

NOTES OF THE SCRUTINY BOARD HELD ON 15 MARCH 2018 IN THE COURT ROOM, OPCC, STOCKTON HEATH POLICE STATION, WARRINGTON, WA4 2AF.

Present: D Keane, Police & Crime Commissioner
J McCormick, Acting Chief Constable

Office of the Police & Crime Commissioner

P Astley, Chief of Staff
B McCrorie, Head of Policy & Partnerships
M Walton, Governance Officer & Performance Analyst
C Tozer, Communications Officer

Cheshire Constabulary

D Martland, Acting Deputy Chief Constable
P Woods, Head of Planning & Performance

No members of the public were present to observe the meeting.

1. NOTES FROM 14 DECEMBER 2017 MEETING

1.1 The notes from the meeting on 14 December 2017 were noted and approved.

2. POLICE & CRIME PLAN: PERFORMANCE REPORT

2.1 The Acting Chief Constable provided a verbal update in relation to recent operations:

2.2 Updates from the previous Scrutiny Board on 14 December 2017:

Operation Resonate

The operation investigated nine active teams operating across Widnes and Merseyside. Following early-morning raids on Thursday 14 December, 40 suspects were identified and a total of 39 arrests were made. 38 suspects were subsequently charged with conspiracy to supply Class A drugs, of which 37 have entered guilty pleas.

Operation Masterclass

The strike phase of this operation concerning Class A drug supply in Ellesmere Port occurred on Wednesday 06 December 2017. A total of eight suspects have been charged with conspiracy to supply Class A drugs, of which six have offered guilty pleas with trials set for the remaining two suspects.

2.3 Updates on recent operations:

Operation Smithy

A total of 20 drug warrants were executed during a large scale strike phase at addresses across Warrington and Merseyside. A total of 21 suspects were arrested.

Operation Merciless

This investigation is in relation to drug dealing within Crewe. Four males have recently been arrested, charged and remanded in custody for possession with intent to supply offences. In addition, approximately £3,000 worth of Class A drugs has been recovered.

Operation Tyke

Throughout February, Cheshire Constabulary has executed a number of warrants across Congleton in relation to the supply of Crack Cocaine and Heroin. Six people were arrested and subsequently charged with conspiracy to supply offences.

2.4 The Acting Chief Constable also provided a verbal update in relation to high profile incidents:

Northwich - Fire at the University of Chester Academy (Sunday 25 February 2018)

One male has been arrested and subsequently charged with Arson with Intent to Endanger Life. The incident has caused damage estimated at £3 million and significant disruption of school life.

Runcorn - Op Abolish

This operation has focused upon knife crime by the LPU following a rise in knife crime, an increase in intelligence and social media reporting around knives as well as an increase in prevalence of young people carrying knives. Signification focus on prevention via education, trading standards and intelligence led use on stop search.

Chester - OP Analyse

Following disorder within the City Centre prior to the Chester v Wrexham football match, eight suspects have been arrested, six of which have been charged with affray.

Macclesfield - Operation TUTU

This investigation is linked to a violent kidnap and robbery. The use of ANPR was critical to the enquiry and has led to charges of kidnap, robbery, possession of an imitation firearm and possession of drugs.

Warrington LPU / Specials - Op Aral

This operation has focused on road safety. Over a 24 hour period, 297 offenders have been identified and dealt with across Warrington in relation to speed enforcement, no insurance, phone and seatbelts (this links to national week of action).

2.5 The Acting Chief Constable stated that recent bad weather had placed significant demand upon the Constabulary but there have been numerous examples of positive feedback received from the public in relation to the actions of officers and PCSOs. The Commissioner welcomed such feedback and requested that all feedback is passed on to the individual officers and PCSOs concerned.

2.6 The Commissioner enquired whether there had been any prosecutions within Cheshire in relation to: i) use of mobile phone via the submission of dashcam footage; and ii) smoking in the car with someone under 18 present. The Acting Chief Constable confirmed this would be checked and data would be provided to the Commissioner.

2.7 With regard to the use of a mobile when driving, the Chief of Staff enquired whether the Constabulary had generated a profile of offenders within Cheshire. The Acting Chief Constable stated that this has been completed and would be provided to the Commissioner.

