

AVON AND SOMERSET POLICE AND CRIME PANEL

COMMISSIONER'S UPDATE REPORT

26 JUNE 2019

The following briefing provides an update for Panel Members on key activities since the last Panel meeting on 12 March 2019.

Governance and Scrutiny

Governance

The Avon and Somerset PCC Governance, Decision Making and Scrutiny Policy, Avon and Somerset Policing Protocol and Terms of Reference with respect to PCC and Constabulary governance arrangements is attached at **Annex A**. The document was considered at the last meeting and is attached again for the benefit of new Members. This is the locally agreed version of the national Policing Protocol setting out roles and responsibilities with respect to police governance. This document is also available on the PCC website at the following link: <https://www.avonandsomerset-pcc.gov.uk/Document-Library/TERM-TWO/Policies-Procedures/2018-Governance-Scrutiny-Policy.pdf>

Police and Crime Plan Refresh

A word version of the refreshed Police and Crime Plan (2019- 2021) has been published on the OPCC website while design of the Plan is being finalised.

The underpinning performance frameworks are in development and the Strategic Planning and Performance Officer has been liaising with the Constabulary about how to reflect within the performance reports that are prepared for the Constabulary Management Board and the Police and Crime Board (and then subsequently shared with the Police and Crime Panel).

As agreed with the Panel in March, in order to assist the Panel in development of their approach to performance scrutiny, performance reports will be circulated to Panel Members on a monthly basis following the Police and Crime Board meetings. Members will have an opportunity to engage with thematic assurance against the Police and Crime Plan priorities through the new Link Member arrangements.

HMICFRS

The OPCC has published a response to the following reports:

- The Police response to domestic abuse, an update report (published on 26 February)
- Fraud: Time to Choose (published on 2 April 2019)

The Constabulary have been working on Force Management Statements to submit to HMICFRS and are finalising a summary version that will be shared publicly.

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:

- Treasury Management Strategy 2019/20 (6/3/2019)

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

<https://www.avonandsomerset-pcc.gov.uk/Openness/Decisions.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 7 March 2019. This session was planned to review specific complaints from victims of rural crime and business crime and any repeat victims of crime. The numbers of complaints extract were very small. Therefore cases with allegations in the category of 'Other neglect or failure in duty' (Independent Office for Police Conduct (IOPC) category 'S') and Organisational 'Direction and Control' complaints were reviewed. As a standing item, the Panel also review complaints that have been informally resolved by the 'Early Intervention' timely process. During May 2019 the total number of successfully completed informally resolved (logged, early intervention) complaints was 54 (compared to 31 in April 2019). There were 79 formally recorded complaints (compared to 60 in April 2019). The total number of complaints recorded from 1 May 2018 to 31 May 2019 is 883. This compares to 897 during the same time period the previous financial year. The Panel members' feedback included the request to remove the words 'not upheld' in reply letters to complainants and the review of the Constabulary's Information Sharing Protocol.

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

<https://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 5 June to consider cases on the themes of Hate Crime (adult cases) and knife crime / possession of a bladed article (youth cases). The theme of hate crime was selected in order to contribute to development of proposals to seek dispensation from the Director for Public Prosecutions for the use of Conditional Cautions in relation to hate crime, supported by an appropriate intervention. Knife crime cases were examined in order to support work in relation to tackling serious violence. Of the 31 cases available, the Panel scrutinised 23 cases: 9 were felt to be inappropriate, 9 appropriate with observations and 4 appropriate. In 1 case, the Panel could not reach a consensus. Findings of the Panel, alongside 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>

Scrutiny of the Use of Police Powers Panel

The 9th quarterly Scrutiny of Police Powers Panel meeting took place on 30 May 2019 at Patchway Police Centre. As a standing agenda item, members reviewed Taser deployment incidents, plus Stop and Search incidents (within 3 selected themes of under 16s, BME, and more than jacket, outer garment and gloves being removed) and also incidents where a Spit

& Bite Guard is used. Members split into 3 sub-groups to review STORM and Niche logs as well as viewing the associated Body Worn Video (BWV) camera footage for incidents during the months of March, April and May 2019, reviewing 32 cases and completing 152 feedback forms. Officers were commended when members viewed exemplary behaviour and good practice as well as reporting concerns and making recommendations, such as asking the Constabulary's Leadership to continue to encourage Officers to switch on their BWV camera, switch it on early and be aware of the camera angle. During the meeting there was a closed session discussion on the November 2018 Panel members' review and report of a specific high profile Taser incident from January 2017 and the Constabulary's organisational learning report. The meeting agenda also included an update from the Lead Taser Trainer on his Taser review process as well as Taser use and BWV statistics.

