

KENT COUNTY COUNCIL

KENT AND MEDWAY POLICE AND CRIME PANEL

MINUTES of a meeting of the Kent and Medway Police and Crime Panel held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 14 April 2015.

PRESENT: Mr P M Hill, OBE (Chairman), Cllr P Clokie, Cllr P Todd, Cllr J Burden, Cllr P Fleming, Mr A H T Bowles, Cllr M Rhodes, Cllr Sloan, Mr R A Latchford, OBE, Mr I S Chittenden and Cllr G Lymer (Substitute)

ALSO PRESENT: Mrs A Barnes, Mr M Stepney, Mr S Nolan and Mr N Wickens

IN ATTENDANCE: Mr M Campbell (Policy Officer) and Mr J Cook (Scrutiny Research Officer)

UNRESTRICTED ITEMS

119. Apologies and Substitutes
(Item 2)

Apologies were received from Mr Sandher, Cllr Cowan, Cllr Dearden, Cllr Turpin, Cllr Martin, Cllr Wicks, Cllr Chandler, Cllr Campbell, Cllr Blackmore, Mr McDonald.

Substituting was Mr Lymer for Cllr Chandler.

120. Minutes of the Police and Crime Panel held on 3rd February 2015
(Item 4)

RESOLVED that the minutes of the Panel meeting on the 3rd of February were an accurate record and that they be signed by the Chairman.

Matters arising;

1. The Chairman requested an update on the Commissioner's plans for youth engagement now that the current Youth Commissioner's contract had expired. The Commissioner explained that a workshop had taken place with relevant partners to explore options and that she would be making a decision in the near future, of which the Panel would be advised.

2. The Chairman invited the Commissioner to provide an update on the recent Custody Suite inspection carried out by Her Majesty's Inspectorates of Constabulary and Prisons (HMIC and HMIP respectively). The Commissioner explained that Kent Police had not accepted some of the criticisms and were challenging the report. The Commissioner stated that she had sympathy for the Force in this regard, providing examples of where the report had not accurately reflected the Force's policy and practice in custody;

- Handcuffing of children – the example used in the report related to transporting of young people by court staff not under Police control.

- Too many children in custody – the result of insufficient accommodation resources available through more appropriate services (custody suite being a last resort and consistently challenged by Police).
- Actions already being undertaken by the Force to address identified issues not adequately reflected in the report.

The Commissioner further commented that there were some positive elements to report in terms of the positive interaction observed between detainees and custody staff, the excellent work of the Independent Custody Visitors and the good health provision in by custody nurses. The Commissioner confirmed that she was reassured that appropriate work was being undertaken to address the issues in the inspection report and expected positive results in the future.

121. Partnership working (Item B1)

1. The Commissioner introduced the report on Partnership working by emphasising that as all services were under increasing financial pressure, it was vital that all partner agencies remain committed to working in partnership.

2. The Commissioner stated that her decision to provide funding to partners agencies for a three year period was an attempt to build in some stability and continuity to partnership work, allowing the various agencies to focus on delivering outcomes and developing longer term planning.

3. The Commissioner provided some examples of the successful partnership work that she has facilitated, funded and participated in;

- Victim Centre – developed in partnership with other criminal justice sector agencies to ensure joined up service delivery to victims of crime. The Centre opened in April and had supported more than one hundred victims in its first morning.
- The Sexual Assault Referral Centre was supported through funding from the Commissioner that allowed relevant agencies to work together.
- The Rural Crime Advisory Group – set up by the Commissioner to improve inter-agency management of rural crime in light of shared responsibilities and powers across partners.
- Additional funding, £600k over three years, provided to Kent Police expressly to support improved partnership working in tackled Child Sexual Exploitation.

4. The Chairman and Members commented that the Commissioner's approach to partnership working was commendable. Positive links between the Commissioner and Kent County Council was raised as an example as well as the good practice of providing longer term funding. The Chairman also commented that good partnership working was about more than just funding and was pleased that the Commissioner and her team linked with so many agencies across Kent and highlighted the positive role of the Kent Community Safety Partnership in this work.

