

MINUTES OF THE SCRUTINY BOARD HELD ON 30 SEPTMEBER 2020 MEETING HELD VIA SKYPE VIDEOCONFERENCE CALL

Present: D Keane, Police & Crime Commissioner
D Martland, Chief Constable

Office of the Police & Crime Commissioner

P Astley, Chief of Staff
C Hodgson, Head of Finance, Operations & Governance
M Walton, Senior Governance & Performance Officer
C Evans, Operational Support Officer

Cheshire Constabulary

J Cooke, Deputy Chief Constable
J Sims, Assistant Chief Constable
M Burton, Assistant Chief Constable
P Woods, Head of Planning & Performance

Two members of the public were present to observe the meeting.

1. MINUTES OF THE 08 SEPTEMBER 2020 SCRUTINY BOARD

1.1 The minutes of the meeting on 08 September 2020 were noted and approved.

1.2 The Chief Constable provided clarification in relation to action 2020/20 (The Chief Constable to provide a briefing in relation to the end to end review of offender and perpetrator management programme) and explained that, while there is not a formal review report, the team is seeking to improve the end to end process associated with out of court disposals and confirmed that a briefing will be provided to the Commissioner accordingly.

2. POLICE & CRIME PLAN THEMATIC: CRIME & ANTI-SOCIAL BEHAVIOUR

2.1 The Commissioner noted that the constabulary appeared to have moved from an independent external process of recording public perception to using internal existing survey software, for reasons given of cost effectiveness. The Commissioner stated that he had been unaware of this change and sought assurances that the new system imposed would bring directly comparable data in order to support the continuation of his scrutiny of the important matter of public perception.

2.2 The Commissioner explained that he is aware of daily activity taking place in order to prevent crime and anti-social behaviour. The Commissioner noted that the percentage of residents who agreed that Cheshire Constabulary is dealing effectively with anti-social behaviour issues appears to have decreased over the previous 12 months, accepting the potential impact of the covid crisis, and requested the Chief Constable's response.

2.3 The Chief Constable explained that the general public satisfaction/perception figure has remained stable but acknowledged that public perception in relation to anti-social behaviour had decreased during the early months of the pandemic. There was a spike in the reporting of non-compliance with COVID-19 regulations during the initial lockdown and this was classified as anti-social behaviour. The Chief Constable explained that the Constabulary had worked well in dealing with anti-social behaviour and adopted the 4 E's approach which was a proportionate response. The Chief Constable explained that the Constabulary is once again experiencing an increase in reporting due to seasonal issues and additional regulations. It was recognised that the number of

calls has increased and that collaborative working in terms of scrutiny had demonstrated proportionality in Cheshire's approach.

- 2.4 The Commissioner questioned whether further actions could be taken to reassure residents that the Police are effectively dealing with anti-social behaviour within their local community and whether the new community policing model, with a dedicated PCSO and PC in every community working in a problem-solving manner, could result in an increase in public satisfaction.
- 2.5 The Chief Constable confirmed that an increase in public satisfaction of effectiveness should be seen in the near future. It was explained that a key approach by the Constabulary is problem solving which has been recognised nationally with a focus on prevention and diversion.
- 2.6 The Commissioner recognised that anti-social behaviour, offered referred to as 'low level' crime, can have a disproportionate effect on residents quality of life. The Commissioner stated that the change in the public's perception relating to anti-social behaviour should be a major focus moving forward.
- 2.7 The Commissioner explained that he understood the Constabulary have stopped using the external organisation to undertake surveys, however raised concerns whether the internal process was currently live. The Commissioner was concerned, therefore, there was likely to be a period of no reported data.
- 2.8 The Chief Constable offered assurance and confirmed that the new internal method will provide comparable data and would not leave a gap, that the research conducted remains independent however will use different technologies to gather data. The Chief Constable reiterated the joint priority for him and the Commissioner in relation to ensuring public confidence across Cheshire.

ACTIONS:

- 2020/21 The Chief Constable to provide a written briefing in relation to the alternative approach to capturing data in relation to public perception.

