



Avon and Somerset Police and Crime Panel

Hosted by Somerset County Council Democratic Services



Minutes of the Police and Crime Panel 22nd September 2021

Present:

Local Authority and Independent Member Representatives:

Heather Shearer (Mendip Council, Chair) Richard Westwood (North Somerset Council, Vice Chair), Chris Booth (Somerset West and Taunton Council), Richard Brown (Independent Member), Nicola Clark (South Somerset District Council), Peter Crew (North Somerset Council), Jonathan Hucker (Bristol City Council). Janet Keen (Sedgemoor District Council), Julie Knight (Independent Member), Lisa Stone (Bristol City Council), Pat Trull (South Gloucestershire Council), Andy Wait (Bath and North East Somerset Council).

Host Authority Support Staff

Patricia Jones – Lead Officer
Pippa Triffitt – Panel Administrative Support

Police and Crime Commissioner and Support Staff:

Mark Shelford - Police and Crime Commissioner
Sally Fox – Interim Chief Executive Officer
Ben Valentine – Strategic Development and Performance Officer
Sergeant Lisa Colton – PCC Staff officer
Alice Ripley – Observer

1. Apologies for absence

Alastair Singleton (Bath and North East Somerset), Franklin Owusu-Antwi (South Gloucestershire) Gary Davies (Independent Member) Asher Craig (Bristol City Council), Josh Williams (Somerset County).

2. Public Question Time.

None received.

3. Declarations of Interest

There were none.

4. Minutes of the meetings held on 24th June at 10.30am and 11.00am

The minutes of the meetings held on 24th June 2021 were approved as an accurate record.

5. Matters Arising

None.

6. Chair's Business

Work Programme

The Chair reported that this was a fluid document based on the Panel's core duties and additional areas emerging from the planning meeting held with the OPCC at the start of each year. The point was made that the work programme was owned and driven by members of the Panel to include proactive areas of scrutiny and interest. There was general agreement that the work programme should be moved up the agenda for future meetings.

Training

The Chair updated the Panel on the new member training held on 15th September 2021 at Police Headquarters.

PCP Annual National Conference

This would be a face to face event held at Warwickshire University conference centre and attended by the Chair, Gary Davies and Patricia Jones.

Panel meeting venue

The Panel discussed the options of continuing to meet at the Deane House or transferring all future meetings to County Hall. The Lead Officer confirmed that meetings dates were currently held at both venues pending the Panel's decision. Following detailed discussion, it was agreed that meetings would continue at the Deane House which was considered an excellent venue both logistically and facilities wise. It was agreed that the Chief Constable's Confirmatory hearing on 25th November should also be transferred to The Deane House.

Action:

(1) Panel will continue to meet at The Deane House, Somerset West and Taunton Council.

(2) Work programme to be moved up the agenda for future meetings.

7. Use of Force App demonstration and consideration of data around use of powers and minority communities

The Chair welcomed Assistant Chief Constable Jon Reilly and Chief Inspector Tony Blatchford to the meeting.

The Panel received a detailed presentation setting out:-

- the background and requirements of Avon and Somerset Constabulary (ASC) to record data relating to use of force
- issues with the current reporting process
- additional data collected
- learning lessons – Lammy Review and community engagement.

Below is a summary of the primary points made during the presentation:-

- Under reporting - of the 20,000 arrests made in the last year, there were 8,000 associated use of force reports, 33% of which had no related ethnicity data. An evidence-based Policing team was tasked to look at the issue of under reporting. Blockers included officer disengagement and a cumbersome recording process that was tied into other forms of reporting.
- New reporting system developed with transparency and inclusion as a focus, to capture key information that is important to the public including the minority groups affected by the use of this power. Front line officers included in the process.
- Improvements made – mobile accessibility, Smart Questioning (precisely how force was used), the ability to complete the relevant form in 2 minutes, enhanced transparency and a culture of learning. Gender neutral, non-binary, and transgender have been added to gender identities.
- Where are we now - Reporting continues to improve:
Oct 2018 to Aug 2019 = 8,003 reports of use of force
Oct 2019 to Aug 2020 = 8,794 reports.
Oct 2020 to Aug 2021 = 14,705 reports.
67.3% increase following the introduction of the new form.
- The Panel was invited to consider data relating to public order and three peaks occurring between October 2020 and July 2021 during which Kill the Bill Protests, Flag Day Bristol City Football Club and Halloween took place.

