

Minutes of a virtual meeting of the **Cheshire Police and Crime Panel**
held on Friday, 12th June, 2020

PRESENT

Councillors:

Cheshire East: Councillors JP Findlow, L Jeuda, and M Warren

Cheshire West & Chester Councillors R Bisset, A Dawson and M Delaney

Halton Councillors N Plumpton Walsh and D Thompson

Warrington: Councillor Amanda King.

Independent Co-optees: Mr B Fousert, Mrs S Hardwick and Mr Morris MBE.

Officers: Mr Brian Reed and Mr Martin Smith, Cheshire East Council.

1 APOLOGIES

Apologies were received from Councillor Brian Maher and Councillor Jan Davidson (Warrington Borough Council).

2 APPOINTMENT OF CHAIRMAN FOR THE 2020/21 MUNICIPAL YEAR.

RESOLVED:

That Mr Evan Morris be elected as Chair of the Panel for the 2020/21 Municipal year.

3 APPOINTMENT OF DEPUTY CHAIRMAN FOR THE 2020/21 MUNICIPAL YEAR.

RESOLVED:

That Councillor Dave Thompson be elected as Deputy Chair for the 2020/21 Municipal year.

4 CODE OF CONDUCT - DECLARATION OF INTERESTS. RELEVANT AUTHORITIES (DISCLOSABLE PECUNIARY INTERESTS) REGULATIONS 2012

There were no declarations of interest.

5 PUBLIC PARTICIPATION

Three members of the public spoke at the meeting.

Ms Joanne Jeffers, a Cheshire East resident raised an issue in relation to road safety for pedestrians. The Chairman agreed to bring her concerns to the attention the Police and Crime Commissioner.

Mr Robert Selby, a Cheshire West and Chester resident raised two issues. He sought clarification as to whether the Panel had received a response from the Home Secretary following the submission of a report over the suspension of the former Chief Constable. He also sought clarification over a complaint he had made against the Commissioner and staff in the Commissioner's Office.

The Chairman indicated that a response had been received from the Home Office (accessible on the Panel's page of the Cheshire East Council website). The Chairman informed Mr Selby of the work that the Panel's Complaints Sub Committee was undertaking to make recommendations to the Panel as to how complaints should be managed in future.

Mr Francis Kwateng a Cheshire West and Chester Council resident raised an issue of alleged racial profiling by Cheshire Constabulary which he stated had seriously affected both him and his family. He gave a number of specific examples and highlighted a recent complaint that he had made to Cheshire Constabulary and the way in which the complaint had been managed. He thanked Councillor Andrew Dawson for the support he had provided. The Chair, whilst noting that the issues raised were operational ones, offered Mr Kwateng his and the Panel's full support and hoped that they could work with the Commissioner to help change attitudes within the Constabulary.

Councillor Dave Thompson sought clarification from the Secretariat over whether comments made by members of the public during public participation could prejudice the Panel's involvement in determining the outcome of a complaint at a future date. This issue would be referred to the solicitor who advised the Panel, who was not present at the meeting. Councillor Andrew Dawson noted that the issue of handling complaints was a complex one and that a collaborative approach was frequently the most appropriate and effective way forward.

6 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 7th February 2020 be approved.

The Panel noted that it had held an informal virtual meeting with the Commissioner on 24th April 2020. A video recording of this meeting was available to view via the Panel's page on the Cheshire East Council website.

The Panel also noted that, at the meeting held on 7th February the Panel had agreed a programme of future meetings, including a meeting on 16th April 2021. As the elections for the Police and Crime Commissioner had been moved from 2020 to 2021, this meeting was likely to now fall during the pre-election (purdah) period. The Secretariat were asked to reschedule the meeting.

7 PANEL MEMBERSHIP 2020/21

Members noted that the membership of the Panel for the 2020/21 Municipal Year remained unchanged.

Independent co-opted members of the Panel each served a three-year term, with Mr Bob Fousert's current term expiring on 30th September 2020. The Panel discussed a range of options in relation as to how best to proceed with the expiration of Mr Fousert's term of office.

RESOLVED

That recognising the exceptional circumstances created by the Coronavirus emergency, all three independent co-opted members have their current terms of office extended by one year, with the Panel's Procedure Rules being annotated to indicate the exceptional circumstances under which this decision was taken.

The terms of office of the three independent co-opted Panel members would be:

Mr Bob Fousert	30 th September 2021
Mrs Sally Hardwick	30 th September 2022
Mr Evan Morris MBE	30 th September 2023

8 CHESHIRE POLICE AND CRIME PANEL BUDGET 2020/21

Prompted by Councillor Dave Thompson, but with Panel support, the Secretariat were asked to undertake research in relation to the possible payment of an increased allowance to the Panel's Chairman and the provision of IT equipment to the three independent co-opted members, with reports on these issues being taken to the September 2020 meeting of the Panel.

