



Strategic Policing and Crime Board

Date of meeting 22nd February 2022

Title: West Midlands Police: Preventing and Reducing Crime

Presented by: Assistant Chief Constable Jayne Meir

Purpose of paper

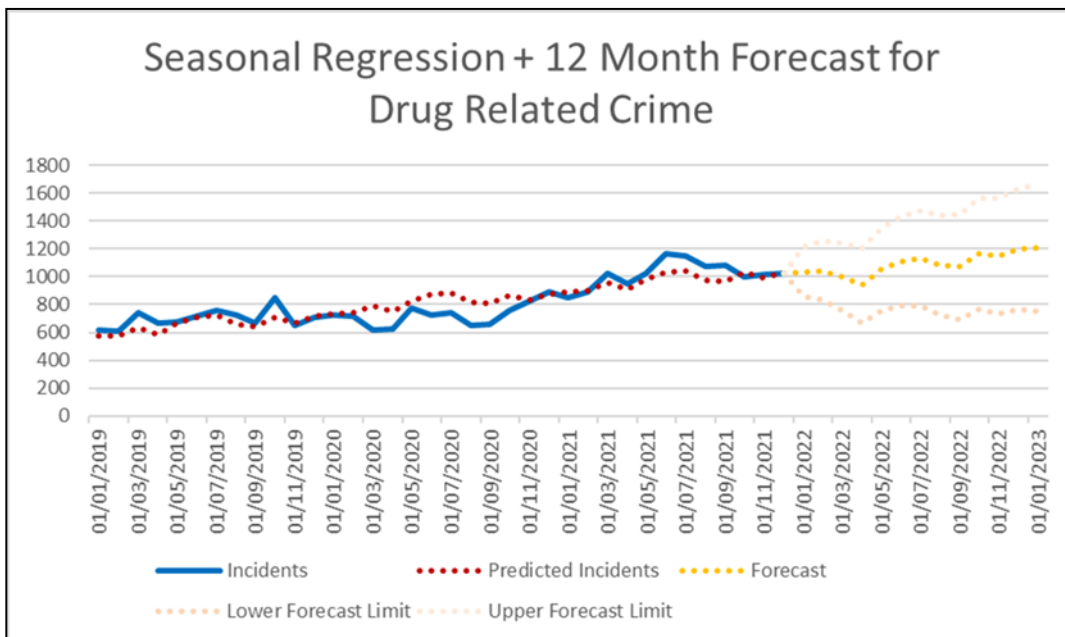
1. This report will give an overview of trends that are being experienced with respect to drug and alcohol related crime. Furthermore, it will detail what West Midlands Police (WMP) are doing to address through prevention, enforcement, early intervention, diversion and the use of out of court disposals.