- Disproportionality - data can now be broken down to reflect how the different communities in the force area are represented. Changing mindsets, officer perception and capturing bias are key strands of the new process.
- National comparisons – under on all national averages in using force against communities except the white community.
- It was acknowledged that a sample of 11,000 arrests of which 2,000 resulted in no further action could be considered potentially concerning. It was reported that NFAs were high due to transparency in recording – both tactical communication and use of force were recorded.
- Tactics – attention was drawn to officer training in de-escalation, cultural awareness and the use of Body Worn Video (BWV). Taser usage was regularly monitored and remains steady - 93% of time drawn, it was not fired.
- Transparency – quarterly reporting included a breakdown into the circumstances when taser is used. Attention was drawn to the information available on the force website detailing this key data. A Peer Review Scrutiny Team looked at BWV footage from 500 incidents to seek improvements.
- Two Qlik apps for officers and supervisors enabled individual officer's use of force to be monitored and discussed as part of their supervisory one-to-ones. This live time data assists with the monitoring of disproportionality and how officers are using force. 16,944 reported uses captured by the supervisor app and 89.6% use of BWV. App can be used to drill down and interrogate the system for gender usage or tactical reasons.

Below is a summary of the discussion that followed:-

- It was confirmed that people were frequently detained under the Mental Health Act for their own safety and use of force in these circumstances was also recorded.
- The apps were subject to an annual review process and this included input from frontline officers on design and their preferences regarding interaction. Tweaks were made if necessary. A feedback link at the bottom of every question provided a facility to ask a question and give feedback.
- There was discussion around unlawful arrests and the use of force in those circumstances.
- The Panel sought assurances on the prospect of BWV becoming a routine activity and a normal expectation from officers. It was agreed that this was a matter of public confidence and officers involved in pre-planned arrests should be using BWV a matter of course. The Panel heard that its use was now mandated by the

force and at 90% usage. It was suggested there was a balance to be struck in terms of the privacy rights of an individual and the sheer volume of footage generated.

- It was confirmed that there was a requirement to record any act of drawing a taser (notwithstanding not using it) given that this was regarded as a threat and therefore a use of force. Taser training was stringent – clear and open communication and “no surprises” policy. The Panel was invited to attend a taser training session.
- Officers were required to justify their actions and assaults on officers were rising. These were recorded. De-escalation strategies were an essential part of the process.

ACC Reilly and Chief Inspector Blatchford were thanked for the detailed presentation.

Action: Panel to consider the invitation to a taser training session.

8. Assurance Report – Cyber Crime

ASC’s portfolio holder for all investigative capabilities, Acting Superintendent Mike Buck, was welcomed to the meeting.

The following key points were noted from MB’s presentation:-

- Police and government have recognised that cybercrime is a significant threat to the UK and policing is struggling to keep pace with the resulting increasing demand and complexity of these offences.
- What is it? Crime committed two ways through the use of Information and Communications Technology devices or a computer:-
 - cyber dependent crime when card or hospital systems are taken down. Massive impact motivated by politics or terror.
 - cyber enabled crime, theft of money, drugs dark web, or harassment social media.
- Both leave a digital footprint and need capability to bring offenders to justice. Difficult to accurately and confidently record. Cyber dependent crime is reported nationally and dealt with by Action Fraud. 15% increase and under-reported.
- In 2017 a dedicated unit was set up by ASC not provided for by national funding. The team plays an important role in supporting other specialist teams and core teams in the force. A broad family of specialist cyber constables work closely with the regional organised crime unit and NCA. Digital media advisors were established

due to the Precept uplift and work alongside specialist investigators to triage evidential material.

