels of police vetting, a basic standard called Recruitment Vetting (RV) and an enhanced level called Management Vetting (MV).

RV - This was the standard level of vetting required by every member of the force whether they were a police officer, member of police staff, special constable or PCSO. No one could join the force until they had been vetted to that level. The checks conducted were comprehensive and included Force intelligence systems, address, I/D, finance, relatives and social network sites. The vetting unit conducted all necessary enquiries, conducted a vetting interview where necessary and the force vetting manager or Force Vetting officers decided whether clearance was granted or refused. Officers and members of staff required this level of vetting throughout their service with the force.

MV - MV is a misleading national term, it meant an enhanced level of police vetting and was nothing to do with management but was required for officers or staff in 'designated posts'. These were posts judged by the Force Vetting Manager to be particularly sensitive or critical for a number of reasons e.g. members of Special Branch, firearm officers, officers and staff involved in major crime investigation or covert police work. The vetting unit conducted all MV vetting enquiries which were extensive and included family members, all relevant databases, financial checks and a compulsory vetting interview. Once granted a MV clearance was subject to annual reviews and aftercare procedures. Persons in those 'designated posts' who were refused or had their MV clearance removed would not continue in that post but that was a rare occurrence.

Additional levels of vetting existed for specialist areas of work such as counterterrorism work, firearms roles etc. Regardless of role, all police officers were subject to a regular review of their vetting.

In Devon and Cornwall the Chief Constable introduced a "Bad Apple" scheme some years ago. All police officers and staff had a responsibility to report suspected

corrupt, dishonest or unethical behaviour. It is recognised however, that it takes a great deal of courage for an individual to come forward, particularly when the conduct being reported concerns somebody that they work with. The Bad Apple reporting system was developed to ensure that officers and staff felt that they could report matters in confidence to the anti-corruption unit within Devon and Cornwall Police. This was part of wider counter corruption processes.

Q2 - Will you commit to implementing a policy of suspending officers immediately and appropriately charging them pending investigation if an allegation of inappropriate sexual behaviour is made?

The way in which police officer misconduct was managed had been detailed in legislation and associated statutory guidance. The level of misconduct would determine the processes followed.

An officer accused of an offence could only be charged once sufficient evidence had been available as per existing criminal justice processes.

The Police and Crime Commissioners office supported this process and appointed Legally Qualified Chairs where the misconduct hearing panel was convened.

A police misconduct hearing panel would likely be arranged to hear allegations of serious cases of misconduct by police officers or special constables. The maximum outcome at a hearing would be dismissal from the police service without notice. Cases would include for example, allegations of criminal acts, serious road traffic matters such as drink/driving and other serious breaches of the standards of professional behaviour expected of police officers, such as neglect of duty. Misconduct hearings could also be convened to consider the final stages of action under performance regulations, where police officers can be dismissed for unsatisfactory performance or attendance.

67. **Commissioner's Update Report**

Alison Hernandez, Devon and Cornwall Police and Crime Commissioner provided an update to the panel and highlighted the following key points:

- a) The plan focused on four priorities; serious violence; anti-social behaviour; road safety and drugs;
- b) The Street Safe online tool allowed residents of Devon, Cornwall and the Isles of Scilly to go onto a map and pinpoint where they did not feel safe. It was requested to Councillors in attendance at the Panel to promote this with their residents to enable a true and accurate picture of places where people did not feel safe;
- c) 81 ideas from the public had been submitted to help achieve Vision Zero and how the public could keep themselves safe on the roads. These ideas were being triaged and then put forward to the Vision Zero Board meeting;

- d) A member of the public submitted video footage of dangerous driving to the Police as part of Operation Snap. This submission was the first that involved dangerous driving around a horse. The Commissioner encouraged road users to submit footage where dangerous driving had occurred;
- e) Funding had been secured in relation to the Plymouth Recovery from the tragic events in Keyham. Funding would be received from government, however the Police had already been spending the money to avoid delay. £514,092 would be received for Community Policing; £308,360 received for Safer Places which would build on the Safer Streets scheme; £182,721 would be received for support for victims;
- f) A passing out parade for tri-service officers had taken place. This had been the first time in which the posts were open to the public for recruitment;
- g) A volunteer event had taken place in November at St Mellion. Councillor advocates, independent custody visitors, lived experienced volunteers, community speedwatch and neighbourhood watch had all been invited to the event which had been attended by the Deputy Chief Constable. The Commissioner thanked all volunteers for their continued service to the communities of Devon, Cornwall and the Isles of Scilly.

