



west midlands
police and crime
commissioner

STRATEGIC POLICING AND CRIME BOARD

Notes of meeting held on Tuesday, 3 June 2014

In Committee Rooms 1 and 2, Dudley Council House, Priory Road, Dudley, DY1 1HF

Present: Jones, Bob – Police and Crime Commissioner
Abbott, Cllr Faye – Assistant Police and Crime Commissioner
Foster, Cllr Judy – Assistant Police and Crime Commissioner
Hannon, Cath – Non-executive
Hendricks, Ernie – Non-executive
Mosquito, Cllr Yvonne – Deputy Police and Crime Commissioner
Nazir, Cllr Mohammad – Assistant Police and Crime Commissioner
Sawdon, Cllr Tim – Non-executive

In attendance: Cann, Gary – Assistant Chief Constable
Andrea Gabbitas – Policy Manager
Hickman, Fiona – Committee Manager
Meffen, Richard – T/Director of Resources
Sims, Chris – Chief Constable
Smith, Lisa-Marie – Director of Legal Services
Thompson, David – Deputy Chief Constable
Wilkin, David – Director of Resources
Williams, Mike – Chief Finance Officer

Observers: 10

072/14 Conflicts of Interest 072/14

None.

073/14 Apologies 073/14

Apologies had been received from Brendan Connor and the Chief Executive.

074/14 Notes of the Last Meeting 074/14

The Board approved the notes of the meetings held in public on 13 May 2014. There had been no private meeting.

075/14 Public Questions 075/14

No questions from the public had been received.

076/14 Provisional Revenue and Capital Outturn 2013/14 076/14

The Chief Finance Officer introduced the report which set out the provisional outturn position for revenue and capital expenditure for the financial year 2013/14, subject to any final accounting or external audit adjustments.

The Board considered the report and noted that the Force were working with the West Midlands Office for Policing and Crime to review last year's POCA funding processes and how decisions were made. The intention was for the Commissioner to take over the administration of the fund.

The Commissioner commended colleagues on the overall management of the tight budget.

077/14 Performance against the 2014-15 Milestones and Deliverables in the Police and Crime Plan 077/14

The Deputy Chief Constable introduced the report which outlined the end of year performance against the milestones and deliverables that contributed to the ten strategic outcomes set out in the Police and Crime Plan.

The Board considered the report and noted the following:

- The latest Feeling the Difference data had been included in the report in paragraphs 6-10. The next wave of surveys would be conducted shortly. Improving confidence in policing was an important element of monitoring performance. The Board was assured, for example, that the Force was responding to the lower levels in the public's sense of safety after dark in Birmingham West and Central. This was clearly connected with the night time economy in the area and the Force was responding through good, solid neighbourhood policing.
- The Force planned to extend the new automatic recording systems for Stop and Search across the whole force by late summer. It was currently live in Sandwell and Dudley Local Policing Units. The Force wished to approach the roll out with caution given the technical issues that had arisen with the previous system. **ACTION The Force would report on progress at the October Board meeting.**
- HMIC had recently provided feedback to the Force on its inspection of the Force's crime recording. The outcome of the inspection had not yet been published but the feedback had been extremely positive. A high percentage of crimes were being accurately recorded and accurately classified.

- The reporting cycle for future performance reports was attached at appendix 1.
- The Commissioner commended the significant progress that had been made. There were still some challenging areas. For example, business crime had increased overall, particularly through increases in bilking and burglary of business premises. The Commissioner hoped that some of these issues could be addressed at the forthcoming supermarket summit in July.

078/14 Director of Resources Portfolio Update

078/14

The Director of Resources introduced the report which provided an update on his portfolio. He took the opportunity to thank Richard Meffen for all his hard work over the transition period when the Director of Resources had worked full time on the IIP project and Mr Meffen was appointed Temporary Director of Resources. The Commissioner also thanked Mr Meffen for his services.

The Board considered the report and noted the following points.

