



STRATEGIC POLICING AND CRIME BOARD

Tuesday 27 June 2023 1000 – 1300 hrs

Attendees:

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| Andrew Parsons | : | Chief Superintendent |
| Bhupinder Gakhal | : | Board Member |
| Dr Catherine Hannon | : | Board Member |
| Charmaine Burton | : | Board Member |
| Claire Bell | : | Assistant Chief Constable |
| Jayne Meir | : | Assistant Chief Constable |
| Lynn Joyce | : | Interim Chief Finance Officer |
| Simon Foster | : | Police and Crime Commissioner |
| Tom McNeil | : | Assistant Police and Crime Commissioner |
| Wasim Ali | : | Assistant Police and Crime Commissioner |

Plus, one webcaster and five observers.

Apologies:

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| Craig Guildford | : | Chief Constable |
| Scott Green | : | Deputy Chief Constable |

1. The meeting was recorded, and a webcast of the entire discussion can be viewed here: [SPCB June 2023 - YouTube](#)
2. The reports referred to throughout this meeting can be viewed here: [Agendas, Minutes & Reports - West Midlands Police & Crime Commissioner \(westmidlands-pcc.gov.uk\)](#)
3. Actions arising from the discussion during the meeting are highlighted in bold text.

055
/23

Apologies and PCC Update

The PCC provided the following update:

- PCC attended the Safer Custody training day on 10th June. Having a team of independent people fully trained who have the authority to check on the welfare and safeguarding of people detained is a vital service. This police power to detain must not go unchecked. The PCC formally thanked our Custody Visitors and Appropriate Adults for the service they provide.
- Preventing and tackling crime, and anti-social behaviour and promoting road harm reducing is top priority. A joint partnership approach is required to tackle this. Reckless financial cuts have made it significantly more difficult to tackle crime and anti-social behaviour on our roads. Committed to a meeting with partners which is ruthlessly outcome focused.
- The PCC attended the PAF and thanked everyone who took the time to attend the event, which was organised in response to the Casey review.

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| <p>056 /23</p> | <p>Notes of the Last Meeting</p> <p>The notes of the Board meeting held on 23 May 2023 are attached to this agenda. The notes include actions in bold, with the steps taken to address those actions included in italics. The notes carry forward any outstanding actions from previous Board meetings to ensure that the Board is regularly updated on progress.</p> |
| <p>057 /23</p> | <p>Questions from Members of the Public</p> <p>No questions have been received from the public</p> |
| <p>058 /23</p> | <p>Questions from Members of the Board</p> <p>1) <i>His Majesty's Chief Inspector of Constabulary Andy Cooke and Sir Mark Rowley Commissioner of the Metropolitan Police have highlighted the challenges of responding to mental health incidents and the withdrawal of police support unless it is a life-threatening situation.</i></p> <p><i>What is the position of the Chief Constable in this matter?</i></p> <p><i>How will West Midlands police resources respond in the future?</i></p> <p>(Asked by Cath Hannon)</p> <ul style="list-style-type: none"> • The Force receive thousands of welfare-related calls each year and are not always the best agency to respond to these incidents. • Humberside police implemented “Right Care Right Person”, making sure that when members of our community are in need, they get the right service from the right professional. • The police service is currently filling a gap where other services are unable to support community members. • The Force are working with NPCC and other police forces to look at how the toolkit developed by NPCC might be adapted to other Force areas. • Police officers are not the right people do deal with mental illness or other vulnerabilities in all circumstances. • The Force will work to ensure “Right Care Right Person” is delivered in the correct way within the WMP Force area. <p><i>What you’ve described is predicated by other services, are local services ready to pick this up?</i></p> <ul style="list-style-type: none"> • This is a national debate being brought forward by NPCC and the government. • There is a need to be clear on how the Force and partners collaborate and root out any duplication. In each area, it may require a slightly different response. <p><i>The public would want the make sure individuals will not be left in a crisis with no support, how can you stop this from happening?</i></p> <ul style="list-style-type: none"> • The police will always be there in a time of crisis. However, we must ensure the police is not duplicating the work of other services. |

2) *Media headlines claim the Chief Constable has either declined to respond or ignored calls to apologise for prior homophobic treatment of LGBTQ+ people.*

Could the Chief Constable clarify his position on this issue?

