

AVON AND SOMERSET POLICE AND CRIME PANEL

COMMISSIONER'S UPDATE REPORT

27 JUNE 2018

The following briefing provides an update for Panel Members on key activities since the last Panel meeting on 15 March 2018.

Governance and Scrutiny

Police and Crime Plan

Progress against the plan is detailed in the 2017/18 annual report, submitted to this meeting. The view is that there have been notable achievements, recognised by HMICFRS and reflected in progress made against the subset of questions within inspection reports. There are still areas of concern related to performance measures such as outcomes and satisfaction, but there is confidence in the Constabulary's methodology to address these over time, for example as the new Neighbourhood Policing model is implemented.

Performance is published quarterly on the OPCC website:

<https://www.avonandsomersetplan.co.uk/performance/>

The next steps in the Planning Cycle are to develop a refreshed Police and Crime Needs Assessment over the summer period before commencing the Plan refresh in the autumn. Approval from the Panel will be sought on the refreshed Plan early 2019 with the intention that the newly published Plan will cover the period of 1 April 2019 to 31 March 2021.

Police and Crime Board

Agendas and minutes of the Police and Crime Board are published at the following link:

<https://www.avonandsomerset-pcc.gov.uk/Openness/Reports-and-meetings/Police-and-Crime-Board.aspx>

HMICFRS Inspections

The Constabulary's overall ratings for PEEL (2017 inspections on effectiveness, efficiency and legitimacy) have remained unchanged from 2016 ratings. However, it has attained 'good' in all areas that had previously been graded as 'requires improvement', maintained its 'outstanding' understanding of current and likely future demand and also achieved an 'outstanding' rating in its treatment of the people it serves with fairness and respect.

The areas in which improvement is still required relate to:

- internal communications;
- investigations of concerns, problems or complaints raised formally by staff;
- understanding its organisational capabilities (including leadership); and
- understanding and addressing some issues in operational areas (including domestic abuse, registered sex offenders, and serious and organised crime).

The completion of all recommendations made within inspection reports is monitored within the Police and Crime App, and scrutinised at the Joint Audit Committee, and the Constabulary have a well-established working group, overseen by the Deputy Chief Constable to ensure actions are progressed.

Responses to HMICFRS inspections, which include the specified areas for improvement in more detail, are published on the OPCC website. (<http://www.avonandsomerset-pcc.gov.uk/Openness/Audits-and-Inspections/Her-Majestys-Inspectorate-of-Constabulary.aspx>).

At the time of writing this report, the Constabulary are in the process of finalising Force Management Statements that will be reviewed by HMICFRS.

Service Delivery Assurance – Vulnerability

A report on the assurance activity aligned to the Plan's primary priority of 'Protect the most vulnerable from harm' has been finalised. This has been shared with all attendees at the multi-agency enquiry day held on 9 March 2018 and with the sisters of Mr Bijan Ebrahimi. The report will shortly be published on the OPCC website and the Constabulary will be working with Bristol City Council and Stand Against Racism and Inequality (SARI) to develop a joint action plan to drive future improvements in sharing information, carrying out early interventions and in the protection of vulnerable residents within Bristol.

Scrutiny of the Use of Police Powers Panel

The fifth Scrutiny of Police Powers Panel meeting took place on 29 May 2018 at Patchway Police Centre, with the Acting Chair leading the meeting as the Chair stood down due to a job move. The three sub-groups of members reviewed Taser incidents selected since March 2018 and Stop and Search incidents since February 2018. Members reviewed the associated narrative from the Police Niche database as well as Body Worn Video (BWV) camera footage. In addition to these reviews, the PCC requested that one specific case was also reviewed, due to the Stop and Search being questioned by a member of the public. During the meeting Constabulary updates and Q&A sessions took place for Taser use and for Spit and Bite Guards. A Stop and Search Quarterly bulletin was also received by the Panel members prior to the meeting. As requested, this included more data on Stop and Search by gender, ethnicity by location, and multiple Stop Searches for a person. Panel members had previously reviewed Constabulary Taser Policy and the College of Policing National Taser Authorised Profession Practice regarding Conducted Energy Devices (Taser) and the feedback has been used to revise Training and the local Guidance, by the Constabulary's Lead for Taser. Once authorised, the Panel's reports are published on the PCC's website at: <http://www.avonandsomerset-pcc.gov.uk/Openness/Scrutiny/Scrutiny-of-the-use-of-Police-Powers.aspx>

