



west midlands
police and crime
commissioner

STRATEGIC POLICING AND CRIME BOARD

Notes of meeting held on Tuesday, 4 November 2014
in Committee Room C, Birmingham Council House Extension, Margaret Street, Birmingham

- Present: Jamieson, David – Police and Crime Commissioner
Brendan Connor – Board Member
Foster, Cllr Judy – Assistant Police and Crime Commissioner
Hendricks, Ernie – Board Member
Mosquito, Cllr Yvonne – Deputy Police and Crime Commissioner
Sawdon, Cllr Tim – Board Member
- In attendance: Cann, Gary – Assistant Chief Constable
Courtney, Jacky – Chief Executive
Garry Forsyth – Assistant Chief Constable
Foulkes, Carl – Assistant Chief Constable
Hickman, Fiona – Governance Manager
Long, Chief Supt Danny – Head of PPU
Rimmer Stephen – Strategic Lead, Preventing Violence against Vulnerable People
Sims, Chris – Chief Constable
Smith, Lisa-Marie – Director of Legal Services
Thompson, David – Deputy Chief Constable
West, Dave – MD, Accenture
Wilkin, David – Director of Resources
Williams, Mike – Chief Finance Officer
- Observers: 10

101/14 Welcome and opening remarks

101/14

The Commissioner welcomed members of the public to the meeting. He asked for the Board's agreement to amend the order of the agenda. He had asked for a report from the Chief Constable on the organisational learning following the sad death of Mr Lloyd Butler in police custody. As Mr Butler's mother was present to observe the meeting, the Commissioner believed it would be appropriate to consider the item early in the agenda. He intended therefore to take Item 8 after item 4. He thanked Mrs Butler for taking the time to hear the Board's consideration of the item and expressed his condolences to her and other family and friends of Mr Butler.

The Commissioner also announced that the Board was taking a new

approach to their meetings. This was the first of the new style of meeting which he hoped would be an improvement. He would welcome observations from Board Members after the meeting.

102/14 Conflicts of Interest 102/14

None.

103/14 Apologies 103/14

Apologies had been received from Cllrs Mohammad Nazir and Faye Abbott and Cath Hannon.

104/14 Notes of the Last Meeting 104/14

The Board approved the notes of the meeting held in public on 11 September 2014.

105/14 Public Questions and Petitions 105/14

No questions from the public had been received.

The Commissioner had received a petition on 15 September 2014 containing approximately 370 signatures of people objecting to the closure of the Police Sector House, Grangemeouth Road, Radford, Coventry. The petition had been passed to the Chief Constable on 25 September 2014. The Force had acknowledged receipt and noted its contents. The Chief Constable confirmed that this had now been included as part of the consultation exercise on the Coventry estate.

106/14 Investigation into the death in police custody of Mr Lloyd Edward Butler 106/14

The Commissioner opened the item by repeating his condolences to Mrs Butler. He outlined the background to the investigation into Mr Butler's tragic death in police custody and stated that the purpose of asking for the report was to consider what had been learnt by West Midlands Police following the investigation. The Board would not be reinvestigating or re-running the misconduct matters. However, he had a statutory duty for the oversight of the handling of complaints by the Force. He wanted to ensure that he provided the public with reassurance that lessons were learnt from the handling of complaints both generally and in specific cases.

The Commissioner then handed over to the Chief Constable who also expressed his condolences to Mrs Butler. He stated that there was no duty more important to the Force than looking after people who came into its custody. The Force must do everything possible to ensure that tragic deaths like this did not happen again.

ACC Cann then introduced the report. The Board considered the report and noted the following points.

- The IPPC had produced two reports: one was a report on their investigation which led to the misconduct proceedings, and the

other was a series of learning points.

- The Coroner had not given the Force permission to publish the correspondence between her and the Chief Constable in relation to the inquest.
- The cause of Mr Butler's death was recorded as cardiac arrest, alcoholic liver disease and alcoholic cardio myopathy.
- The Commissioner asked what the differences would be between now and 2010 in Force custody practices. The Chief Constable indicated that there was now a Chief Superintendent responsible for custody; that drunk and incapable people were no longer taken into custody but sent to hospital instead; police officers in the street were more aware of the problems with dealing with drunk and incapable people; the control room and the cell block sergeant provided other points at which the Force ensured that drunk and incapable people were not taken into custody. The Force now had fewer custody blocks which had dedicated professional staff. It was also moving towards having two brand new custody blocks. It was a completely new regime.
- When asked how the new culture could be sustained over the coming years, ACC Cann indicated that better training was in place, including better refresher training. The training programme included elements of culture, attitude, and civility as well as the legal aspects. There was tighter management and more dip sampling by custody supervisors.
- When asked about his response to the IPCC on use of the Internet in custody suites, ACC Cann explained that the operational need included checking bail addresses, obtaining information for pre-release risk assessment as well as searching for information on medicines, medical conditions and other related matters whilst waiting for a nurse to arrive. There were corporate restrictions on what could be accessed on the world wide web and access could be audited.
- The Force did not dissent from the findings of the misconduct panel and the coroner's narrative verdict.

