

Sussex Police and Crime Panel

12 March 2021 – A virtual meeting of the Panel held at 10.30am.

Present:

Cllr Bill Bentley (Chairman)	East Sussex County Council	Cllr Gill Yeates	Arun District Council
Cllr Johnny Denis	Lewes District Council	Cllr Carolyn Lambert	East Sussex County Council
Cllr Philip Lunn	Wealden District Council	Cllr Norman Webster	Mid Sussex District Council
Mr Peter Nightingale	Independent Member	Mrs Susan Scholefield	Independent Member
Cllr Val Turner	Worthing Borough Council	Cllr Dee Simson	Brighton & Hove City Council
Cllr Paul Barnett	Hastings Borough Council	Cllr Jackie O'Quinn	Brighton & Hove City Council
Cllr Tricia Youtan	Horsham District Council	Cllr Jay Brewerton (Substitute)	Rother District Council
Cllr Rebecca Whippy	Eastbourne Borough Council		

Apologies were received from Cllr Dave Simmons (Adur District Council), Cllr Brenda Smith (Crawley Borough Council), Cllr Brian Drayson (Rother District Council), Cllr Roy Briscoe (Chichester District Council) and Cllr Christian Mitchell (West Sussex County Council).

Present from the Office of the Police and Crime Commissioner (OSPCC):
Commissioner Katy Bourne (PCC), Mark Streater (Chief Executive & Monitoring Officer), Iain McCulloch (Chief Finance Officer) and Mervin Dadd (Chief Communications and Insight Officer).

Part I

59. Declarations of Interest

59.1 In accordance with the Code of Conduct, members of the Panel declared the personal interests contained in the table below.

Panel Member	Personal Interest
Bill Bentley	Lead Member for Communities and Safety Chairman of East Sussex Safer Communities Board

	<p>Chairman of East Sussex Civil Military Partnership Board</p> <p>Chair of Heathfield Community Safety Action Group (CSAG)</p>
Roy Briscoe	Member of Joint Arun and Chichester Community Safety Partnership
Johnny Denis	<p>Co-Chair of Lewes and Eastbourne Community Safety Partnership</p> <p>Lead Member for Community Safety at Lewes District Council</p> <p>Member of Lewes District Council – Community Safety Partnership – Joint Action Group</p>
Susan Scholefield	<p>A serving Magistrate</p> <p>Chair of the Competition Appeal Tribunal and Competition Service</p> <p>Senior Independent Director of Surrey and Borders Partnership NHS Foundation Trust</p>
Dave Simmons	<p>Chairman of Adur and Worthing Safer Communities Partnership</p> <p>Sussex Partnership NHS Foundation Trust Council</p>
Dee Simson	<p>Member of Brighton and Hove Community Safety Partnership</p> <p>Member of Woodingdean Neighbourhood Watch</p>
Brenda Smith	<p>Cabinet Member for Public Protection at Crawley Borough Council</p> <p>Chair of Safer Crawley Partnership</p>
Val Turner	Member of Safer Communities Partnership, Adur and Worthing
Norman Webster	Member of Mid Sussex Community Safety Partnership
Rebecca Whippy	<p>Co-Chair of Lewes and Eastbourne Community Safety Partnership</p> <p>Lead for Community Safety at Eastbourne Borough Council</p> <p>Member of Eastbourne Borough Council Joint Action Group</p> <p>Member of Eastbourne Neighbourhood Watch</p> <p>CEO of Embrace East Sussex</p> <p>Independent SEND Litigator</p>
Gill Yeates	<p>Chairman of Safer Arun Partnership</p> <p>Member of Joint Arun and Chichester Community Safety Partnership</p>
Tricia Youtan	<p>Member of Horsham Community Safety Partnership</p> <p>Cabinet Member for Community Safety at Horsham District Council</p>
Carolyn Lambert	<p>Vice-Chair of East Sussex Fire Authority</p> <p>Member of Fire Commission</p>
Philip Lunn	Member of Safer Wealden Partnership

Jackie O'Quinn	Lead Member of Brighton & Hove Community Safety Partnership
Brian Drayson	Co-Chair Safer Rother Partnership
Paul Barnett	Co-Chair Safer Hastings Partnership

60. Minutes of the Previous Meeting

60.1 Resolved – that the minutes of the previous meeting held on 29 January 2021 be approved as a correct record and confirmed electronically by the Chairman following the meeting.

61. Correspondence between the Panel Chairman and Sussex Police & Crime Commissioner

61.1 The Panel noted the correspondence between the Panel Chairman and Commissioner regarding the Panel's agreed recommendations in relation to the Police & Crime Plan 2021/24 and Proposed Precept 2021/22.

62. Public and Panel Questions to the Commissioner

62.1 The Panel noted a published version of written public and Panel questions with answers from the Commissioner (copy appended to the signed minutes). The Panel had two supplementary questions in respect of the public questions:

1. Q: In reference to Question 2, concerns were raised that despite a review of the Force's stop and search powers concluding that there are no faults with the current procedures – will the Commissioner elaborate on her written response in terms of what more can be done to address the long-standing issue of alleged racial profiling?