- The Commissioner was very disappointed that the Birmingham City Council Planning Committee had deferred its decision on granting planning permission for the refurbishment of Lloyd House. The committee had considered that the planned improvements to the outside of Lloyd House were not sufficient. It would cost somewhere in the region of £750,000 to meet the committee's recommendations and the Commissioner did not consider that spending this amount on 'superficial gloss' was a priority. It was more important to keep police officers on the ground. Some of the reasons why planning permission was required included:
 - The look of the building would be changed, eg replacement windows
 - The plan was to accommodate more people in the building
 - New engineering would be required on the roof
 - The plan to have a police station on the ground floor would mean a change of use.
- The police officer recruitment exercise was progressing well. The calibre of applicants was high, the feedback from the discovery days had been good, and the level of BME applicants has remained at over 20% consistently through each stage of the process.
- **ACTION** The HR Update scheduled to be presented at the next meeting would include information about the Force's plans for the training of new police officers, setting out which elements of the College of Policing framework for training would be included. *A request has been made to the Force to include this in the report.*
- There appeared to be an increase in demand on the services of

Learning and Development. The Board was concerned whether there was sufficient capacity and capability to deal with this increase. **ACTION The Force would respond to this concern in the next HR Update.** *A request has been made to the Force to include this in the report.*

- The Board welcomed the Force's recent decision to recruit around twelve apprentices. **ACTION The Force would include more information about the apprenticeships in the HR Update at the next meeting.** *A request has been made to the Force to include this in the report.*
- The Board suggested that it might be useful to include a member of the public at future stop and search training sessions. The Force would consider this. In the meantime, the Board noted that a video was available showing views from the public on stop and search. This had been shown at some of the training sessions at the discretion of the trainer.

079/14 WMP Response to IPCC Report, *Investigation into the conduct of West Midlands police officers following evidence given in a murder trial arising from the public disorder in Birmingham* 079/14

The Chief Constable introduced the report which set out the Force's response to the Independent Police Complaints Commission (IPCC) report, published on 7 May 2014.

The Board considered the report and noted that:

- The Force and the Commissioner regretted that the two families concerned had not had the opportunity for closure in terms of justice that they would want.
- The report did not attempt to capture the emotion of the case but the Force were still meeting and talking with people involved in the case, as was the Commissioner.
- The Commissioner supported Tariq Jahan and his MP in their call for a public inquiry. The Commissioner had written to the Court Service, the Crown Prosecution Service, the trial Judge and other partners in the criminal justice system.
- Questions and comments from Board members included:
 - Why was the decision to prosecute for murder made? Why were other options rejected?
 - Why did the judge not take the opportunity to substitute lesser charges?
 - Was the IPCC's questioning of DI Kiyani rigorous enough?
 - Was the SIO sufficiently experienced?
 - Was the Force confident that it had the resilience and resources to investigate such a case in future?
 - Other police officers seemed to be present when DI Kiyani allegedly made an offer of immunity.

- The issues around disclosure were significant. Basic principles of policing seemed not to have been observed.
- The case had generated enormous concern from the public. How was the Force going to rebuild relationships with the community?
- It was difficult for the Chief Constable to respond to all of the issues that the Board raised because these matters were the subject of an investigation by the IPCC. He was not as well placed as the IPCC to answer them. Also, he had to respect the conclusions that the IPCC, who were independent of the police, had drawn. However, he and ACC Cann responded as best they could, including:
 - No-one could know what was in the minds of the jury when they made their decision but the directions that the judge gave were known and the fact that the jury saw the critical CCTV coverage.
 - The disclosure issue was not about paperwork. This was about understanding that as a case is prepared to go to trial there would be dozens of interplays and communications between the SIO and the SIO's team and the prosecution team. This was about understanding how this was recorded in this case. The Force was exploring how any ambiguities could be tied down in future.
 - The Force had been subject to two years of detailed investigation. Of all the agencies, the Force was the most open and most subject to scrutiny. Whether there should be a public inquiry was a matter for others to decide.
 - The decision about the charges had been made by the Crown Prosecution Service and had been arrived at in the proper way. The judge had given very detailed written direction to the jury about the various verdicts that they could reach.
 - DCI Tagg was an experienced investigator, fully trained and working towards full accreditation. The Force was under pressure at the time dealing not only with this incident but also the shooting at police officers and the umbrella piece about tracking down rioters. However, they had not run out of investigators and DCI Tagg had sufficient experience and support.

080/14 Service Transformation Update

080/14

The Deputy Chief Constable introduced the report which provided an overview of the Service Transformation workstream.