Independent Residents' Panel

The Independent Residents' Panel (IRP) will scrutinise completed cases of complaints - made by members of the public against Avon and Somerset Police - at their next meeting on 14 June 2018. The complaint themes selected by the Panel are complaint allegations under the Independent Office for Police Conduct (IOPC) categories of: Stop and Search (IOPC category K: Breach of Code A PACE on stop and search); Custody (category M: Breach of Code C PACE on detention, treatment and questioning); and Taser related complaints. If the total number

of complaints is low for these categories then complaints of incivility will be reviewed. Also, the standing item of reviewing informally resolved (referred to as 'early intervention') complaints will take place. During April 2018 the total number of successfully completed informally resolved complaints was 49 (an increase from 22 in January 2018). There were also 59 formally recorded complaints (a reduction from 80 recorded in January 2018).

The Panel's reports are published on the PCC's website at:

<http://www.avonandsomerset-pcc.gov.uk/Openness/Scrutiny/Independent-Residents-Panel.aspx> .

Out of Court Disposals Scrutiny Panel

The Out of Court Disposals Scrutiny Panel met on 6 June to consider cases on the theme of hate crime. The theme was selected in order to inform work to develop a new approach to out of court disposals, which will include allowing use of Conditional Cautions in hate crime cases where there is an appropriate intervention in place. The Panel scrutinised 20 cases: 4 were found to be appropriate, 13 appropriate with observations and 3 considered to be inappropriate. The Panel report, together with the Constabulary response to recommendations will be published at the following link: <https://www.avonandsomerset-pcc.gov.uk/Openness/Scrutiny/Out-of-Court-Disposal-Scrutiny-Panel.aspx>

Commissioning and Partnership Working

A&S Criminal Justice Transformation Project

As Panel Members will recall, partner funding has been secured, match-funded by the Commissioner for the appointment of a Senior Responsible Officer for a two-year period to lead and deliver a programme of work to transform the local criminal justice service.

The governance structure for the project has been working well, with the project being led by Manjinder Purewal as SRO and a multi-agency Single Point of Contact delivery group, reporting to the Transformation Project Steering Group. Meetings have been ongoing on a monthly basis of both groups and discussion and feedback has resulted in a revised Delivery Plan which focusses on the relevant stages of the system; Front End and arrest, Charging and Charging Decisions, Casebuilding/File Quality and Hearings and Listings.

Progress is being made, with quick wins being focussed on, with multi agency groups and task and finish exercises being arranged for other elements and is very much work in progress.

The Behavioural Insights Team has secured funding from the Dawes Trust to take forward trial work regarding decision making in relation to overnight remand in custody and for case builders meeting the beneficiaries of their work. Work on site is due to start this month, with trials planned for September 2018 – August 2019.

Lammy Review

ASCJB support was gratefully received for the forming of the Lammy Review ASCJB Sub Group and the inaugural meeting was held in April. Terms of Reference were agreed and ratified by the ASCJB.

The inaugural meeting was very positive, pro-active and full of energy to tackle disparity. Each agency agreed a focus of work which involves data collection and initial analysis of issues:

- CPS: Pre-charge decisions – high volume of cases where ethnicity is not recorded so working on understanding why this is the case and putting in strategies to improve ethnicity recording;
- HMCTS: increasing Magistrates representation and possibly looking at “triable either way” cases or complaints – to analyse disparity issues;
- Witnesses and Victims: hate crime victims not coming forward - analysis to understand why;
- NPS: scrutinising concordance data – pre-sentence report type and proposals V actual sentence made;
- CRC: looking at attrition - failures to attend and programme completions for issues of disparity;
- Bristol Prison: Use of Force and using a scrutiny panel to look at disparity;
- Police: Out of Court Disposals (OOCd) and new process – taking the opportunity to proactively and consciously give OOCds to minority groups, including BAME, travellers and all marginalised group. Guidance and training for Police is being developed so the opportunity will be taken to build this pro-active action into the material.