(Asked by Cath Hannon)

- Historically, WMP were responsible for enforcing laws which society as a whole would view very differently today.
- ACC Meir stands side-by-side with the LGBTQ+ community.
- Thankfully, lawmakers have continued to interpret and acknowledge views of contemporary society. Legislation has changed to dictate that if people have convictions or cautions relating to Acts that are no longer relevant, they can have their criminal record or caution disregarded.
- The Chief Constable is not minded to make a formal apology. However, he is strongly committed to working with the LGBTQ+ community, recently marching with Birmingham Pride this year.

3) *The force has recently reorganised what difference will the public see in service delivery?*

(Asked by Cath Hannon)

- The public will see an increased neighbourhood presence.
- FCID and local neighbourhood teams have been co-located and working under a single Local Policing Area commander.
- Performance improvements have been seen as a result of this. In particular, response times for the community are starting to improve.
- When attending a priority call, times are reduced. Positive outcome rates for robbery and burglary dwelling have increased monthly since April 2023.
- New custody facilities have been introduced, this ensures officers remain in local communities when returning with people in custody, encouraging officers to take positive action more regularly and increase number of arrests.
- The reorganisation has received a positive reaction from staff. Birmingham is a new policing entity and is doing incredibly well in responding and investigating. Work continues with partners in Birmingham to make sure areas of local policing are balanced off. The Force haven't lost the team ethos that was present when WMP ran under the matrix model.
- The Force are also being mindful of any gaps the transition may have created.

4) *I talked about community engagement about 2 months ago and the CC agreed with me that this is important.*

I also updated the CC about a particular event that took place in Wednesfield and the poor or lack of community engagement by WMP.

If I remember correctly the CC said he would come back to me so can the CC please answer my question

Are WMP really committed to community engagement or this just a tick box exercise?

(Asked by Bhupinder Gakhal)

- The Force is committed to community engagement and neighbourhood policing.
- Numerous religious festivals have taken place this year which overlapped.
- Local Policing Areas will always seek to support events where they can. However, this must be managed against the demands of delivering a policing service.
- The LPA Commander in Wolverhampton does prioritise attending and engaging in events.
- With regards to the event that took place in Wednesfield, there were two uniformed Constables and an Inspector who attended and engaged with the community.
- The Force acknowledge visibility may not have been optimal, hence perceived lack of engagement.
- The Sikh community is valued across the area and would look to support most events, but won't be able to support with every event.

With regards to the Wednesfield event, officers delivered a presentation and left. PCSOs were the only ones to engage. This wasn't requested at last minute; the Force were given advance notice. When it comes to it, there is no presence.

In certain areas of Wolverhampton, there are late night parties. The neighbourhood team have been contacted but there has been no action. Why is this?

ACC Bell to follow up on Bhupinder's point regarding the police response to late night parties in Wolverhampton.

Police and Crime Plan

059 /23 Increase Confidence in WMP – Confidence and satisfaction

ACC Claire Bell presented the paper and the following points were discussed:

Do you think WMP are really looking seriously at how to maximise the use of restorative justice services. If not, do you think we should be?

- There is an ambition to use the pathways available for both the rehabilitation of offenders but also for the satisfaction of victims.
- This is a stubborn area for the Force to encourage staff to engage in at the volume they would like. Research has been undertaken to understand why this is.
- Out of court disposals are the core process to engage those pathways. Processes that are hard-wired into officers' minds discourage them from making use of these disposals.
- Feedback has been received on how some processes can be removed to encourage staff to use restorative justice services.

Are you confident that there is a sufficient degree of urgency on this?

- With the out of court disposal pathway, yes.
- However, the Force recognise the need to make sure that all staff understand the language around restorative justice.

- The Force expect that the use of out of court disposals will increase.

