



HERTFORDSHIRE POLICE AND CRIME PANEL

MAIN MEETING

Thursday 11 June 2015
Stevenage Borough Council

MINUTES

Present

Cllr T Hutchings, Broxbourne Borough Council (Chairman)
Cllr Ms S Batson, Stevenage Borough Council
Cllr P Choudhury, Hertsmere Borough Council
Cllr A Franey, Welwyn Hatfield Borough Council
Cllr Ms I Imarni, Dacorum Borough Council
Mr I Laidlaw-Dickson, Co-opted member
Cllr J McNally, North Hertfordshire District Council
Cllr R Martins, Watford Borough Council
Cllr P Phillips, East Herts District Council
Dr M Ramsay, Co-opted member
Cty Cllr P Ruffles, Hertfordshire County Council

Also Present

Cllr C Storer (substitute), Welwyn Hatfield Borough Council
Mr T Hewins, officer of the Police and Crime Panel
Mr D Lloyd, Police and Crime Commissioner (PCC)
Mr D Gibson, Deputy PCC
Mr R Wilsher, PCC Chief Executive
Mr S Nagler, Chairman of the PCC Audit Committee
Mr A Sanderson

7 other members of the public attended

1 **APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN**

The Panel appointed Cllr Tim Hutchings, Broxbourne Borough Council, as Chairman. The Panel also appointed Cllr Paul Phillips, East Herts District Council, as Vice Chairman.

2 **INTRODUCTIONS, APOLOGIES AND WELCOME**

Apologies

Cllr Mrs A Brewster, St Albans City and District Council
Cllr T Hunter, North Hertfordshire District Council
Mr B Jones, Co-opted member
Cllr A Scarth, Three Rivers District Council
Dr M Verlot, Co-opted member

3 **MINUTES OF THE MEETINGS OF 26 MARCH 2015**

The minutes of the meetings were agreed.

4 **MATTERS ARISING**

Mr Laidlaw-Dickson asked for a list of the membership of the Community Stop and Search Scrutiny Panel. The Commissioner asked for this information to be circulated with the minutes.

5 **PUBLIC QUESTIONS TO THE POLICE AND CRIME COMMISSIONER**

No questions from the public.

6 **QUESTIONS TO THE PANEL AND PETITIONS FROM THE PUBLIC**

The Panel received a question from Mr Cahalane in advance of the meeting:

"Given that the Police and Crime Panel will continue to have at least 11 members who are members of political parties, and that the UK Independence Party won 10.5% of the vote in the District Council elections held across Hertfordshire, and assuming that it will continue to have at least 2 co-opted members, will the Police and Crime Panel - in the spirit of political balance and fair representation - exercise its discretionary power to ask the Home Secretary for permission to co-opt a member of the UK Independence Party onto the Panel?"

The Chairman paraphrased the following statement:

Item 7 on the agenda includes a section on reviewing the Panel's membership. The Panel must achieve the balanced appointment objective set out in the Police Reform and Social Responsibility Act 2011. This means that the members of the Panel must, as far as practicable, represent all parts of the police area, represent the political make-up of the constituent local authorities, and provide the skills, knowledge and experience necessary to discharge the functions of the Panel effectively. The Panel is required to review its membership to determine that the balanced appointment objective remains met as far as practicable.

There are currently 516 councillors representing the constituent local authorities, which comprise 330 Conservatives, 102 Labour, 79 Liberal Democrat and 5 others. The UK Independence Party currently has one elected councillor.

In Paragraph 31 of Schedule 6 of the Police Reform and Social Responsibility Act 2011 it states that the political balance is to “represent the political make-up of the relevant local authorities (when taken together)”. The Home Office has also produced a legal clarification to the Act on meeting the balanced appointment objective. This states that councils should look to achieve political balance on the Panel by adding together all the councillors in political parties in every council in the force area and then allocating seats in proportion. Therefore, the make-up of the local authorities must relate to their membership and not the votes in the area.

The balanced appointment objective is currently met, which includes Mr Laidlaw-Dickson as an additional Labour party representative to better achieve political balance.

The Panel’s Rules of Procedure state for an appointment of a co-opted member (other than one to achieve the political balance objective) that “the appointment will be made on merit from candidates whose skills, experience and qualities are considered best to ensure the effective functioning of the Panel in accordance with the balanced appointment objective”.