- 2.9 The Commissioner explained that some residents across Cheshire had perceived there to be an increase in speeding throughout the period of lockdown. The Commissioner explained that the data provided suggests that significantly less road safety activity was conducted by our PCSOs throughout the lockdown period. The Chief Constable explained that the level of traffic on roads had significantly reduced across Cheshire but confirmed that PCSOs and PC's were embedded in local communities and speed enforcement activity had continued. The Chief Constable confirmed that road safety remained a priority for Cheshire Constabulary.
- 2.10 The Commissioner explained the previous commitment of at least one hour per week PCSO speed awareness, education and enforcement, in addition to holding a surgery within the local community. The Commissioner explained that the graph included under paragraph ten of the report indicated that, even outside of the lockdown period, only 60-70% of the 122 communities (PCSOs) posted a TruCam or Road Safety social media post by week.
- 2.11 The Chief Constable explained that PCSOs are expected to conduct one hour or road safety activity every week, however there are instances where PCSOs are on annual leave and, therefore, the activity is not conducted. The Chief Constable offered reassurance that this remains a priority and that there is an expectation for every PCSO to conduct at least one hour per road safety activity per week.
- 2.12 The Commissioner queried whether the recording mechanism for PCSOs conducting road safety activity was valid, being that activity is only recorded if reported on social media. The Commissioner therefore questioned whether the data provided within the report was accurate as it does not represent what he sees when out in local communities. The Commissioner stated that the measure required a different approach as he felt this measure didn't fairly represent the work of community policing. Communities had noticed an increase in perceived speeding with less

traffic on the road causing safety issues and it couldn't be acceptable that activity appeared to have dropped so starkly.

- 2.13 The Chief Constable explained that throughout the lockdown period PCSOs were under immense pressure in relation to visibility and dealing with safeguarding issues. The Chief Constable explained that PCSOs continued to patrol key routes and this continued where possible but were predominantly ensuring visibility and aiding the local authorities with safeguarding issues. The Chief Constable confirmed that road safety remains a priority and that issues as a result of the lockdown was an inevitable consequence. The Chief Constable was comfortable with regard to the action taken during the course of lockdown to deal with roads policing issues, but didn't wish to introduce an overly bureaucratic reporting mechanism.
- 2.14 The Commissioner applauded the efforts of officers and staff throughout the lockdown period, but explained his dissatisfaction that the data provided does not fulfil the basic commitment agreed in a period where KSI statistics had increased. The Commissioner reaffirmed that he didn't believe social media posts was the best or most accurate mechanism to capture accurate data and whether there would be an alternative approach to evidence delivery of such a priority. The Commissioner reiterated his expectation that 100% of PCSOs aligned to the community policing model undertake at least hour per week road safety activity and the manner of recording such was worthy of further discussion with the Chief Constable. The Commissioner explained that his statutory role under scrutiny was to set the priorities of the Police & Crime Plan and then scrutinise the delivery of such priorities under agreed measures.

Actions:

2020/22 For the reporting measure of conducting one hour of road safety activity by PCSO's to be re-considered.

- 2.15 The Commissioner turned attention to the data under paragraph 12 in relation to Neighbourhood Watch Schemes and welcomed the inclusion of data per local policing unit. The Commissioner queried whether the implementation of the community policing model would increase local involvement and the number of neighbourhood watch schemes.
- 2.16 The Chief Constable agreed that there is scope for enhancement of the number of schemes across Cheshire and that the dedicated PCSO and PC per community will work with local communities to develop schemes. The Chief Constable explained that neighbourhood watch schemes and Constabulary continue to work together to address issues that are of concern within local communities.
- 2.17 The Commissioner explained that progression proved difficult to scrutinise due to lack of comparative data, such as previous year or national data. The Commissioner suggested that the 122 model should encourage greater coverage of neighbourhood watch schemes across Cheshire and that resources should be prioritised into key areas that have higher levels of recorded crime and anti-social behaviour. The Commissioner enquired whether any data was available to evidence the impact of neighbourhood watch schemes in reducing crime and anti-social behaviour. The Chief Constable confirmed that the Assistant Chief Constable is present on the Board that the neighbourhood watch schemes strategically report in to. The Chief Constable confirmed that the focus is how schemes are working with the Constabulary to deliver key priorities and believes that the data presented demonstrates a vast number of neighbourhood watch schemes throughout Cheshire. The Chief Constable confirmed that the community policing model will be a vehicle for PCs and PCSOs to expand the number of schemes across Cheshire and support the priorities of local communities.
- 2.18 The Commissioner agreed with the Chief Constable and that funding from his Safer Communities Fund continues to support and increase the number of neighbourhood watch schemes across Cheshire. The Commissioner wished to commend residents that are involved in schemes across Cheshire and pledged his ongoing support. The Commissioner reiterated the importance of involving the community in the policing response and requested a requested a clear plan of how this will develop given the implementation of the community

policing model and how schemes support the prevention of crime and increase public confidence.