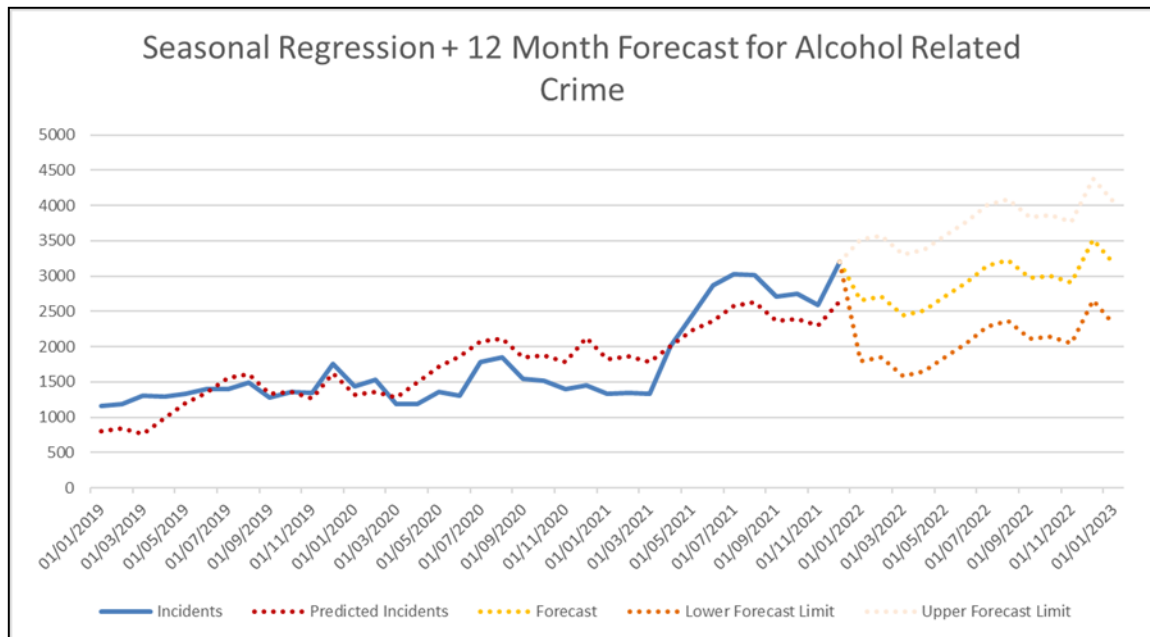
Background

2. The overview section of this report has been compiled using information extracted from West Midlands Police systems between 1st January 2019 and 31st December 2021. For the purposes of this report and for comparative purposes, the year 2019 is considered as 'Pre-Covid restrictions, 2020 as 'Active Covid restrictions' and 2021 as 'Reduced Covid Restrictions.'
3. Throughout this time period, Covid, as well as internal system changes have introduced some uncertainty into the data which inevitably feed into any possible projections and analysis that might be deduced from it. In relation to system changes, this refers to WMP's migration to Qlik Business Insights and Connect which occurred in April 2021. This had an observable impact on crime recording and, in most cases, presents itself in the form of a slight increase in reported volume. Uncertainty that has been introduced due to ongoing Covid restrictions is entirely unavoidable and consequently the last comparable year which might be considered as 'business as usual' in this instance would be 2019.

Overview of drug and alcohol related criminality

4. Throughout 2019 the volume of drug related crime remained at or near the predicted volume with a fluctuating average of between 657 and 749 incidents per month. Throughout 2020 and particularly after March 2020 when lock-down measures were introduced, recorded volume was on average 12.4% lower than predicted levels. Volumes have steadily increased through 2021 where in December 1027 incidents were recorded. The 12 month forecast projects the current trajectory of actual incidents being in line with the main forecast which anticipates an increase in volume of around 14.8%.
5. Alcohol related criminality observes seasonal spikes in September and December which is attributable to the return of university students and the festive period. Throughout 2019 and up to March 2020 the moving average fluctuated between 1221 and 1484 incidents with overall volume during 2020 suppressed by an average of 18.6% as a result of Covid restrictions on social gathering and the closing of the Night Time Economy (NTE). WMP have observed a significant increase in alcohol related crime during 2021 which peaked in July at 3028 and again in December at 3194 incidents. Consequently, the trajectory for current volume is in-line with the upper forecast limit which observes a potential increase of 21% in current volume. There are several factors impacting this trajectory including the re-opening of the night time economy after extended periods of social restriction and also potential impact arising from public reaction against the continuation of restrictions (notably public order offences).





6. Birmingham City centre is the area most impacted by drugs and alcohol related offending which is expected to be due to the significance of the NTE.
7. The three most significant changes that correspond to the easing and changing of restrictions during 2021 occurred within the 'Public Order', 'Arson and Criminal Damage' as well as the 'Violence Against the Person' crime classes for alcohol related crime. The increase in arson and criminal damage is not unique to the West Midlands and has been observed and reported on elsewhere across the U.K.
8. The vast majority suspects for drug and alcohol related criminality are male with the most common age group being 25-44 years old. Specifically, for drug offences there has been a significant decline in suspects aged between 18-24 years old.

Proactivity and impact

9. As of 1st January 2022, there were 80 Regional Organised Crime Unit West Midlands (ROCU-WM) drug investigations with a West Midlands Police footprint across the Operations portfolio, accounting for 79% of all investigations.
10. In Spring 2020, UK law enforcement made a massive breakthrough in the fight against serious and organised crime after the infiltration and subsequent exploitation of EncroChat, a bespoke encrypted global communications network service used exclusively by criminals. Collectively the UK law enforcement response was called Operation VENETIC. ROCUWM continue to identify and disrupt these criminals through the intelligence shared and gained throughout 2021.

11. 'Disruptions' assess the impact of law enforcement activity against the capability of the Organised Crime Group (OCG), individual or vulnerability to offend or reduce the risk posed by them. Professional judgement would indicate that as a result of seizures linked to Operation VENETIC (nearly 600kg of Class A) and other significant operations, drug supply in the West Midlands reduced, at least temporarily.

12. It is not possible to assess how much of that 600kgs has been replaced in the subsequent year which means we cannot say there was a net reduction in drug supply in the Force area. Intelligence did indicate that there was a price rise in commodity but attributing that to police enforcement activity is challenging given the circumstances of the Covid 19 pandemic and operational activity under VENETIC.