Only the Panel can determine the membership of the Panel, subject to judicial review of a decision that does not follow the law or is irrational. The Panel may wish to reflect vote share in its membership selection if members of the Panel wish to do so, by proposing to the Home Secretary that additional co-opted members (up to a maximum Panel membership of 20 members) are appointed. However, there are a number of considerations that need to be made:

1. Does the current seat allocation in Hertfordshire reflect the vote share of the other political parties?
2. Local authorities have different election arrangements. For example, eight out of 10 borough/district authorities retire in thirds, which means a local election is held three years out of every four years, and on the fourth year there is an all-out county council election. Dacorum and East Herts have all out elections. When considering vote share, this would need to reflect this four year cycle and all votes cast.

As the Panel’s membership currently meets the Act’s balanced appointment objective and in accordance with the Panel’s current Rules of Procedure, it is recommended to members of the Panel that vote share is not considered as part of the selection of co-opted members.

The Panel agreed that vote share is not considered as part of the selection of co-opted members.

7 REVIEW OF PANEL MEMBERSHIP, 2015/16 WORK PROGRAMME, RULES OF PROCEDURE AND TRAINING REQUIREMENTS

Review of membership

The Panel agreed no change in membership arrangements were required.

Work programme

The Panel agreed to establish three working groups. Cllr Batson will lead a group to examine victim support and report back to the Panel's meeting on 12 November 2015. Dr Ramsay will lead a group to scrutinise crime statistics and reporting and feed back to the Panel's meeting on 28 January 2016. Mr Laidlaw-Dickson will lead a group to monitor the progress of collaboration with other police forces and report back to the Panel's meeting on 11 February 2016.

The Commissioner welcomed the topics selected by the Panel. Cllr Batson and her group may wish to visit Beacon, the multi-agency victim care centre. Dr Ramsay's knowledge on the Crime Survey for England and Wales will be helpful. Mr Laidlaw-Dickson and his group will find collaboration an interesting subject. For instance, one in every five pounds is currently spent on collaboration so at a certain point the police and crime commissioners and police and crime panels from Hertfordshire, Bedfordshire and Cambridgeshire will need to convene. Following the recent national elections, the role of police and crime commissioners are established and there will be police and crime commissioner elections in 2016 and 2020. The Commissioner advised that he will engage with the Panel's working groups, as required.

Rules of Procedure

The Panel agreed that no amendments to the Rules of Procedure were required.

Training requirements

The Chairman noted that Cllr Ruffles had attended the Bedfordshire Police and Crime Panel meeting held on 15 April 2015 and suggested there is value in attending other police and crime panel meetings. Cllr Ruffles advised that it was a worthwhile experience and other police and crime panels are also welcome to attend the Panel's meetings. There were small differences, such as Bedfordshire Police and Crime Panel do not have name plates, and it was helpful to see things from a different perspective.

The Chairman suggested it would be helpful to visit Bedfordshire, Cambridgeshire and Essex police and crime panels. In particular, it would be useful to see how they promote meetings, as it is difficult to encourage members of the public to attend the Panel's meetings. The Chairman advised he would write to the chairs of the community safety partnerships and invite them to future meetings. Cllr Ruffles noted that the chairs of the community safety partnerships attended the Bedfordshire Police and Crime Panel meeting.

The Panel agreed that a similar training session to the one held in June 2014 would be helpful, particularly for new Members.

8 ANNUAL REPORT OF THE PCC

The Commissioner introduced the Annual Report. The five key achievements are listed on page three. The Commissioner advised 2014/15 was a good year and Hertfordshire was a safe county. The Constabulary performed well when compared to other police forces in England and Wales, the number of police officers increased and the policing precept was maintained.

Public questions on the Annual Report

A member of the public referred to page 23 and noted that there is a general public misunderstanding of what constitutes vehicle crime. The official definition includes stealing vehicles and items from vehicles but it does not include crimes such as dangerous driving and speeding. The Commissioner advised that the Home Office sets the standards and what crimes are recorded in which categories. Generally, the allocation of crimes into categories is not described by the public or the police as user friendly and is a national issue. Certain wrongdoings, such as road traffic offences, which are considered a crime by the public, are not considered a crime by the Home Office. The Commissioner acknowledged that the public do not like offences such as anti-social behaviour, speeding and dog fouling and, although they are not included as part of the crime statistics, they are referenced in the Annual Report because they are important to the public.