- 2.19 The Chief Constable confirmed the Constabulary will continue to support the development of additional neighbourhood watch schemes in local communities across Cheshire. The Chief Constable also confirmed that there is ongoing work to overlay existing schemes with IMD data to identify vulnerable locations and ensure a focused approach to encourage the development of schemes in such areas.
- 2.20 The Chief of Staff welcomed such work in order to provide clear direction in relation to Neighbourhood Watch and requested that the OPCC and Constabulary work collaboratively in scoping the initial plan. The Commissioner requested that the outcomes and outputs are identified and monitored as a priority, requesting that this would enable effective scrutiny. The Chief Constable confirmed that the Procedural Justice Board is the vehicle to track such work and confirmed that the Assistant Chief Constable and Chief of Staff are on the board.

ACTIONS:

- 2020/23 The Constabulary to provide a clear plan within the 122 model in relation to increasing the number of Neighbourhood Watch Schemes across Cheshire via a targeted approach. This will complement the ongoing work of overlaying existing schemes with IMD data to identify areas of vulnerability.
- 2.21 The Commissioner referred to constabulary community safety inputs to Schools and requested that this is a key priority and that effective measures are required to enable scrutiny. The Commissioner questioned whether local schools in Cheshire enjoy regular engagement with local PC's and PCSO's on appropriate safety issues and sought assurance that relationships were in place in each community.
- 2.22 The Chief Constable explained that it was his understanding that the Constabulary have encountered challenges but are developing a dashboard approach which will provide quantitative and qualitative data detailing the packages provided and this will be available in the coming months. A simple measure in progress will provide the Commissioner reassurance that the Constabulary is delivering such a priority.
- 2.23 The Chief Constable explained that due to current restrictions, the Constabulary is unable to be present within schools, but delivery is ongoing virtually in partnership with Cheshire Fire & Rescue Service. In addition, teachers will accompany officers throughout the Halloween period. The Assistant Chief Constable explained that the Constabulary continues to hold fantastic relationships with the schools as virtual delivery has opened up opportunities and a tremendous amount of work has been undertaken in difficult circumstances.
- 2.24 The Commissioner acknowledged the ongoing demands and challenges but reiterated that he would appreciate a document outlining the work in schools and colleges by specialist teams and localised community policing teams. The Commissioner explained his vision of regular contact between young people and the local PC and PCSO, co-ordinated by the safer schools and young people's partnership. It was recognised that data needed to be provided in an adapted way with priorities captured, measured and presented.
- 2.25 The Commissioner discussed the Proceeds of Crime Act (PoCA) data and questioned why the figures for forfeiture and confiscation orders were lower this year compared with the same period last year. The Assistant Chief Constable explained that just under £50,000 (for Q1) is due to be deposited into the Proceeds of Crime account from the Home Office next week. The Assistant Chief Constable explained the ongoing focus of the Roads Crime team to take money off the road which continues to be intelligence-lead. As a result of lack of vehicles on the road during the lockdown period, there has been a significant reduction. The Assistant Chief Constable explained 18-19% of money confiscated is received via the benefit agreement with the Home Office.

2.26 The Assistant Chief Constable explained there has been a reduction in the number of restraining orders. Currently within the system, there is just under £1,000,000 restrained across eight investigations and a criminal figure is displayed on those investigations with a realisable amount based on what currently exists. It was noted that more money was received from confiscation compared to cash seizures.

2.27 The Commissioner commended the ongoing work but enquired in relation to the meaning of 'balances can be revisited at any point thereafter'. The Assistant Chief Constable confirmed that the Constabulary is a member of the Joint Asset Recovery (JAR) database and when individuals are released from prison and any further assets are realised, the Constabulary revisits this through the database. The Commissioner welcomed the update and the significant reassurance provided.

