



# west midlands police and crime commissioner

## STRATEGIC POLICING AND CRIME BOARD

### Notes of meeting held on Tuesday, 3 March 2015 in Committee Room 6, Council House, Victoria Square, Birmingham

Present:	Jamieson, David – Police and Crime Commissioner Connor, Brendan – Board Member Foster, Cllr Judy – Assistant Police and Crime Commissioner Hannon, Cath – Board Member Hendricks, Ernie – Board Member Mosquito, Cllr Yvonne – Deputy Police and Crime Commissioner Sawdon, Cllr Tim – Board Member
In attendance:	Courtney, Jacky – Chief Executive Hickman, Fiona – Governance Manager Jardine, Jonathan – Policy Manager Nicholson, Chief Supt – Head of Professional Standards Sims, Chris – Chief Constable Thompson, David – Deputy Chief Constable Williams, Mike – Chief Finance Officer
Observers:	9

<b>024/15</b>	<b>Opening Remarks</b>	<b>024/15</b>
	The Commissioner welcomed members of the public to the meeting.	
<b>025/15</b>	<b>Conflicts of Interest</b>	<b>025/15</b>
	None.	
<b>026/15</b>	<b>Apologies</b>	<b>026/15</b>
	Apologies had been received from Cllr Mohammad Nazir and Cllr Faye Abbott.	
<b>027/15</b>	<b>Notes of the Last Meeting</b>	<b>027/15</b>
	The Board approved the notes of the meeting held in public on 3 February 2015.	

The Board discussed the outstanding actions and noted the following:

- 064/13 - The Force confirmed that Superintendent Darren Miles attended NPAS Board meetings.
- 009/15 - Cllr Sawdon confirmed that he now knew the outcome of the incident.

These items could now be removed from the list.

## **028/15 Public Questions and Petitions**

**028/15**

There were no questions from the public.

The Commissioner had, however, received three petitions about the closure of front desks:

Two had been received via Birmingham City Council on 13 February and one had been handed to the Commissioner personally on 27 February 2015. Details as follows:

1. A petition from residents of Erdington Ward calling for the front desk at Castle Vale, Erdington and Kingstanding stations to remain open. This was presented to Birmingham City Council on 3 February by Councillor Robert Alden.
2. A petition from residents of Oscott Ward calling for the front desk at Kingstanding to remain open. This was presented to Birmingham City Council on 3 February by Councillor Keith Linnecor.

The Commissioner had passed both of the above petitions to the Chief Constable on 16 February 2015. He had also responded to Birmingham City Council and offered to provide the councillors with a briefing.

3. A petition from residents of Shirley calling for the WMP to reverse their decision to axe police station front desks in the Shirley and Solihull areas which was handed to the Commissioner on Friday, 27 February from Lorely Burt MP, after this agenda had been published.

**ACTION The Commissioner would pass the above petition to the Chief Constable for his consideration. In the meantime, he had provided a briefing to the MP on the background to the front desk decision.**

*The petition was passed to the Chief Constable on 6 March 2015.*

## **029/15 Questions from the Board on matters not on the agenda**

**029/15**

Two questions had been submitted to the Chief Constable and a copy of the questions was circulated. The questions were as follows.

1. What was the total cost to WMP of policing the EDL demonstration on Saturday, 7 February 2015, including costs for the planning leading up to the day and any reassurance work with communities

that has been carried out since.

*(Asked by Cllr Judy Foster)*

In response, the Chief Constable indicated that the total policing cost was £321,000 made up as follows:

- £147,000 for mutual aid on the day (14 PSUs)
- £174,000 in opportunity costs, including WMP PSUs, planning team and ongoing reassurance

Cllr Foster congratulated the Force on 'a job well done'. She had asked Dudley Metropolitan Borough Council and local traders for their costs too. She speculated that the total cost of the demonstration to the police, the council and local traders might be as much as £500,000.

The Commissioner observed that it was important to acknowledge the hidden costs to all of the communities in the West Midlands. Areas outside Dudley would have suffered. He had made this point to the Home Secretary.

2. What are the implications for WMP of the statement made by Justice Lowell Goddard, the Chair of the Child Abuse Inquiry, that she may go back as far as the 1940s to identify perpetrators? What is the Force's position now regarding victims as witnesses and third party witnesses raising concerns on their behalf?