RESOLVED:

That the Panel's budget for the 2020/21 Municipal Year be approved, and that a report be made back to the Panel in September 2020 upon allowances, and the provision of ICT equipment.

9 **PANEL ARRANGEMENTS: RULES OF PROCEDURE**

The Panel reviewed the proposed Rules of Procedure which would apply for the 2020/21 Municipal Year, noting proposed changes in relation to virtual meetings and the use of urgency powers. Panel members also discussed the issue of proportionality of Members on sub committees. The Secretariat were asked to draft for consideration at the meeting in September 2020 a revised option for the operation of urgency powers (Section 13 of the draft procedure rules) and suggested wording in relation to proportionality.

RESOLVED:

That, subject to the Head of Democratic Services and Governance making changes to the Procedure Rules to reflect the Panel's desire to ensure proportionality of Members on sub committees and working groups the draft Procedure Rules be adopted, with further reports being presented to the September 2020 meeting of the Panel.

10 **OVERVIEW AND SCRUTINY OF THE POLICE AND CRIME COMMISSIONER**

The Chairman formally welcomed the Commissioner to the meeting.

Mrs Sally Hardwick asked all those present at the meeting to join with her in observing a minute's silence to mark the death of George Floyd in Minneapolis and all those who suffer racial, sexual, gender or disability discrimination. She also wished to remember all those who had died as a result of COVID -19 and the brave Police Officers who were working in such difficult circumstances during the current emergency.

The Panel observed a minute's silence.

The Commissioner echoed the comments made by Mrs Hardwick, following which he briefly outlined the work he was undertaking to hold the Chief Constable to account and the work he was undertaking with fellow Commissioners at a regional and national level.

Mr Evan Morris asked the Commissioner for an update on progress with the Emergency Services Network (ESN) project, an issue that had been raised at a meeting of Cheshire Police Management Board on Wednesday 4th March 2020 which he had attended. Mr Morris recognised that this was a complex issue, with wide ranging implications.

The Commissioner gave a brief update and committed to discussing the issue in more detail at an informal meeting, where one of the national leads could participate. He noted that there were potentially very high costs associated with the failure to implement the ECN in a timely manner. His view was that the residents of Cheshire should not be liable for failures with a national system.

Councillor Andrew Dawson raised an issue relating to the comments made by Mr Francis Kwateng earlier in the meeting (item 5, above). He asked the Commissioner how the Constabulary would learn from the experiences of those in society who felt that they were not being treated fairly, noting concerns that Cheshire Constabulary was not a learning organisation. He also asked if the Commissioner would join with the Panel in joint scrutiny of the Constabulary on this issue.

In responding the Commissioner noted that the complaints system should enable learning by the Constabulary. He informed the Panel that he only had access to the detailed information relating to a complaint if the complainant gave their permission. The process had changed in February 2020 with a revised appeal mechanism being introduced. He suggested that a joint session at an informal meeting would be a sensible way forward, this would enable the Panel to better understand the process. The Commissioner also extended an invitation for anyone have a confidential conversation with him about a complaint against the Constabulary.

Councillor Paul Findlow asked the Commissioner for information on the number of Special Constables in Cheshire and for comparative information as to how this compared in percentage terms with the regular Constabulary. He wondered if there was a difference per head of population between Cheshire and neighbouring areas?

The Commissioner responded by saying that recruitment to the Special Constabulary was open, at present the Special Constabulary stood at 13 percent of the regular force. The national average was 8.5 percent. The respective figures for Greater Manchester and Merseyside were 5.6 and 7.2 percent. The Commissioner paid tribute to the contribution that the Special Constabulary made to the policing of Cheshire.

Councillor Mick Warren asked the Commissioner to outline the means by which Multi Agency Public Protection Arrangements (MAPPA) and Multi Agency Risk Assessment Conference (MARAC) meetings were currently being undertaken. He noted that such meetings played an important role in reducing risk from the perpetrators of violent and sexual offences. The Commissioner agreed that these meetings played a very important role and that whilst meetings were at present being held virtually, it was very much the case of “business as usual” in terms of delivery and effectiveness.

Mr Bob Fousert asked the Commissioner if he would outline the interventional measures that had been undertaken in relation to child and domestic abuse throughout the period of the implementation of the Coronavirus Act 2020 and what lessons had been learnt? He noted that a large number, but not all victims were known to a range of agencies, including the Police.