5. In response to a question from Members regarding the Commissioner's comment in her report about engagement with elected leaders, the Commissioner explained that she had been building good links with District Councils but was still hopeful of accessing a forum that would allow discussion at Leader level with all across Kent. She commented that she believed that this would be useful for sharing

strategic views and concerns and that she welcomed suggestions from Panel Members.

RESOLVED that the Panel note the Commissioner's report.

122. Commissioner's Ethics Committee
(Item B2)

1. The Commissioner explained that her Ethics Committee had taken time to be set up, delayed by the required guidance from the College of Policing only becoming available in June 2014. The first initial meeting took place in December 2014 after external recruitment processes were undertaken.

2. The Commissioner explained that while the duty to create Ethics Committees only applied to Police Forces, she and many other Police and Crime Commissioners had seen the value of developing an additional Ethics Committee to provide external perspectives. The Commissioner commented that the Committee would assist with ensuring her decisions took into account ethical considerations.

3. The current plan for the operation of the Committee would be for two formal and two informal meetings per year. It was anticipated that the Committee would look at issues such as complaints, stop & search and use of various police powers.

4. The Panel asked several questions relating to the appropriateness and purpose of the Commissioner's Ethics Committee, raising concerns that such a group risked not making a practical impact and that the Committee's considerations risked straying into operational issues beyond the Commissioner's remit. Additional concerns were raised that the Ethics Committee would be duplicating the work of Kent Police's own Professions Standards Department (PSD). Panel Members also questioned whether the Commissioner's Ethics Committee would have any remit with regard to considering the ethics of the PCC and her staff.

5. The Commissioner responded to Panel questions as follows;

- The Ethics Committee's purpose was to provide a forum to conduct external scrutiny of Police practices but would not seek to replace or duplicate the investigative role of PSD.
- The positive work of Kent Police's internal Ethics Committee has demonstrated the value of such a forum, suggesting that a further Ethics Committee providing an external perspective would be a useful addition.
- The focus of the Commissioner's Ethics Committee would be on the Police Force, as was the case in the many other Force areas where PCC's have also developed their own Ethics Committees.

6. Mr Stepney commented that Ethics Committees have been developed in response to serious ethical failures nationally that have negatively impacted on public confidence in the Police. Consideration of such factors makes the Committee's work different from PSD, who investigate individual cases of alleged criminal activity and misconduct. The Commissioner's Ethics Committee may instead consider the appropriateness of common policing practice, use of powers etc. Mr Stepney

confirmed that the process and governance arrangements for the Committee were all in place and the first formal meeting was scheduled for May 2015.

RESOLVED that the Panel note the Commissioner's report.

123. IPCC report - Complaints against Kent Police
(Item B3)

1. The Commissioner explained the process used to ensure that she and her staff maintained an overview of Police complaints and held the Chief Constable to account in this regard. Notable processes include the issue being considered at recent Governance Boards, the Independent Audit Committee reviewing complaints and members of the Commissioner's staff dip-checking PSD complaint records.

2. The Commissioner explained that while the IPCC report had shown an increase in complaints against Police, the Chief Constable has stated that the improved data recording processes now used in Kent have contributed heavily to this and he also suggested that the Force's publicised commitment to fair processes has increased confidence in the complaints system. The Commissioner further stated that the complaints data has been analysed and that it demonstrates that Kent is performing better in this regard in terms of complaints per 1000 employees. The Commissioner pointed out that this was a more realistic measure than the actual number of complaints as Forces with large numbers of officers were very likely to have more complaints than Forces with a small number of officers. When compared to five similar forces, Kent has the lowest number of complaints per 1,000 officers and this includes the addition of historic complaints that were reviewed and re-counted under new complaint procedures in March 2014.

3. The Commissioner reassured the Panel by explaining that she has examined the processes used to review complaints and confirmed that she trusts PSD to conduct effective investigations and record complaints appropriately.

4. The Commissioner referred to the report which outlined new options being considered by the Home Office for how Police Forces and PCCs manage complaints in the future. No decision had been made as the outcome of the General Election would impact on the viability of any changes. The Chairman requested that a further report on the complaint management options be brought to the Panel at a future meeting and the Commissioner agreed.