Regarding the Restorative Justice Hub, the assumption is that officers have been taken out and moved elsewhere. Restorative justice does have great benefits re confidence and satisfaction in the police service. New Chance – specifically for female offenders, this was focused into the custody hubs. Important that those who help people into pathways have access to custody.

- ACC Bell has been having conversations around serious youth violence with the VRP on this concern.
- Criminal Justice colleagues will have more of this detail available to them.

People are concerned that the intelligence they give is not being acted on. Do you think WMP are doing enough to give people confidence that giving intelligence is worth people's time?

- The Director of Intelligence is responsible for tracking intelligence that comes into the Force.
- It is not proportionate for the Force to go back to every member of the public with an intelligence report.
- Sometimes intel will be received confidentially and via a number of channels.
- Responses and acts to intelligence are publicised and broadcast as widely as possible. Operation Target is focused on publicizing work being done to tackle organised crime.
- There is a balance to be struck as to not induce fear of crime going on.
- The recent operating model changes pushed for more communication and engagement staff locally, generating local stories and a local feedback group.
- WM Now is mentioned in the report. Neighbourhood policing outcomes have been signed off nationally. The Force are in the process of developing the neighbourhood community engagement strategy.
- Operation Advance is a monthly event across each LPA, which started in Wolverhampton, showcasing what WMP do every day. As that continues, the Force want to build in local intelligence.

Is the amount of intelligence that comes in manageable and useful?

- While it is useful, the Force would like more good-quality intelligence on what's concerning communities.

The paper doesn't do justice in giving confidence to people in what's going on. For instance, there are no updates or assurances on the Citizens Charter. Where are the timescales on this? Although this a report about satisfaction and confidence- confidence warrants five lines. Equality implications is totally missed. Nothing about discrimination or disproportionality.

- The paper was guided by the core questions that were asked by the OPCC and covers a very high-level summary.
- The Stop and Search paper links in to work relating to confidence and satisfaction.
- There is commentary around the journey of satisfaction, and there is a need to determine where the Force is heading with regards to satisfaction and legitimacy. If there is a need to add detail on specific areas, the Force are willing to provide this at a future date.

If there is an issue around the questions that are being asked of the Force in preparing these papers, this needs to be improved upon.

Despite West Midlands Police not experiencing an existential crisis as the Metropolitan Police and Manchester Police have, the public are expressing similar levels of confidence in West

Midlands Police as both of these Forces. Is there an opportunity to use survey data to explain extremely low levels of satisfaction relating to particular interactions with the Force?

- There is an element of the paper around dissatisfaction on time taken. As time taken to respond goes up, so does satisfaction.

On investigations, can we say certain crime types generate lower levels of satisfaction?

- It's crucial to keep people updated on what's going on with an investigation. When it comes to dealing with the incident itself, satisfaction is high.

Victim satisfaction results show that 18-24-year olds have the lowest satisfaction when compared to other age groups. What is WMP doing to improve this?

- The Force are trying to engage with young people from a very young age so that they understand and engage with the police.
- With stop and search, interactions with young people can differ.
- A Superintendent lead for children and young people has been appointed for the Local Policing Areas.

While it is positive to engage with young people via cadets, are the young people involved in such schemes the ones that truly need to be engaged with?

- The Force also engage with pupil referral units, youth groups, and those who are not in education.
- Schools, partnerships and exploitation forums are also engaged with.

There is low satisfaction relating to force contact, force response and initial investigations. Citizens are unclear as to what happens next with incidents. Also, victims are not always aware of what next steps will be. This could be considered as failing to get the basics right. What's being done to improve people's understanding of what happens next?

- The Force recognise that this is a massive area of dissatisfaction. Work is ongoing in the data lab on how intel can be drawn out of SMS surveys that express dissatisfaction.
- Expectations that the public have vary. Younger people tend to expect data and updates very quickly.

The report refers to the compliance with the Victims Code. The Victims Code has been around since 2006, why isn't it business as usual/been entrenched within the system?