13. Between January and December 2021, 124 referrals were made to the National Referral Mechanism which listed County Lines as the criminal exploitation sub-type. There was no distinguishable deviation from the monthly average although there were small peaks in the number of referrals in March and May as they coincided with County Lines Intensification activity undertaken by WMP.

Diversion and rehabilitation

14. The introduction of having one arrest referral provider under the name of Cranstoun Arrest Referral Service (CARS) embedded within each of the 4 custody suites across the West Midlands Police force area has resulted in a consistency of service that previously did not exist and has delivered strong benefits for the public. A single service provider provides a clear and consistent approach for staff that work within the custody environment as well as those key departments within WMP that rely upon the use of drugs testing to aid their management of offenders, for example Integrated Offender Management, the Public Protection Unit (PPU) and the Force Criminal Investigations Department (FCID). A proactive approach by the arrest referral workers in identifying people for testing has created a greater feeling of trust between custody staff and the arrest referral workers, as not only does it provide a skilled and knowledgeable support mechanism for custody staff, but the presence and consistency has also increased the overall awareness of the issues faced by those that use drugs and alcohol, providing a more empathetic response.

15. Referral data prior to the introduction of CARS is not available but it is assessed as highly likely that given the previous inconsistencies of activity and implementation across Force, that referrals have increased. This assessment is supported by the implementation of specific Criminal Justice Workers within the treatment teams to deal with the number of referrals coming from CARS either via assessments or Drug

Rehabilitation Requirements (DTR) / Alcohol Treatment Requirements (ATR). The Dame Carol Black Review highlighted the continual reduction in the use of DRRs and ATRs over the past 5-10 years whilst referrals for these specific orders has increased over the past 2 years in the West Midlands.

16. In terms of proportionality of assessments across the 4 custody locations, this varies. Wolverhampton Custody has only just re-opened fully and therefore is in the early stages of picking up the momentum around the service following its use as a dedicated Covid 19 custody facility however progress is being made. Perry Barr and Oldbury continue to show high volumes whilst activity in Coventry has seen greater numbers of assessments and completed drug tests.
17. The greatest proportionality of drugs tests are being conducted on those aged between 25-34 and 35-44 years of age, the tests within these age ranges account for 65.5% of the total tests conducted, with the 25-34 being slightly higher than the other. The least tested group are those that are 55+ years, accounting for only 3.2% of total tests.
18. Those prisoners that identify themselves as white equate to 39.4% of the total tested and 70% of these are testing positive and being referred into the CARS system. This is compared to the 3.5% of tests where individuals identify as mixed race account however 67% of those are providing positive tests, making this the second highest ethnic group being referred into the CARS programme. The Connect system has caused some issues in terms of the inputting of ethnicity within the custody procedure as it isn't a mandatory area of completion. This has therefore resulted in 40.8% of prisoners being labelled as 'Not stated'.

Covid 19 impact on testing

19. The last 12 months have been difficult due to the impacts and risks presented by Covid 19. This resulted in no testing on arrest taking place within the custody environment between January 2021 and September 2021. However, the pathway referral programme and support did not cease. This provided an opportunity for Cranstoun to deliver voluntary assessments of offenders. Over this period of time Cranstoun delivered 1568 assessments of people within custody. Full scale testing of offenders in custody following arrest has restarted across all 4 custody suites since October 2021, having been given a soft relaunch initially in Coventry. Following the reintroduction of testing, we are witnessing an increased use of drugs testing on arrest as well as voluntary referrals from custody staff for offenders coming through custody. Since the restart of testing there have been 707 tests conducted across the West Midlands Police, with 57.8% of these tests resulting in a positive result.

