

## 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, 5 June 2014.

PRESENT: Mr P M Hill, OBE (Chairman), Mr Gurvinder Sandher (Vice-Chairman), Cllr P Clokie, Cllr P Todd, Cllr T Martin, Cllr Mrs S Chandler, Cllr J Burden, Cllr Mrs A Blackmore, Cllr L Wicks, Cllr R Turpin, Cllr M Dearden, Mr A H T Bowles, Cllr Campbell, Cllr M Rhodes, Mr H Birkby (Substitute for Mr R A Latchford, OBE), Mr G Cowan, Mr I S Chittenden and Mr Dan McDonald

ALSO PRESENT: Mrs A Barnes (Kent Police and Crime Commissioner), Mr M Stepney (Chief of Staff) and Mr S Nolan (Chief Finance Officer)

IN ATTENDANCE: Mr M Campbell (Policy Officer), Mr P Sass (Head of Democratic Services) and Mrs A Taylor (Scrutiny Research Officer)

#### UNRESTRICTED ITEMS

##### **88. Introduction/Webcast Announcement**

*(Item 1)*

1. The Chairman welcomed Members and the Commissioner to the Police and Crime Panel meeting and advised Members that the meeting would be webcast and filmed by television cameras.

##### **89. Discussion following the Cutting Edge documentary ' Meet the Police Commissioner'**

*(Item B1)*

1. The Chairman explained that the purpose of the meeting was to review, with the Commissioner, the Channel Four documentary 'Meet the Commissioner' which had attracted media and social media comments, most being critical, some highly critical, accepting that this was a carefully edited programme, designed to some extent to shock and entertain, it had clearly been a public relations disaster and the Panel needed to consider how it happened, what damage had been done and what steps could be taken to recover the situation.
2. Mr Campbell reminded the Panel that the Police Reform and Social Responsibility Act enabled the Panel to review or scrutinise any decision of the Commissioner, make any report, and make any recommendations to the Commissioner. The Panel could require the Commissioner to respond in writing, to come back to future meetings with any actions or to report back to the Panel. The Act also requires the Panel to exercise powers with a view to supporting the effective exercise of the PCC's functions, the office of the PCC rather than the particular holder.

3. The Commissioner offered an apology, especially to the hard working men and women of Kent Police, some of whom were very upset about the documentary, it was not the Commissioner's intention to upset them. The only reason the Commissioner agreed to do the documentary was to help people better understand the complex and challenging role of the PCC. The Commissioner did not believe the programme did that well, and she was deeply sorry for the negative reporting and upset it had caused. When approached to do the programme the Commissioner took advice but the final decision was the Commissioner's, with the benefit of hindsight it was the wrong decision and she was sorry. There had been accusations of damage to the reputation of Kent Police; it was never the Commissioner's intention to draw adverse publicity to the excellent work carried out by officers and staff as well as the Commissioner's staff and the work of fellow Commissioners. The Commissioner confirmed that she would continue to do her job, being the link between the people of Kent and the Police and delivering promises within Police and Crime Plan, however the Commissioner's approach to engagement was being reviewed, she would still be out and about and open and transparent, but there would be a change of emphasis on the excellent work being delivered rather than the role of the Commissioner.
4. The Chairman opened the questions by asking why the Commissioner agreed to the programme, such documentaries were considered notoriously dangerous particularly with the decision to cede editorial control. In addition, why did the Commissioner not inform the Panel of the significant decision to take part in the programme? The Commissioner confirmed that it was done with the best of intentions, advice was taken but the Commissioner made the final decision to do an education piece explaining the role of the Police and Crime Commissioner. The work of the company was researched, but with hindsight the Commissioner would not do it again. Advice was taken on whether to inform the Panel and it was considered not necessary, the Panel did know the film was taking place, and Members did give interviews after the Panel meetings.
5. Following the negative publicity as a result of the programme a member asked what was the Commissioner's strategy to regain the confidence of the people of Kent in the Office of the PCC. The Commissioner explained that she was unhappy with the programme, it gave a snapshot and focussed too much on the Commissioner as an individual, it was not the educational programme it was hoped it would be. The Commissioner did acknowledge the concerns raised, and there was work to do to repair the damage, however, the Commissioner considered she was a fit person to do the job, with 15years experience of policing and police governance both locally and nationally. Firstly the Commissioner would continue to deliver her Police and Crime Plan, Members of the Panel were aware that the Commissioner had delivered two Police and Crime Plans, with victims at the heart and delivered on manifesto promises with healthy budgets and high crime recording figures. There was also the victim's centre and the new Sexual Assault Referral Centre which was better than Kent had ever had. The Commissioner would be looking at her approach to engagement and she had every intention of putting this right. The Commissioner confirmed that her revised strategy would be brought back to the Panel.

