



west midlands police and crime commissioner

STRATEGIC POLICING AND CRIME BOARD

Notes of meeting held on Tuesday, 5 July 2016
Committee Rooms 3&4, Birmingham City Council House

Present:

David Jamieson	-	Police and Crime Commissioner
Cllr Judy Foster	-	Assistant Police and Crime Commissioner
Ashley Bertie	-	Assistant Police and Crime Commissioner
Robert Ainsworth	-	Board Member
Brendan Connor	-	Board Member
Gurinder Josan	-	Board Member
Dr Sarah Marwick	-	Board Member
Cllr Liam Preece	-	Board Member
Waheed Saleem	-	Board Member
Jonathan Jardine	-	OPCC Chief Executive
Mark Kenyon	-	OPCC Chief Finance Officer
Alethea Fuller	-	OPCC Partnerships & Engagement Manager
David Thompson	-	West Midlands Police Chief Constable
Carl Foulkes	-	Assistance Chief Constable
Marcus Beale	-	Assistant Chief Constable
Sue Davis	-	Chair of Joint Audit Committee

Observers + Note Taker- 7 individuals

053/16	Opening remarks The Commissioner opened this board meeting by welcoming everyone and reminding them of the webcasting protocol. Chief Supt Jayne Meir was observing today's meeting and received a special welcome and congratulations on her new appointment to Wolverhampton LPU. There were no reported conflicts of interest.	053/16
054/16	Apologies Apologies were received from Ernie Hendricks, Cath Hannon and Deputy Chief Constable Louisa Rolfe.	054/16

055/16	<p>Notes of Last Meeting</p> <p>Action arising at 046/16: The Force committed to producing a further report concerning the fear of crime in Coventry and also a report detailing expenditure on the Proceeds of Crime Act. The Chief Constable confirmed that DCC Louisa Rolfe would produce reports for the next Board meeting.</p> <p>The minutes of the previous meeting were agreed as being an accurate record.</p>	055/16
056/16	<p>Acceptance of Petitions - There were no petitions.</p>	056/16
057/16	<p>Questions from the public - There were no questions from members of the public.</p>	057/16
058/16	<p>Questions from the Board</p> <p>The Commissioner raised the first of 3 questions:</p> <p>Q1: “What assessment has the Chief Constable made of the consequences for policing arising from the Brexit vote in regard to –</p> <ul style="list-style-type: none"> • Reports of increase of hate crime; and • The impact on international collaboration in regard to tackling organised crime?” <p>In response to the first part of this question the Chief Constable:</p> <ul style="list-style-type: none"> - acknowledged the increased anxiety on the part of some minority communities and commented on the timeliness of a campaign being launched by the Bishop of Birmingham and city leaders entitled, “Love Thy Neighbour”. He added that Birmingham / West Mids is a very diverse area where communities generally live and work very well together. - Confirmed that WMP do report and record hate crime but also rely on various reporting groups in this area as it is recognised that some minority groups may not have the confidence to come forward. The robust debate preceding the EU referendum, particularly around immigration, gave rise to a lot of public concern. - Various high profile incidents have taken place in Birmingham eg petrol bombing of a shop, leaflets in Aston and people suffering verbal abuse. All these incidents were taken seriously but it is important to project a level of calm. - The Chief Constable said that there had not been a significant increase in hate crime. There were no particular trends. He felt that the response WMP had in place should reassure the public. He commented that this is not a one-week issue and that regular monitoring is being maintained. <p>In response to the second part of this question the Chief Constable:</p> <ul style="list-style-type: none"> - commented that so much that takes place is global and transnational and WMP work with Europol on national and West 	058/16

Mids work and co-operate successfully.

- As a result of the Brexit vote the challenge now is facing lots of uncertainties. Good working relationships do exist with non-EU countries (US, Canada, New Zealand).
- Nationally WMP will work with Government to identify areas that need to be sustained. Policing will be active and they will not take anything for granted.

The Commissioner asked for more information on what impact there would be with regard to European arrest warrants.

The Chief Constable confirmed that European arrest warrants mean agility. The Brexit vote does not mean that it will be impossible to extradite people in the future but it could be more protracted.

The Commissioner asked if this meant being forced into bi-lateral arrangements with each of the other 27 countries.

The Chief Constable commented that there is no answer at the moment but that there will be a considerable level of uncertainty.

Gurinder Josan said that the European arrest warrant was only one issue and asked if WMP had done any work on how Brexit will affect policing in the West Midlands.

