

AVON AND SOMERSET POLICE AND CRIME PANEL

COMMISSIONER'S UPDATE REPORT

13 DECEMBER 2018

The following briefing provides an update for Panel Members on key activities since the last Panel meeting on 9 October 2018.

Governance and Scrutiny

Police and Crime Needs Assessment and Plan Refresh

The Police and Crime Needs Assessment has been finalised and published.

<https://www.avonandsomerset-pcc.gov.uk/Document-Library/TERM-TWO/Police-and-Crime-Plan/20181108-PCNA-Final-v1.2.pdf>

OPCC have adopted a new process for maintaining an up-to-date Police and Crime Needs Assessment. The Office will produce iterations twice a year, with quarterly 'checkpoints' regarding strategic information sources that require consideration.

The development of the next iteration of the assessment will begin in March 2019 with a literature checkpoint in December 2018. If therefore you are aware of any key literature you think needs to be considered, please advise by the end of December.

A workshop with key stakeholders, including the Panel Link Member, was held on 9 November in relation to revising the Police and Crime Plan. Principles underpinning the Plan, key objectives and the supporting performance framework were discussed. The workshop generated useful discussion and drafting is now taking place. A first draft will be shared with the Panel in January. 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/>

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:

- Publication of the Local Police and Crime Plan – Bath & North East Somerset

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 attached at Annex A.

HMICFRS Inspections

The Home Office and HMICFRS have issued new guidance regarding the statutory requirement for Police and Crime Commissioners to respond to HMICFRS inspections. This will require a more detailed response than we have historically submitted: advising on action taken to respond to each individual recommendation pertaining to the force, and to include Chief Constable comments (and comments on these comments). It will also require providing a response to national PEEL reports as well as individual PEEL reports (as opposed to sending a combined response as we have previously done), all thematic inspections and joint inspections.

Consultation is also taking place regarding the introduction of an online tool to capture these responses.

HMICFRS published (27 November) a report on Policing and Mental Health (entitled **Policing and Mental Health Picking Up the Pieces**). The key message is that the Inspectorate recognise issues with mental health services as a national crisis with one consequence being that the police, who are without the necessary skills to offer effective support, are relied on because they are providing a 24/7 service while the services best placed to support do not offer the same coverage. The police are described as 'left to pick up the pieces' and feeling the strain in terms of officer wellbeing.

Scrutiny of the Use of Police Powers Panel

The seventh quarterly Scrutiny of Police Powers Panel meeting took place on 27 November 2018 at Patchway Police Centre. The three sub-groups of members reviewed Taser incidents within the specific theme of mental health and organisations, plus 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 mental health and the policing service and a Q&A session took place. 11 documents circulated as a 'reading pack' before the Panel meeting included the Stop and Search Quarterly bulletin, Lammy review monthly update, National Decision Making (NDM) model and the Independent Office for Police Conduct (IOPC) Learning the Lessons Bulletin's Stop and Search feature. The reading pack and Agenda was also sent to guests attending the Panel meeting, including Her Majesty's Inspectorate of Constabularies, Fire & Rescue Service (HMICFRS) representative. 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 Constabulary have agreed to revise the local Guidance regarding switching on BWV. Once authorised, the Panel's quarterly reports – and annual report - 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 next meeting is on 13

December 2018. This session will review specific complaints within the theme of complaint allegations in the category 'incivility, impoliteness and intolerance' (Independent Office for Police Conduct (IOPC) category U). Also, the standing item of reviewing informally resolved (referred to as 'early intervention') complaints will take place. This complaint case review is in advance of the Panel Chair's Annual report in December 2018.

During October 2018 the total number of successfully completed informally resolved complaints was 49 (compared to 38 in October 2017). There were also 76 formally recorded complaints (compared to 74 in October 2017).

The total number of complaints recorded from 1 April 2018 to 31 October 2018 are 512.

This compares to 533 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>

The Panel continues to support the Constabulary in implementation of the new two-tier framework for Out of Court Disposals. Avon and Somerset Constabulary; Engage, Navigate, Divert (ASCEND) went live on 5 November for a two-year pilot which has seen the introduction of 6 new staff roles that will carry out the function of needs assessing offenders who are in receipt of an OOD (disposal options for low level offending). Authorisation was recently received from the Director of Public Prosecutions (DPP) to utilise conditional cautions with appropriate DA cases, enabling the introduction of an intervention specifically for this crime type in the New Year, using the Project CARA model developed in Hampshire. Work is ongoing to address the remaining gap in interventions in relation to hate crime, and securing dispensation from the DPP. Avon and Somerset, Hampshire and West Midlands are the first forces to be working collaboratively to take this forward.

Commissioning and Partnership Working

A&S Criminal Justice Transformation Project

The Steering Group will meet on 23 November to discuss progress one year into implementation, and agree priorities for the final year of the project in order to achieve the aim of transforming the local criminal justice service. The Behavioural Insights Team will also attend to provide an update on progress in fieldwork to take forward pilot activity funded by the Dawes Trust with regard to file quality and decision making in police custody.

A new Senior Responsible Officer (SRO) has been appointed, following the departure of the previous post-holder to take up a senior CRC post. The post is funded by partners with

match-funding provided by the Commissioner. The newly-appointed SRO will take up post on 3 December on secondment from the Constabulary for a period of 14 months.