Panel 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 Custody Visiting Scheme – Annual Report

Assurance and oversight has taken place throughout the year within the Independent Custody Visiting Scheme where 38 volunteer Independent Custody Visitors (ICVs) have sought to ensure detainees in custody are held in safe and appropriate conditions for their best welfare and in accordance with their rights and entitlements. The current agreement is for ICVs to visit each of the 3 Custody Units once every 4 days. This has resulted in 242 visits during 2018-19 (with 15 unannounced visits delayed more than 10 minutes, usually due to under staffing and being busy). ICVs visited 1132 detainees with an additional 602 detainees being unavailable during the visits, such as due to being interviewed. However others in this category have been asleep and observed via the door hatch. The ICVs also speak to the Mental Health Practitioners located within custody, including the Advice and Support in Custody and Courts (ASCC) Referral Service staff. This is of particular interest to ICVs to ensure the welfare of vulnerable detainees, including those with drug and alcohol substance dependencies and mental ill health. The PCC is aware of 17 detainee 'near misses' in custody. There have been no issues reported by the ICVs that relate to unfair or disrespectful treatment of detainees by Custody Officers or Staff.

ICVs reports of positive findings included: Good menstrual care for female detainees; Good use of the Language line and ICVs using the Translation Sheets and picture cards to communicate to non-English speaking detainees; Health Care Professionals, Assessors and referral services working with Custody staff; Timely responses to detainee requests for medication, including by detainees with mental ill health; Religious material (faith box) kept tidily and respectfully; Religious washing of feet catered for by the Custody Officer escorting the detainee to a sink to perform religious duties. Advice given to just ask via the cell intercom for assistance; Nicotine tablets available for smokers prohibited from smoking in custody; and most ICV visits report general comments giving compliments to the Detention Officer escorting them and the respect towards detainees and de-escalation actions.

ICV findings of concern include: Long waits for Appropriate Adults to arrive for vulnerable detainees; Liquid or substance on the cell floor, caused by the detainee and danger of slippage inside and outside the cell, which was resolved by being cleaned up as soon as possible.

Commissioning and Partnership Working

A&S Criminal Justice Transformation Programme

As Members will recall, the A&S Criminal Justice Transformation Programme was established in January 2018 to deliver recommendations of a Home Office-funded review of the local criminal justice system carried out by the Behavioural Insights Team in 2017. The Programme is led by a Senior Responsible Officer appointed on a 2 year fixed-term basis with partner funding, match funded by the PCC.

The programme is now in its final phase, with evaluation of quick wins and interventions implemented underway. Interventions to date have focused on decision making in custody, police file quality and enhancing information sent with postal requisitions to reduce failure to appear at court. The programme has placed an emphasis on seeking to strengthen working relationships across criminal justice agencies, with a programme of shadowing opportunities for staff to observe at court and shadow colleagues in other agencies in order to build a mutual understanding of roles and responsibilities and gain an insight into the impact of their own role in the criminal justice journey. The Executive Board considered a review of the programme at their May meeting, to inform the focus of the final phase and make the most of opportunities to transform the local criminal justice service. Listings practice, adjournment culture, pre-sentence reports and development of multi-agency data sharing and analytics have been identified as priority issues for focus.

Victims Governance

As Members will recall, an Avon and Somerset Victims Governance Sub-Group was re-established in December 2018. The group is chaired by the OPCC and brings together statutory partners with a role in delivering services for victims of crime with the aim to improve victims' experience of criminal justice services in Avon and Somerset. The group reports to the A&S Criminal Justice Board. The priority for the group is taking forward work to develop a local approach to monitoring compliance with the Victims Code of Practice. The MoJ wrote to PCCs on 8 May 2019 setting out expectations for local monitoring, and attaching a reporting template that will form part of reporting requirements for PCCs under the Victims Grant Agreement, in effect as a condition of funding. Scoping meetings have been held to identify measures where they exist and arrangements for dip-sampling are in development. The group is also taking forward work to streamline and consolidate arrangements for surveying victims and to review the Memorandum of Understanding for dealing with complaints from victims, in order to strengthen mechanisms for capturing feedback and ensuring that lessons are used to drive improvements in service.

Lammy Review

Desmond Brown has been appointed as Independent Chair for the Avon and Somerset Lammy Review Sub-Group, following an appointment process led by the OPCC. The group was established to look at local implementation of the Lammy Review of BAME representation in the criminal justice system. Representatives include: 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.

Avon and Somerset Reducing Reoffending – Resolve

Work continues to take forward the Resolve Programme, bringing together key partners across seven workstreams to deliver a range of activity to reduce reoffending in Avon and Somerset. The programme is led by a Senior Responsible Officer, jointly funded by partners to September 2019.

Avon and Somerset has represented the South West PCCs in national work to develop proposals for the future of probation services, which were announced by the Government last month. Please refer to the national update later in this report for further details. The future approach will see the offender management function handled by the National Probation Service, and co-commissioned services tailored to meet local need.

In preparation for the future approach, Avon and Somerset has worked with regional PCCs to establish the first Regional Reducing Reoffending Board in the country. The Board met on 7 June at which in-principle agreement was given to an outline strategy, and the proposed appointment of a Regional Senior Responsible Officer. The Board is chaired by the Commissioner. Progress in developing the regional approach has received strong support from the Ministry of Justice, and MoJ officers were in attendance at the Board meeting.