The Chief Constable responded by saying:

- that the police have to put forward the case for what they think is important from their perspective but in a politically neutral way.
- Colleagues in the NCA have started that conversation with counter terrorism police colleagues and work is already going on with National Police Chief Councils.
- It is important to recognise that we are moving to a different place and need to look at what new opportunities exist.
- It is important to give a balanced and evidence based view of what works and what it is important to hang on to.
- He was confident that the good relationships and co-operation that exists, which are broader than the EU, will be sustained.
- There are certainly some parts of the structure of the EU from a police perspective that need to be sustained.

Bob Ainsworth said that thought of having different extradition arrangements with different European countries is horrifying and asked if these issues were to be raised with Government and in what forums. He asked if police services are getting together to ensure robust extradition arrangements are part of future negotiations.

The Chief Constable confirmed that:

- early impact assessment work has been carried out and will continue through the National Police Chiefs' Council, through counter terrorism policing and through the work done by the National Crime Agency.
- Security and defence will be a broader umbrella so there will be a crossover into other security agencies.
- There was a need to give thought into how work can be captured

in a sustained way. A large piece of work and thought may have to be given to this becoming someone's full time role.

- He said that there would certainly be a national response.

The Commissioner thanked the Chief Constable for his response, and welcomed the Force statement on zero tolerance of hate crimes. He reiterated the need to work together to ensure that a tiny minority of individuals who commit hate crimes are not allowed to influence how the majority conduct themselves in the West Mids.

Q2: Waheed Saleem raised the second of the questions from the Board asking:

“What assessment has the Chief Constable made of the impact of hate crime with neighbourhoods with high ethnic minorities and what provisions have been put in place to reassure these communities?”

The Chief Constable gave a detailed response to this question which he then summarised as:

- A strategy to deal with domestic extremism
- A balanced approach to ensure lawful protests
- Good neighbourhood policing with communities to keep engagement
- A robust approach to third party reporting
- Communication through social media

Waheed Saleem thanked the Chief Constable for his robust response and for the action taken during at the mosque protest on 25 June. He felt there was a real Brexit issue concerning inter-racial tensions eg Muslims & Asians v Eastern Europeans. He stated that there was a need to be conscious of this so that it does not spiral out of control.

The Chief Constable commented on the substantial political debate provoking insecurities around nationality and ethnicity, stating that there was an amplified level of insecurity at the moment. The police approach is to be calm and re-assuring but this is more than just neighbourhood policing. He said that everyone needed to take responsibility to encourage the Bishop's work. The police will deal robustly with criminal acts and they will keep in contact with communities.

Gurinder Josan welcomed the Chief Constable's comments regarding far right activities being treated on a par with other forms of extremism and also actions taken by WMP when moving demonstrations away from communities and thereby removing provocation. He then asked if WMP were doing enough with regard to high profile hate crimes in terms of engaging with all our communities.

The Chief Constable said that it is a very difficult balancing act to maintain freedom of speech but he felt that WMP were managing everyone's needs. He stated that the force undertakes a lot of monitoring work on social media and neighbourhood teams are being made more accountable through WMP2020. He advised that if communities do not feel they have appropriate links to the police they can pick up the phone,

speak to their neighbourhood team or make contact through social media.

Gurinder Josan asked, in terms of the assessment made, if the data was collected by WMP or was it based on outreach work within the communities.

ACC Carl Foulkes advised that it is a combination of pure data collected by WMP around recorded crimes and non-crime incidents plus national data through the third sector outreach work and through LPUs. He added that the data is reviewed on a daily basis making it possible to identify spikes and trends.

Q3. The third question from the Board was asked by APCC Ashley Bertie.

He asked in the aftermath of the tragic death of Jo Cox MP:

“Would the Chief Constable outline the steps he is taking to reassure and work with elected representatives to ensure their personal security?”

The Chief Constable said that:

- he agreed that this is an area of incredible public interest at the moment and that this was a serious assault on democracy as well as a tragic event for Jo Cox’s family.
- MPs need to be accessible they also need to be secure. Police efforts had been doubled within 48 hours of this tragedy.
- All West Mids’ MPs had been contacted by LPU Commanders and offered individual advice. The Chief Constable had written to all MPs across the region, copying in MEPs and through Chief Execs to local authorities.
- There is some on-going national work being carried out by Met police, for example around social media abuse.
- However, it was stressed that there is a need to be proportionate as there is not an elevated level of threat but rather a reminder about vulnerability.

ACC Marcus Beale confirmed that all MPs had been offered the opportunity of specialist security advice by counter terrorism advisers.

Bob Ainsworth said whether intimidation or worse, disproportionately perpetrators are male and the victims are female. He asked if hate crime legislation is used when dealing with misogyny.

