

## KENT COUNTY COUNCIL

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### 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 Thursday, 17 June 2021.

PRESENT: Mr P M Hill, OBE (Chairman), Mr Gurvinder Sandher (Vice-Chairman), Cllr A Clark, Mr N J Collor, Ms S Hamilton, Cllr P Feacey, Cllr F Gooch, Cllr Mrs J Hollingsbee, Cllr S Mochrie-Cox, Cllr R Palmer, Cllr M Rhodes, Cllr H Tejan, Cllr R Wells, Cllr L Dyball, Cllr G Hackwell, Mrs E Bolton and Cllr J Burden

ALSO PRESENT: Mr M Scott (Kent Police and Crime Commissioner), Mr A Harper (PCC's Chief Executive) and Mr R Phillips (PCC's Chief Finance Officer)

IN ATTENDANCE: Mrs A Taylor (Scrutiny Research Officer) and Mr M Dentten (Democratic Services Officer)

#### UNRESTRICTED ITEMS

##### **1. Election of Chair**

*(Item 3)*

1. The Scrutiny Research Officer (KCC) asked for nominations for Chairman of the Kent and Medway Police and Crime Panel.
2. Cllr Gooch proposed that Mr Hill be elected Chairman of the Kent and Medway Police and Crime Panel. This was seconded by Cllr Hollingsbee and no other nominations were received.

RESOLVED that Mr M Hill be elected Chairman of the Kent and Medway Police and Crime Panel.

##### **2. Election of Vice-Chair**

*(Item 4)*

1. The Chairman proposed that Mr Sandher be elected Vice-Chairman of the Kent and Medway Police and Crime Panel. This was seconded by Cllr Wells and no other nominations were received.

RESOLVED that Mr Sandher be elected Vice-Chairman of the Kent and Medway Police and Crime Panel.

##### **3. Declarations of Interests by Members in Items on the Agenda for this Meeting**

*(Item 5)*

No declarations were made.

#### **4. Minutes of the Police and Crime Panel held on 4 February 2021**

*(Item 6)*

1. Cllr Mochrie-Cox recommended an amendment to minute 370.14 as follows:  
“The proposed precept increase was agreed *by majority vote.*”
2. The amendment was agreed without a vote.

RESOLVED that the minutes of the meeting held on 4 February 2021, subject to the amendment of minute 370.14 to “The proposed precept increase was agreed by majority vote,” were a correct record and that they be signed by the Chairman.

#### **5. Complaints Process Report**

*(Item B1)*

1. The Commissioner congratulated the Chairman and Vice Chairman on their re-election and paid tribute to the previous Members of the Panel.
2. The Commissioner provided a detailed summary of the complaints process report and reminded Panel Members of the OPCC’s and Professional Standards Department’s (PSD) complaint responsibilities. Within the OPCC’s area of responsibility the Commissioner noted that there had been a significant increase in casework due to a widening of the complaint definition. He recognised the impact victim outcomes had on complaints and reassured the Panel that no individuals were treated differently as a result of the increase in complaints casework. The Commissioner added that an additional caseworker had been hired to deal with correspondence.
3. In relation to accountability, the Commissioner confirmed that he and the OPCC met with the PSD regularly and received annual complaint reports. He reminded Panel Members that Adrian Harper, as the OPCC Monitoring Officer oversaw the operation of the complaints process.
4. Members asked a range of questions in relation to the Complaints Process Report. Key issues raised by the Panel and responded to by the Commissioner included the following:
  - a. A Member asked whether government had provided additional funding to support the expansion of the complaints process. The Commissioner confirmed that the OPCC budget had not increased and that there had been no further tax burden as a result of the change. He added that any increase in resource would be addressed in the 2022-23 budget.
  - b. The Commissioner was asked whether the Black Lives Matter movement had a measurable impact on the volume of complaints over the previous year. He confirmed that whilst there had been no significant overall increase, a rise in stop and search complaints and complaints against the Chief Constable after he took the knee were noted.

- c. A Member asked whether a filtration system had been used to eliminate vexatious or trivial complaints and for details on the investigation process. Mr Harper confirmed that each complaint was considered on its words alone and that no automatic filtration was used. He informed the Panel that during the pandemic the OPCC reviewed 10% of complaints against Kent Police. Mr Harper gave reassurance that investigations were carried out in a responsible and proportionate manner and followed a codified complaints procedure. The Panel were reminded that professional police complaints were still handled by the PSD.
- d. Following a question from a Member, the Commissioner reassured the Panel that the budget for the Police Officer uptake programme was ringfenced and that funds would not be diverted to support the police complaints process.
- e. The Chairman asked whether a levelling out of complaint numbers had been predicted. The Commissioner noted that future complaint trends would be difficult to predict, reassurance was given that the OPCC would provide complaints guidance to members of the public where necessary.
- f. Following a question from the Chairman, the Commissioner agreed to provide a report with an update on complaints, including the total number and trends, at the appropriate time.

