

AVON AND SOMERSET POLICE AND CRIME PANEL

COMMISSIONER'S UPDATE REPORT

9 OCTOBER 2018

The following briefing provides an update for Panel Members on key activities since the last Panel meeting on 27 June 2018.

Governance and Scrutiny

Police and Crime Needs Assessment

The refreshed Police and Crime Needs Assessment is under development (and a draft of this is tabled for this Panel meeting). This will inform a refresh of the Police and Crime Plan, for which Panel approval will be sought in early 2019. It is intended that the newly published Plan will cover the period of 1 April 2019 to 31 March 2021.

Performance is published quarterly on the OPCC website:

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

It is proposed that the needs assessment should be carried out more frequently within an annual planning cycle and this is outlined in more detail in the cover paper to the Panel in relation to the assessment.

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>

Key Decisions

The following decisions have been made since the last meeting:

- Appointment of Independent Person
- Extension to Joint Audit Committee (JAC) Member Terms
- Digital Mobilisation Roll-Out
- Victim Services Commissioning Plan

Decision notices and accompanying documents are published at the following link:

<https://www.avonandsomerset-pcc.gov.uk/Openness/Decisions.aspx>

In order to strengthen the approach to pre-decision scrutiny, a draft Forward Plan is currently in development (attached as Appendix 1 to this report).

HMICFRS Inspections

The APCC have asked for views on learning from the experience of producing the Force Management Statements and we have offered the following feedback:

'The force has learned where its leaders have a strong strategic and operational grip of areas of policing and also where there are knowledge gaps. Understanding what demand is faced today is something Avon and Somerset have a good grasp of, supported particularly through the investment in the Qlik Sense software. Predictive analytics is an area under rapid development. At the point of compiling the FMS, forecasting demand with a high degree of confidence in its accuracy was not possible other than forecasting a widespread increase in recognition of growing complexity as well as volume. Forecasting calls for service is less complicated than doing so for demand which is a more complicated picture. Over time it is hoped that an increasing sophistication and improved data quality will facilitate longer-term planning. The tool will support business leads well. The process of completing the FMS will support good governance at Chief Officer level and would make a comprehensive overview of policing at force-level for incumbent PCCs or candidates'.

We have submitted a response to the thematic inspection on hate crime. This has been published on the OPCC website: (<http://www.avonandsomerset-pcc.gov.uk/Openness/Audits-and-Inspections/Her-Majestys-Inspectorate-of-Constabulary.aspx>).

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 published on the OPCC website:

<https://www.avonandsomerset-pcc.gov.uk/Document-Library/TERM-TWO/2018/Report-Vulnerability-March-2018-v1.3-Final-Version.pdf>

The Constabulary have been 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 sixth quarterly Scrutiny of Police Powers Panel meeting took place on 5 September 2018 at Police Headquarters, with new, annually elected Chair and two Vice Chairs. The three sub-groups of members reviewed Taser incidents, Stop and Search incidents and incidents where a Spit & Bite Guard is used. Members reviewed the associated narrative from the Police 'Niche' record database as well as Body Worn Video (BWV) camera footage. During the meeting there was a Constabulary presentation on Unconscious Bias and a Q&A session took place.

Documents circulated before the Panel meeting included the Stop and Search Quarterly bulletin. As requested, this included more data on disproportionality. Panel members had previously reviewed Constabulary Taser Policy and the College of Policing National Taser Authorised Professional Practice regarding Conducted Energy Devices (Taser) and the Panel have asked additional questions about the revised local Guidance regarding switching on BWV. 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) scrutinise completed cases of complaints - made by members of the public against Avon and Somerset Police – and their last meeting was on 13

September 2018. This September meeting is an annual review of the most recently completed complaints, rather than being on a specific complaint theme selected by the Panel on complaint allegations under a particular Independent Office for Police Conduct (IOPC) categories. Also, the standing item of reviewing informally resolved (referred to as 'early intervention') complaints took place. This complaint case review is in advance of the Panel Chair's Annual report in December 2018. During August 2018 the total number of successfully completed informally resolved complaints was 43 (compared to 59 in August 2017). There were also 81 formally recorded complaints (compared to 85 in August 2017). The total number of complaints recorded from 1 April to 31 August 2018 are 371. This compares to 380 during the same time period in 2017.

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 12 September to consider cases involving sexual offences and the approach to dealing with 'sexting' offences between young people. The Panel scrutinised 24 cases: 4 were found to be appropriate, 13 appropriate with observations and 7 considered to be inappropriate. The next meeting will scrutinise cases on the theme of stalking and harassment. Panel reports, together with the Constabulary response to recommendations are 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.

