



STRATEGIC POLICING AND CRIME BOARD

**Notes of meeting held on Tuesday, 23 January 2018
Main Conference room (G2), Lloyd House**

Present:

- David Jamieson - Police and Crime Commissioner
- Ashley Bertie - Senior Assistant Police and Crime Commissioner
- Dr Lynnette Kelly - Assistant Police and Crime Commissioner
- David Thompson - Chief Constable
- Alex Murray - Assistant Chief Constable
- Dr Sarah Marwick - Board Member
- Ernie Hendricks - Board Member
- Brendan Connor - Board Member
- Gurinder Singh Josan - Board Member
- Waheed Saleem - Board Member
- Cllr Liam Preece - Board Member
- Dr Cath Hannon - Board Member
- Mark Kenyon - Chief Finance Officer
- Alethea Fuller - Police & Commissioning Manager
- Neil Chamberlain - Director of Commercial Services

6 observers

A note taker and a webcaster

001/18	The Commissioner opened the meeting, reminding attendees that it was being webcast.
002/18	Item 1 – Conflicts of Interest There were no conflicts of interest declared.
003/18	Item 2 – Apologies Apologies were received from the DCC Louisa Rolfe, ACC Boycott and Jonathan Jardine.
004/18	Item 3 – Notes of last meeting There were no matters arising and the minutes were agreed from the last meeting. Mark Kenyon highlighted an error in the performance report from April 2017 which should have stated the age of Levi Blu Cassin as 21 months and not 4 year old. The report has been amended.
005/18	Item 4 – Acceptance of Petitions There were no petitions received.
006/18	Item 5 – Public Questions There were no questions from members of the public.

007/18

Item 6 – Questions from the Board on matters not on the agenda

Dr Sarah Marwick asked the first question:

What is the Force's approach to ensuring the dignity and wellbeing of potentially vulnerable prisoners in police custody? Can you provide assurance that the Force is able to ensure that there is always suitable provision for female prisoners to be provided with feminine sanitary protection?

The Chief Constable responded making the following points:

- College of Policing has set the safe handling of detainees as a national requirement across the country in a detailed document. The document states the need to carry out a risk assessment and identify any individual who may be vulnerable.
- Considerable amount of change in terms of healthcare, new provider is now Mountain healthcare and who work closely with the Liaison and Diversion team at the custody suite to provide the correct level of support including those who require services such as mental health, alcohol and drug referrals.
- Support from appropriate adults is also available to detainees.
- Custody Sergeants make determination on how often detainees are visited and assist in identifying issues relating to their health and wellbeing.
- Independent custody visitors also visit the custody site unannounced and report directly to the PCC of any issues.
- In terms of assessment, provisional of most vulnerable and disposal WMP has a very comprehensive approach.
- In autumn 2017 Mountain Healthcare reviewed WMP provisions in relation to demine feminine hygiene prior to taking on the contract. WMP provides detainees with a female kit which includes sanitary products. This is offered to them when they are booking in at arrival.

The PCC thanked the Chief Constable for his response and highlighted that additional independent custody visitors had recently been recruited. Across the West Midlands there are now over 100 ICVs.

Brendan Connor asked the second question:

How many (i) incidents, and (ii) convictions of violence using a corrosive substance have there been in the WMP area in last 12 months? Could the Chief Constable give an indication of the level of sanctions handed out in relation to such crimes?

The Chief Constable highlighted that the West Midlands has not been effected to the same degree as London and the following statistics for WM was provided:

- 2017- 1 offence reported.
- 2016- 7 offences, 2 charges, 1 conviction with a 30 month prison sentence.
- 2015- 4 offences, 1 charge, 1 conviction with an 82 month prison sentence.

He added that most of these offences were related to domestic related incidents but following some research it was noted that some corrosive substances being used was not with the intention to cause injury but simply to avoid DNA traces. In criminals view it is a way to limit their exposure however this is picked up by the forensics team.

Question 3 was again asked by Brendan Connor.