*(Asked by Cllr Judy Foster)*

In response, the Chief Constable advised that:

- It was a little premature to understand how the Child Abuse Inquiry would work and what impact it would have. There was only an outline terms of reference available that the Home Office had produced.
- The Force had received a proportion of historic child sexual abuse allegations: prior to the spotlight on these types of offences about 20% of the Force's child abuse allegations were of these types; now it was about 23%. The Force had always had this body of work and it has been broadly factored in to the restructuring work that the Force had done.
- If the number of allegations were to rise substantially, the impact would be that more officers would be drawn into this area of the Force's work. Currently one in ten were engaged in domestic abuse and child protection work. It would also distract officers from protecting children and other who were vulnerable now. It would be difficult to get the balance right.
- In relation to the second part of the question, the Force had a long history of dealing with third party organisations working on behalf of victims as witnesses and this would continue to be Force policy

going forward.

The Commissioner observed that this was a very important issue. Victims deserved justice but it would be a paradox if, because of shrinking resources, the investigation of the past had an impact on the protection of vulnerable people now and into the future.

## **030/15 Criminal use of firearms**

**030/15**

Before asking the Deputy Chief Constable to introduce the report, the Commissioner explained that he had requested the report following media and public interest arising from recently released Office of National Statistics (ONS) data and a supporting National Ballistics Intelligence Service (NABIS) media release about the prevalence and distribution of firearms offences. The data had been extrapolated in the media, resulting in the West Midlands being named the gun capital of England.

The Deputy Chief Constable introduced the report and during the discussion that followed, the Board noted the following points.

- Gun crime was an emotive term but it was an important issue. Whilst gun crime was declining, it still remained a priority for the Force.
- Most gun crime took place in metropolitan areas so it was not surprising that WMP featured in the top four or five forces who dealt with gun crime. However, it was not the highest in the country.
- The Force had excellent track record in crime recording accuracy and its gun crime recording accuracy was likely to be higher than that of other forces.
- It should be remembered that the Force was an unarmed service.
- The Deputy Chief Constable was leading some work with the National Ballistics Intelligence Service (NABIS) on standardising the recording of firearms discharges nationally. Some forces were using different definitions.
- The Force sought to lead an improve work nationally around seizing firearms. The main focus at the moment was on the supply of weapons into the UK. It also did a lot of local overt and covert work around seizing firearms.
- Firearms had become a feature of terrorist activity in continental Europe.
- It was important to understand which weapons were classed as firearms. The Home Office definition included CS spray, air weapons and ball bearing guns. The data that had been used in the recent media articles included these types of weapons. Other sources of data did not include CS spray and air weapons. The data in figure 3.9 of the report did not include air weapons.
- There was some doubt expressed about the population figures for the

Metropolitan Police area presented in figure 3.9 but these were figures that had been sourced from the ONS.

- If the measure of threat related to the discharge of firearms, it would be useful to compare the Force's figures against the Metropolitan Police figures. The Force offered to discuss this in private with individual members of the Board.
- The last time the Force had discharged a firearm was in 2002 but it had not made contact with a person. The last time the Force had discharged a firearm which made contact with a person was in 2000. The last time a person had been killed by a firearm in the West Midlands area was in 2013 but the firearm had not been discharged by the Force. This gave some perspective on the matter.
- In respect of use of firearms by gangs, they were mostly used by chaotic, urban street gangs rather than organised gangs. Very often the firearms were not discharged at all or were not discharged at a person.
- The Deputy Commissioner had been informed by a journalist that anyone could buy a gun from the Internet within three clicks. The Deputy Chief Constable confirmed that in some cases this might be correct. It was legal to buy antique weapons, for example, and to buy composite parts which could be used to remake ammunition. This was a problem with the legislation. Forward venting gas powered guns designed for pellets were also a problem because they could be converted. While they were prohibited in the UK, they were not prohibited in the rest of Europe.
- Funding streams for initiatives to tackle gun, knife and violent crime were now more difficult to access. There had been some excellent initiatives, for example, the work carried out by Marcia Shakespeare in schools. The Commissioner would consider encouraging the local policing and crime boards to allocate some of the community safety funding that he had passported across to them to support such initiatives.

#### **031/15 Professional Standards Department update**

**031/15**

Chief Superintendent Andy Nicholson introduced the report which provided an overview of the recent work of the Professional Standards Department.

The Board considered the report and during the discussion noted the following points.