The Board considered the report and noted during the discussion that:

- This would be the last large organisational change before the

selection of an innovation and integration partner.

- A Gold Group would be set up to manage demands on the Force and overall resilience over the summer.
- The Service Transformation workstream had a supporting risk register which fed through to the corporate risk register.
- The structure and operating processes of the service would be much improved with the roll out. The Force had no concerns about losing knowledge or best practice.
- Assistant Police and Crime Commissioners who had geographic responsibilities were encouraged to touch base with the new operating systems.
- The Commissioner had asked the HMIC to delay their forthcoming child protection inspection because of the reorganisation.
- **ACTION A report to the Board on the outcome of the Domestic Homicide Reviews research should be requested.** *The report has been scheduled into the work plan for September 2014.*

081/14 West Midlands Police and Crime Commissioner’s Annual Report 081/14

The Commissioner introduced the report which outlined the process for the production of the Commissioner’s annual report. A draft of the report had been circulated to the Board for comment.

The Board considered the report and noted its contents.

082/14 Decisions 082/14

There were no draft decisions for consideration.

083/14 Referrals from Local Policing and Crime Boards, Police and Crime Panel and partner bodies 083/14

There were no referrals from Local Policing and Crime Boards, the Police and Crime Panel or partner bodies. No thematic issues had yet been raised by any members of the Board.

084/14 Chief Constable Update 084/14

The Chief Constable reported on HMIC inspections and, at the Commissioner’s request, was asked for his view of the so called ‘Trojan Horse’ affair.

HMIC Inspections

- The Force had been subject to an unprecedented level of activity in respect of HMIC inspections. There had been five

inspections over the past two months. The Chief Constable had discussed this with HMIC pointing out that they appeared to have moved from their previous soft touch approach to a very intensive approach. The Force had removed a number of posts that would have provided, in the past, the information for the inspections. The HMIC had been given more resource whilst the Force had lost resource.

- The Force had had very positive feedback from HMIC on the crime recording inspection.
- The Chief Constable welcomed the forthcoming inspection on child protection because it provided an opportunity to obtain feedback on the new arrangements that had been put in place through the service transformation workstream.

‘Trojan Horse’

- There were a number of inquiries into different aspects of the ‘Trojan Horse’ affair being carried out by different agencies, eg OSTED, Department for Education, Birmingham City Council, Education Funding agency and West Midlands Police. It might have been better to have had one major inquiry looking at the whole picture.
- The Chief Constable had not seen the final OFSTED report which was due to be published shortly but from what he had read in the media, it appeared that the debate was moving more towards the issue of governance of schools and the way in which education was being delivered. The implications were likely to be greater for Birmingham City Council rather than the Force.

	Outstanding Actions from Previous Meetings	
016/13	Professional Standards Department, Quality of Service	016/13
	West Midlands Police Working Group on disproportionality. The Board welcomed the work being done on disproportionality. ACTION The Force would circulate the action plan to members of the Board.	
064/13	ACC Operations Portfolio Update	064/13
	<ul style="list-style-type: none"> ○ ACTION. The Force and the Commissioner would explore whether it would be possible for a representative from the West Midlands Police to attend the regional NPAS board meetings as an observer. 	

108/13	West Midlands Office for Policing and Crime Casework	108/13
	<ul style="list-style-type: none"> it would be useful to seek the public's view of the service they received. ACTION. The Chief Executive would consider how this could best be achieved. 	
063/14	Performance against the 2013-14 Milestones and Deliverables in the Police and Crime Plan	063/14
	<ul style="list-style-type: none"> It was not clear how fraud figures would be dealt with in future. For example, crime reported to Action Fraud would be collated centrally and would not be attributed to local forces. However, some fraud cases would be reported directly to local forces. It was not clear to whom the detection figures would be attributed. ACTION The Deputy Chief Constable would clarify the matter. 	
065/14	WMOPC Casework and Correspondence	065/14
	<ul style="list-style-type: none"> It might be helpful to have a geographic breakdown of complaints. ACTION WMOPC would investigate whether this would be possible. 	
070/14	Decisions: Victims Services	070/14
	<ul style="list-style-type: none"> ACTION Alethea Fuller would provide Board members with the information about how the Ministry of Justice were currently monitoring how the money was spent and whether they were getting value for money. 	