Delivery Plan

The Steering Group met on 20 July to consider progress 6 months into implementation. The Steering Group has received presentations from the Constabulary and the CPS on key programmes of work underway that complement and contribute to transformation of the criminal justice service, and explore opportunities and links. A presentation from HMCTS will be made at the October meeting. The Behavioural Insights Team attended the September meeting to provide an update on progress in fieldwork to take forward pilot activity funded by the Dawes Trust and are focussing on file quality and the custody element. They will be providing recommendations and next steps by end October in readiness for implementation in November 2018.

Lammy Review

LCJB Agencies have been progressing data analysis to explain or reform process and activities that involve use of discretion and decision making. The following are findings/outcomes of the initial data analysis:

- YOS: BAME numbers in Prison – there is disproportionality, but the number of cases locally are very small e.g. out of 14 young offenders who went to prison, 6 were BAME representing 42%. They are going to analyse the cases further.
- CPS: Pre-charge decisions – high volume of cases where ethnicity is not recorded e.g. on the MG3 form, the field is left blank. However, for police charge cases, they have discovered there isn't even a field for ethnicity on the MG6 form. CPS will pursue changes to these forms and escalate nationally if required.
- HMCTS: analysed “triable either way” cases and discovered 12% of cases did not have ethnicity recorded. Lammy's research was that high proportions of BAME self-elect to go to Crown Court however this dip sample showed that, out of 91 cases, 70 were court directed and 13 were self-elected. Of the 70 court directed, 15 were BAME – just short of 20%. HMCTS will now analyse against a comparator group.
- Witnesses and Victims: hate crime victims not coming forward - out of approx. 300 hate crime cases, only 11 witnesses and victims were supported. CAB now looking at referral routes to see where the problems may lie.
- NPS: scrutinising concordance data – pre-sentence report type and proposals compared to actual sentence made – analysis showed that low level of congruence across the piece for community orders with sentencers giving suspended sentences instead – making the sentence more punitive. Further analysis will be undertaken by NPS.
- CRC: looked into programme completions and successful completions which showed no disparity. However, the volume of returns for BAME offender survey returns showed that there was disparity in the volume being returned. CRC will target BAME offenders to ensure the offender survey is completed by them to then re-analyse the results of the survey.
- Police: analysed arrest data and discovered significant disparity. Will now look into how many of those cases became 'No Further Action' cases with a view to looking into reforming practices.

Bi-monthly meetings will continue to be arranged to progress the actions and chose further areas to analyse, explain or reform.

SRO Post

Manjinder Purewal will be leaving the project at the end of October to take up a senior CRC post. The OPCC has sought secondees from Local Criminal Justice Board agencies to continue the project until the planned completion date in December 2019.

Avon and Somerset Reducing Reoffending Executive Board

Executive Board

The Reducing Reoffending Executive Board has now met four times, with good attendance, engagement and continuity in membership. The next meeting is due to be held in October. The Executive Board has signed off the Vision Statement of the programme: to be national leaders in breaking the cycle of crime and reoffending by working together to provide each individual with the right intervention at the right time.

Workstreams

There are now eight established workstreams: return to custody, gender responsive workstream, adverse childhood experience/trauma, accommodation, employment, integrated offender management of medium risk domestic abuse perpetrators, the POSitive (prolific offender support) project and the Start to Finish project which focusses on low-level repeat offenders in North Somerset. The workstreams are led by different partner agencies including the Constabulary, Public Health England, the National Probation Service, Department of Work and Pensions, HMP Bristol, North Somerset Council and the Golden Key project. Working groups have been established to support delivery, and workstream leads report to the Board on a monthly basis.

Performance framework

The Constabulary Business Intelligence Manager is leading development of a performance framework for the Reducing Reoffending programme. An initial proposal will be shared at the September Board.

Reference Board

A regular newsletter has been created and will be circulated to wider partners and stakeholders on a monthly basis. The Reducing Reoffending Reference Group will meet for the first time in autumn, and will have opportunities to be updated on the programme workstreams; escalate risks, issues and emerging patterns; and to bring innovative thinking, shared learning and operational expertise to support delivery.

Project Coordination

Helen Carrington returned to the Civil Service Fast Stream at the end of August, following the conclusion of her six month secondment. Proposals were sought from partners on the Reducing Reoffending Executive Board for the appointment of a Senior Responsible Officer – following a competitive process involving interviews by members of the board Zoe Short who was previously Deputy Governor of Bristol Prison has started as the SRO from 10 September.

Victim Services Recommissioning

The tender documents for victim services are now live via the Bluelight Portal. Responses are due back by the 5 October, after which Panels will evaluate the proposals for the five separate lots:

1. *A Practical and Emotional Support Service for adult victims of any crime or ASB*
2. *An Enhanced Adult Support Service for victims of any crime or ASB*
3. *A Children and Young People's Support Service for victims of any crime or ASB up to the age of 18 (or 25 where there are additional needs)*
4. *An Independent Sexual Violence Advisor (ISVA) Service*
5. *A Restorative Justice Service for victims of any crime or ASB*

Providers will also be asked to present to the Evaluation Panels as part of the process.