The Chief Constable confirmed that the force does quite a lot of work on this especially around cases to do with social media. He added that it is important to say that some are hate incidents but not crime. Hate crime issues enable the force to capture and collate issues around strands of diversity and so if someone were hated around their gender it would be recorded.

Waheed Saleem commented that there is a lot of specialist security advice available and asked if the same messages had been filtered to front line officers to pass on to local councillors at operational level.

	<p>The Chief Constable confirmed that not every locally elected councillor had been offered personal advice but that all officers are aware of standard advice. He was satisfied that appropriate measures were in place.</p> <p>APCC Judy Foster had two comments:</p> <ul style="list-style-type: none"> - She paid tribute to the Chief Constable and his officers on the handling of the Sheldon protest, saying that the police had used Human Rights Act appropriately. - She commented that the common issue between all local and national elected members, MEPs and those who are active in political life is what they stand for ie disability rights, LGBT rights. She asked how the police engage with LGBT who are often targeted individuals. <p>The Chief Constable confirmed that a lot of work is done with LGBT communities and that the Force has its own LGBT network. Engagement does take place and he actively encourages people to report any hate incidents either directly or through third party reporting. He quoted participation in Pride event where officers play a strong part. The Chief Constable said that social media is a difficult area for the police. He stressed that criminal behaviour will not be tolerated, but while some things are offensive they are not necessarily criminal and therefore create difficulty for the police to deal with directly. The Force does ask platforms to block offensive material on-line.</p> <p>Gurinder Josan asked if the advice to elected representatives was extended to their families and staff.</p> <p>The Chief Constable confirmed that it was the case.</p> <p>The Commissioner agreed with the Chief Constable comments on this matter and thanked him and his staff for the work they were doing.</p>	
059/16	<p>Outcomes from the Community Safety Allocation 2015-16</p> <p>Alethea Fuller presented the report which sets out the community safety activity expenditure across local authority areas. Last year the funding was reduced by 25%. She said that some reporting is stronger than others in terms of outcomes, impact and benefits but stronger information should be available to present to the Board in 6 months' time now that closer monitoring is in place.</p> <p>Clr Liam Preece identified several areas showing underspends. He asked what conversations were going to take place with the Community Safety Boards to ensure maximum outcomes are ensured? He also asked why some authorities mention road safety outcomes whilst Dudley and Wolverhampton do not.</p> <p>Alethea Fuller responded by saying:</p> <ul style="list-style-type: none"> • at the beginning of the year the authorities have to identify what 	059/16

	<p>they are going to spend their funding on and approval is given on this basis. They cannot change part way through the year if they are underspending on an identified area.</p> <ul style="list-style-type: none"> • New, much tighter monitoring on spend means that quarterly payments will not be made unless the reporting information is good enough. • Under the previous Commissioner funding was much more flexible but this has now changed. Boards have 2 years to turn things around. • Priorities will differ from one area to another as a result of local consultation but she would feedback on the road safety issue. <p>Gurinder Josan commented that Birmingham appeared to have much less detail in their breakdown than the other areas. He asked if their reporting arrangements were good enough.</p> <p>Alethea Fuller re-iterated that she is much more confident now in terms of the feedback expected for quarter 1 of this year as monitoring is much more robust.</p> <p>The Commissioner thanked Alethea and repeated the importance of seeing evidence of outcomes. He commented that in the coming year £4m is being distributed and value for money is critical. He added that now a combined authority has been set up, with the possibility of an elected mayor next year, there is a need to look to regional working. The Commissioner confirmed that he had given an undertaking of funding for 2 years but that is not unconditional and it is possible to go back on that if money is not being spent effectively.</p>	
060/16	<p>Joint Audit Committee Annual Report 2015-16</p> <p>Sue Davis presented this report. She opened by stating that 2015-16 had been a significant year for Audit with several changes in personnel.</p> <p>She reported that</p> <ul style="list-style-type: none"> - the JAC together with assistance from the Head of Audit, had been examining its own activities against their own terms of reference. One or two shortfalls and anomalies had been identified demonstrating that they are auditing their own performance as well as everything else and the workplan for the Ctte is to be amended accordingly. - She will be meeting the Commissioner and the Chief Constable individually and will discuss the oversight of complaints. She is clear that she does not want to duplicate effort but she does want the Audit Ctte to be carrying out its role effectively. - The Ctte plans to examine the workplan of Internal Audit to assess whether it is looking at the right things and then assess whether the current workforce matches the needs of the organisation for assurance going forward. - She was pleased that both APCCs attended the Audit Ctte meeting last week. 	060/16

- Comment was made that Community Safety funds are not audited and Ms Davis said that this may be something that should be looked at.