	<p><i>Can the Chief Constable give an assurance that all persons who are held in WMP custody facilities will be entitled to be visited by Custody Visitors irrespective of the law enforcement agency which may have arrested them?</i></p> <p>The Chief Constable confirmed that independent custody visitors have access to meet all detainees with an exception if they were in an interview or consultation room. He further added that the feedback on the report forms is very valuable as it provides an independent review of the custody.</p> <p>Follow up question: The PCC asked the Chief Constable to provide an indication of the impact the collapse of Carillion has had on the force.</p> <p>The Chief Constable confirmed that the force is currently making assessments with the contracts in place. There are a series of contracts out there which need sub-contractors largely related to mechanical maintenance and estate. This is something the force is working through. It is fair to say the impact on the force will be minimal.</p> <p>The PCC acknowledged the impact the collapse of Carillion has on the public which involved the loss of jobs, income, tools and even pension. The Commissioner highlighted how profits had moved to private sector and risk had moved onto tax payers.</p> <p>The Commissioner further asked the Chief Constable whether the force had received or was expecting to receive any reports of criminal activity relating to the collapse of Carillion.</p> <p>The Chief Constable confirmed that in the West Midlands there had not been any such reporting as yet.</p> <p>Brendan Connor added that there is currently an insolvency service investigation underway into the conduct of the company and it is likely the findings of the report will form the basis of further investigations and prosecution.</p> <p>Dr Lynnette Kelly further added that there were individuals involved who were being paid high amounts of money and when private sector takes on contracts from the public sector its aim should be to save the sector money whereas this is an example of costing the public sector money. Dr Kelly also commented on the employees and apprentices who have been severely impacted by this downfall.</p> <p>The PCC thanked Dr Lynnette Kelly for her comments.</p>
<p>008/18</p>	<p>The PCC thanked everyone for the succinct questions and answers. He went on to say that the next part of the agenda will go over the police and crime plan priorities and the first report would be presented by Alethea Fuller.</p> <p>Item 7A – Victims services in West Midlands</p> <p>The headlines of this report were:</p> <ul style="list-style-type: none"> • This report was to bring the board up to date with the Commissioners statutory duty on the delivery of victims’ services across the West Midlands. Victim Support has been in place for the last three years. • Paragraph 10 of the report should say 2016/17 not 2017/18 in relation to the total number of victims supported. This paragraph also sets out the allocation of budget;

the biggest areas of spent are domestic abuse and sexual abuse. The table in the report highlights all the different areas being supported.

- Paragraph 12 highlights the service delivered by Victim Support across the delivers across the West Midlands, it further looks the vision the commissioner holds and emphasises on the referral process.

Dr Cath Hannon described the achievements and challenges of working with Victim Support over the last three years. It was considered timely to reassess their service delivery model and compare the services provided by alternative providers.

The Commissioner noted the comments made by Dr Cath Hannon and asked Alethea Fuller to comment on the success of the Victims Commission over the last three years.

Alethea Fuller made the following points:

- There are currently 10 members and each member represents a priority from the PCC plan working across West Midlands. The group is made up of expert representatives from across the voluntary and community sector and they contribute to and influence the priorities within the PCC plan with the opportunity to make recommendations regarding funding and service delivery.
- The representatives do a lot of work in relation to responding to needs, this involves a consultation process in terms of responding to needs which are emerging in the geographical area.
- There is a lot of work to do in terms of community links to ensure the right kind of support is available to victims. This is an area where work is in progress.
- The commission makes good recommendations in terms of need and assists with the work done with the force.

Waheed Saleem re-emphasised the great work being done in this area and asked what benefits this would bring on national level, with reference to the devolution process. He further asked whether there would be any scope in having support available to business victims of crimes such as cybercrime.

Alethea responded saying that the next phase of the devolution deal is now being considered. There is some potential for streamlining services and developing other services such as support for victims of business crime.

Ashley Bertie asked how confident were we that that the commissioning approach is offering value for money. Alethea responded that she was very confident with the commissioning and monitoring processes in place and that the office have worked hard to develop a suitable structure. The monitoring information is comprehensive and allows each case to be followed precisely showing caseworker allocation, any delay in time and support offered to the victim.

Alethea acknowledged the need to support to victims of business crime and cybercrime and confirmed this was currently being reviewed in terms of priorities.

Cllr Liam Preece asked whether there were any provisions in place to support the families and relatives of victims with reference to children. Alethea stated scoping work has commenced with children and young people to develop services. This involved encouraging people to report and identifies the different types of support required; youth commissioners have been involved with this. Although there is support available, it is an area where more can be done.