- 4 P's – Protect, Prevent, Pursue, Prepare. However, a challenging area comparable with fraud, frequently committed abroad using a virtual private network.
- Every victim has bespoke practical prevent intervention in the form of two dedicated protect officers.

Below is a summary of the ensuing discussion:-

- The Commissioner reported that he had been appointed the national portfolio lead for cyber crime and fraud on behalf of APCC. Objectives - the disruption of attacks, international pursuit of offenders alongside other agencies and supplementing efforts to prosecute both locally and nationally. In some instances, not as hindered as ASC can be by force territory boundaries. The point was made that MB was at the forefront of a 50% increase in demand.
- MB was asked how business continuity was sustained to address demand and the heard that the team was in a good place but would inevitably feel pressure emerging from the growth alluded to by the Commissioner. Complexity was described as a real challenge and retaining specialist skills important. A recent restructure had created an omni competent structure with increased specialists but arguably a less agile team as a result.
- ACC Reilly reported that whilst the scale of crime was escalating, 86% was preventable resulting in considerable work being undertaken with the public and a real focus on eradicating with clear simple messaging. Asked what the practicalities of messaging looked like, ACC Reilly stated that the messaging had to be broad with a digital focus. Victims were often elderly and therefore newsletters or community forums helped. Networks across the south west were working hard.
- MB confirmed that alongside practical policing, data was being used for more targeted interventions and Government funded cyber resilience centres were assisting ASC to maximise funding and resources.
- There was no simple answer to how reporting could be increased. Work would continue with the industry and banking sector on preventative technical innovations, but fraudsters were becoming increasingly sophisticated.

The Chair thanked MB for this time and attendance.

9. Commissioner's Update Report

Respects were paid to Amjid Ali who recently passed away. The Commissioner placed on record his thanks to Amjid for his sterling commitment to Policing and the Strategic Independent Advisory Group.

The Commissioner introduced his report and drew attention to the following key areas:-

Covid 19

The Force has dropped 'Critical Incident' status of the Policing response and was returning to a more 'business as usual' approach. Requirements for deployment had increased by 30% and contingency plans were being developed on how to address this. From the outset of the pandemic, both the Neighbourhood Policing Teams and Local Policing Teams had been supported by Operation Hydrogen with additional patrols and demand in areas of concern. The Operation had now been stood down.

Only 4 people in force were currently diagnosed with Covid with a further 2 isolating.

Uplift and Representation

The recruitment of officers from minority communities remained a primary concern. The service had some way to go and efforts to work with ASC and identify new mechanisms continued. The DPCC will take this lead and Sally Fox was also looking at other forces and areas of best practice. It was recognised there was no quick fix and long-term investments would pay dividends.

The process of recruitment itself needed to be reviewed and modified/simplified where needed. Retention and training were also key.

Senior Appointments

The Panel noted that the DPCC confirmation hearing was scheduled for 26th October 2021. The Commissioner thanked the Panel for endorsing the extension to the Chief Financial Officer's contract pending recruitment in the new financial year.

Engagement

The Commissioner updated on his engagement schedule over 2 days each week with local MPs, councillors, voluntary groups, charitable organisations and hard to reach communities.

Police and Crime Plan - Consultation

The Commissioner emphasised the team's hard work in this area and drew attention to the focus on under-represented groups. It was acknowledged that young people were perhaps under-served and a better response was needed. The Commissioner was keen to reach out via the cadet system, scouts and guides.

The Panel welcomed the presentation of the draft plan at its next meeting on 26th October 2021.

Commissioning and Partnerships

Violence Reduction Units - Grant agreements were now in place and formal notification of funding local VRU activity was underway. The OPCC and partners chose to focus on 2 of the 3 Home Office funding opportunities and were successful in both Teachable Moments and Trauma Informed Training - £491,986.85 and £305,000 respectively.