A member of the public asked what success the 'offender pays' principle has had, as not all crimes are committed by wealthy people. The Commissioner advised that the Proceeds of Crime Act enables the police to recover money made by criminals from their illegal activities. The victim surcharge has enabled services for victims to be funded by offenders, such as the Beacon service. There are occasions when money cannot be recovered from offenders but it is better if criminals pay for these services rather than taxpayers.

A member of the public queried what engagement takes place to publicise meetings, as she asked nine members of the public prior to the meeting if they knew about the Panel's meeting and they did not. The Commissioner advised that he is not responsible for Panel meetings but he does undertake a wide variety of less formal engagements with the public. The Chairman noted it was important to engage with residents, hence why the Panel's meeting venues rotate across Hertfordshire so all residents in the county have a chance to attend. Stronger links with the community safety partnerships will help.

A member of the public expressed concerns that the knife crime awareness service was not a compulsory session at all schools. The Commissioner advised he supports Billy's Wish, a charity which was set up following the murder of Billy Dove, a 19 year old man, in Hemel Hempstead. The family wanted to educate young people about the dangers of knife crime so the charity established an education programme aimed at schools. The Commissioner noted it was surprising that schools are not able to find the funds to receive this education programme.

A member of the public asked the Commissioner to clarify what spending one in every five pounds on collaboration means. The Commissioner advised that it means around £40 million is spent on collaborative police units, such as dog handlers, road policing, serious and organised crime, armed police, air police and other specialist response capabilities.

Panel consideration of the Annual Report

Mr Laidlaw-Dickson welcomed the report and raised concerns about the treatment of victims. Her Majesty's Inspectorate of Constabulary's (HMIC's) updated PEEL (police effectiveness, efficiency and legitimacy) report identifies the accuracy of crime recording and treatment of victims of domestic violence (medium and low risk only) as issues in Hertfordshire. Mr Laidlaw-Dickson asked the Commissioner how he is holding the Chief Constable to account.

The Commissioner advised that he also has these concerns and it is reassuring that HMIC has picked up the same issues. All incidents should be initially recorded on the Constabulary's system as a crime until the incident can be proven otherwise. There has been an increase in the number of violent assaults, due to changes in recording practice which means all persons committing an offense are recorded as a crime, rather than the one incident as previous. Driving off without paying (bilking) at places such as petrol stations has increased, as these incidents were not recorded as a crime previously. The Constabulary's crime figures are closer to the Crime Survey for England and Wales.

The Commissioner advised that there has been a focus on domestic abuse and victims of crime can attend Beacon (Hertfordshire Victim Care Centre) even if the crime has not been reported. SafeLives (formerly called Co-ordinated Action Against Domestic Abuse) were funded to undertake a review of the county-wide response to domestic abuse, which was published in January 2015.

Cllr Martins asked how the work to triage services to assist police, by having a mental health nurse in the force control room overnight, has impacted on individuals. The Commissioner advised that mental health sufferers are often taken to the cells but this does not happen in Hertfordshire. The police can refer to a mental health professional and better informed decisions can be made to ensure people suffering from a mental health crisis are kept safe.

Cllr Martins queried why crime increasing by 10.6 per cent last year (referenced on page 23) is considered a success and whether the Commissioner is holding the Chief Constable to account sufficiently. The Commissioner advised that recorded crime increased by three per cent when like for like figures are compared, which is attributed to an increase in burglary. The remaining increase in crime can be attributed to the improved crime recording in accordance with the National Crime Recording Standards. The Chief Constable is held to account at the Strategic Executive Board, a monthly meeting to scrutinise performance and provide challenge. Hertfordshire has the sixth lowest level of reported crime in the country.

The Chairman noted that the local authorities in Hertfordshire have a role to play with mental health. The Commissioner advised that the police and partner agencies work together.

Cllr Franey suggested that Panel members have a responsibility to promote Panel meetings in their own local authority area. The Chairman agreed and will also write to the chairs of the community safety panels.