- The Victims Code has changed overtime. Requirements and compliance expectations have also changed.
- The measuring of compliance has repeatedly been a challenge.

The Commissioner stated that the Force are using a range of initiatives to build trust and confidence and victims satisfaction. It is essential that these initiatives are subject to a process of continuous improvement. WMP must continue to do all it can to build on the action taken thus far and concentrate on building the trust and confidence of victims and communities.

**060
/23**

Increased Confidence in WMP – Stop and Search and use of force

Assistant Chief Constable Claire Bell presented the report and the following points were discussed:

Could WMP explain the Fair and Effective Use of Police Powers and Our Communities Board. Do members of the community sit on these boards?

- As ACC local Policing, Claire Bell chairs the “our communities board” this does not involve members of the community. Instead, this focuses on looking at the impact on the public.
- Richard North attended this as the lead for fair and effective use of police powers.
- Scrutiny panels continue and are growing.
- The Fair and Effective Use of Police Powers Board will oversee stop and search and use of force.
- This board will report to ACC Bell to give some assurance and challenge on direction of travel.
- There are some representatives on the board from learning and development so they may gain a thorough understanding of operational challenges.

Are there any plans to involve members of the community who might not be happy with the police, in training to gain direct feedback?

- Those who have been adversely affected by stop and search and use of force, particularly young black men, have been engaged with.
- The Force are constantly exploring the next way of opening themselves out to the public. Creative ideas are constantly conveyed.
- Personal training is now more focused on what to do and how you do it, which is broader than the physical training element.

How many incidents have we had during the past year where body worn video footage hasn't been switched on during a search? Who is responsible for user error?

- Compliance rates in terms of stop and search BWV is high.
- The majority of non-compliance relates to use of force by custody staff, by who aren't typically deployed by with BWV cameras. Stop and search has much higher compliance.
- Although officers just need to push a button to turn their camera on, in intense situations it may be missed.

Is there any data which highlights certain individuals prone to user error?

- Most officers welcome the use of BWV as it gives evidence of officers' actions.
- If it were particular individual(s) who were consistently failing to use BWV, the necessary processes are in place to counteract this.

Are positive outcomes where something has been found in a stop and search or hasn't been found?

- A positive use of the power is when something is found.

Do black or white ethnicity groups refer to everyone that belongs to that group?

- This description is the self-identified ethnicity that the person gives when they are stopped and searched.

On Section 60, how does the Force define perceived prevention of further crime and harassment by individuals or by the community?

- This is generally not an area where people are repeatedly stopped.
- The power will not be used unless it is to be used effectively.

- The ACCs will scrutinise the rationale for why it is being used. Such as, the crime, the rationale from the officer on the ground.
- A judgement will be made after 24 hours as to whether prevention has been sufficient. In extremely sensitive cases, it may be extended beyond 24 hours.

In a general stop and search, how do you mitigate people feeling they are being repeatedly searched by police?

- Disproportionality needs to be explained, not eliminated.
- Demographic of people stopped and searched may naturally be younger, due to the younger population of Birmingham.
- Feedback around satisfaction can be used to understand how officers are using this power.

Is 30% positive outcome rate truly acceptable? A lot of people don't understand how 70% of the time, nothing is found. Would be good for WMP to explain the scenarios where it was reasonable to stop and search somebody and not find something?

- Range of scrutiny panels looking at positive and non-positive outcomes.
- Examples of strip searches in which circumstances where an officer would have reasonably undertaken a strip-search and found nothing have been looked into.
- Nationally, Chief Constables view the 30% positive outcome rate as both reasonable and realistic.
- Information that leading to suspicion may not always come to fruition. If more assurance is required, perhaps more feedback from the scrutiny panels.

Explaining scenarios and providing a narrative on why 70% of the time something isn't found is key.

- It will take a few months to work through a review process that will provide a narrative around why there may not be a positive outcome in X number of **instances**.

Will the 163 recording pilot be starting in September?