Offender to rehabilitation

20. On 24th January 2022 the 'Divert' policy lead presented to the OPCC stop and search commission. This presentation detailed the benefits and impact of the policy whilst outlining that a full evaluation of project is scheduled to take place in March 2022. Initial findings suggest that the pilot is succeeding in its primary aim of diverting drug users from the Criminal Justice System and providing a health-based intervention.
21. Prior to October 2020, simple Possession of drugs was dealt with in a number of ways:
 - a. • First time offenders found in possession of Cannabis were mostly dealt with by way of a 'Cannabis Warning' (advice), or a Penalty Notice (£80 fine), or a Community Resolution (with no intervention) on the street.
 - b. • Reoffenders, or those found in possession Class A drugs were more likely to be arrested and either Charged or Cautioned.
22. The policy was unclear for officers and led to inconsistent outcomes for offenders. None of the outcomes did anything to educate those stopped about the harmful effects of controlled drugs, or discourage them from reoffending, except by way of punishment. The 'Divert' policy was introduced with the intention of treating drug use as a public health issue and using Community Resolutions to divert users from the Criminal Justice System and into an awareness raising programme run by Cranstoun, a national Substance Misuse treatment provider. This is not decriminalisation and Community Resolutions, although they are sub-judicial and will not criminalise the offender, are nonetheless positive outcomes which could be cited in an enhanced DBS check for certain occupations.
23. WMP assess that the following points are benefits of the policy:
 - a. The first part of the intervention is a 1:1 assessment of the individuals substance use (including alcohol) by a drug counsellor and personalised harm reduction advice.
 - b. The second part is an interactive group course, based on motivational interviewing, designed to educate offenders about the harmful effects of controlled drugs and other consequences of using them.
 - c. The aim is to encourage desistance, but it is recognised that one input may not be enough to bring this about so repeat offenders remain eligible for re-referral to the intervention, provided they engage with Cranstoun each time.
 - d. Cranstoun offer follow up support and for users requiring more in-depth treatment, they will retain in existing programmes or make onward referrals as appropriate.
 - e. The interventions are delivered over Zoom which makes engagement simple for the main demographic 18 – 32 years in particular. Other delivery options are available for those without internet access.

24. As of the 31st December 2021, (15 months post introduction of the pilot), 3080 referrals had been made to Divert. At the start of the pilot, the weekly referral figure quickly stabilised at approximately 50 per week; more recently it has climbed to 80 per week.
- 12% of referrals are young people aged 10 - 17
 - 43% of referrals are aged 13 – 22
 - 77% are aged 13 – 32
25. The compliance rate is 64%, (73.4% for young people), which means that over 50 offenders per week are engaging with the programme and receiving harm reduction guidance. This compliance rate is considered high for a Community Resolution.
26. 90% of those referred onto the course are Cannabis users. Cannabis is an entry level drug, so any intervention provided at this stage may prevent escalation in substance misuse as well as reoffending with the same drug. The course gives the offenders the knowledge to encourage them to reduce or stop their drug use.
27. Most drug possession offences are detected as a result of ‘stop and search’ interactions. Treating drug possession as a health issue, dealt with by Community Resolution, reduces the conflict in these situations, which could previously have resulted in arrest, and charge or caution.
28. A review of the outcomes for simple drug possession offences shows that formal Criminal Justice outcomes, charges and cautions, fell by 71% and 80% respectively between 2019 and 2021 as a result of the new policy, (see table 1). This not only reduces the criminalisation of the offender, as mentioned above, it can also be used to calculate the cost: benefit of the policy, as officers and other Criminal Justice agencies are freed up for other tasks. The impact on other agencies is important when the backlog in the Criminal Justice System as a result of Covid is considered.

Outcome	July - December 2019	July - December 2021	Difference
Charges	674	198	476 (-71%)
Cautions	161	33	1218 (-80%)

29. In 2019 on average, 34.7% of offenders were charged for simple possession of controlled drugs (40.5% of Afro-Caribbean offenders and 28% of Asian offenders).
30. In 2021, following introduction of the Divert intervention, these percentages had dropped to an average of 11.3% (11.4% of Afro-Caribbean offenders and 8.5% of Asian offenders).
31. The Offender to Rehabilitation project aims to encourage long standing retail offenders, addicted to drugs/alcohol, to enter into residential rehabilitation. This is funded by retailers and the OPCC, with the rehabilitation centres working for a fee at approximately a quarter of the normal price.

32. Since the start of the pilot in July 2021, there have been a total of 100 individuals referred to the program from various sources with referrals are steadily increasing. 21 individuals are currently actively engaging with the officers.
33. Since the start of the pilot to the end of December 2021 a total of 17 people have been admitted in to a rehabilitation programme.
34. Although none of the individuals have managed to complete the full 12-week residential rehabilitation programme, 3 people have completed at least 9 weeks. Out of the 17 people that have been admitted to rehab through the programme, 11 people (65%) are still actively engaging with the project.
35. The project is subject to a scrutiny panel of drug rehabilitation experts, retailers, OPCC, managers and officers on the team. This is a collaborative approach to learning and the group has been meeting once per month. Early examples of the learning extrapolated from this pilot has shown that it is not beneficial to engage subjects directly from the prison estate and place into the rehabilitation environment. This learning and further evaluation will be undertaken by Aptus, an independent academic research group headed by Dr Emmiline Taylor, a retail crime expert.
36. The program is on track to achieve its aims by the end of 12 months, despite many challenges from Covid. The evaluation will take place at 11 months, and an options paper will be provided at this point.