Dr Sarah Marwick asked whether the changes in the benefits system would impact the

	<p>level of service currently available to domestic violence victims and refugees.</p> <p>Alethea stated that the changes would have an impact in terms of the funding stream; It is too early to say what this would be.</p> <p>Brendan Connor asked if Victim Support and their trustees were aware that they were viewed as a failing organisation. Alethea explained the range of engagement that had taken place over the last three years to draw attention to the issues described. The situation was undermined by poor continuity of staff and process changes. These issues have been brought to the attention of senior managers and the Chief Executive is aware.</p> <p>The Commissioner asked Alethea to give briefly summarise future plans in this area.</p> <p>Alethea stated that there are a number of areas which need to be improved, this included failure to inform, delay from referral to action taken and organisational capacity to provide support. There is currently a scoping exercise taking place, this means good practices at other PCC office and other victim services are being looked into and seeing how we can adapt these into our organisation.</p>
<p>009/18</p>	<p>Item 7B – Restorative Justice in West Midlands</p> <p>Alethea Fuller presented this report and the following points were made:</p> <ul style="list-style-type: none"> • Restorative Justice (RJ) is a relatively new area with responsibility transferring from Ministry of Justice. A lot of work has been done in this area in collaboration with partners in the Criminal Justice Service to see how this service would work. • RJ work needs to be victim led as well as giving the offenders the opportunity to go through the RJ programme. • There has been a recent meeting with CJS which has given the go ahead for services to be available to both victims and offenders. <p>Ashley Bertie referred to paragraph 16 and 19 of the report asking how confidentl we are that the west midlands model would work.</p> <p>Alethea responded saying that although this is quite a new area they have been working closely with different organisations to deliver the services required. There is substantive amount of work being done to engage organisations who have the capability and capacity going forward.</p> <p>Dr Kelly asked whether early intervention would still be able to take place for anti-social behaviour if it was not classified as a criminal offence.</p> <p>Alethea reassured the board that going forward this is an area which will be looked into to see how this can be handled differently.</p> <p>Ernie Hendricks asked how quality assurance will be measured. Alethea responded by confirming that a number of measures had been put in place to ensure the victim is satisfied. This includes a clear record of past delivery and monitoring the record of service to date.</p> <p>Gurinder Josan asked why the work on RJ has not been loudly spoken about.</p>

	<p>Alethea confirmed that this is a service available to all and due to work in progress in terms of capacity there have not been many campaigns to promote the service. Going forward once organisations and working partners are all on board there will be public awareness campaigns for this service.</p> <p>The Commissioner asked Alethea to briefly summarise the current stage of RJ.</p> <p>Alethea summarised the report making the following points:</p> <ul style="list-style-type: none"> • The report shows that an agreement has been put in place with a service which now supports victims and offenders. • In February will be going out with tender documents to commission a service alongside CJS partners. • In the new financial year will have a RJ service in place for offenders and victims. <p>The PCC thanked Alethea Fuller for presenting both reports.</p>
010/18	<p>Item 7C – Delivering against the victims code</p> <p>Assistant Chief Constable Alex Murray introduced this report. He opened by saying he welcomed this opportunity to provide an update on the work the force have been doing in relation to victims following scrutiny and the work from the internal audit team.</p> <p>ACC Murray made the following points before moving onto the report:</p> <ul style="list-style-type: none"> • All officers receive training from the moment they join the force on dealing with victims which is audited. As the statutory requirements keep changing to what support is provided to victims the training packages keep evolving also, this includes face to face modules. • A Chief Inspector provides an update to crime governance board on how victims are being supported. • There is collaborative work with partners in providing support to victims this includes CPS and other providers commissioned by PCC. <p>The headlines of the report are:</p> <ul style="list-style-type: none"> • The victim’s code under statute lays down the requirements for victims to control what information they receive about their case.. WMP provide all victims with a leaflet telling them the rights they are entitled to, any measures in court and the importance of personal statements. • This is frequently audited and regular performance review meeting taking place to ensure compliance. • Currently 69% of victims receive the leaflet and 46% have the importance of personal statements explained to them. This data is based on the evidence submitted which gives an indication on how far the case would go. • Out of court disposals are explained to victims, research has shown that when victims go to court they are 50% satisfied and when they are subject to out of court disposals they are 70% satisfied. • Family liaison officers support victims and families offering support and information in relation to investigation and court processes. • WMP has a dedicated family liaison unit within the regional collision unit- believed to be the only force in the country offering this service to victims. • The Witness Care Unit (WCU) work closely with CPS to support victims and witnesses who attend court. The service tailors the level of support for each victim ensuring they are fully aware of the processes.

- Burglary and robbery has the highest victim satisfaction rates, the forensic team provide the victims with a booklet which again highlights the victims' code and the rights they have.
- 1600 crimes have been reported online; again the victims' code is highlighted.
- WMP have worked on a number of different campaigns raising awareness of victims and the different levels of supports available.