3. THEAMTIC DEEP DIVE: SOLVED RATES

3.1 The Commissioner invited the Chief Constable to provide an overview and background to the report to aid understanding. The Chief Constable explained that a national 'outcomes' framework for all police recorded crime was introduced in April 2013 and expanded further in April 2014, April 2015 and January 2016. The framework provides the basis of all nationally published crime 'outcomes' information. As it stands currently, there are 22 outcomes existing, however some of these will change in the near future to a two-tier approach. The Chief Constable explained that in the majority of cases, the use of the phrase 'solved rate' relates to 'charges and summons'.

3.2 The Commissioner explained that in many cases, Cheshire continues to excel in relation to 'solved rates' when compared to national, regional and MSG averages. The Commissioner commended Cheshire's performance noting that solved rates have increased substantially in some key areas including robbery, burglary and rape. The Commissioner noted the ongoing challenges and wished to applaud the efforts of officers and staff involved in ensuring such outcomes.

3.3 The Commissioner noted that there had been significant increases in some crime types, but acknowledged that while the 'solved rates' for some crime types may be perceived to be low from a public perspective, these from a policing perspective are higher than the national average. The Commissioner questioned the correlation in between resources aligned to various crime types and subsequent 'solved rates'.

3.4 The Chief Constable explained this was a difficult question to answer, but offered reassurance that the Constabulary continues to prioritise resources dependent upon crime type with the focus upon harm offences and where there is evidential and forensic opportunity. The Chief Constable explained that annual crime figures have risen from around 60,000 to 100,000 per year and stressed the ongoing challenges in relation to demand and resources. That said, the Chief Constable explained the Constabulary continues to adopt a flexible and agile approach to investigations, with Operation Proportionate and Operation Hunted occurring over the summer period.

3.5 The Chief Constable explained that after reviewing the data, opportunities for changing working processes have been identified, including driving the outcome of 'Out of Court Disposals' with dedicated officers to deal with such cases. There is also a need to prioritise resources based on demand and harm. The Chief Constable noted the marked increase in reported rapes, but explained the ongoing partnership with the CPS and the opportunity to receive early investigative advice that provides an indication in relation to prosecution. The Chief Constable noted a recent murder investigation required approximately 30 staff to secure one outcome. The Chief Constable discussed the ongoing national review of rape and serious sexual offences and offered assurance to the Commissioner that the Constabulary will continue to maximise outcomes where possible. It was noted that the Constabulary is to receive the Cheshire Constabulary and CPS review in relation to the national review of rape and serious sexual offences later this year.

3.6 The Commissioner wished to applaud ongoing work of the Constabulary and reiterated that 'solved rates' continue to be above the national average. The Commissioner noted, however, that compared to a decade previous, the Constabulary have approximately one third less resources

and demand has increased by approximately one third during the same period. The Commissioner questioned whether nationally, solved rates have reduced due to pressures on policing. The Commissioner referred to the improvement plan for the dedicated rape unit and discussed the data provided for domestic abuse and the apparent decrease in solved rates. The Commissioner enquired what work had been undertaken to ensure the workforce gives full consideration to evidence-lead prosecution and is there an understanding as to why victims don't support police action in many cases. The Chief Constable explained that evidence-lead prosecution was introduced recently and remains a delicate issue. Where it is appropriate to do so, where there is a likelihood of charge and subsequent prosecution, the Constabulary will do everything it can to secure an arrest, the perpetrator dealt with in custody and a charge secured with appropriate conditions. The Chief Constable explained that the use of body worn video is key in instances where the victim does not support or in some cases, unable to support.