Current work to refresh the Police and Crime Plan provides an opportunity to build the priorities and principles for the Criminal Justice Transformation Project into the strategic plan to guide the work of the Commissioner, Constabulary and local partners over the coming years. There is also an opportunity for the aims of the project and the role of the PCC in working in partnership to ensure an efficient and effective criminal justice service to be incorporated into the current Local Criminal Justice Board review of governance arrangements and terms of reference.

Victims Governance

In line with the current review of criminal justice governance arrangements, a newly formed Victims Governance Sub-Group will meet for the first time on 7 December. The group will be chaired by the OPCC and will bring together statutory partners with a role in delivering services for victims of crime with the aim to improve victims' experience of Criminal Justice Services (CJS) in Avon and Somerset. It is proposed that the group will be responsible for:

- a) Supporting the delivery of the Police and Crime Plan by improving victims' experience of criminal justice services;
- b) Supporting the Criminal Justice Transformation Project by ensuring it is informed by the views of victims;
- c) Developing monitoring arrangements to provide assurance with respect to compliance with the Victims Code of Practice (VCOP);
- d) Developing and applying mechanisms to capture victim feedback to improve the experience of victims in the CJS, such as:
 - A single victim satisfaction survey;
 - Multi-agency complaints handling/resolution/oversight; and
 - Effective links with victim service providers / service user groups to receive feedback and address issues

The group will report to the A&S Criminal Justice Board.

Lammy Review

The Lammy Review Criminal Justice Sub-Group met on 19 November. It was attended by representatives from the National Probation Service, the Community Rehabilitation Company, Bristol Prison, the Crown Prosecution Service, Avon and Somerset Constabulary, Local Magistracy, the Police and Crime Commissioner's office and the Bristol Race Equality Commission. It was chaired by the Local Criminal Justice Board Business Manager.

Issues reviewed included:

- The importance of capturing ethnicity data by all relevant agencies for key processes and decisions – in one case this needs to be raised nationally because of the lack of an appropriate field in a national form;
- Consideration of prison complaints data and any disproportionality in the making of and resolution of complaints;
- The ethnicity of the prison population;
- The roles of the different Criminal Justice agencies and how different agencies can influence decision making by other agencies eg police and CPS;

- The disproportionality in the requesting of pre-sentence reports for BME defendants and in the likelihood of the court following the recommendations of the report;
- The approach to Stop and Search and Out of Court disposals including the work of the existing scrutiny panels;
- The lack of BME representation on the Parole Board;
- It was agreed to prepare a summary of disproportionality in Avon and Somerset against the key areas highlighted in the Lammy review to inform future work.

It has been agreed that the OPCC will lead a process to appoint an Independent Chair to Chair the Lammy Review Group going forward involving key local stakeholders on the appointment panel.

Avon and Somerset Reducing Reoffending Executive Board

Executive Board

The Reducing Reoffending Executive Board has now met five times, with good attendance, engagement and continuity in membership. The next meeting is due to be held on 6 December at HMP Bristol. Following a competitive process amongst LCJB agencies the Deputy Governor of Bristol Prison (Zoe Short) has been appointed as the Senior Responsible Officer for the Programme on a 1 year secondment. Zoe is working in particular on the governance arrangements, the national probation consultation, the performance framework and the POSitive work stream looking at frequent recalls following short term sentences. Becky Marshall is also working part time on the project supporting Zoe as Deputy SRO.

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 Local Authority 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 and OPCC Reducing Reoffending Officer are leading development of a performance framework for the Reducing Reoffending programme. Once finalised this will be combined with the LCJB reporting mechanism.

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 on 10 January, 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.

Victim Services Recommissioning

Following the procurement process for the recommissioning of victim services and the formal standstill period, notification of contract award will be made in December 2018 for the following services:

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*

There will 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, Avon and Somerset had been seeking to agree a revised model for the project in order to address the issues raised in 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). It has not been possible to reconcile Avon and Somerset's desire to improve the model with the other partners' requirements to return control of assets and staff locally. Avon and Somerset will therefore leave the Specialist Operations Collaboration in April 2019. The existing 3 force Major Crime team is not affected by these discussions.

National Updates

Probation Consultation

The PCC represents South West Regional PCCs on the national PCC Reference Group in relation to the future of probation. The PCCs are intending to take a South West regional approach to dealing with the new probation arrangements. The Panel will continue to be kept updated on progress over the coming months.

Home Office Serious Violent Crime Strategy

As Members will be aware, the Government published its Serious Violence Strategy in April. The strategy places local partnerships and communities at the heart of the approach and the Home Office will be holding a series of engagement events across England and Wales between October 2018 and March 2019. The events will bring together key professionals from community safety partnerships including police, health, education, social services, youth offending services, housing and the voluntary sector with the aim of supporting and galvanising local action on tackling serious violence. The Commissioner is jointly hosting the South West event, which will take place on Thursday 29 November in Bristol. PCP representatives will be in attendance.

Home Office Early Intervention Fund Bid

Members will recall that the OPCC has been working with partners to bid to a range of national funding opportunities. Funding has been secured in Avon and Somerset from the Home Office Early Intervention Youth Fund for Barnardo's to deliver a joint project with Learning Partnership West to deliver direct interventions, family support and community education with the aim to support and protect young people at risk of criminal exploitation and involvement with serious crime and violence.

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