The Commissioner, in a detailed response indicated that a wide range of work was being undertaken by both the Constabulary and by himself; this had included an increase in the number of proactive visits, effective use of Domestic Violence Protection Orders (DVPOs), meetings with key partners and a bid to the Ministry of Justice for additional funding for charities and social enterprises. The Commissioner noted that the number of reported incidents had increased in line with the national trend.

Councillor Laura Jeuda asked the Commissioner how easy it would be for the Constabulary to enforce the newly introduced quarantine laws? In response the Commissioner indicated that this was an operational issue of more relevance to the Chief Constable. However, he noted that enforcement was the last resort, observing that over 200 fixed penalty notices had been issued since the start of the lockdown period. With specific reference to the newly introduced quarantine measures relating to people returning from abroad, he indicated that he wished that the measures had been introduced sooner but recognised that they were very difficult to enforce.

Councillor Andrew Dawson asked the Commissioner for information on the financial impact of COVID -19 on the Constabulary. The Commissioner indicated that it had not yet been necessary to use financial reserves. He also noted that the Government had brought forward some payments and that this had helped with issues of cashflow. Overall levels of staff absence had been lower than originally expected. He paid tribute to the Constabulary for the sound financial management that they had demonstrated during the current crisis. Councillor Dawson asked if more detailed information could be shared at a future informal meeting.

Mrs Sally Hardwick, noting that the Commissioner was a member of the Fire Authority asked the Commissioner for progress following a meeting he had held earlier in the year with the Cheshire Deafness Support Network and the Chairman of the Police and Crime Panel. The meeting had addressed ways of better understanding the special needs of the deaf community in engaging and alerting the emergency services. She noted that the outcome of this meeting had been the production of a comprehensive and low-cost project proposal. This had been forwarded to Cheshire Fire and Rescue Service on 22nd February 2020 by the Chief Executive of the Deafness Support Network. It had outlined how emerging technology could reduce risk for some of the most vulnerable in Cheshire. Mrs Hardwick indicated that recent events had highlighted that one size did not fit all when it came to dealing with those with protected characteristics.

The Commissioner said that he would wish to support any initiatives that reduced inequality. He noted that he only attended Fire Authority meetings as an observer but was happy to raise this issue at one of his collaborative meetings with the Fire and Rescue Service which were held on a regular basis. Councillor Martyn Delaney noted that this was an area where he

had a particular interest and committed to raising the issue with the Fire Authority, of which he was a member.

Councillor Rob Bissett noted that at the commencement of the implementation of the Coronavirus Act 2020, the National Crime Agency had published a threat assessment for Coronavirus related crime. He asked the Commissioner to tell the Panel what steps Cheshire Police had put in place to counter these threats.

The Commissioner responded by indicating that he was involved in this issue at the local, regional and national level. He noted that criminality had changed, with criminals using Coronavirus as a cover to commit crime, including fraud and drug related crime. He paid tribute to the work that had been undertaken during the lockdown period, particularly work relating to combatting child abuse.

Councillor Norman Plumpton Walsh commended the Commissioner for recently holding a remote scrutiny meeting with the Chief Constable. He asked the Commissioner to give an undertaking to inform the Panel's Secretariat well in advance, of the frequency and dates of such meetings, so as Panel members could benefit from attending remotely as members of the public. The Commissioner committed to this.

Councillor Dave Thompson noted the very commendable work undertaken by Cheshire Constabulary during the COVID - 19 outbreak which had seen excellent and cohesive working between NHS, Public Health and a range of agencies. He asked the Commissioner to outline the steps that were being put in place to secure and build on this work, which could have such beneficial outcomes in multi agency risk reduction.

The Commissioner agreed that that levels of cooperation and collaboration had increased during the emergency. He was confident that this could be built on in the post COVID - 19 world, noting that work on recovery had already commenced sub regionally at the Officer level.

Councillor Andrew Dawson asked the Commissioner if he would be willing to take a leading role in organising a multi faith service of thanks following the Coronavirus outbreak. This could commemorate those sadly lost to COVID – 19 and the way in which communities had come together to respond to the emergency. Such a service could only take place when the risk had been reduced to an absolute minimum. The Commissioner responded that he would be supportive of such an initiative and that discussions had already commenced and that he would welcome as wide an involvement as possible.

11 SCRUTINY ITEMS

Panel members noted the papers that had been circulated with the agenda. Councillor Paul Findlow suggested that in future more attention should be given to this item. The Chairman indicated that he intended to pull a small group together to review issues such as this.

12 **WORK PROGRAMME**

The Panel's work programme was reviewed. Mr Bob Fousert asked if the Commissioner's Scrutiny Meetings could be included in the work programme.