- Finally, she said that it was important to note that the Audit Ctte reports directly to the Board and to the Executive team just as it is her responsibility to directly provide advice to the Commissioner and the Chief Constable where necessary.

The Commissioner asked what, in Sue Davis' opinion, were the things being done well and what needed to be improved.

Sue Davis responded by saying:

- the finance function and systems governance in the Force works extremely well. There were no reports in the last 2 years from Internal Audit that show any area is giving cause for severe concern.
- The Audit Ctte would like more attention to be paid to external partnerships.
- There is also concern with regard to the capacity of the Internal Audit dept as it is only a small team compared to others and there is a question mark over whether it can fulfil the need for assurance given the capacity and skill mix. She added that a new permanent Head of Internal Audit will be arriving in the Autumn and the JAC are expecting her to be advising them on that area.

Mark Kenyon responded stating there were 2 strands to cover:

- There are a number of planned audits around working in conjunction with External Audit who are also covering the programme as part of their value for money work. It has also been recognised that it is an evolving plan in terms of Internal Audit and more priorities may be identified through the year.
- In terms of resources, there are a number of appointments taking place. A new Internal Audit Manager who will basically be the head of Internal Audit will be starting in 2 months plus and a Principal Auditor.

APCC Judy Foster, with new strategic oversight responsibility for audit and finance, paid tribute to past and present members of JAC and to Sue Davis for her integrity, authority and gravitas.

APCC Ashley Bertie wanted to place on record his thanks to Sue Davis and the JAC. He also stated that he was happy to note that Stop and Search and Taser reports had been taken to the JAC for the first time. He asked, outside of WMP2020, if there were any other areas of business the Ctte would like to see come forward to future meetings.

Sue Davis advised that these were matters for the new members of JAC.

Brendan Connor said that during the financial year two custody blocks had been completed and as both schedules overran penalty payments were triggered. He asked if the JAC could satisfy itself that the level of recovery stands scrutiny and the right amount of money was recovered.

	<p>Sue Davis confirmed that the money had been received and stands scrutiny.</p> <p>The Commissioner thanked Sue Davis and the JAC for the good work that had been done. Ms Davis left at this point.</p>	
061/16	<p>West Midlands Firearms Threat</p> <p>The Chief Constable said that he had touched on this in his update at the last board meeting, but the area of gun crime, and particularly the events that focused on Birmingham earlier in the year, warranted a report being brought back so that questions could be asked. ACC Carl Foulkes was asked to present the report.</p> <p>ACC Foulkes said that the paper could be broken down into various elements and that he would be happy to take questions. The first part covers both national and local context and gives an overview of where the West Mids is in comparison with other similar Metropolitan forces around gun crime generally. Last Summer saw an increasing number of gun related crimes in the West Mids, specifically in Birmingham. There were 4 gun related homicides across the force. One directly related to a robbery offence with the others from organised crime groups. He advised the purpose of the paper was to look at the past 9 months – where we were, where we are and where we would like to be. The paper re-iterates some of the good support received from all sectors across the West Mids.</p> <p>ACC Foulkes and CS Kenny Bell led Operation Captiva, a whole Force operation targeting gun related crimes. The focus and strategy was based on reducing gun crime by reducing the availability of fire arms and focusing on those committing gun criminality and possessing or accessing fire arms. A review of the fire arms log is undertaken every day and decisions are taken with regard to what activity is then to be carried out.</p> <p>He added that the arrests and convictions that have taken place since last Summer has sent out an important message that WMP will actively and consistently track down individuals using firearms and make sure that they are brought to justice.</p> <p>He stressed the importance of partnership work and commented that the Gangs Commission is a very important step in keeping the momentum going.</p> <p>The future: WMP will continue to focus on those who possess, those who supply and those who are using fire arms. He said the focus needs to be on taking guns off the street and engaging with communities. A key area for the coming months is stopping guns coming in to the West Mids.</p> <p>The Chief Constable thanked ACC Foulkes and CS Kenny Bell and commented on the substantial progress made and wanted to make a few comments of his own:</p> <ul style="list-style-type: none"> - Earlier in the year he said he was concerned with the number of gun discharges in Birmingham. This has now decreased and so is a good step. - When these type of incidents occur the public live in fear of perpetrators not being brought to justice. There is a considerable amount of time and effort taken over these 	061/16

concerns in maximising chances of bringing people to justice. Stronger signal across all the shootings that strenuous efforts have taken place to ensure people go before the courts for the courts to determine guilt or innocence.