RESOLVED that the report be noted.

## **6. Overview of the Commissioner's Forward Plan to 2024 - Verbal Update** *(Item B2)*

1. The Commissioner gave a verbal overview of his priorities for his term in office. He outlined his 7 key focuses for the following 12 to 18 months, which included:
  1. A new Police and Crime Plan
  2. Continuation of the Police Officer uplift programme
  3. Commissioning
  4. Tackling violence against women and girls
  5. Strategic relationships and partnerships
  6. Budgetary considerations
  7. Pandemic response and evaluation
2. Members asked a range of questions in relation to the Commissioner's Forward Plan to 2024. Key issues raised by the Panel and responded to by the Commissioner included the following:
  - a. An update on the police cadet programme was requested and an expansion of the programme to include an apprenticeship suggested by Panel Members. The Commissioner confirmed that all districts in Kent

would have a police cadet unit by the end of 2021 and recognised the challenges faced when finding appropriate, cost efficient venues.

- b. A Member suggested community events as an effective means of engaging with young people. They also recognised the need to interact positively with young people who were not members of community groups. The Commissioner agreed to increase engagement at community events where possible and mentioned the role the Schools Team played in connecting with young people not involved in community groups.
- c. The Chairman highlighted the importance of the Schools Team and urged that it be expanded to the greatest possible extent.
- d. A Member highlighted the importance of retaining the same Police Officers in communities to build robust relationships with residents and local organisations. The Commissioner recognised the importance of retention and outlined PCSO turnover rates.

RESOLVED that the verbal update be noted.

## **7. Mental Health Update - Verbal Update** *(Item B3)*

1. The Commissioner informed the Panel that he was stepping down as the Association for Police and Crime Commissioners (APCC) mental health lead in July.
2. Section 136 detentions were addressed by the Commissioner. He confirmed that there had been an overall decrease in 2020, when compared to the previous year, with a further decrease in the first quarter of 2021. He noted that investment in a mandated officer advice line, in collaboration with Kent and Medway NHS and Social Care Partnership Trust (KMPT) had improved police responses to mental health issues. The positive impact of Kent's 5 Safe Havens on mental health cases was recognised. He confirmed that information had been circulated to officers and staff which outlined the function and services provided by Safe Havens.
3. The Commissioner confirmed that the Kent and Medway Mental Health Crisis Care Board, which replaced the Kent and Medway Mental Health Crisis Care Concordat, had continued to meet with an increased executive level representation and the Commissioner as its Chair.
4. National mental health developments were addressed. The Commissioner highlighted the Mental Health Act reform white paper which had concluded its consultation. He informed the Panel that the results would be published in the summer, to be followed by the legislative agenda. The Commissioner confirmed that the APCC had a seat on the national Mental Health Crisis Care Concordat Board which directly influenced government mental health policy.

5. He confirmed that an APCC briefing titled 'Mental Health & Covid19: Phase Two Report' would be published in July 2021.
6. The Commissioner offered to continue to provide verbal updates on local mental health matters, this was endorsed by the Panel.

RESOLVED that the verbal update be noted.

POST MEETING NOTE: The APCC Mental Health & Covid19: Phase Two Report is available at [www.apccs.police.uk/media/6493/apcc-mh-inquiry-phase-two-report-final.pdf](http://www.apccs.police.uk/media/6493/apcc-mh-inquiry-phase-two-report-final.pdf).

## **8. Schemes of Consent**

*(Item C1)*

RESOLVED that the Schemes of Consent be endorsed.

## **9. Athena Contract Extension**

*(Item C2)*

1. In response to a question from a Member on the flexibility and functionality of the Athena management system, Mr Harper highlighted frontline functionality which included instant criminal record checking and recording. He further noted the system's greater compatibility and efficiency in comparison to other options.

RESOLVED that the Athena contract changes and extension be endorsed.

## **10. South East & Eastern Region Police Insurance Consortium (SEERPIC) Section 22A Agreement**

*(Item C3)*

RESOLVED that the SEERPIC Section 22A agreement be endorsed.

## **11. Future work programme**

*(Item D1)*

1. The Chairman invited panel members to submit issues for consideration to the Scrutiny Research Officer.
2. The Commissioner offered to provide updates on the Police uplift programme and violence against women and girls strategy at a future meeting.

