



# Avon and Somerset Police and Crime Panel

Hosted by Somerset County Council Democratic Services



## Minutes of the Police and Crime Panel

11<sup>th</sup> March 2021 (10:30am)

('Remote' meeting held under the provisions of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

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### **Present:**

#### **Local Authority and Independent Member Representatives:**

Chris Booth (Somerset West and Taunton Council), Richard Brown (Chair/Independent Member), Asher Craig (Bristol City Council), Janet Keen (Sedgemoor District Council), Franklin Owusu-Antwi (South Gloucestershire Council), Alastair Singleton (Bath and North East Somerset), Pat Trull (South Gloucestershire Council), Andy Wait (Bath and North East Somerset Council), Richard Westwood (North Somerset Council), Heather Shearer (Mendip District Council), Martin Wale (South Somerset) and Roz Willis (North Somerset Council).

#### **Host Authority Support Staff**

Jamie Jackson – Scrutiny Manager  
Patricia Jones – Governance Specialist

#### **Police and Crime Commissioner and Support Staff:**

Sue Mountstevens - Police and Crime Commissioner  
Mark Simmonds – Interim Chief Executive Officer  
Paul Butler – Chief Financial Officer  
Ben Valentine – Performance Officer

### **1. Apologies for absence**

Councillors Peter Abraham and Josh Williams.

## 2. Public Question Time

None

## 3. Declarations of Interest

None.

## 4. Chairs Business

### Independent Members

The Chair recapped on the Panel's discussion at the pre-meeting. Members were in agreement that the Panel membership should include 3 Independent Members as currently provided for in the Panel Operating Arrangements:-

*"The Panel will normally consist of 3 non-political Independent Members. The Panel will at all times maintain a minimum of 2 in accordance with Schedule 6 Part 2 Section 4(3) of the Act"*

**Action – none. No alternative proposal and therefore no endorsement required from the Constituent Authorities.**

## 5. Commissioner's Update:

The PCC provided the Panel with an update for her actions and decisions since the last meeting. The Commissioner drew attention to the following key points:-

- the importance of encouraging residents to participate in the vaccination programme.
- 20 enquiry offices would open with effect from Monday 12 April 2021 in addition to the 4 locations that were currently open.
- Thanks were extended to Councillor Craig and Councillor Singleton for taking part in the selection process for the Interim CEO position. The Commissioner thanked the Panel for arranging another Confirmatory Hearing on 31<sup>st</sup> March 2021.
- Attention was drawn to the full report on the delivery of the Violence Reduction Units attached as Annex A to the Update Report. The Panel heard that Avon and Somerset were one of 18 forces to receive government funding - £35 million allocated to the network of which ASC would receive £1.16m. This piece of work had been led by the DPCC.
- Lammy Review – progress was being made on securing relevant data from criminal justice partners, though this had proved challenging.
- PCC elections – the DPCC would stand down from his role with effect from the pre-election period commencing 22<sup>nd</sup> March 2021. Councillor Heather Shearer would also step aside from Panel business for the duration of the pre-election period. This Panel meeting would be her last.

- Safer Streets – the second year of funding was launched on 21<sup>st</sup> January 2021, enabling maximum bids of £432,000. Bristol and North Somerset had confirmed they will be submitting proposals and BANES, Somerset and South Gloucestershire declined the opportunity.
- Criminal Justice - the latest national announcement indicated a backlog of 56,003 cases in the Crown Court. Avon and Somerset was in a better position following collaborative work to reduce the backlog and trials were being listed from September 2021.
- Complaint Reviews – 15% of complaints to the Constabulary (not complaints to the Panel) were being appealed and were the subject of a review in accordance with PCC's enhanced powers in the complaints process. The Panel was informed that 20% were upheld, demonstrating a solid checks and balances mechanism.

The Commissioner commented as follows in response to questions from the Panel:-

- Good performance in respect of criminal justice backlogs/disposals had been assisted by the size of Bristol courts which were large enough to ensure safe social distancing. The smaller Taunton courts presented a challenge.
- VRUs and data sharing – VRU delivery had been a good catalyst for better cooperation in the sharing of data. The Serious Violence Bill created a duty on partners to engage and data was a big part of this. Charlotte Pritchard (VRU/Serious Violence Lead) reported that outcomes at a strategic level were focussed on health and hot spots. Ambulance and hospital data was now overlaid with Police hotspot data and Local Authorities had access to a VRU App with ASC analytics software which created risk and harm scores around serious violence and perpetrators. As a starting point, VRUs needed to come together and look at risk, where to put resources and how best to divert young people from violence.

It was noted that Police resources were focussed on intervention. Another layer of data being used at strategic level was exclusions data.

The Panel expressed interest in how the richer data translated to the tactical position on the ground. It was noted that this level of information was not currently available, but members were assured that messaging and resource targeting were a priority within the VRU structure.