- The Chief Constable expressed his gratitude to the investigation teams for the work they have done on that although he was still worried about the level of guns available. Although still not elevated to European standards collaboration work with counter terrorism is vital and national work he does around supply is very important for the future.
- There is a high level of use of antique weapons in Birmingham.
- The paper also spells out message for young people about sentencing and wasted lives – heavier sentences for someone involved in supply or use in a homicide.
- Finally, a lot of work around why young people behave violently. Good progress is being made although the problem has not gone away. More steps are needed.

Waheed Saleem thanked the Chief Constable and ACC Foulkes for the report and asked them whether WMP has sufficient firearms capacity and capability including trained officers.

The Chief Constable confirmed that there was sufficient capacity.

Ashley Bertie said that it was reassuring to know firearms remain a priority for the police and that it was the responsibility for everyone to reduce gun crime not just the police.

He referred to Section 17 of the report which stated that the threat of firearms remains a priority and has been so for the last 9 months and asked for reassurance that this has been a priority for longer than 9 months and is not just a recent issue. He also referred to Section 20 which stated that 88 warrants had been executed in the West Mids area and 13 of those have resulted in positive results, commenting that 13 from 88 appears to be a low result. He asked for more information about the positive outcomes.

ACC Foulkes explained the 9 months quoted is the uplift in issues last year. Firearms has been a priority and will continue to be so. Although 13 looks low there has been impact and disruption in criminality.

The Chief Constable said that it was fair to say that firearms priority has been quite low for example in compared to CSE but nonetheless it is a priority. He added that there are still relatively few firearms in circulation and concealments are sophisticated which means detection has to be sophisticated too.

Brendan Connor asked if he was right to conclude that what was witnessed in the West Mids was not a replicated spike in gun crime over the same period in Liverpool and Manchester.

The Chief Constable said that Gtr Manchester did have a spike but not exactly at the same time. There was a general level of elevation nationally but it was pronounced in the West Mids for a period of time.

Brendan Connor noted para 10 attributed the spike to the growing confidence of gang nominals and asked if what had happened was a failure of the gang strategy. He was also disappointed to see the clear disparity of how gun crime is recorded between different forces. He felt that HMIC ought to be robust about this.

The Chief Constable said:

- There is what would be counted as a bundle of crime types called 'gun crime'. This tries to describe offences with substantive use of firearms which might relate to robbery offences where firearms might be present. He was not convinced it is recorded robustly.
- HMIC are looking at areas around gun crime. Gun crime management is listed under the 'effectiveness' heading.
- The Home Office carries out an annual data return (CRIMSEC) on something that counts where forces say a firearm has been discharged but it is really important to separate this from gun crime. Gun crime data is not about guns being discharged and fired. It is about types of crime where it is inferred guns might be present and includes offences.
- Regarding discharges – some forces were using their own definitions and the Chief Constable is not convinced an accurate picture is available.
- As a national lead there is more work for him to do on this.
- There is a question for Govt about that method of counting of gun crime as it is a potentially misleading category – frequently gets raised and causes more concern for the public.

Brendan Connor said that he felt this could be done much more intelligently than it is currently. He returned to his point about organised gangs and his commentary about gun crime being a symptom of not getting that as right as it could have been. He asked if he was right.

The Chief Constable commented that gangs and urban street gangs are chaotic entities so it is possible to miss these as trends. He added that it was important to not overly focus on gangs but rather on violence of young people.

Ashley Bertie asked if the Chief Constable could give more detail on point 35 of the Communications' Strategy.

ACC Foulkes confirmed that mothers and girlfriends do carry weapons for their sons /boyfriends and the Crimestoppers' campaign is targeting them so that they will know the police will go and look for them.

The Commissioner thanked the Chief Constable for this report. He commented that gun crime and gun discharge is very low in this region and very low in this country but have devastating effect. He was delighted to learn of the arrests and that people are being brought to court although this is not the solution. He agreed that there is no pleasure in arresting young people for a long period of time and the Gangs and Violence Commission has been set up to look at this problem. The co-operation of the police is very much appreciated.

062/16	<p>SPCB Workplan</p> <p>Jonathan Jardine advised that the workplan is under review and will look very different once the Police and Crime Plan had reached its draft form.</p>	062/16
063/16	<p>Chief Constable Update</p> <p>The Chief Constable advised there was nothing further to report as most issues had been discussed in depth in earlier items.</p>	063/16
064/16	<p>Private session</p> <p>There was no private session.</p> <p>The Commissioner thanked everyone for their attendance and closed the meeting at 1158 hrs.</p>	064/16