6. In relation to editorial control the Commissioner confirmed that the filming agreement, an industry standard agreement, did not allow the Commissioner editorial control which was standard practice.
7. A Member asked whether the Commissioner and her officers had had opportunity to view the programme and agree the content. The Commissioner had been offered the opportunity to view the programme at the completion of the first round of production, however the offer was rescinded as Channel 4 had requested further editing from the production company. . The Commissioner then saw it towards the very end of the production process (shortly before airing) by which time there was no opportunity to make substantive changes, despite requests from the Commissioner's office. The programme was viewed by the Commissioner, a senior member of the force and two senior members of staff and it was decided that it did give a flavour of the job, it did not show the in depth work of the Police Commissioner, it did raise issues around funding, expectations of a Commissioner and difficulties to have contact with all communities. If the requested changes could have been made it was not an ideal programme but was as good as the Commissioner was going to get. There was no option available to the Commissioner to stop the programme being shown.
8. A Member commented on issues which had arisen with the Commissioner such as the former Youth Commissioner, the documentary and a more recent issue. Regarding the programme, following four months spent with the film crew and advisors, the perception produced by the programme destroyed the integrity of the office and the integrity of the Panel. What advice did the Commissioner have before entering into the decision to give uncontrolled access and editorial control to the film company? The Commissioner explained that with regard to the first Youth Commissioner, there was an independent review, which led to two recommendations, these were taken on board, the Panel reviewed and discussed the report, and lessons were learnt. With regard to the office move, the rationale was purely business case which was submitted to the Panel and requested comments, no comments were made. With regards to the revelations made by 'The Sun' newspaper the Commissioner assumed that Members were aware of the reasons why it was not possible to discuss that issue at the present time. With regard to advice around the programme this was received from all quarters, but it was the Commissioner's responsibility.
9. Following previous media controversy around the Youth Commissioner it seemed naive of the Commissioner to go forward with this documentary, there were laudable reasons for going ahead with the programme some of the more damaging clips were around issues where the Commissioner seemed ill-prepared; this was perhaps negligent when undertaking this exercise. The Commissioner explained that the film crew spent hundreds of hours filming, with the Commissioner explaining the role of a PCC and the role of the Police and related ramifications and achievements of the PCC. The Commissioner did ask that the first few clips be removed, these set the tone, and following a discussion with the producer it became apparent that Channel four had released these clips early. The Commissioner reiterated her comments that this was done with the best of intentions and with the benefit of hindsight the Commissioner would not make the same decision and there was a need to restore her own credibility.