Dr Ramsay queried how far the Commissioner's direction was followed by police below senior officer ranks and what the level of morale in the force is. The Commissioner advised that his role is to hold the Chief Constable to account as the Chief Constable implements the Police and Crime Plan. It is the role of the Commissioner to appoint the Chief Constable and the Chief Constable's role to appoint his team. The morale of the police can be gauged at the district days which are held twice a month. It is at these events that engagement takes place with the local police and people interacting with the local police. The lack of recruitment concerns is an indicator that morale is currently good.

9 **PCC'S DRAFT POLICE AND CRIME PLAN 2015 - 2020**

Comments from the public

A member of the public asked for clarification of 'hate crime' on page 11 of the plan so it is clear that disability is included. The public are not necessarily aware that this is the case. The Commissioner advised that hate crime covers a range of crimes, which includes against people with disabilities, although this is not explicitly referenced in the plan. The Constabulary has a diverse recruitment policy, recruiting across all backgrounds. There is more work to do so the public are aware that hate crime includes crimes against people with disabilities.

A member of the public suggested that the third bullet point on page 45 of the plan, 'supporting vulnerable people and tackling cyber-crime', is reworded so the two are not grouped together. The Commissioner advised that a member of the public had written to him as part of the consultation on the plan and grouped the two together, hence their inclusion together in the 'response to the consultation' section of the plan. The Chairman recommended this was reworded.

A member of the public commented that he had assessed the plan against three areas, which are enforcement, situational and design measures and causes of crime. He considered that there are many references to enforcement, some references to situational and design measures and minor references to causes of crime. The causes of crime should not be forgotten. The Commissioner advised that his remit was wider than the areas he has direct control over. The reason why he is involved in a wide range of areas, including domestic abuse, mental health and fire awareness is because he agreed that the causes of crime need to be tackled. The Commissioner said he would reflect on these helpful comments. The Chairman noted this was implicit in the 'working in partnership' section on page 15 of the plan.

Comments from the Panel

Mr Laidlaw-Dickson asked what the Commissioner was doing to hold the Chief Constable to account to ensure that the neighbourhood policing model works, taking into consideration pressures such as policing Watford's Premier League football matches and the possibility of using resources pooled from elsewhere to do so. The Commissioner recognised this was a helpful observation which he would

raise with the Chief Constable. The wider question is how to ensure the 19 per cent reduction in grant funding and the anticipated further 25 to 30 per cent reduction in grant funding over the next five years does not impact negatively on the number of police officers or increase precept levels. Some work currently undertaken centrally will be diverted to neighbourhood policing teams or as part of the collaborative work with other police forces. Football matches should not impact on other resources, as football clubs are charged for policing inside their grounds. Special constables may want to work at football matches. The Chairman noted that according to the press the Premier League football clubs receive at least around £130 million per annum so it would not seem fair for members of the public to subsidise their policing costs. This may be an area worth lobbying the Home Office about.

Councillor Choudhury asked whether the significant changes to the victim surcharge will result in more funding and how will it be spent. The Commissioner advised that the current higher levels of income from the Proceeds of Crime Act will be offset by the reduction in grant funding. An increase from nothing two years ago to £1.3 million now is a significant increase, and it is hoped this level will be maintained to support victims of crime.

Councillor Phillips queried that in the 'public focus' section on page 25 of the plan why there is no real focus on engaging younger audiences, except via the police cadets scheme. The Commissioner advised that if words such as 'children' and 'young people' were searched for in the plan they would appear many times (for example, on pages 14 and 15 of the plan). There was no specific section about young people but there are references in the plan. The plan focuses on all groups of people. The Chairman noted that Hertfordshire has an excellent youth parliament as well as youth councils at borough/district level.

The Panel supported the Commissioner's draft Police and Crime Plan and asked that he consider the points raised when implementing the plan.

10 **ANNUAL REPORT OF THE PCC CHIEF EXECUTIVE ON COMPLAINTS AGAINST THE PCC**

Mr Wilsher advised that two complaints were made in the period between 1 April 2014 and 31 March 2015. Both complaints were investigated and no further action taken.

11 **ANY OTHER BUSINESS**

Mr Laidlaw-Dickson thanked Mr Gavin Miles, previous Clerk of the Panel, who is now seconded to the Commissioner's office.

The Chairman thanked Stevenage Borough Council for hosting the meeting.

12 **DATE OF THE NEXT MEETING**

Thursday 12 November 2015 – meeting to be held at Dacorum Borough Council