Nicola Allen, Treasurer and Chief Finance Officer advised Panel of some budget announcements and made the following points:

- a) The Spending Review had been announced on 27 October 2021, Devon and Cornwall had been given indication of three years of funding;
- b) The review showed a commitment for the final recruitment of 8,000 officers as part of the national uplift. Money had been allocated for programmes to reduce crime and economic crime;
- c) Further money had been allocated from the Ministry of Justice to deal with the backlog within Crown Courts and Civil Courts as a result of already having a backlog and then the subsequent pressures on this due to the pandemic. More money would be allocated to Victims Support and specific reference had been made to sexual violence and domestic abuse funding for victims;
- d) Within the Law Office department, more money would be allocated to the Crown Prosecution Service.

Members discussed:

- a) Over a four year period, Police and Crime Commissioners had been given additional flexibilities over and above those given to others. For the three years of the CSR, Police and Crime

Commissioners had been given the ability to go up to £10 per Band D equivalent property before the requirement to go to a referendum. The impact for Devon and Cornwall meant that £10 on a Band D property was 4.23% additional on their Band D equivalent. This would come back to the Panel in January for consideration and recommendations from the Commissioner;

- b) Councillor Croad welcomed the announcement and implementation of the Domestic Abuse Act and the funding given;
- c) The Office of the Police and Crime Commissioner (OPCC) were awaiting the findings of the Police and Crime Commissioners review which would determine whether the role extends to Police, Crime and Fire. It was acknowledged that this would present additional difficulties for the South West due to differing County makeups;
- d) Councillor Hackett queried whether the residents given dashcams from the OPCC understood what they were for in being proactive in submitting evidence of dangerous drivers, or were the dashcams provided for their own personal use should they be involved in a collision. The dashcams provided an opportunity for those given the devices to supply video evidence of dangerous driving on the roads;
- e) The 'No Excuse' campaign led by the Police on a weekend in Devon had led to 84 tickets being issued with cars seized that shouldn't have been on the road;
- f) The Vision Zero Partnership was an ambitious target that Government had not signed up to. The Commissioner had been delighted with the comments raised by Councillor Hackett in relation to Mike Joyce and the Councillor Advocate Scheme;
- g) The additional Police Officers as part of the National uplift would be allocated to areas based on threat, risk and harm. The Commissioner would be scrutinising the allocation of Neighbourhood Beat Managers as part of the visibility side of policing;
- h) The Commissioner had taken personal oversight of the Police resourcing challenges in Torbay and South Devon command unit. The Chief Constable had visited Torquay and met with the Leader of the Council in order to meet with residents and business owners to understand the impact that Crime had been having in the area. The Police and Crime Commissioner advised Panel that it was offered to the Chief Constable funding for overtime on crime centre policing in the interim before the uplift of officers. The Chief Constable had committed to visiting Paignton and Brixham before Christmas, for a walk through to understand the issues affecting

Torbay;