The Commissioner concluded by reiterating how important it was that the police misconduct process commanded public confidence. If it did not, it would impact adversely on the public's confidence in their day-to-day interactions with the police. Having spoken with the Chief Constable, he knew that he recognised the importance of maintaining public confidence in both the disciplinary process itself and the application of sanctions to officers found guilty of misconduct. The Commissioner would review certain elements of the police misconduct process, namely the appointment of independent members to assure himself that they recognised the importance of their role in maintaining public confidence. He would draw to the attention of the Home Secretary's review of police conduct and discipline the lessons of this particular case.

A number of people spoke on this item, as follows:

The Commissioner

The Commissioner introduced the item by stating that he had publicly supported the arrangement entered into with Accenture. He too would have signed the agreement had he been Commissioner at the time. He was acutely aware that the existence of partnerships between the public and private sector needed to be open and transparent and acknowledged that the public sector had had mixed experiences of working with the private sector in the past. He hoped that the discussion by the Board would go some way towards providing both information and assurance to the public that the arrangement with Accenture was designed to benefit those who lived and worked in the West Midlands. He wanted to be open about how the public could find out about the work with Accenture and demonstrate how he, and his Board, were working with the Chief Constable, to ensure that the public received the services they required and that the arrangement delivered value for money.

The Commissioner thanked Clare Francis and John Pinnington from Pinsent Masons for their legal work on the IIP procurement.

The Chief Constable

The Chief Constable described the work with Accenture as ‘the biggest show in town.’ The Force and Accenture were currently engaged in a large consultation exercise internally and externally. He thanked Clare Francis from Pinsent Masons, the OPCC Chief Executive, the Deputy Chief Constable and the Director of Resources who had all been involved in the procurement process and introduced David West who was leading the Accenture team.

The Chief Constable then talked about the significant financial challenges that the Force had already addressed through priority based budgeting, restructuring, continuous improvement and other large projects. He believed that it was likely that the Force would have to make a further £100m of savings over a 4-year period following the election. It could not continue to cut at the edges, however, particularly as the need for policing services showed no sign of shrinking. The reasons why the Force needed the support of a partner included:

- i. The police service going into areas of more complexity which were beyond the Force’s current ability.
- ii. The Force did not have the capacity to do this work quickly.
- iii. The Chief Constable and the team had a strong sense that the Force needed to be thinking about not only what was best in British policing but also what was happening globally and in the public sector generally. The Force would not have this reach without the support of a partner.

The Chief Constable also highlighted the importance of the governance arrangements as set out in paragraph 23 of the report.

The Deputy Chief Constable and Director of Resources

The Deputy Chief Constable then introduced the report and the Director of Resources explained the performance measures in respect of the contract with Accenture as set out in Annex A.

The Managing Director of Accenture

The Managing Director of Accenture introduced Accenture, the company, which he described as a world leading management consultancy and technical company. It operated in 56 countries and worked with the public and private sector and other police forces around the world. In their partnership work with the Force, Accenture would be focusing on complex change and upskilling the Force.

The Chief Executive

The Chief Executive explained that running alongside the formal governance structures set out in paragraph 23, there would be regular informal contact between the the Office of the Police and Crime Commissioner, the Force and Accenture. The Deputy Commissioner, Ernie Hendricks, Tim Sawdon and Brendan Connor had formed a core Board sub group taking an interest in the IIP.