2.8 The Acting Chief Constable provided a brief overview of the performance report. The Constabulary continues have high public satisfaction and response times remain strong despite demand and challenges following the recent weather. Nevertheless, the Acting Chief Constable stated a desire to scrutinise the variation in response times between LPUs to ensure equality across Cheshire, something which the Commissioner welcomed. There remains a real focus upon rape and sexual assault but challenges in relation to CDI and 'victim does not support police action' are ongoing. Internal Force Performance meetings continue to analyse why there appears to be an increase in victims not supporting police action (outcome 16) as well as the quality of investigations across Cheshire. The increase in offences closed via outcome 16 continues to impact the solved rates within Cheshire but the Constabulary is committed to retaining focus on all areas of vulnerability.

2.9 The Commissioner stated that his focus of the scrutiny board would be upon the update report in relation to rape, child sexual abuse and domestic violence with injury (agenda item 3). As such, the Commissioner noted the Police & Crime Plan Performance Report and stated that he would be writing to the Acting Chief Constable with regard to some of the KPIs and data recorded.

ACTIONS:

2018/01: The Commissioner is to be provided data outlining the number of prosecutions within Cheshire in relation to: i) use of mobile phone via the submission of dashcam footage; and ii) smoking in the car with someone under 18 present.

2018/02: The Commissioner is to be provided with the profile of offenders prosecuted for use of a mobile when driving and not wearing a seatbelt.

3. UPDATE REPORT ON RAPE, CHILD SEXUAL ABUSE AND DOMESTIC VIOLENCE WITH INJURY

3.1 The Commissioner invited the Acting Chief Constable to provide a brief overview of the outcome framework (page 34). The Acting Chief Constable explained that although this is a national 'outcomes' framework for all police recorded crime, the greatest challenge is how this is explained to the public. Notwithstanding the perception that a case is not really solved until it has undergone the full judicial process resulting in a conviction, there are various options available to close a crime and the criminal justice route is not the only option. Indeed, victim support remains a key priority for the Constabulary and there is a desire, both within Cheshire and nationally, to understand why a significant number of crimes are closed via outcome 16.

3.2 The Commissioner enquired whether any comparative data from other forces was available. The Head of Planning and Performance stated that the Constabulary is only able to include national data once this has been published elsewhere. The Commissioner stated that the solved rates for rape, child sexual abuse and domestic violence may be perceived as low from the public perspective, but the inclusion of comparative data may indicate that this is a national issue and not constrained to Cheshire. Nevertheless, the Commissioner expressed concern that at the current rate, the solved rate for rape offences could drop into single figures in 2018. It was agreed that, where possible, comparative data would be included in future performance packs.

Rape

3.3 The Acting Chief Constable stated that there continues to be a significant increase in the number of recorded rape offences. Furthermore, as a result of CDI improvements, there has been a 700% increase in the number of recorded N100s, all of which have an initial investigation yet some are subsequently closed via outcome 16. Although the increase in reporting continues to be perceived as a positive, this has undoubtedly contributed to the significant workload in the system.

3.4 The Commissioner explained that while he appreciates investigations into historical rape offences may be more complex, he wishes to see a greater solved rate for 'current' rape offences. The Acting Chief Constable stated that a significant number of 'current' rape offences are reported outside of the 48 hour forensic window. This not only increases the complexity of investigations, but also the duration. The Acting Chief Constable also stated that the CPS decision to charge will also impact solved rates.

3.5 Following the Dedicated Rape Unit review of 15 rape offences from 2017 which had been closed via outcome 16, the Commissioner expressed concern that in five of the cases, there was no obvious reason why the victim was not supportive of police action. The Acting Chief Constable stated that such victims will be spoken to in due course and an update will be provided to the Commissioner. In addition, the Acting Chief Constable confirmed that a further 65 cases will be assessed to understand the victim journey and quality of rape investigations. The Commissioner welcomed such a review, particularly given his concerns that despite the centralised Dedicated Rape Unit, a large number of rape investigations continue to be investigated by LPUs.