Alcohol licencing

37. Each Neighbourhood Policing Unit (NPU) has a licensing function within their Partnership Team (Birmingham has a combined team covering Birmingham East and West) and these teams lead on any enforcement issues. Across the force our Licensing Teams have excellent working relationships with their licensing colleagues in the respective local authorities, and it is through this combined approach that work is coordinated with Neighbourhood Teams to ensure that local issues are dealt with in a consistent and corporate way across the West Midlands.

Operation ARGON – response to ‘spiking’

38. In October 2021 West Midlands Police became aware of a noticeable increase in reporting from partner agencies, Night Time Economy Venues (NTE) and through community engagement of ‘spiking offences’. Challengingly, no reports were being received by WMP which was assessed as being indicative of different barriers to

reporting and a lack of confidence in the policing response. Between 1st October 2021 and 19th January 2022 323 offences have been recorded by WMP. During this period 190 screening tests were administered and 8 samples sent for submission to the national forensic board. There have been no confirmed cases of needle 'spiking' offences within WMP.

39. In response, WMP developed a clear strategy which was supported by the Gold, Silver and Bronze command structures which aimed at delivering an enhanced service to support the Violence Against Women strategy and obtain a clear understanding of the issue. Additional supporting strategies were implemented for the primary response to reporting, forensic submissions and an overarching communications plan which included a proactive targeted campaign.
40. The approach led to a force-wide approach which increased confidence and credibility in the police response. The introduction of testing kits and the communications approach inspired reporting and allowed for the dissemination of strong Prevent and Protect messaging. A centralised investigation tracking systems led by the Force Intelligence department was key in capturing the wide variety of offences, geographies that were being impacted and the methods of reporting.
41. There are a number of steps that continue to be developed as part of the response to this crime type which include working with clinicians regarding Accident and Emergency data in order to obtain a fuller picture of incidents; evaluation from the National lead and subsequent presentation to the Home Affairs Select Committee with respect to forensic and reporting challenges experienced by all forces; development of licensee support for in-venue drink testing and the promotion of a culture of ownership by venue management.
42. The response caused a substantial stress test for the local and national capacities for forensic and toxicology submissions where initial guidance around forensic capture was not accompanied by a realistic appraisal of national forensic infrastructure. (An earlier understanding of this restriction could have allowed for better management of victim expectations at the point of first contact – for example WMP could have provided a better explanation of why urine samples were required and how they would be used.)
43. A strategy focused upon robust and detailed primary investigation, coupled with early evidence collation and non-evidential multi drug tests has undoubtedly offered the most practicable way of responding to the threat of spiking from an investigative perspective, but when acknowledging the known shortcomings of this approach (toxicology restrictions and a general lack of high-quality CCTV or eye witnesses), there are still

substantial limitations on the solvability of offences. In this regard, such investigations will continue to be difficult to bring to a criminal justice outcome.

Equality implications

44. Data pertaining to ethnic description is an under recorded variable with only 84.6% of stop and search records showing an entry against this field and this should be borne in mind when considering the presented data.
45. In 2021, 57% of all stop & searches fell under S23 Misuse of Drugs Act 1971. Between 2019 and 2021, the success rate (i.e. the volume of searches that resulted in the recovery of property, regardless of whether this related to the governing power) was 32.5%. Of these, 8.9% of arrests were a consequence of the stop and search and 1.9% due to an unrelated offence or identification of a warrant (for example the subject of the stop and search is showing as 'wanted' on the Police National Computer) The overall volume of successful searches has increased by 4.4% between 2019 and 2021 with a total 14% increase in stop and searches under S.23 against a general 2% increase in all stop and searches.
46. Presently, there is not a flag within the stop and search recording function to determine the volume of those subjects are offered the Divert or Cranstoun referrals. The WMP Lead for Cranstoun, Nicola Lloyd has indicated within her January 2022 briefing to the Stop and Search Commission that as of the 31st December 2021 (15 months into the pilot), 3080 referrals have been made overall. Referrals have primarily targeted first time offenders between the ages of 10 and 32 years old, with 77% of referrals being 13-32 years old. The briefing notes a decline in the volume of both charges and cautions, but does not detail corresponding figures for successful referrals meaning that determining the proportionality of the scheme is currently not possible.

Next Steps

47. The board is asked to note the contents of this report.

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