Bi-monthly meetings have been arranged to progress the actions.

Avon and Somerset Reducing Reoffending Executive Board

Members will be aware that the PCC has chaired a multi-agency Reducing Reoffending Board across Avon and Somerset for the past 18 months. A refresh of this work has recently taken place with a new Executive Board having been established with a revised, more strategic membership. This board is chaired by the Chief Executive of the OPCC. The board will be responsible for a number of workstreams and pilot projects, and is currently in the process of establishing a shared vision statement and associated performance framework.

In support of this work, the PCC has recently signed a memorandum of understanding with the Ministry of Justice which will support a co-design and co-commissioning approach. This memorandum of understanding, which is the first of its kind outside of London, presents some real opportunities to explore new ways of working for the benefit of local communities.

Victim Services Recommissioning

The engagement period for the recommissioning of victim services has now ended. A Commissioning Plan which will take into consideration all of the feedback from the engagement period will be reviewed at the Recommissioning Board at the end of June before being published online. This Plan will consider stakeholder, provider and victim feedback as well as an Equalities Impact Assessment. The Board includes membership of the Police and Crime Panel Vulnerability Link Panel Member.

The Commissioning Plan, once finalised will confirm:

- Lots to be procured;
- Budget per lot;
- Timescales for the procurement.

New contracts will be put in place for services to commence on 1 April 2019 and the PCC's [website](#) will be kept up to date throughout the process.

Engagement

Summer events programme

The OPCC will be attending a series of events during the summer to start consultation with local communities in order to inform the precept decision for 2019/20. The team would welcome suggestions from Panel Members on community events taking place over the summer months to help to reach local communities in all parts of the Force area.

Regional Updates

There are a number of ongoing projects being reviewed on a regional basis. This includes recent agreement to adopt a regional approach to prison intelligence and a review of the employment model for the existing South West Forensics project.

In relation to Tri Force arrangements with Gloucestershire and Wiltshire, following a number of reviews making recommendations about the HR, performance and Systems arrangements for the existing Tri Force Specialist Operations project (consisting of firearms, firearms training, roads and dogs), the PCCs and Forces have initiated a Tri Force Futures programme looking at how to optimise the arrangements for the benefit of all forces. A verbal update on the June Tri Force meeting will be provided at the panel meeting. It is important that new arrangements are put in place as soon as possible to provide clarity for officers and staff and a notice has been served clarifying that the new arrangements must be in place by 1 April 2019. The existing Major Crime team is not affected by these discussions.

National Updates

Fire Governance

Avon and Somerset was awarded funding by the Home Office via the Police Transformation Board to carry out a review of potential fire governance options under the Policing and Crime Act 2017 and provide a report to Police and Crime Commissioners considering fire governance changes. This report was published in April 2018 and considers the 3 governance models – the representation model, the governance model and the single employer model. A link to the report can be found below: <https://www.avonandsomerset-pcc.gov.uk/Document-Library/TERM-TWO/2018/FIREGovernance-FINAL-report.pdf>

Neither the governance model nor the single employer model can currently be progressed in Avon and Somerset without changes in fire authority boundaries and this is not currently being considered. A change in legislation is awaited to enable PCCs to vote at Combined Fire Authorities.

Police Complaints Reform

The Policing and Crime Act 2017 also sets out a range of options for Police and Crime Commissioners to implement reforms to the police complaints system. The implementation of these reforms awaits enabling legislation which needs to progress through Parliament. As per previous updates, the earliest this legislation is currently expected to be passed is April 2019. The Police and Crime Commissioner decided at the Police and Crime Board in August 2017 to take up Mandatory Option 1 to take over the review process for complaints but not at this stage to take up Options 2 and 3 due to the progress being made by the Constabulary in these areas. That remains the case.

The OPCC has responded to national consultation and participated in engagement events on the following topics:

- VCOP compliance
- Domestic Abuse
- Transforming Rehabilitation

Contact Officer - John Smith, Chief Executive