- 3.6 The Chief of Staff sought assurance in relation to current investigations progressing through the Criminal Justice process and the disclosure of evidence. The Acting Chief Constable confirmed that all current cases have been reviewed and there are no issues in relation to disclosure. The National Police Chiefs Council (NPCC) National Disclosure Improvement Plan is ongoing and the Acting Deputy Chief Constable confirmed that live time sampling continues to seek offences not picked up at the first opportunity.
- 3.7 The Acting Chief Constable also discussed with the Commissioner the difficulties in relation to offences whereby a victim retracts their statement. Indeed, HMIC states that in such instances, there is not enough additional verifiable information to cancel these crimes. The Commissioner stated that if victims are to be believed at the first point of contact and a crime recorded (CDI), then victims should also be believed when retracting their statement which would enable the Constabulary to cancel the crime. The Commissioner requested a briefing in relation to HMIC guidance on additional verifiable information and suggested this is something he would raise at the next national APCC meeting.
- 3.8 The Commissioner stated that his office will soon be conducting research on the criminal justice follow through to greater understand the case journey. The Chief of Staff suggested that the review is likely to look at the impact on both the perpetrator and victim, changes to society, as well as CDI. The Acting Chief Constable stated that it is right and positive that all victims continue to be offered support via RASASC and that the Constabulary remains the only force with a Dedicated Rape Unit (DRU).
- 3.9 The Commissioner requested a briefing containing additional data in relation to the court outcomes of the 10% charged (outcome one) with rape. This will ultimately impact the confidence of future reporting and the Chief of Staff stated that it is of paramount importance that victims are supported throughout their journey. The Commissioner explained that as the initial police contact with the victim is significant to ensure confidence and the victim supports police action, he was concerned that such initial contact is not always by DRU specialist officers.
- 3.10 The Commissioner enquired the current vacancy rate of detectives within the DRU. The Acting Chief Constable confirmed that an additional three officers have been placed in the DRU and there are currently no vacancies. In addition, the Acting Chief Constable stated that the Constabulary is exploring the idea of a different model, with potential roles for experienced PCs or civilian investigators. This model will provide a better understanding of which cases are likely to reach a charge decision. The Head of Planning and Performance also indicated that the Rape Monitoring Group also provides a national report detailing a range of data from multiple agencies.
- 3.11 The Commissioner enquired how the Constabulary plans to establish public confidence. The Acting Chief Constable discussed Table 3 on page 37 and discussed data in relation to the increasing proportion of offences where the investigation is finalised and closed in a short period of time. The Acting Chief Constable also provided the Commissioner with assurance that the Constabulary has the ability to support the volume of victims with a particular focus upon vulnerable people and the most heinous crimes.
- 3.12 The Commissioner stated that victim blame is abhorrent but enquired whether the Constabulary is able to offer any safety advice and can the Constabulary quantify its prevention work in relation to rape. The Acting Chief Constable stated that there continues to be great campaigns targeting perpetrators and would look to share example where possible with the Commissioner.
- 3.13 The Commissioner applauded the role of street pastors and the Acting Chief Constable stated that the introduction of safe zones continues to be discussed with local authorities. The Commissioner described his vision for a community base or safe place for the night time economy that would include a paramedic to prevent the continuous back and to hospitals. The Chief of Staff supported the inclusion of health services, particularly given the demand on hospital admissions between 6pm on Friday and 9am on Monday. The Acting Chief Constable suggested that NHS funding continues to be a struggle and although the Constabulary continues to work with St. Johns Ambulance in both Warrington and Chester, costs may also be an issue. The introduction of CCTV

within all Warrington licensed taxis will improve safety and the Commissioner stated his desire to ensure this is rolled out across Cheshire.