Serious Violence

The OPCC has undertaken a number of actions to support the delivery of the government's Serious Violence Strategy:

- Working with the Behavioural Insights Team following the allocation Home Office funding to support work to gather an evidence base to inform approaches in Avon & Somerset approach. The final report will be available summer 2019.
- Hosted jointly with the Constabulary and A&S wide summit on 8 May 2019 with partners to look at current good practice, opportunities to deliver the strategy in each Local Authority area. This included a presentation of interim findings from BIT.
- Offered £100k match funding to support local delivery across the five Community Safety Partnerships.
- Responded to the government's consultation on the Serious Violence Duty.
- Worked with the Constabulary to develop proposals for the allocation of Avon and Somerset's share of the £100m Home Office Serious Violence fund, including surge funding and the development of Violence Reduction Units.

The OPCC will continue to support the development of local partnership approaches following the publication of the BIT's report.

Home Office funding for Child Criminal Exploitation

The Home Office released funding under the Early Intervention Youth Fund to tackle criminal exploitation alongside the wider aim of preventing serious violence. Locally Barnardo's were successful in this bid in partnership with Learning Partnership West, they have received funding from November 2018 until March 2020 to deliver their approach. The project called ROUTES will be focusing on gang and knife related crime in Bristol and County Lines in Somerset. The partnership will be delivering both 1:1 work with at risk children but also delivering preventative inputs to schools and PRU's. The project is also starting to embark on community engagement resilience work around these issues.

Victim Services Recommissioning

Following the procurement process for the recommissioning of victim services, all services went live on 1st April. To date mobilisation has gone smoothly and the one new provider is integrating well into the landscape. All providers are currently working on developing an approach to utilise the funding made available by the OPCC in the form of the Early Intervention and Prevention Fund.

Therapeutic Services for victims of sexual assault

From 1 June 2019, following a recommissioning exercise, the sexual violence psychological therapies service in Avon and Somerset has been provided by the Avon and Somerset Sexual Violence Consortium - a group of local specialist service providers made up of Somerset and Avon Rape and Sexual Abuse Support, with Bristol-based charities Womankind and The Green House.

The service provides essential support and treatment for survivors of rape and serious sexual assault including adults aged 18-plus who have experienced rape and serious sexual assault within the last 12 months; and children, regardless of when the assault or abuse took place.

It is commissioned by the three local clinical commissioning groups – Bath & North-East Somerset, Somerset, and Bristol, North Somerset and South Gloucestershire CCGs – working with the Office of the Police & Crime Commissioner (OPCC) for Avon and Somerset and NHS England. The service is funded by the OPCC and NHS England.

The Consortium's service will build on the high quality services offered by previous provider The Bridge Sexual Assault Referral Centre (SARC) at University Hospitals Bristol NHS Foundation Trust.

The Consortium will offer a wide variety of therapeutic interventions from locations across Avon and Somerset and people can continue to refer themselves to the service, or be referred by a professional such as their GP or Independent Sexual Violence Advisor.

More information is available on the [BNSSG website](#).

Drug Education Programme (DEP)

Under the delivery of the ASCC (Advice Support Custody and Courts) service (co-commissioned by NHS England and the OPCC) the DEP has been further developed and rolled out beyond its initial pilot in Bristol, to now cover the force area. The DEP is a health based intervention that provides a one-time opportunity for those found in possession of drugs. This intervention seeks to educate and prevent further use; where attendees engage and comply, they will not receive a criminal sanction. A number of forces are replicating the DEP model as the overarching aims and benefits are recognised. To solidify the success of the DEP an academic evaluation is to be delivered this year.

Standing Updates:

Fire Governance: There have been ongoing discussions between Avon Fire and Rescue Service and the Constabulary about estates and fleet, with a meeting next month to discuss further. Various estates opportunities are also being progressed with Devon and Somerset Fire Authority.

Estates: An update will be circulated to Members in advance of the meeting.

Recruitment Update: At the request of Panel Members, an update on police officer and PCSO numbers will be provided as a standing item through the coming year, using 1 April 2018 as the baseline. The position as at 31 May 2019 is as follows:

Staff (Holder)	Group	FTE as at Apr-18	FTE as at May-2019
Police Officers		2,593.63	2673.64
PCSOs		331.44	310.02

PCC Election 2020: The OPCC has convened a Board to oversee preparatory work for the PCC Election in May 2020. The Board will meet for the first time on 11 June. It is proposed to include standing updates to ensure that Panel Members are sighted on preparations and to inform the Panel Workplan and activities for the coming year.

National Updates

Government Announcement on the Future of Probation Services

In May, the Ministry of Justice published its consultation response to the Transforming Rehabilitation proposals. Following lobbying from the South West Police and Crime Commissioners and various national reports, the MoJ has decided to move to a model whereby the offender management function will be handled for all levels of offender by the National Probation Service. We are committed to working with the MoJ nationally and with colleagues regionally including PCCs and the new regional HMPPS Director to ensure the best possible package of commissioned services in the SW tailored to local need.

Contact Officer - John Smith, Chief Executive