Victims Services

The Commissioner updated on further success in obtaining national funding to support local victim services, bringing the total additional investment secured by the OPCC for survivors of domestic and sexual abuse in Avon and Somerset to almost £1.6m this year.

Therapeutic services for survivors of sexual assault

The Panel was informed that a new report commissioned by the NHS to look at therapeutic support provision across the South West for victims and survivors of sexual assault was welcomed by the OPCC. Its findings and recommendations would be reviewed with partners.

It was further noted that the Commissioner had undertaken a commissioning review looking at all commissioning activity in alignment with the new Police and Crime Plan.

Finance and Precept

Until a confirmed settlement, any reporting would be based on assumptions and projections and a three-year settlement would be advantageous in terms of planning. The Commissioner stated that he was alert to the impact of the employer's contribution element of national insurance amounting to £9.3m and the potential for a 2% staff pay increase.

The Panel was advised that a £16.00 Precept increase could be required to cover these additional costs. There was general agreement that an increase of this magnitude (equivalent Band D) was a significant ask but that a veto would inevitably result in capability loss. The Commissioner would seek the advice and support of the Panel as the Budget process developed. It was emphasised that the end result had to be good enough and therefore work was needed to identify precisely what this looked like.

It was as yet unclear if more definitive information would be available for the Panel's first Budget briefing on 25th November 2021.

Below is a summary of the discussion that followed:-

- The Panel expressed disappointment that the Lammy Review report and its findings remained unpublished to date. It was pointed out that delivery was essential to secure a route plan for the new DPCC and her planned activities. The Commissioner

gave assurances that this remained a priority for the OPCC. Sally Fox also reported that OPCC Head of Communications and Engagement was now working alongside the Chair of the Lammy Group to address the challenges the Chair was experiencing with partners and engagement and to identify what needed to be done to bring the report to fruition. It was anticipated that a report would be finalised by end October/early November 2021.

- The Panel highlighted the concerns of the Independent Custody Visitor regarding minimum staffing levels in Bridgwater at attempted visits in both May and June 2021. The point was made that the custody suite is also used for arrests made in Yeovil and the importance of proper staffing was therefore a given. The Commissioner was asked to confirm that action would be taken and procedures put in place to mitigate the risk of this happening on a frequent basis.

It was agreed that a formal update would be provided on 8th October 2021.

- The Panel discussed the Home Office funding formula which currently disadvantages Avon and Somerset and is generally recognised as being out of date and not reflective of demand. The Commissioner was asked what action he planned to take to secure a better outcome for ASC and what action the Panel could take to support him in this respect. He confirmed there was no immediate news in terms of a review of the formula and was mindful of the possibility of a negative outcome should a review take place. It was agreed that he would come back to the Panel with his thoughts at a later date.
- Referencing the plan consultation, the Panel asked the Commissioner if other strategies were in place to tackle serious violence over and above the Violence Reduction Units. The Commissioner advised that VRUs were the current focus because of the associated funding for targeting hotspots, schools, county lines and a wrap-around multi agency prevention work package. It was emphasised that serious violence perpetrated against women and young girls was a specific focus.

It was suggested that the wider problem was a prevailing disrespect of women in society which some countries were attempting to address with the introduction of femicide as a specific criminal offence. The Commissioner confirmed that he was willing to take this point away and discuss classifications around gender violence with the Policing Minister.

- There was general agreement that the issue of gender identity and shared social spaces was a complex area and respect, safety and common sense were paramount.
- Whilst acknowledging that stop and search is an operational matter, it was recognised that the Panel needed reassurance that unconscious bias was being tackled and that the Commissioner had a role to play in ensuring that the Constabulary continued to improve in respect of disproportionate application across

the force area. The Commissioner gave assurances that the Constabulary would be held to account in terms of its use of this power which should be used responsibly and driven by targeted intelligence and information.