Child Sexual Abuse

- 3.14 The Acting Chief Constable discussed the national definitions of CSA and CSE and how they are very different. The various offence types were discussed with the Commissioner as well as the age differentials and impact of young relationships upon the increase in volume of CSA and decrease in solved rates.
- 3.15 The Commissioner sought assurance from the Acting Chief Constable that there remains robust processes in place in relation to 'missing from home' and requested a briefing on Operation Arundel to understand resource issues. The Acting Chief Constable reassured the Commissioner that processes and scrutiny continue to be in place as well as a point of contact in care homes / CSA coordinators.
- 3.16 The Commissioner enquired whether there is any link between the increase in missing from home and the increase in CSA given the vulnerability aspect. The Acting Chief Constable stated that this would be analysed and an update would be provided to the Commissioner.
- 3.17 The Commissioner expressed concern at the significant increases of some offences detailed in Table 4 on page 39. The Acting Chief Constable acknowledged such concerns but stated that a large number of offences are linked to historical investigations and that very few offences are committed by strangers. The Acting Chief Constable highlighted that just under half (47.2%) of offences in 2017 were committed by offenders 18 and under (Table 6 on page 41) and that in over 40% of incidents in 2017, the age difference between the victims and suspect/offender was four years or less (Table 7 on page 42). The Commissioner acknowledged such analysis and stated that he would continue to monitor these data over the coming months. It was requested that comparative data from other forces was also made available.
- 3.18 The Chief of Staff enquired what activity was being undertaken by the Constabulary within the school environment given the number of offences involving under 16s. The Acting Chief Constable confirmed that significant school based work is undertaken by PCSOs and the Safer Schools Partnership. The Commissioner requested a briefing detailing the current school based preventative activities as well as the work of PCSOs and the Safer Schools Partnership.
- 3.19 Given the reported 133% increase in sexual grooming between 2015 and 2017, the Chief of Staff enquired what impact, if any, paedophile hunter groups have had within Cheshire. The Acting Chief Constable agreed to provide the Commissioner with a detailed briefing in relation to the prevalence and impact of paedophile hunters. The Commissioner stated that this was an area that required further discussion and again requested comparative data from other forces.

Domestic Violence with Injury

- 3.20 The Acting Chief Constable stated that as a result of CDI improvements, there has been a significant increase in the number of offences reported, mainly due to offences with evidential difficulties due to the victim not supporting police action not previously recorded by the Constabulary. This has led to a significant increase in crimes closed via outcome 16, both within Cheshire and nationally. The Acting Chief Constable provided reassurance to the Commissioner that all crimes closed via outcome 21 (further investigation not in the public interest) continue to be reviewed. The IDVA service across Cheshire is good although there is potential that some local authorities may look to move away from the core service. The Acting Chief Constable confirmed that additional three month funding for Operation Enhance has been secured until the summer so a review would be completed in September 2018. It was acknowledged, however, that the initial response from officers could, at times, be better and that the Constabulary would continue to ensure officers are trained via the DA matters course.
- 3.21 The Commissioner applauded the launch of the Cheshire wide DV Support Campaign (Open the Door) but sought assurance from the Acting Chief Constable that the Constabulary has the

resources available to meet any additional demand. Whilst the Commissioner would welcome an increase in reporting, the support campaign would ultimately raise expectations despite the reported decrease in solved rates. The Acting Chief Constable stated that the current level of work in the system (c.10,000 current investigations) and the increase in crimes closed via outcome 16 will continue to impact solved rates. That said, the Constabulary continues to change cultures in relation to domestic violence to ensure the victim is believed at the first point of contact and that the initial response from officers is both positive and effective.

3.22 The Commissioner enquired where within the outcome framework (page 34) is the Domestic Abuse Perpetrator Programme (DAPP) appropriate. The Acting Chief Constable explained that the DAPP aims to help people who have been abusive towards their partner or ex-partner to change their behaviour and develop respectful, non-abusive relationships. As such, perpetrators who have received a charge/caution (outcomes 1-8) may be offered a place within the programme. The Commissioner questioned whether the perpetrator programme is used effectively given the low solved rate and suggested that the perpetrator programme is used more broadly in the future. The Acting Chief Constable agreed with the Commissioner but stated that the limited availability of programmes may impact the extent to which that could be achieved. The Commissioner confirmed he would look into the matter and potentially invest in the DAPP to ensure a greater impact.

3.23 The Acting Chief Constable confirmed that a review into the DAPP is ongoing and that all crimes closed via outcome 16 would be reviewed to understand why the victim did not support police action. The Commissioner welcomed such a review and requested a briefing that details the rate of perpetrator reoffending and victim subject to DV again for offences closed via outcome 16. The Chief of Staff stated a particular interest around the support available for families with children and a breakdown of outcome 16 by local authority.

3.24 The Commissioner sought assurance from the Acting Chief Constable that the initial police contact is what the victim would expect. The Acting Chief Constable confirmed that this was a priority last year with all officers trained and such training is now embedded within the new officer induction training. The introduction of body worn video will also have a positive impact and increase the number of evidence led prosecutions.