- In relation to tables 3, 4 and 5, the actual numbers for WMP were 447 for allegations of assault, 470 for allegations of incivility, and 224 for allegations of neglect or failure in duty.
- It would be helpful if there were greater granularity of the particular complaints in the three main categories listed in the report. In particular, in light of the Interception of Communications

Commissioner's report on the use of RIPA in respect of journalists, it was clear that the main usage of RIPA powers was by professional standards departments in dealing with unlawful disclosures of information to journalists by police officers. This type of misconduct might be one of the categories used in a more granular approach.

- The Reputation and Risk Management Team (RRMT) would consider whether there appeared to be any concerns about the numbers of complaints about a particular department or LPU. However, their processes were not sophisticated at the moment and they were considering software to identify trends in the future.
- Cllr Sawdon observed that the Board had not carried out much dip sampling of completed complaints files recently and that this activity should be resumed.
- The Commissioner announced that he had requested a report for the 7 April meeting on current issues around disclosure and barring service (DBS) checks. Members of the public were experiencing long delays in the completion of DBS checks.
- A number of the new recruits had been eliminated from the recruitment process following the vetting process. Mr Hendricks asked at what point in the process the new recruits were vetted. In response, Chief Supt Nicholson indicated that vetting was carried out in the later stages of the process because it was an expensive activity. The Chief Constable explained that the new recruits who had not gone through to the next stage had been eliminated because they had not met the criteria, not because the vetting process was slow. There was some discretion allowed in the policy. The Force endeavoured to operate in a socially responsible way. It was not simply a bureaucratic process.
- **ACTION The Force would provide the gender- and BME-related data for table 12, *Suspended officers and staff as of 19/02/15*.**
- The definition of 'upheld' in relation to complaints had changed over the years. If a complaint was upheld it did not necessarily mean that an officer had a misconduct issue or that it would result in a disciplinary issue.
- WMP used community resolutions less than other forces. In the vast majority of cases they worked successfully though WMP used them less frequently than they had in the past because of the amount of work involved in dealing with appeals.

#### **032/15 Outcome of Performance Workshop on 20 January 2015**

**032/15**

The Chairman indicated that the report was mainly for noting. It had been included on the agenda as a way of informing the public about the discussions.

The Board noted the report and commented that in relation to the last bullet point of paragraph 4, the Force had agreed to create its own

internal collection of fraud data, particularly fraud enabled by the Internet, so that cases could be tracked.

**033/15 Update on issues from the Police and Crime Panel meetings held on 19 January and 2 February 2015 033/15**

The Commissioner indicated that the report was for noting.

The Chief Executive informed the Board that:

- When the report had been written, it had been expected that the Panel would be reporting back on its FGM inquiry at its 9 March meeting. The agenda and papers had now been circulated and it was not, in fact, on agenda.
- The informal briefing to the Panel on the innovation and integration partnership with Accenture (UK) Ltd and the WMP2020 Blueprint was likely to be provided in June.

**034/15 Variations to the Police and Crime Plan 034/15**

Jonathan Jardine introduced the report which notified the Board of the Commissioner's forthcoming decision to vary the Police and Crime Plan.

The Board noted:

- The process had now reached the stage where the Commissioner would make a formal decision to approve the variations to the Police and Crime Plan that had been attached to the report. One or two of the photographs might be changed, however.
- The Commissioner had consulted widely on the Plan and had incorporated all, except one, of the Police and Crime Panel's recommendations. That exception related to the Panel's request to re-introduce police cadets.

The Commissioner thanked Jonathan Jardine for the excellent work he had done as editor of the Plan.

**035/15 Chief Constable Update 035/15**

The Chief Constable informed the Board that the first of the new police officer recruits would be attached to their first postings this week.

**ACTION The Force would provide the Board with the final distribution of the numbers allocated to particular areas.**

The Commissioner had met some of the new recruits recently and he had been very impressed with the enthusiasm.

The Chief Constable had nothing that he wished to raise in the private meeting. As there were no other items on the private agenda, the Commissioner cancelled the private meeting.

	<b>Outstanding Actions from Previous Meetings</b>	
031/15	Professional Standards Department Update	031/15
	<b>ACTION The Force would provide the gender and BME related data for table 12, <i>Suspended officers and staff as of 19/02/15.</i></b>	
035/15	Chief Constable update – new recruits and their postings	035/15
	The Chief Constable informed the Board that the first of the new police officer recruits would be attached to their first postings this week.  <b>ACTION The Force would provide the Board with the final distribution of the numbers allocated to particular areas.</b>	