- **ACC Bell to follow up on whether the 163 recording pilot will be starting in September.**

P. 22, are there too many instances of search records not being completed at all?

- P. 22 refers to where the search records are being completed, as opposed to them being completed at all.

P. 32, between May 2022 and April 2023 11 people under 18 have been strip searched, all of which were male. Were appropriate adults present, if so how often?

- Up until P. 31, the report relates to strip searches in custody.
- The 11 strip searches referred to took place outside of custody.
- There were 91 strip searches in custody. The power of strip search exists outside of custody as well.
- There is no data to hand with regards to Appropriate Adults.

P. 34, this is a relatively new innovation, when was this introduced?

- This has been as a result of the child Q case work.

- The Force hadn't been recording the location of a search previously.
- The Force are unable to provide an exact date on when this was introduced.

P.52, rolling out to all staff the learning from the black history module, is this happening?

- This is happening for student officers.
- A senior leaders day took place with a number of inputs.
- A black history input to senior leaders will soon be delivered.

P.54, is the QR code being made available to everybody as an option when they have been subject to a stop and search?

- Ultimately, this is down to the interaction and the discretion of the officer.
- Data still needs to be built up with regards to the QR code feedback.

The Commissioner added if the government is serious about preventing and tackling violence, it should level up and return 1000 police officers, 300 PCSOs and provide fair funding for WMP. PCC wants to see stop and search used fairly and effectively. The HMICFRS assessment published recently made calls for stop and search to be used fairly, effectively and proportionately. How officers conduct a stop and search is as important as the power itself.

Emerging Items

061 /23 Verbal Update from Public Accountability Forum Presented by Jonathan Jardine

The following points were highlighted:

- A written report will be brought to a future SPCB on this.
- This programme comes under the WMP and OPCC Fairness and Belonging programme, founded in 2020.
- The Force has undergone massive change on Fairness and Belonging in recent years. 40-45% of new entrants to policing and women and 20-25% are non-white.
- The Casey review is ultimately about the Metropolitan police. The task is to learn from Baroness Casey's findings, and determine what is applicable in WMP.
- The PAF was an opportunity for WMP to set out what they have done and are doing to tackle racism homophobia and corruption and for the Local community to set out their expectations of WMP.
- The event was held 13th June at the Legacy Centre in Birmingham with 75 members of the public attending.
- It was a structured and facilitated event to get the most out of participants. The forum addressed questions put forward.
- Feedback from participants was recorded in detail and an analysis is being carried out.
- Respondents saw a significant risk that the attendance of an event such as PAF is for the public to change their mind on policing, rather than the other way around.
- There is concern that the assertion that a refreshed and more diverse police workforce will not be enough to bring about change.
- There is further uncertainty that WMP has the cultural competence to operate effectively in an area as complex and diverse as the West Midlands. Many people discussed training, in that it should be more outward facing with community engagement.
- There was a great deal of discussion around the importance of communication with the public. There is a need to make sure that police communications are reaching as broad an audience as possible.