- The OPCC noted the reservations expressed by the Panel in relation to the reach of the Police and Crime plan Survey and its content. Ben Valentine reported that the Commissioner had been elected on his manifesto which translated into the objectives that formed the backbone to the plan. Consultation with the Panel would continue in terms of its participation on the Programme Board and the presentation of the draft plan on 26th October 2021.
- The Panel sought clarification around the comments relating to CCTV on page 48 of the report. It was suggested there could be better collaboration between the Police and LAs – B&NES for example had three separate systems. Sally Fox stated that there were many benefits to CCTV both evidentially and in real time support for officers. However, cost implications were an inevitable consideration and the appetite to make the investment across the different authorities varied - funding the equipment, resourcing, monitoring, retrieval and system maintenance functions. The OPCC was currently looking for examples of best practice in this area and would report back.
- The Commissioner was asked to comment on the drop in levels of engagement in Active Citizenship reported on page 69. It was noted that an assurance report on this subject was due imminently and the highlights from this assurance work through the Police and Crime Board would be shared as part of the next Commissioners update.
- The Commissioner was asked how he decided on his schedule of engagement days. Sally Fox reported that requests to meet the Commissioner were received frequently and the Communications Team were adopting a thematic focus to make best use of the Commissioner's time.
- There was discussion around the demands of operational policing and resulting impact on Operation Remedy due to officers being extracted to support demand. The Panel expressed concern that there was a danger of Operation Remedy not achieving what it had set out to do.

The Chief Executive sought clarification of the Panel's expectation around Operation Remedy and future reporting on performance and outcomes. The Lead Officer agreed to progress following a further conversation with the Chair.

- In response to concerns raised about the Lighthouse Safeguarding Unit (LSU) and a failure to meet the victims code of practice, it was reported that the centre had experienced some real challenges around its initial set up and purpose with a resulting impact on the Constabulary's ability to support victims of crime. Officers were working very hard, but demand had increased, and this was not reflected in the

growth of the centre. Sally Fox was in agreement with ACC Reilly that an assessment was essential with a focus on mandatory duties in the victim's code. An update would be provided to the 9th December Panel meeting.

Action:

- (1) Bridgewater Custody Suite minimum staffing levels query - a formal update would be provided on 8th October 2021.**
- (2) Commissioner to come back to the Panel with an update on the funding formula and how the Panel might assist.**
- (3) Drop in levels of engagement in Active Citizenship – the highlights from the assurance work through the Police and Crime Board would be shared with the Panel as part of the next Commissioners update.**
- (4) Panel expectation around Operation Remedy outcomes - the Lead Officer to progress following clarification with the Chair.**
- (5) Update on the LSU to be brought to the 9th December Panel meeting.**

10. Performance Summary

The Panel considered a report setting out quarterly performance against the Police and Crime Plan from April to June 2021.

The Panel noted the following:-

- 101 abandonment rate has increased in the last quarter seeing some of the highest rates for the last couple of years. This has been driven by high volumes of 999 calls - which are prioritised over and above 101 - and abstractions through self-isolation for example.
- Response timeliness has decreased across grades 1 through 3. Challenges remain, for example the high proportion of student officers and double crewing.
- Operation Remedy - no measurable impact (that can be definitively attributed to Remedy) on the volume of the 3 crime types. Positive outcome rates are showing no significant changes. Knife crime has seen the lowest quarterly rate for the last few years. This is a combination of the overall PO rate decreasing and knife crime seeing greater volumes of recorded crime due to the National Data Quality Improvement Service (NDQIS).
- Confidence has seen a reduction this quarter but the 12 month rolling is still higher than pre-pandemic. There is a link between visibility and confidence and this also showed a small decline in quarter 1.
- Active citizenship is at a low point. This is the subject of a more in-depth assurance report coming to the Constabulary's Police and Crime Board in October.

The Commissioner reported that the Temporary Chief Constable agreed that a review of Remedy would be gainful.

11. Work Programme

Deferred to next meeting.

12. Standing Complaints Report

Deferred to next meeting.

(The meeting ended at 3.05pm)

Chair