10. A Member queried the Commissioner's relationship with the Chief Constable; he had offered no public support for the Commissioner and was not available to be at the Panel meeting. The Commissioner was asked for her views on how she came across in a way that led people to have confidence in her in the future. There was a need for a debate about the priorities of Kent Police. The Member stated that the Commissioner had not learnt from the mistakes with the former Youth Commissioner. The Commissioner confirmed that she had a good relationship with the Chief Constable and they worked closely together, most recently over the crime recording and the new policing model. The Chief Constable was not present because it was not his role to be present. The former Chief Constable's retirement gathering was a very pleasant occasion. The Commissioner explained that she spent all her time listening to people, referring to the 'onion' which was the former Chief Constable's view of policing with its different layers. The Commissioner had spent hours explaining the work of Kent Police and the Commissioner's work, a lot of this was on the cutting room floor. The Panel was aware of the priorities of Kent Police having signed them off through the Police and Crime Plan. 31% of people in Kent were under 25 years old and a bridge was needed, there were no guidelines for the independent review of the previous Youth Commissioner. The onion showed the core policing in the middle, with the outside being partnership working, with cuts to budget something had to go, but in the opinion of the Commissioner partnership working and visible policing was vitally important.
11. It was agreed that the Police Force worked very hard and many people also spoke well of the Commissioner, however, with regards to the documentary the positive aspects were the genuine disappointment of the Commissioner when it was not possible to bring in a higher precept to meet policing demands. The Commissioner's apology was commendable, but there were concerns over whether the Commissioner was genuinely listening to what is being said. What was the Commissioner's strategy for moving forward and increasing engagement with the Police and Crime Panel?
12. The Commissioner repeated previous comments regarding her regret over the reputation accusations which had been damaging. The past few years had been difficult for the Police Force, and she was sorry to have added to the negativity. The Commissioner was genuinely listening and she was trying hard to engage with Panel Members and Councillors. There was an extensive communications programme. The strategy was in progress and would be brought back to the Panel.
13. With regards to the advice taken around the documentary, did the Commissioner receive any advice to encourage her to go ahead with the documentary? The Commissioner explained that she received advice both to go ahead with and not go ahead with the documentary, it was a carefully weighed up decision. The Member considered that the Commissioner did listen but there were concerns around whether the Commissioner 'heard' what Members were saying. The Commissioner was asked to consider whether she was still the right person for the job. The Commissioner explained that she was 'hearing' hence many of her manifesto promises. The Panel and Commissioner had had a previous discussion about the Domestic Abuse campaign, the Sexual Assault Referral Centre, and crime recording which resulted in a nationwide debate and praise from the House of Commons Select Committee.

14. A Member asked when the Commissioner first raised concerns about the programme, with regards to the damage to Kent Police, did the Commissioner feel that reputation damage had been done to Kent Police Force, had the Commissioner considered her own position? In response the Commissioner saw the film for the first time at the final stages of the production process, at which point the production company were unwilling to make any significant changes. The Force had a very good reputation; it was a high performing force. The Commissioner was sorry for the timing of the documentary and subsequent unrest, she did not think the force would suffer as their reputation was based on the work they did, not the Police and Crime Commissioner, it was the reputational damage that was the most concerning. The Commissioner hoped the programme had not damaged Kent Police Force and she would build bridges. She had looked long and hard at the work done in the county, she did deliver, did know the job and the priority was delivering the Police and Crime Plan priorities across Kent. The Commissioner's approach to engagement would be reviewed and brought back to the Panel.
15. A Member of the Panel was concerned that the Panel was treated with contempt, had been spoken to rather than with, information not provided on a timely basis and with oral statements rather than written reports. Kent's professional Police Force needs a professional Police and Crime Commissioner. The Commissioner's decision making capabilities were questioned in a role where decision making is crucial. The Commissioner was thanked for her humility at the Panel meeting and this was considered essential for the future. The Commissioner refuted that the Panel had been treated with contempt, or any member of the force with contempt. Regarding oral reports this may have been around the precept when information had not been received about the capping levels. The documentary looked more at the Commissioner's personality rather than the role and that was disappointing. The Commissioner deeply regretted any damage to the reputation of Kent Police Force; the Force did a really good job on a day to day basis.
16. The Commissioner was thanked for her attendance and her apology, it was considered that the programme was heavily edited, it did highlight the limitations of the role, the role was led by Government and the Commissioner had a democratic mandate from local people. The member was appalled by some of the comments made in the media, and some individuals who it was considered were going out of their way to smear and bully the Commissioner. Many people in local communities did not agree with the comments being made and the Commissioner should ignore some of the horrendous comments being made. Information set out in communications between the Commissioner and the Panel had been leaked to the media. It was important to move forward, and concentrate on the projects being delivered by the Commissioner. The Commissioner confirmed that she did look at the comments on social media, and she did genuinely take on the comments made. A quality policing service was at the heart of the Police and Crime Plan focussing heavily on victims.
17. One Member commented that he was in favour of the Commissioner system but was disappointed in the way it was working out. It was a badly balanced programme and there was an impression given about a lack of direction and purpose. With not enough seriousness or professionalism. Did the

Commissioner now see herself working more closely with the Police and Crime Panel? The Commissioner explained that there was no job description, there were statutory duties but it was for individual Commissioners to determine how these were fulfilled. Commissioners were undertaking these statutory duties differently across the country depending on local need. Everything delivered by the Commissioner and her office had intellectual rigour, the Force and Office were hard working, with immense intellectual rigour and she hoped to work even more closely with the Police and Crime Panel in the future.