RESOLVED that the work programme be noted.

## **12. Questions to the Commissioner**

*(Item E1)*

Question 1:

*In his role in holding the Chief Constable to account, could the PCC detail how Kent Police are tackling the issue of e-scooters that are proving to be a real problem in local towns and communities including how Kent Police are educating users on the responsibilities of both individuals and other public*

*sector including on the law on e-scooters including the ability and powers of enforcement and resourcing of this enforcement?*

(Cllr Shane Mochrie-Cox, Gravesham Borough Council)

The Commissioner outlined the Police's powers to issue fines, points and make seizures in severe instances. He confirmed that the issue had been raised with the Chief Constable. On the matter of legality, the Commissioner verified that use of e-scooters on public roads and paths in Kent remained illegal, unless as part of the 12-month Canterbury public e-scooter pilot. It was recognised that further government policy development and public education was required to improve safety.

Question 2:

*Urban areas within this County are plagued with graffiti. This is criminal damage. Local authorities, businesses and public bodies are spending hundreds of thousands of pounds annually in clearing and attempting to combat this scourge. Stop and search figures for Kent Police for the first quarter this year indicate that some 3,813 stop and searches were carried out yet the proportion of those searches for items used in connection with criminal damage was just 0.1% representing just three searches of that total figure. Facts speak for themselves. Anecdotal evidence indicates that the few that are caught and arrested are not investigated thoroughly with few s18 PACE house searches for evidence of linked offences. They are rarely prosecuted. Will the Commissioner bring the seriousness of this matter to the attention of the Chief Constable in order to ensure that this blight on our County receives the attention that it merits and will he additionally seek to influence those within the criminal justice system to act accordingly in both decisions to prosecute and provide effective deterrents?*

(Cllr Ashley Clark, Canterbury City Council)

Assurance was given by the Commissioner that the specific issue raised by the Panel Member had been passed to Kent Police. He further confirmed that the majority of stop and searches were based off of intelligence and related to drugs, theft or weapons.

Question 3:

*To ask the PCC what discussions he has held with the Chief Constable as to the operational resources deployed by Kent Police to tackle speed enforcement within the Borough of Tonbridge and Malling, and if he is satisfied that sufficient focus is being given to ongoing concerns raised by local communities about the environmental dangers posed by speeding motorists?*

(Cllr Mark Rhodes, Tonbridge and Malling Borough Council)

The Commissioner recognised the issue of speed enforcement. He confirmed that he had met with the Tonbridge and Malling Community Safety Unit and that speed enforcement checks had been conducted in the borough. Reassurance was given that road safety remained a key priority. It was noted that an increase in the level of enforcement should not be expected with

20mph zones. The Commissioner committed to meet with the KCC Cabinet Member for Highways and Transport to discuss the issue further.

Question 4:

*Can the PCC explain what powers PCSOs have in Kent and how is the PCC holding the Chief Constable to account in relation to extra powers the PCSOs can be provided with? Many of the complaints residents have the first person on scene is a PCSO who has very limited powers however under certain Acts a Chief Constable can provide additional training and invest additional powers onto PCSOs, this doesn't seem to be the case in Kent and can the PCC explain how he is holding the Chief Constable to account on this and why people in Kent have PCSOs which do not have the full powers available to them?*

(Cllr Richard Palmer, Swale Borough Council)

The Commissioner provided the Panel with a list of PCSO powers and distinguished national and local powers. He noted that whilst some powers were at the discretion of the Chief Constable, the majority of permitted powers had been given to PCSOs in Kent. It was stressed that the power to detain and search was not possessed by PCSOs.

Question 5:

*Could the PCC's office consider releasing some of the tactical pot funds that are part of the Crime Reduction grant for early release if an urgent project arises?*

(Cllr Jenny Hollingsbee, Folkestone and Hythe District Council)

The Commissioner agreed to consider the Panel Member's request. He reminded members of the tactical pot's scope and Community Safety Partnership funding.

RESOLVED that the answers provided by the Commissioner be noted.

### **13. Minutes of the Commissioner's Governance Board meeting held on 10 March 2021**

*(Item F1)*

1. The Commissioner mentioned that the Performance and Delivery Board next met on Wednesday 30 June 2021 and that the meeting would be held virtually and was accessible to the public via [www.kent-pcc.gov.uk/what-we-do/holding-kent-police-to-account/performance-and-delivery-board/](http://www.kent-pcc.gov.uk/what-we-do/holding-kent-police-to-account/performance-and-delivery-board/).

RESOLVED that the minutes of the Performance and Delivery Board held on 10 March 2021 be noted.