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| | <ul style="list-style-type: none"> • Participants were keen to understand oversight mechanisms of WMP. • Next steps include an online survey available to the public, lasting for 6 weeks. The OPCC will be organising and hosting a series of round tables looking at: community engagement, use of police powers, increasing the number of police officers with under-represented groups, mechanisms for holding the police to account and the thematic area of young people and the police. • A large conference will take place on 6th September 2023, looking for pledges from participants on what they can contribute to this agenda. Looking also for a call to action from the public and partners. |
| 062 /23 | <p>Verbal Update on Policing Governance Presented by: Jonathan Jardine</p> <p>The following points were discussed:</p> <ul style="list-style-type: none"> • In 2018, there was a proposal in the West Midlands for the police and fire governance functions to transfer to the mayoralty. Ultimately, this was rejected by the local authorities that make up the Combined Authority. However, there has been a joint programme of working between the PCC and the Combined Authority since, including a joint chapter in the Police and Crime Plan. • In 2021, the Mayor of West Yorkshire Combined Authority was established and the Police governance function transferred over. There are 3 differences: <ol style="list-style-type: none"> 1. A PCC is a sole legal entity. 2. There is no separate corporation sole under the mayoral model. The Corporate entity is the Combined Authority. 3. There would be a requirement for the creation of a Deputy Mayor for Policing and Crime, responsible for the day-to-day functions of the policing governance function. • Instead of having a separate governance function, it will return to be a department of the Combined Authority. • The Levelling Up white paper published in 2022 discussed removing obstacles for mayors to assume the policing governance function. • This was put in legislative form by the Levelling up and Regeneration Bill. • Clause 59 determines that only the Mayor is required the request to the Secretary of State to initiate the transfer of the function. Additionally, new members can join by discretion of the Mayor. • The Bill is currently in the Lords report stage. More progress on this Bill is expected Sep-Oct 2023. • A Mayor cannot govern the policing governance function for more than one police area. <p>The Commissioner added that there is a need for a directly elected Police and Crime Commissioner as the power should remain with the people. At present this is the case. Clause 59 enables the Government and Metro Mayor to abolish the democratic right to vote. This is profoundly undemocratic and nothing more than a hostile takeover. The Commissioner will continue to oppose the removal of people’s right to vote for a Commissioner.</p> |
| | Regular Items |
| 063 /23 | <p>Finance Outturn Report Presented by: Lynn Joyce</p> <p>Lynn Joyce summarised the report and the following points were made:</p> |

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| | <p><i>P.3 references staff vacancies. If it is critical staff post vacancies, are they backfilled by police officers?</i></p> <ul style="list-style-type: none"> • Critical police staff posts would continue to be advertised and recruited into. If there are non-critical posts, the department would be asked to manage demand until a vacant post will be filled, whether this be yearly or quarterly. <p><i>Reference to mutual aid for investigating cases, what were the cases and how much did this cost?</i></p> <ul style="list-style-type: none"> • ACC Meir to provide details on what the cases were which received mutual aid and how much the mutual aid cost. <p><i>The Force budget is under severe pressure, WMP has had to find £28 million worth of cuts for 2223 financial year. How can we set a balanced budget notwithstanding these financial pressures?</i></p> <ul style="list-style-type: none"> • A balanced budget has been set for 2023/24. • Reserves from this year will help offset future financial pressures. • For 2024/25 the Force expects a £25 million gap in funding. • The Force will continue to look at how to secure value for money, with particular focus on the funding formula and the precept. • Currently waiting for the outcome on increases, if the Force do receive a higher than anticipated pay increase, they will be in a position where they look at borrowing. |
| <p>064 /23</p> | <p>Assistant Chief Constable Update</p> <ul style="list-style-type: none"> • Operation Advance is a new initiative which sits alongside the change in the Force's operating model. • The first operation in Wolverhampton involved a pro-active response to issues with partners and communities including criminality and anti-social behaviour. • The next date set for this operation is 27th July in Birmingham, the following being in Coventry in August. • A 45-minute outage of the 999 system from 8.15-9pm on Sunday 25th June was experienced nationwide. • BT worked on the disaster recovery plan to fix the issue • Officers also stayed out in public during the outage in case they needed to be flagged. • Since the new Chief Constable arrived, it was one of his priorities to ensure that 999 and 101 had adequate response times. Retained good levels of call handling during the day, particularly via 101, remained in the 3-minute average call times. BT will be carrying out a review and feeding back lessons learned. • In June, 90% of 999 calls were answered within 10 seconds. In May the Force were ranked 6th among police services for call handling. 101 calls were to be answered within 3 mins. This is done within 63% of occasions in June 2023. |
| <p>065 /23</p> | <p>SPCB Workplan:</p> <ol style="list-style-type: none"> SPCB workplan for noting SPCB Actions and Further Lines of Inquiry <ul style="list-style-type: none"> • There are 5 actions that relate to 6-14 months ago. If updates are not received by the July meeting, questions on these actions will be put forward |

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| 066 /23 | Date of the next meeting: 25th July 2023 The date of the next meeting will be 25 th July 2023. |