- i) It was acknowledged that there had been an issue with the Police force in relation to interim posts, which had been affected by promotions from within the force. The Commissioner had discussions with the Chief Constable with the possibility of using recently retired officers in a mentoring and buddying scheme for those staff in temporary posts;
- j) Hate crime reporting would be published as a critical indicator. The Commissioner would look to include this information within the performance reports and would have a rolling three month update as opposed to an annual report which would not have provided clear context;
- k) The Government had changed statutory guidance to include evidence from a medical practitioner in relation to firearms licences. There had been concerns raised in relation to the pressures that this would place on the National Health Service and in particular General Practitioners. The Commissioner clarified that this would be for the government to negotiate at a national level;
- l) It was acknowledged that there had been challenges with maintaining a number of police officers on the streets when someone had required custody in North Devon areas. The Commissioner also raised that there had been a bigger challenge in respect of places of safety;
- m) Concerns were expressed in relation to the problems of housing for domestic abuse survivors in terms of the quality and location of the housing. The Commissioner highlighted a scheme that had been trialled in that prison inmates would construct a house under Probation and at the end of the construction, the accommodation would be provided to a vulnerable person. Local Authorities could take up this scheme if they identified some land and put the proposals forward to the Commissioner. The scheme would see a vulnerable person housed and purposeful work undertaken by a prison inmate;
- n) At the Vision Zero Board meeting, Cornwall County Council brought forward their 20mph policy which allowed residents to put forward a request for a 20mph speed limit on their roads. Cornwall Council would endeavour to fulfil their request. This Policy had been put to the other authorities to identify if this could be a Policy that could be implemented across the Devon, Cornwall and Isles of Scilly region.

The Panel noted the report.

68. **Serious Violence Prevention Partnership: Creating Safer Futures in Devon, Cornwall and the Isles of Scilly**

Alison Hernandez, Devon and Cornwall Police and Crime Commissioner provided an update to the panel and highlighted the following key points:

- a) The Government funded violence reduction units, however Devon and Cornwall were not part of this funding due to not meeting the threshold which focussed on the number of incidences at A&E with a bladed weapon. The outcome had resulted in the force using money from the uplift in Council Tax a few years ago to fund its own serious violence prevention programme;
- b) The first 12 months of the programme was to understand the scale and range of violence across the peninsula. Data had been collated from various partners, not just the Police force, this resulted in a strategic needs assessment which had been the basis going forward. The Commissioner advised Panel that Local Authority partners were happy that the Police force were able to carry out this research with them and for them, to enable them to deliver on their serious violence duty;
- c) The main aim for the programme had been to break the cycle of violence; it was recognised that if a child had been brought up in a violent household they were more likely to also become a violent person. Operation Encompass had been set up to advise schools before 9am, where a child had been a witness to or been in a household that had a domestic incident the night before;
- d) The Programme had 9 areas of focus to tackle serious violence and the Commissioner advised that herself and the Chief Constable had visited the Dracaena Centre, a community hub in Falmouth. The programme had been funding a six week programme which would work with young people referred from secondary schools in Cornwall to provide them with a range of preventative and aspirational experiences and support;
- e) The Serious Violence Prevention programme had provided funding to Plymouth's Youth Offending service to increase Speech and Language Therapy provision. It was recognised that the average youth offender had a reading age of a nine year old and would find it difficult to express themselves in order to turn their lives around;
- f) Plymouth Street Games provided free or low cost sports sessions across the city to young people aged 11 to 25. The Project would place particular emphasis on youth leadership to enable participants to thrive in an environment focussed on fun, enjoyment and social interaction;
- g) Local Authority's would be invited to a large event in January 2022 with the Chief Constable and the Police and Crime Commissioner; to launch how they would work together to deliver the serious violence duty;

Members discussed:

- a) A few schemes had been funded by the programme with the aim of scaling this up across the peninsula. If the Street Games initiative in Plymouth proved to be a success this would be rolled out across the peninsula.

The Panel noted the report.

69. **End to End Rape Review and Support for Victims of Sexual Violence**

Alison Hernandez, Devon and Cornwall Police and Crime Commissioner provided an update to the panel and highlighted the following key points:

- a) The Government had apologised for poor performance with regards to rape convictions and more must be done;
- b) The report showed £2.1 million commissioning for sexual violence support services this year through a combination of local funding, Ministry of Justice funding and money from the government. When combined through the OPCC's investments on domestic abuse services and government funding on Safer Streets a total of £3.9 million a year had been invested to tackle sexual violence and domestic abuse as well as supporting victims of those crimes;
- c) The Commissioner advised that she was committed to ensuring the right actions were taking place in Devon and Cornwall and to work on preventing future offences occurring;
- d) The South West Forensics team had been given a new mobile unit which would enable the team to travel to victims to inspect digital devices;
- e) The Commissioner highlighted that the Panel are able to scrutinise her in respect of the strategic direction, influence of partners, robustly holding the Chief Constable to account for Police performance and the commissioning of high quality of support for victims;
- f) The Commissioner highlighted to Panel members that Devon and Cornwall is the only Police force outside of the force in London that has a 10 year contract for victim support. This would provide stability and clarity for victims in Devon and Cornwall.