The Commissioner thanked ACC Murray for presenting the report and asked how compliant the force was with the victims' code and how this was being monitored.

ACC Murray stated that the force is largely complying with the code however there is still room for improvement including a desire to have an automated system which identifies any victim who has not been offered support.

ACC Murray further added that Richard Agar has been working on creating a scrutiny panel which would allow victims of different crimes to come together and see how they have been supported and scrutinise and/or add ways in which this could be improved. This will be another way of improving work in this area.

ACC Murray further added that witness impact statements have been approved by the CPS, this would allow members of the community to provide statements on how the crime has affected them or the community. This could further be used in courts prior to submitting case files- WMP is currently the first force in the country to be doing this.

The Commissioner asked for some clarification about the monitoring process.

ACC Murray responded by stating that the Intel department has audits and of the checks is it sees how the victim's code is being managed by the force. Unfortunately each victim's case is not looked at but done via dip sampling and ensuring a plan was given, contact made and statement process explained, feedback is then given to the investigating officer.

Chief Constable Thompson added the following comments in relation to the victims code:

- The victims' code is incredibly wide which sets out the level of support to all victims.
- The force is good at providing first hand support to victims and takes this as a priority.
- Following road traffic collisions, arrangements in relation to FLOs just fall in place.
- Changes in the bail legislation mean more pressure on investigating officers as they are not only expected to keep up with the work but also keep the victim up to date with information.
- Some work needs to be done in relation to sustaining the level of contact going forward.

Dr Cath Hannon asked what solution was in place in relation to the new IT system Connect which is due to go live in 2019 for the contact centre. Officers will use the log to keep track of the data in the meantime.

ACC Murray confirmed that Connect will help rectify some issues with the crime investigation log. There will be a clear tick box which officers would have to tick to show compliance with the victim's code.

	<p>Dr Cath Hannon commented how the use of victim's personal statement was being used as tool by defence barrister/solicitor and whether this was creating vulnerability for the individual.</p> <p>ACC Murray responded by saying this is an area with specific reference to hate crime where the matter would be disclosed to CPS and action taken from then.</p> <p>There was a 5 minute break commencing 1123hrs.</p> <p>The meeting resumed and the Commissioner handed over to Alethea Fuller to provide the board with an update on the gangs and violence commission.</p>
011/18	<p>Item 8 – Gangs and Violence Commission</p> <p>Ashley Bertie made the following points in relation to the report:</p> <ul style="list-style-type: none"> • The commission was launched in March 2016 as a response to guns discharges and an increase in violence across Birmingham resulting in fatality and unrests. • Community lead as a result of public consultation and engagement. • Highest proportion of young people in West Midlands highlighting the importance of giving them education, employment and training opportunities. • The launch of the report took place on 7 December 2017 at Aston Villa Conference Centre. • 24 recommendations were made from the launch. <p>The video from the report launch was played to the meeting.</p> <p>Chief Constable Thompson commented on the success of the report launch with specific reference to community input. He further added how there were a range of opportunities offered to people and not only focusing on the guns and knife aspect.</p> <p>ACC Murray further added that he was currently working on bringing together senior leaders on gangs and violence across West Midlands Police where work on Prevent can be done in line with the PCC's office. The force is also looking to develop the community link to support this area and prevent crimes increasing.</p> <p>Dr Cath Hannon made reference to recommendation 19 and asked what engagement Birmingham City Council? intends on providing and there was any role for the Combined Authority or Mayor.</p> <p>Alethea Fuller stated that there had been good engagement from BCC in the form of Councillors and senior officers. In terms of recommendations it was time to get people to take responsibility and deliver against the plan for which round table sessions are being planned to give this ownership.</p> <p>Ashley Bertie further added that following a meeting with the Combined Authority they have expressed a great interest in this area of work and also willing to support.</p> <p>Ernie Hendricks asked the commissioner to see whether this could be used as a model for commissioning other areas which could again be community lead. He further stated the importance of sustainability so having a 5 year plan in place to see the targets and stages which need to be worked against.</p>