Board discussion

The item was then opened out to the Board for questions. During the discussion, the Board noted that:

- It was important to learn from other organisations nationally and internationally. In that regard, the Force had spoken to police forces in Australia, the USA, Ireland and Scotland. It had also had contact with approximately 90 research projects. Part of the stimulus therefore would come from academia as well as other police forces and the public sector.
- The differences that the public might see in two to three years time in the approach to policing would include:
 - Much more choice about how the public could contact the service
 - A more responsive service.
 - A smaller organisation that would use technology to help deliver a better and more efficient service
- The Force was not working in isolation from other forces, but was seizing its destiny. In relation to information technology, for example, the requirement for open standards and interoperability had been written into the contract with Accenture. The Force would commit to anything that came through nationally about standards. It might also wish to join one or more national pieces in future. When business cases were considered in future, the Force would also consider the

procurement frameworks available.

- The partnership was novel, innovative and long-term. Whilst good contractual arrangements were in place, the next steps, outlined in paragraph 24, were very important. The development of the WMP2020 Blueprint would be a real gateway. With that in mind, the Chief Constable urged people to get involved now rather than wait until the report on the WMP2020 Blueprint was delivered.

108/14 Questions from the Board on matters not on the agenda

108/14

The Commissioner introduced the item by highlighting that this was a new standing item at Board meetings to give an opportunity to members of the Board to raise questions with the Chief Constable on matters not covered elsewhere on the agenda. The questions which had been submitted to the Chief Constable were circulated and were as follows.

1. *What is the average time taken by West Midlands Police to handle Disclosure and Barring Service (DBS) checks? What measures are being put in place to ensure that they are being handled expeditiously? (Asked by Tim Sawdon)*

The Chief Constable's response was that this was a very important area because it touched on statutory and partnership activity. One measure amongst a rich array of metrics was that 85% of cases should be dealt with within 14 days. The Force had reached a point in the summer where it had only completed 23% of cases within 14 days. This was owing in part to a shift in the workload and the level of vacancies in the area dealing with the DBS checks. The Force had now recruited and trained a further 24 staff and there were two more vacancies to be filled. The Force was now making progress with the backlog. September figures showed that it was completing 56% of cases within 14 days. ACC Forsyth had regular meetings with the DBS and had indicated to them that the Force expected to achieve the 85% by no later than March 2015.

2. *In light of the recent report on undercover policing policy and practices, what has the Chief Constable done to review current operations to ensure that West Midlands Police (within or outside its geographical jurisdiction) is compliant with the recommended procedures and protocols? (Asked by Brendan Connor)*

The Chief Constable's response was that the Force had made a significant contribution to the inspection process and the Force had been mentioned by name in the HMIC report. There had been a change around authority levels and the authorisation process. The real concern for the Force was over longer term deployments. Any operation that was over a year long would be supervised by the Chief Constable and he would be accountable. The Surveillance Commissioner was now also involved. Significant improvements had been made in the checks and balances. This was a very important area of work, particularly for organised crime and counter terrorism. The Chief Constable was confident about the quality of

of the Force's work in this area. As part of the authorisation process, there was a separate plan around the welfare of officers involved in these operations.

3. *What consideration has the Chief Constable given to the requirement for an applicant to provide a GP medical fitness certificate as a condition of granting or renewing a firearm or shotgun licence? What legal opinion has he sought in regard to any discretion to make such a requirement? Would he inform us of that advice? (Asked by Brendan Connor)*

The Chief Constable's response was that this was a function that the Force carried out in collaboration with Staffordshire Police and it was governed by legislation. The rules were that when applying for a licence, applicants had to sign an agreement that they had given consent to their GP to provide medical information if the police sought it. At the start of the process of applying for a licence the Force sent a generic letter to the applicant's GP. If the Force came into contact with a firearm's licence holder, the Force would contact the GP. The cost of the licence did not cover the cost of the process to grant it, which included seeking views of GPs. The firearms licensing policy was a national one with a national lead, Chief Constable Marsh. There was some work ongoing to develop a 'flag' system for firearms licensing records. The Force would follow the ACPO position. It had not sought any legal advice.

In response to a supplementary question, the Chief Constable acknowledged that the 1968 Firearms Act had been drafted at a time when the relationship between patients and GPs were very different. Nowadays GPs might not know their patients personally. Often patients did not see the same GP every time they visited the practice. Mr Connor felt, therefore, that the risks were higher and that the burden should be put on the applicant to provide a GP statement when applying for a new or renewed licence. The Chief Constable would give this some consideration.

109/14 Child Sexual Exploitation (CSE)

109/14

The Commissioner welcomed Stephen Rimmer (Strategic Lead – Preventing Violence against Vulnerable People) who was working on bringing bodies together on this issue. The Commissioner and the Chief Constable both spoke on this item before ACC Foulkes introduced the report.