Members discussed:

- a) The figure of 23,400 victims was not wholly correct and that at least 50% of cases go unreported. The Panel would want an update every six months following on from the government's commitment to publishing their update every six months on their review;
- b) The need for more perpetrator programmes to tackle prevention of further incidents occurring;
- c) The requirement to bring down the median wait time of 114 days for victims waiting for therapy as a result of rape and sexual abuse. The Chair, Councillor Croad requested a KPI on this in order to monitor the progress of reducing the wait time;
- d) Victims could refer themselves online to Sexual assault referral centres and would be forensically examined right away without having to report the incident to Police. Victims would have access to independent sexual advisors through the process. If a victim was an historic reporter they would be able to go to a SARC and receive support from the independent sexual advisors;
- e) It was recognised that due to the critical importance of this area that services did not duplicate work and collaboration where possible should be sought;
- f) The Commissioner suggested to the Panel that they could be invited to a SARC to see and understand the facilities and services. It was misrepresented that the centres were unwelcoming places for victims and it would be helpful to replace this with an accurate representation that they were welcoming places;
- g) The government conducted a national survey last year in which victims of sexual offences were asked of their lived experiences. The results had not been published for the Commissioner to report to Panel members.

The Panel noted the report.

70. **Monitoring the Progress of the Police and Crime Plan 2021-25**

Alison Hernandez, Devon and Cornwall Police and Crime Commissioner provided an update to the panel and members discussed:

- a) The need to monitor and reduce the wait times for the 101 and 999 telephone numbers. It was recognised that continuous failure to reduce the time could impact people reporting crime to the Police. The Chief Constable was aware that this is an area of focus during this term of office. Some Councillors had the opportunity to take part in a scrutiny of the 101 and 999 service with issues such as technical, staffing and the increase in 999 calls having had an impact on the service;

- b) There had been an increase in staffing of 22 people as part of the Council Tax uplift for the control room however the impact had not been effective in reducing call times. The Commissioner encouraged members of the public to report crimes via the online web portal or through the online web chat, if their preferred method of calling 101 for non-urgent crimes had been delayed;
- c) The Councillor Advocate scheme had been set up to provide access to local policing. If a resident had a local issue this could be raised through their Councillor who had privileged access to their local inspector;
- d) Local Police stations would be opened to the public and have a Police Enquiry Officer. The opening times would not include a 24 hours a day 7 days a week service but could be flexible for the Force to achieve. It was highlighted by the Commissioner that the opening times would need to be highly advertised to the public to enable a success in the implementation of the project;
- e) Devon and Cornwall Police service had signed up to the single online home national police website. The implementation of the website would be shared to Councillors and would provide users a better experience to deal with their enquiries.

Panel noted the report.

71. **Complaints Against the Police and Crime Commissioner Received Under the Police Reform and Social Responsibility Act**

Frances Hughes, Chief Executive for the Office of the Police and Crime Commissioner provided an update to members which advised:

- a) One complaint had been received in the last reporting period and the Office had been completing background work in relation to the complaint. The complaint had been delegated to Frances Hughes from the Chair and Frances would be in consultation with the Chair with regards to the outcome.

72. **Work Programme - to follow**

Members discussed the work programme and agreed to:

- a) Replace the wording from PCSO teams to Neighbourhood teams;
- b) Merge Public Contact, 101 and re-opening of front desks;
- c) Add County Lines;
- d) Merge Councillor Advocate and Youth Projects;

- e) Change 'Culture of Policing' to 'Police Legitimacy';
- f) Remove Public Health Commissioning;

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