	<p>Alethea Fuller responded by confirming the importance of sustainability and how this was one of the key focuses of the new fundraising posts. This was going to be community led and they have not put a timescale as it will largely depend on the funding streams the fundraiser is able to draw in.</p> <p>Waheed Saleem commented that it was highly important for Councillors and senior leaders to take a leadership approach towards the recommendations.</p> <p>Alethea stated that as this project was very community led it was important for them to have an input. Alethea further added that one of the approaches being adopted was to hold meetings whereby the community can challenge the actions taken against each recommendation. This would allow public accountability.</p> <p>Brendan Connor asked whether it would be possible to bring in retired officers to build on their existing community links to support the mentoring programme.</p> <p>Chief Constable Thompson stated that as cut backs and funding have been an issue in the region it is wise to make use of any resources which can support the initiative.</p>
<p>012/18</p>	<p>Item 9A – Finance Budget 2018/19 and Precept</p> <p>Mark Kenyon presented this report making the following points:</p> <ul style="list-style-type: none"> • The report sets out the provisional police grant settlement and the preliminary budget and precept proposals for 2018/19. This report has also been presented to the Police and Crime Panel. • Grant settlement to remain the same and the expectation for PCC's to raise their precept by up to £12. Based on Home Office figures this would raise around £9.5million. • Cost pressures are around £22million currently. • Following Home Office's proposals the PCC is consulting people from West Midlands in relation to the increase of council tax. • To date there have been 522 responses with 76% in favour of the increase of council tax. • The consultation will run on till early February, the results will be reported back to the panel. • In comparison to other PCCs West Midlands precept comes out the lowest working out to be around £3.35 per head. Surrey is a suitable example which with the £12 increase will raise just over £6.42 per head. • The Commissioner mentioned the £12 increase at their recent business summit and attendees were supportive of this concept. • The medium term capital programme may mean additional borrowing. <p>Neil Chamberlain further added that the medium term financial plan which was tabled in August illustrates the need of reserves for projects 2018/19. There are additional pressures added with prospects of the 2% pay award. There will be an early review of this plan and future recruitment impacts on finances are also being looked into.</p> <p>Waheed Saleem commented on the allocation of budgets and grants from Home Office stating that a fundamental change was needed in this area.</p> <p>Cllr Preece acknowledged the pressure PCCs are put under but provided support to the £12 increase in council tax.</p>

	<p>Neil Chamberlain made the following comments regarding the stage strategy:</p> <ul style="list-style-type: none"> • Looking to rationalise the numbers of buildings currently being used. One of the ways was to give officers and staff more suitability to the base they are able to work from. • In terms of affordability, the Force is looking to drive revenue savings to fund the borrow in the stage strategy. <p>Brendan Connor asked whether moving the £12 precept from Band D council houses to per capita increase across the UK would be an option.</p> <p>Chief Constable Thompson made the following points:</p> <ul style="list-style-type: none"> • Government has just completed its consultation on settlement, currently waiting to have results. • There is some analysis under way to support the national picture. • Areas with high deprivation are less able to raise more money and areas with older populations are able to raise more money. • There is a sum of police money held by the Home Office which is not given to Police Forces directly but used for other policing related activity (eg IOPC) It is not currently clear how this is allocated and the Force is seeking more transparency in this area. • Government needs to provide clarification on the formula work. <p>The Commissioner confirmed that the next police and crime panel meeting will be held on the 5th February.</p>
<p>013/18</p>	<p>Item 9B – Strategic Policing and Crime Board work plan</p> <p>This work plan has already been circulated and there were no questions relating.</p>
<p>014/18</p>	<p>Item 9C – Chief Constable’s Update</p> <p>The Chief Constable confirmed that there was nothing confidential in his update. He provided the following update:</p> <ul style="list-style-type: none"> • Neil Chamberlain has been appointed as the Director of Commercial Services. • Firearms- the force has been doing some substantive amount of work in this area as result have taken 55 firearms of the streets in the last three months. This was largely following public information and intelligence gathered. • Mylee Billingham- A 54 year old man has been arrested on suspicion of murder and will be questioned. Tribute paid to officers and staff who attended the scene including the paramedics and officers. BWC were used so will be reviewed and analysed. • Challenges the force are facing- Corrosive material being used as an attempt to degrade DNA material. Issues are being addressed and forensic team provide high levels of support to address the issue. Mainly being used as part of robberies, Note to the public to be vigilant and report as this could be used as part of investigation. • Disclosure- Number of challenges in this area including the change in the new bail system. • Scale of IT and digital information held- Wide amounts of information held across different platforms. Individuals don’t converse using only one device, it changes rapidly which can prove challenging when investigating.

- The CC is ensuring all staff understand disclosure obligations and work is done under compliance.

Waheed Saleem asked whether the force was currently reviewing any cases with concerns of disclosure.

The Chief Constable confirmed there are cases but not of the same nature as previous cases. There is also work being done to train investigators to ensure they are compliant at all times.

The Commissioner closed the meeting at 1252hrs thanking all for their attendance.