Commissioner

The Commissioner's opening remarks included the following.

- There was a duty to protect the vulnerable in our society from from risk and harm. No child should have to suffer from child sexual exploitation.
- The report was one aspect of the ongoing commitment to ensure that all had been and was being done to achieve this outcome.

- The report that Birmingham City Council intended to publish later this year would be welcome.
- The findings of the inspection by HMIC published on 28 October 2014 on Child Protection in the West Midlands were welcomed. The Commissioner would use his powers to ask HMIC to follow up on that report in 2015.
- The Board report had come at a time of great national interest in the issue of child sexual exploitation.
- He was pleased to note that at paragraph 35 of the report, the Chief Constable had outlined the review being conducted of historic sexual offences. He would ask for the Chief Constable's assurance that any cases that were identified as a result of this review were investigated.
- He would ensure that through the Board structures he would maintain oversight of this work, bringing forward reports to the Board to provide the necessary reassurance to the public. It was important to be in a position where those who had suffered child sexual exploitation knew that they could come forward to the police who would investigate the crimes committed against them.

Chief Constable

The Chief Constable made a number of observations which included:

- There had been a huge public debate about this issue and the role of those attending the Board meeting was very important and would continue beyond the meeting.
- There was a conflation of the issues. CSE was not a category of crime that the police recorded. It sat across many different offences.
- There were four areas of concern:
 - i. Familial abuse of children within the home, abuse of children in schools or institutions. These represented the bulk of cases.
 - ii. The recent report on CSE in Rotherham had attracted attention to on-street grooming issues. This was more organised.
 - iii. On-line activity which involved real victims, some of whom were never traced.
 - iv. The recent Manchester report which drew attention to coercive relationships.

Board discussion

ACC Foulkes introduced the report. During the discussion that followed, the Board noted that:

- Operation Sentinel had been designed to encourage people to contact the police about CSE matters. There had also been a lot of media coverage of the issue which might prompt people to come forward.
- Work was being done in schools to highlight CSE. Schools were part of the multi-agency safeguarding hubs which would be extended across the region. Whilst MASHs were not driven by the Force, the Force were putting resources into helping to build them. Project Opera, for example, had been funded through the Home Office Police Innovation Fund and Accenture had provided some technical support. This project was designed to enable relevant public bodies to exchange information electronically.
- Safeguarding was becoming a primary driver for policing and was part of larger cultural change for the Force. The Public Protection Unit was a new department and the Force had developed a training programme for officers, staff and partner agencies.
- The Force had arrangements in place for the welfare officers dealing with child and adult abuse. In cases of child abuse, there was a counselling service for officers which was compulsory. The Police Federation frequently took an interest in the support provided to PPU officers.

110/14 Lloyd House Refurbishment Update

110/14

The Director of Resources introduced the report which provided an update on the current position in relation to the refurbishment of Lloyd House. He took the opportunity to express his gratitude to his colleagues in Property Services for their success in negotiating with Willmott Dixon a reduction in the costs.

The Board considered the report and noted that:

- The Force expected payback on the refurbishment costs over seven years.
- The public would see a modern building in two years time and the first new police station in Birmingham in a long time.
- The refurbishment offered local employment opportunities.
- The cost of the conditions imposed by Birmingham City Council in relation to the rendering and improvements to the public realm was approximately £1m.

- The Force would need to consider selling its building in Steelhouse Lane promptly.

111/14 Chief Constable's Update

111/14

The Chief Constable raised the following matters.

Public Order policing

The Force had been busy over the summer with policing services for the Conservative Party Conference, providing officers for the policing services at the NATO conference, and policing the EDL rally and associated counter demonstration in Birmingham. He paid tribute to ACC Forsyth who had led the operation for the EDL demonstration successfully using a different style of policing.

The Discontinued Case of Mr Moazzam Beg

This high-profile case had been discontinued because of disclosure issues. The Force had since done a lot of work with local communities to help them understand the issues behind the case.

HMIC Inspections

The number of HMIC inspections was causing a severe pressure point in the Force and HMIC appeared to be becoming a regulator. Recent inspections included Policing in Austerity, Crime Recording, Crime, Corruption and Police Integrity, Undercover Policing, and Child Protection. Some officers had been interviewed many times. It appeared to be a rather unsophisticated process but the Chief Constable hoped that the future PEEL inspections would help.

	Outstanding Actions from Previous Meetings	
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. 	
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. 	