The Panel queried the absence of B&NES in the VRU Awareness Raising Training for local authority staff listed at page 44 of the papers. It was confirmed that B&NES was not prioritising training this year, choosing to focus on intervention and building on existing services such as Domestic Abuse provision and street-based violence.

- The Commissioner stated that she fully understood concerns relating to the long-awaited plans for the opening of a new Police station in the centre of Bath. The Panel was assured this was a priority and nearing completion.

- Complaint Reviews – the Panel expressed concern about a potential trend in these cases leading to conduct complaints against the Commissioner. The Commissioner emphasised that she had previously warned of this possibility, making the point that the coming years could see a transfer of the complaints system in its entirety to the OPCC. The Commissioner invited the clerk to comment on the current position. The Panel was advised that the complaint review process provided an opportunity for the Commissioner to independently assess whether the Constabulary’s complaint handling process has been reasonable and proportionate. It was emphasised that the Panel has no power to intervene if a member of the public wished to challenge the outcome of a complaint review.

However, there remained the possibility for complainants viewing this as an opportunity to make a conduct complaint against the Commissioner. Making the distinction between a valid conduct complaint and dissatisfaction with the outcome of a complaint review was therefore vital.

There was further discussion around the Panel’s statutory role in complaints handling and the protracted liaison required with the IOPC in relation to vexatious or repetitive complaints. The clerk confirmed that all efforts were being made in cooperation with the OPCC to bring these cases to a conclusion.

The CEO reiterated this and added that resource wise, this workload was set to increase. The Commissioner suggested that the Home Affairs Select Committee (Standards in Public Life) could usefully be tasked with looking at both the PCC and Panel’s remit in the future.

## **6. Assurance Reports**

**The Panel received the following presentations to assist**

### **Derek Rees ASC -Domestic Abuse Portfolio Lead**

The Panel was provided with an overview of the Domestic Abuse Assurance work currently underway. This involved three separate reviews commissioned to explore the different aspects of domestic abuse including the impact of COVID:-

- **High Risk Review** that looked at 50 cases involving DA victims assessed as High Risk on the DASH Risk checklist (Domestic Abuse, stalking and honor based violence). Victims were automatically referred to the Lighthouse Safeguarding Unit (LSU), DA service delivery partners and potentially to the Multi Agency Risk Assessment Conference (MARAC).

- **Incidents Review** that looked at 235 domestic abuse cases involving an altercation of within a domestic setting that did not amount to an offence, typically high in volume and low in risk.
- **Crimes Review** that looked at 373 cases tagged as DA and amounting to either coercive control, assault, harassment or criminal damage. These crimes made up around 16.5% of total recorded crime and involved repeat offenders and victims who did not wish to pursue the case.

Although the three reviews were conducted differently and considered different criteria, the Panel was advised that similar themes emerged in terms of the learning and recommendations. These were set out in detail in the report circulated in advance of the meeting and were summarised as follows:-

1. To carry out a comprehensive refresh of DASH and to provide officers with further guidance on how to complete an effective and high-quality risk assessment, to increase officer understanding of how to use the DASH to aid decision making. This included an emphasis on quality information when completing DASH.
2. A review and refresh of all tools available to aid positive action from officers when dealing with DA, including consistent and comprehensive completion of the OEL template (??) , BRAG tool (Blue, Red, Amber, Green) and widespread use of Body Worn Video to enable Supervisors and Inspectors to decide on further action.
3. Further assurance and understanding to determine the effectiveness of the options available to help deal with DA cases and those involved in them, including MARAC and DVPNs (??). Further work also required to ensure children were cared for in an effective and timely manner through the adoption of Operation Encompass, either in its true format or some other more workable solution.

The Panel noted that DA had been closely tracked during the pandemic with 50 DA related crimes a day. 20% of the 83 people in custody in the last 24 hours were DA related. COVID had marked a 17% increase in comparison to the previous 12 month period with the weather, alcohol and lockdown being the principal causes. The July 2020 peak dropped away as the weather became colder/nights darker in line with national averages.

Below is a summary of the discussion that followed:-

- It was not possible to confirm if all 3 LSUs provided consistent levels of support.
- The development of the DASH and BRAG tools was welcomed by the Panel. It was reported that this was a back to basics approach and provided opportunity to influence and train younger staff, get the mindset right and learning in place to deliver the best service to victims.
- The Panel stated that continuous and reinforced training was key to ensure historic inconsistencies in DASH completion were improved upon. The Panel was assured that the appropriate checks and refresh training would take place.