Following the outcome of the procurement there will be a formal standstill period before notification of contract award in December 2018. There will then be a period of mobilisation ahead of service commencement on the 1 April 2019.

Other services

As part of the OPCC's work with NHS England to recommission Sexual Assault Referral Centre (SARC) services across the South West, work has commenced in collaboration with Clinical Commissioning Groups (CCGs) across Avon and Somerset to recommission therapeutic services for victims of sexual assault.

This follows the direction nationally in terms of commissioning responsibilities for sexual assault services, as set out in NHS England's [SARC Specification 30](#) and [Strategic Direction for Sexual Assault and Abuse Services](#). This work is being led by Bristol, North Somerset & South Gloucestershire (BNSSG) CCG, working with Somerset and BANES CCGs. A Procurement Steering Group which includes the OPCC has been established which is finalising the requirements and timescales for this process. Members will be kept updated as this project progresses.

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. It is expected that the Firearms and Firearms training programmes will continue on a 3 force basis with a clearer business model. It is expected that Roads and Dogs collaborations will continue between Avon and Somerset and Wiltshire. The existing 3 force Major Crime team is not affected by these discussions. An update on the September Regional meeting will be given at the Panel meeting.

National Updates

Future role of PCCs in the CJS

Avon and Somerset was one of nine areas selected to take part in a Ministry of Justice 'Deep Dive' to develop options for the future role of PCCs in the criminal justice system. Interviews with the PCC, Chief Executive and members of the OPCC team took place on 28 June. The scope of the Deep Dive work is focusing on:

- Current use of powers
- Barriers to improving CJS outcomes

- Local innovation and overcoming barriers
- Data collection.

Proposals will be taken to the National Criminal Justice Board (NCJB) for consideration.

The NCJB met on 5 July and signed off Local and National Protocols for engaging with PCCs and endorsed the following parameters that will guide the approach to criminal justice devolution:

- Devolution must not interfere with or undermine the fundamental operational and constitutional independence of core parts of the CJS, including the independence of the prosecutors and the judiciary;
- Core national standards will remain. PCCs will be given increased flexibility to reflect local context, priorities and to drive local innovation in the CJs, but this is intended to support closer alignment between locally identified priorities for policing or crime reduction and the wider CJS;
- Proposals must be affordable (deliverable within departmental and local budgetary constraints).

The paper sets out a high level ambition for the PCC role in respect of the criminal justice system at a local level, including: setting the vision and strategic direction via a local CJS strategic plan; providing transparency and oversight of CJS performance on behalf of the public; holding agencies to account; and commissioning local services. The paper also makes reference to specific areas which may provide opportunities for PCC-led innovation, for example youth justice, offender management and early intervention. The Local and National Protocols for engaging with PCCs sets a clear expectation that PCCs take a lead role in driving partnership working at a local level.

Government Consultation and Policy Changes

Probation Consultation:

The OPCC is submitting a response to Ministry of Justice Consultation: *Strengthening Probation and Building Confidence*, seeking feedback on proposed changes to the structure and content of probation services on behalf of the Reducing Reoffending Executive Board. South West Police and Crime Commissioners have also separately written to the Lord Chancellor about the changes. The Consultation closes on 21 September 2018.

Safeguarding Guidance:

The Government published new statutory safeguarding guidance on 4 July, *Working Together to Safeguard Children* and *Local Safeguarding – Transitional Guidance*. The documents set the framework to protect children from abuse and neglect and promote their best interests, and describe how local areas will move to the new safeguarding arrangements. The PCC met with Independent Chairs of the Local Safeguarding Boards on 2 August to discuss local plans for implementation.

Appropriate Adults:

The Minister of State for Policing and the Fire Service has written to PCCs setting out a framework for PCCs to work in partnership with Local Authorities to ensure that vulnerable

adults have access to justice, and rights and welfare are safeguarded. Under the proposed approach, PCCs are encouraged to:

- Have oversight of Appropriate Adult provision in their areas;
- Establish a demand profile to inform commissioning and feed through to Local Authorities information on demand and supply;
- Establish a close working relationship with Local Authority adult social services.

Funding Opportunities

The OPCC is working with partners to consider potential bids to a range of funding opportunities including:

- £8m Home Office funding for children affected by domestic abuse (deadline: 19 September 2018);
- £19m Department for Communities funding for domestic abuse support services (deadline: 17 August 2018);
- £22m Home Office Early Intervention Youth Fund, linked to the Serious Violence Strategy (deadline: 28 September 2018)
- £3.5m Ministry of Justice Female Offender Community Investments Fund, linked to the Female Offender Strategy (deadline: 12 September 2018)

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