- 3.7 The Chief Constable explained that domestic violence training has been provided to all frontline staff and this will return to face-to-face, from online, where circumstance permit. The Chief Constable explained there is an upward trajectory of arrests for domestic abuse and Cheshire Constabulary refer around 75% to the CPS which is high compared to other forces. Cheshire Constabulary subsequently has a charge rate with the CPS of around 80%. The Chief Constable explained that support provided to domestic abuse victims is imperative and stressed that there are occasions where the right thing to do for the victim is not to take formal action.
- 3.8 The Commissioner welcomed the Chief Constable's assessment and stated that he had much confidence in the Constabulary's approach which bears out the commitment of the 'we care' principles. The Commissioner stated that the data presented within the report provides an important perspective in relation to solved rates, charges and summons. The Commissioner reiterated that the data demonstrates the Constabulary continues to perform well when compared to regional and national averages as well as most similar group comparisons.
- 3.9 The Commissioner noted the data provided within the table in paragraph 13 and stated that Cheshire continue to perform well in relation to 'total solved' rates. The Commissioner did, however, note the figure of 1.33% for out-of-court (informal) disposals. The Commissioner questioned whether the community policing model, with a dedicated PC and PCSO per community, could increase the use of community resolution.
- 3.10 The Chief Constable acknowledged that the number of could be improved and explained that in some cases, this is the right thing to do and would alleviate pressure on the CJ system. The Chief Constable explained that the dedicated PC and PCSO per community have a key part to play in terms of community resolution and where the Constabulary can look to divert, he would fully support the out of court disposal process, particularly in appropriate scenarios to prevent criminalising young people. The Chief Constable explained an interventions team has been introduced with specific responsibility to explore how to use out of court disposals appropriately and more extensively across Cheshire. The Chief Constable explained his belief that this will result in an increase in the number of out of court disposals and the Commissioner welcomed the approach where its use was reasonable and proportionate.
- 3.11 The Assistant Chief Constable explained that the new interventions team will be chaired by Superintendent Parsonage (Head of CJ). Every opportunity will be taken to move to the two-tiered framework of adult cautions and community resolutions, with the interventions team commencing next month. The Commissioner welcomed the update and urged the Constabulary to consider the use of 'out of court' disposals where reasonable and proportionate.
- 3.12 The Commissioner highlighted the data presented the table at paragraph 19 and in particular, data in relation to 'evidential difficulties – victim does not support action'. The Commissioner noted the figure of 38.21% within Cheshire, which is considerably higher than the national, regional and MSG figures. The Commissioner questioned whether this can be attributed to a lack of victim confidence within Cheshire, and whether data from other individual forces was available to compare. The Chief Constable explained a number of elements impact this figure and his focus remains in relation to whether the Constabulary continues to use 'outcome 16' appropriately. The Chief Constable confirmed that this is

regularly scrutinised internally but discussed challenges in relation to CDI, crimes sometimes reported via a third party, evidential difficulties and in some instances, the victim just wishing to report with no desire to support or provide evidence. The Chief Constable offered reassurance that through ongoing work in relation to CDI, the Constabulary continue to comply with crime recording standards and exploring opportunities, particularly with harm offences, to encourage and support victims where appropriate to progress reports.

- 3.13 The Assistant Chief Constable explained that Operation Proportionate highlighted the investigative capture of evidence to either corroborate facts, ID or forensics within a 24 hour window, there is an increased likelihood that the victim will support police action.
- 3.14 The Commissioner acknowledged the update provided but explained that other forces must encounter similar issues and questioned why Cheshire remains consistently higher in comparison. The Commissioner queried whether there is anything that further Cheshire Constabulary can do to ensure better performance in this arena, whether that be a real focus on supporting victims earlier in the process or whether a consideration of cultures or approach is required.
- 3.15 The Chief Constable explained that there has previously been a deep dive in relation to this issue but suggested a further deep dive in an alternative forum may be appropriate to aid understanding and provide the Commissioner with assurance that outcome 16 is used appropriately. The Chief Constable confirmed that arrests have increased last month to just under 1200 from 945. The Chief Constable explained that it may be useful to talk through the various challenges with the Commissioner.
- 3.16 The Commissioner agreed with the Chief Constable and explained that this figure appears to be the exception within an otherwise very positive report. The Commissioner welcomed further discussion with the Chief Constable and Senior Leadership Team to develop an appropriate understanding and action plan.

ACTIONS:

- 2020/24 The Chief Constable to provide a briefing in relation to outcome 16 (evidential difficulties - victim does not support police action) and subsequently meet with the Commissioner to discuss further.

4. HMICFRS REPORTS

- 4.1 The Commissioner explained that no HMICFRS had been published since the last meeting. The Commissioner stated that this was to be a standing agenda item and future reports published by HMICFRS will be discussed to ensure recommendations have been progressed or best practice identified. The will support the Commissioner's statutory duty to respond to HMICFRS reports.

Duration of meeting: Part One of the meeting commenced at 11.15 and finished at 13:15.