18. The Panel had a mandate to support the function of the Office of the Police and Crime Commissioner; there were concerns around the outcomes of the Panel's meeting, given the documentary. The Commissioner confirmed that her engagement strategy would be reviewed in detail and brought back to the Panel with a written report. The Chairman requested that the Commissioner also review her decision to retain control over the Public Relations staff within the Force.
19. There were concerns that the programme makers did not ever intend for the documentary to be an education piece and the Commissioner confirmed that she did not question why the company had approached her.
20. Regarding the Councillors featured in the documentary, a query was raised about visible community policing and whether there was a conflict between the Commissioner and the Chief Constable. Could the Commissioner confirm that she could perform her job for the next two years? The Commissioner stated that the programme did show a lack of understanding over what Commissioners could/could not do; the Commissioner was not able to put police officers at the end of every street. There were currently 80 more uniformed officers on the street, there was a new policing model and predictive policing. Single targets had been removed from the Plan and work was ongoing around new performance measures, there was no conflict between the Commissioner and the Chief Constable, the Force had to be embedded in communities. The Commissioner's job was to hold the Chief Constable to account on behalf of local people for the county.
21. Regarding mobile police stations, the Commissioner confirmed that this would be brought back to the Panel.
22. One Member commented that he did not feel that the Commissioner had treated the Panel with contempt, condescension perhaps. Concerns were not arising from a political mandate, rather from local people. There was a concern about misjudgements made with limited confidence going forward if the status quo pertained. The Commissioner explained that she was an independent and would not be drawn into politics, the misjudgement was rejected, there were difficulties around the appointment of the first Youth Commissioner and the documentary, and any problems over the office move and the current Youth Commissioner were refuted.
23. A Member asked how things would change once the Panel meeting was over, how would Members of the public be approached, and what was the current situation with the mobile vans. The Commissioner explained that with regards to her community outreach vehicle, she was determined to engage with people across the huge county of Kent. The vehicle was used as an office, with a private

space to talk to people. The Commissioner purchased a second hand camper van which had been very useful as a mobile office. It was recently parked in Canterbury where people were waiting to speak to the Commissioner. With regards to the mobile police stations, they were a manifesto promise, and they were becoming a community resource and the Commissioner would report back to the Panel on this issue.

24. A Member asked whether the Commissioner's new initiatives would be coloured by history and therefore diluted in effectiveness, secondly because of the perception given off by the programme did the Commissioner retain the respect of the Police Force. The Commissioner did not believe the new initiatives would be coloured, they were vital pieces of work. Regarding the respect of the Force the reputation of the Force was foremost in the Commissioner's mind.

25. A Member commented that no-one wanted to see the politicisation of Kent Police Force.

26. In response to a question about the availability of the Commissioner at the Panel meeting on 5 June, the Commissioner was clear that she was always open and transparent; there was a particular difficulty with the date of the Panel meeting. The Commissioner confirmed that she was on leave from 5 June 2014.

27. The Chairman summed up the meeting with the following conclusions:

- a. It was a mistake, by the Commissioner, to engage in the programme and to concede editorial control;
- b. It could not be business as usual in the future, the Commissioner was requested to change her style particularly with regard to engagement with the public and the Police Force, some of the behaviours shown in the documentary could not continue, the Panel requested an assurance from the Commissioner, when she reported back to the Panel on her engagement strategy, that there was going to be a change of style in the way she operated;
- c. Damage had been done to the Police and Crime Commissioner
- d. Damage had been done to the Office of the Police and Crime Commissioner both locally and nationally
- e. Some minimal damage by association to Kent Police Force

RESOLVED that the Kent and Medway Police and Crime Panel:

28. Require the Commissioner to come back to the Panel in writing with a report on the review of mobile police stations;

29. Require the Commissioner to come back to the Panel in writing with a report on the decision to retain the public relations and communications team within the control of the Commissioner;

30. Recommend the Commissioner take heed of the public and panel comments following the documentary and report back to the Panel in mid-July in writing on the revised engagement strategy in light of those comments.

POST MEETING NOTE: A meeting of the Kent and Medway Police and Crime Panel has been arranged for 2.30pm, 24 July, 2014.