ACTIONS:

- 2018/03: Following the Dedicated Rape Unit review of 15 rape offences from 2017 which had been closed via outcome 16, the Commissioner is to be provided with an update on the five cases where there was no obvious reason why the victim was not supportive of police action.
- 2018/04: The Commissioner is to be provided with a briefing in relation to HMIC guidance on additional verifiable information and in particular, the process when a victim of rape retracts their statement.
- 2018/05: The Commissioner is to be provided with a briefing containing additional data in relation to the court outcomes of the 10% charged (outcome one) with rape.
- 2018/06: Following the analysis of 65 rape victim journey and quality of investigation, the Commissioner is to be provided with the results of the review. A separate meeting is then to be arranged to discuss the findings in more detail.
- 2018/07: A heat map for CSA to be added to the performance pack.
- 2018/08: The Commissioner is to be provided with a briefing in relation to Operation Arundel.
- 2018/09: The Commissioner is to be provided with a briefing detailing the extent to which the increase in missing from home is linked to the increase in CSA.
- 2018/10: The Commissioner is to be provided with a briefing in relation to school based preventative activities as well as the work of PCSOs and the Safer Schools Partnership.
- 2018/11: The Commissioner is to be provided with a briefing detailing the prevalence and impact of paedophile hunters.

2018/12: The Commissioner is to be provided with a briefing that details the rate of perpetrator reoffending and victim subject to DV again for offences closed via outcome 16. The briefing will also include a breakdown of outcome 16 by local authority.

4. CRIME DATA INTEGRITY PROGRESS REPORT

- 4.1 The Commissioner requested that the Acting Chief Constable provide an update with regard to CDI and progress to date.
- 4.2 The Acting Deputy Chief Constable stated that significant work in relation to CDI is ongoing with the results of the latest in-house audit providing clear evidence of improvements, particularly in relation to sexual offences and domestic abuse. The Acting Deputy Chief Constable confirmed that CDI remains a key priority for the Constabulary and that training for FCC staff is ongoing.
- 4.3 The Commissioner thanked both the Acting Chief Constable and the Acting Deputy Chief Constable for the huge amount of work completed to date. The Commissioner stated that he felt more assured on the process and progress but requested a copy of the latest CDI action plan to assure himself that sufficient progress is being made against all recommendations.

ACTIONS:

2018/13: The Commissioner is to be provided with an updated CDI action plan.

5. PEOPLE STRATEGY: PROGRESS REPORT

- 5.1 The Commissioner sought assurances from Acting Chief Constable in relation to levels of sickness.
- 5.2 The Acting Chief Constable stated that sickness within frontline policing remains an issue and the rate is higher than the Constabulary would want, although staff sickness is in line with the national average. The Constabulary continues to hold a Sickness Working Group, Health & Safety Board and a People Board to maintain focus upon sickness. The Acting Chief Constable stated that the aim is to reduce sickness to a level of nine days in line with other public sector organisations or lower and that the Constabulary continues to work with Champs to achieve this.
- 5.3 The Commissioner noted the remainder of the report and stated that he would be writing to the Acting Chief Constable for further explanation of other key issues within the report.

PART 2 - PRIVATE ITEMS

The following matters were considered in private on the grounds that they involved the likely disclosure of exempt information as defined in the Freedom of Information Act 2000 and in accordance with the sections of the Act indicated below:-

<i>Item Section</i>	<i>Section</i>
<i>Action Log</i>	<i>(31) Law Enforcement</i>

6. SCRUTINY BOARD ACTION LOG

- 6.1 The action log was reviewed and updated.

7. Operation Hydroplane (Private Briefing)

7.1 The Acting Chief Constable provided the Commissioner with an in depth update in relation to Operation Hydroplane. This operation is linked to burglary type offences that target jewellery linked to Asian and Chinese heritage households. ACC Bailey and ACC Hatchett have both held public meetings to reassure the community and provide practical advice in relation to prevention. The

Constabulary will continue to engage with the local community via local representatives, Mosques and community meetings.

Duration of meeting: The meeting commenced at 10.00 and finished at 13:30.