5. The Panel questioned the Commissioner about action being taken to reduce complaints against Police. The Commissioner re-iterated her view that having a fair complaints system should encourage people to feel confident that they can make a complaint. Good work was being done to address trends among complaints that could highlight systemic poor practice.

6. In response to a question about the three proposed models of complaint management, the Commissioner stated that she did not expect that there would be much consistency across Forces as each PCC would have to make their own decision.

7. The Panel requested reassurance from the Commissioner that she is taking action to hold the Chief Constable to account in terms of complaints. The

Commissioner explained that she and her staff monitor complaint information and trends and support the current complaints management plan that includes a trigger mechanism should a single officer receive multiple similar complaints. Such management information is shared with the Commissioner on a regular basis, ensuring she is kept up to date with complaint management practice within the Force. Additionally, the Commissioner hoped that the funding and support she has provided for the provision of Body Worn Cameras (BWC) for officers would assist in reducing the number of complaints as BWC's have been shown to modify officer and public behaviour. The Commissioner commented that the details of such complaints activity could be found at the Governance and People Boards.

8. Panel Members questioned whether there was sufficient 'independence' within the complaints monitoring process compared to the historic practice of the Complaints Group used by the Kent Police Authority. The Commissioner responded by explaining that consideration is being given to broadening the scope of complaint dip-checking and she also hopes that the Ethics Committee may be able to provide assistance in this area.

9. In response to a Panel Member question, the Commissioner stated that Body Worn Camera Pilots were continuing across Kent and Medway but wider roll-out was dependent on the supplying company being able to provide sufficient units.

RESOLVED that the Panel note the Commissioner's report and that the Commissioner provide a further report on the complaints management options proposed by the Home Office at a future meeting.

124. Violent Crime update *(Item B4)*

1. The Chairman explained that this item had been added to the agenda as result of recent Office of National Statistics (ONS) report that indicated that violent crime had increased in Kent by 31% last year.

2. The Commissioner explained that, although the statistics on violent crime included a wide range including homicide and robbery the increase primarily referred to lower level offences.

3. The Commissioner stated that a significant cause for the increase was the review she requested into crime recording accuracy, the result of which has been a more rigorous approach when deciding whether or not a crime should be recorded. With recording accuracy now up from 90% to 96% (the highest in the country), there has been a consequent increase in recorded crime figures. Her Majesty's Inspectorate of Constabulary (HMIC) have confirmed that this assessment is fair and agree that a significant proportion of the increase is the result of improved recording accuracy. The Commissioner also explained that the increased figures include the retrospective assessment of crimes, which have now been separated into multiple offences where appropriate, again contributing to an overall increase in crime figures.

4. The Commissioner explained that the latest internal figures from Kent Police show a sharp year on year decrease, leading to forecasts that the violent crime figures will level out soon. Additional figures from HMIC due in late April were

expected to support this assessment. The Commissioner commented that Kent was in a better situation than many other forces that were only now undertaking their own accuracy reviews, which would result in huge crime figure increases for them, whereas Kent has managed the process over a longer period of time.

5. The Commissioner highlighted the fact that domestic abuse accounted for 33% of all violent crime in Kent. There has been a 9% increase in domestic abuse reports, a third of which are first time reports which was an excellent step forward. Generally domestic abuse is under reported and victims often only report abuse after multiple incidents. The Chief Constable has reassured the Commissioner that this was being managed and recorded appropriately. The Panel requested information relating to conviction rates including domestic abuse.

6. The Chairman stated that he was pleased with the positive work being undertaken on crime recording. The Chairman said that the Panel had been told on several occasions that the increased crime level was largely due to improved accuracy of recording and that it was not possible to compare meaningfully with earlier years. The Chairman asked when there would be data available to show crime levels for a twelve month period, all compiled with the same level of accuracy. The Commissioner said that this data would be available in June and the Panel therefore requested that a full report on crime figures and performance be provided to the September. A Member requested that this data include conviction rates.

RESOLVED that the Panel note the Commissioner's report; that the Commissioner provide a further report on updated full year crime figures to the September Panel meeting and that the Commissioner provide the Panel with conviction rate information including domestic abuse.

125. Future work programme
(Item D1)

RESOLVED that the Panel note the Future Work Programme.