- The Panel emphasised the importance of culturally embedding a consistent approach across the organisation with senior leaders playing a key part. There was recognition that the core information needed to be right to get the right input from the LSU and wider field. It was noted that DASH had been chosen for deep dive assurance because of the volume of business. Embedding it into the organisation was less about compliance and more about the value of doing things properly in terms of safeguarding and investigations.
- Victims could be prevented from accessing help because of lack of time or opportunity to make a call or report their circumstances in person. The Panel was advised that the Constabulary was confident that the use of the code word "Annie" would immediately flag a problem if used on a call or in a pharmacy.

### **Det/Superintendent Lisa Simpson ASC - Adults at Risk Portfolio Lead**

The Panel received a detailed powerpoint presentation and noted the following:-

- the Care Act defined an 'adult at risk' as someone who:-
  - has needs for care and support;
  - is experiencing, or is at risk of, abuse or neglect; and
  - as a result of those needs is unable to protect themselves against the abuse or neglect or the risk of it.
- Vulnerability was complex and the Constabulary aimed to upskill teams across the organisation. There had been no increase in crime of late. Signposting and training was a priority.
- A report from HMICFRS in July 2019 had expressed "Grave concerns" about adult safeguarding and "little Police analysis of the problem", "good initial attendance, poor follow up and investigation, poor partnership working and variations".
- BRAG audit findings suggested and "Overall Fair" grading, completed 75% of the time and 84% of those were considered to add value. A collaborative approach allowed the force to rank and track vulnerability but a lack of understanding regarding the definition of vulnerability and pathways hindered consistency.
- Whilst assessment and initial attendance were mostly good, investigations covered a broad spectrum and were variable and only the more serious tended to get a high standard of investigative approach. Conclusions could be premature with incomplete accounts from the victim and suspect. Little evidence of Prosecution team focus or ID of repeat victims/suspects.

The Panel welcomed a transparent and refreshing look at this challenging work area and raised the following queries:-

- What percentage of Police time was taken up investigating matters involving the abuse of adults? It was reported that 20% of adults fit into the 65+ demographic and 20% of crime reported had a victim in that age bracket. Adult investigations routinely received less time than Rape and Serious Sexual Offences (RASSO) and offences involving children.
- The Panel expressed concern that the abuse and neglect that takes place in care homes could still easily remain behind closed doors. It was also recognised that an element of unskilled staff made offending and general neglect more likely. There were obvious links with the Care Quality Commission in these instances but the public needed to know that reports could come to the Police.
- The Panel was thanked for the reminder about the collation of ethnicity data. There was a significant recording issue and this was being reinforced in training.
- It was noted that in 2020, 12,032 Safeguarding Adult referrals were made into the LSU, however only 3602 (30%) were referred on to Adult Social Care with the result that 70% of referrals were being triaged out by LSU staff as either not meeting Adult at Risk criteria or not having an appropriate referral pathway. Strategically, the Panel felt this was an unsettling position to be in as it appeared to be out of the control of the Constabulary and the bar for getting into NHS services was particularly high.
- It was understood that a similar picture existed for rape offences. It was recognised that there was much work to do.

## 7. Avon and Somerset Police and Crime Performance Summary

The Panel noted the latest performance report with related data developed to enable the Panel to carry out its oversight of performance against the Police and Crime Plan.

Key points highlighted included:

- **101 Abandonment rate** – for 999 calls remaining stable and was still performing well. The rate had declined in Quarter 2. This had not been sustained and October and November saw numbers back to 3.3% rate, more in line with figures seen recently.
- **Response timescales** – Decreased in Quarter 2. Actions had been taken to improve these including a triage system to ensure the right work was being done. Advised of a change to the call grading system, with changes to call grades 2 and 3, in the hope that this would better prioritise the threat harm risk level and to enable a better response, in a timely manner.

- **Operation Remedy** - next report to include Quarter 3 results plus burglary outcomes
- **Demand levels** – Small difference since Quarter 2. Reference to Appendix table for different breakdown of crime types. Noted in Quarter 2 theft had significantly decreased on last year and violence against the person had increased in Quarter 2, from last year.
- **Conviction rate** -The impact of the pandemic was reflected in Quarter 1 figures but had now returned to expected levels.
- **Public confidence** – was at its highest level in 5 years at 78%. The survey results in respect of the enforcement approach in response to Covid were pleasing.

## **10. Complaints against the Police and Crime Commissioner and Deputy Police and Crime Commissioner**

The Panel considered an update report of the Chief Executive (OPCC) providing oversight of all complaints made against the Commissioner.

It was noted that there had been 2 new complaints since the last meeting with one resulting in a disapplication decision under The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012.

**Action – that the report be noted.**

## **11. Work programme**

The Panel noted that all items had been completed across the year with the exception of Desmond Brown's postponed presentation (Lammy Report) to the Panel which would be scheduled in next year's work programme.

## **12. Date of next Meeting**

31<sup>st</sup> March 2021 at 10.00am

Chair