A: Commissioner Bourne re-affirmed her response in that proportionality is taken very seriously and took issue with accusations of discrimination. She added that her answer offered future reassurance to the public.

2. Q: Clarification was sought regarding the alleged policy issues upon submitting a Freedom of Information (FOI) request and whether the outcome of the investigation will be reported back to the Panel?

A: Mr Streater understood that this question is linked to two separate matters: 1) The specific case in question and the individual's issue with the Force's handling of data provision and 2) The Force's generic response to FOI requests. Regarding point two, Mr Streater explained this is something the Commissioner scrutinises very closely at her Performance

and Accountability Meetings (PAMs) and the Chief Constable has given her assurance that further investment in office staff has helped to meet growing demand. Mr Streater added that as Monitoring Officer, he is responsible for all FOI requests submitted to the OSPCC and is confident that the Office is maintaining high standards around timeliness following a recent audit.

3. Q: Concern was raised that the figures relating to stop and search appear discriminatory and disproportionate in Sussex, in comparison to other areas of Sussex. It was suggested that the Force improves its recruitment rate of BAME (Black, Asian and Minority Ethnic) officers and the Commissioner was asked how black residents can participate in one of the Chief Constable's procedural panels/groups that looks at how the powers are exercised

A: Commissioner Bourne acknowledged that there was a 24% increase in stop and searches across Sussex in 2019/20. Local figures rose in part due to 475 stop and searches carried out at an international motorcycle event alone in June 2019. The Commissioner reported that the Force's three Tactical Enforcement Units and single Special Enforcement Unit have been successful in proactively targeting the Sussex road network. Trainee and existing officers have been given improved training and employ the GOWISELEY approach (Grounds, Object, Warrant, Identity, Station, Entitlement, Legal, You) when conducting stop and searches. On addressing the disproportionality of BAME stop and searches, the Commissioner highlighted increased tourist levels from city areas to the county's coastline as a contributing factor since the summer lockdown restrictions were eased. The Commissioner reported that the Force's most recent staff intake was almost twice as representative as the population of BAME residents in Sussex (6.3%). She also assured the Panel that her and the Chief Constable meet to review officer body camera footage at random and consider whether proportionality is respected when undertaking stop and searches. The PCC concluded by reminding the Panel that the Force has one Independent Advisory Group (IAG) in each of its three divisions and one strategic IAG across the whole Force. She encouraged members to invite their BAME communities to come forward and get involved. It was suggested that a special briefing on stop and search is presented to the Panel at a future meeting.

4. Q: Concern was raised regarding the number of officers within Force subject to misconduct hearings – will the Commissioner inform the Panel of hers and the Chief Constable's plans to tackle the issue and is there evidence of improved performance following those verdicts?

A: Commissioner Bourne explained that a recent change to the regulations has allowed for the media to attend serious misconduct panels and hearings instead of being dealt with internally within the Force, which in

turn has raised the profile of some cases in the public domain. She added that her Office (OSPCC) has facilitated conversations with the media across Sussex to explain the process and improve transparency. The Commissioner noted the Chief Constable has reported more officers feel empowered to report both in their own name and anonymously. She concluded by adding that the Force is proactive in terms of raising awareness among staff of reporting channels and reassured the Panel that mandatory training around good conduct is undertaken by officers on a rolling basis.

5. Q: In her position as Chairman of the Criminal Justice Board, does the Commissioner have an opinion on the current backlog of court cases and the impact of the pandemic on frontline officers and staff?

A: The Commissioner admitted the Board has shared concern following a recent meeting, however she did commend magistrates' courts for leading the way in improving their backlogs. She highlighted the old age of many Sussex courts as an issue due to them not being able to operate in a Covid-secure manner. During the pandemic, 6 out of 10 crown courts have been in operation Sussex-wide - two additional crown courts are scheduled to open in Chichester at the end of April and May respectively. Commissioner Bourne also admitted that the pandemic has inevitably been challenging and a strain for staff working across the Force, with more employees working 12-hour shifts and less annual leave being taken. She paid tribute to the Force's frontline officers and back office staff for their work ethic in policing during lockdown. At present, 21,000 victims and witness are in the system waiting for their cases to be heard for various forms of crime. The Commissioner also praised the Victim and Witness Care Unit for managing their high caseload and giving witnesses and victims the confidence to provide evidence despite the increased waiting times. Pressures are also being felt by the Crown Prosecution Service (CPS) and courts staff with a knock-on effect to prisons probation services.

5. Q i): There has been a decline in the number of rape cases referred to the CPS in the last three years despite the fact that reported rape has increased – has the Commissioner noticed that this national trend is mirrored by Sussex Police?

ii) Does the Commissioner have a view on rape victims being forced to hand over their mobile phones for police evidence, even when the offender has confessed to the crime, and do you think it will deter them from coming forward and reporting incidents?

A i): The Commissioner recognised that on average around 30-35 reports of serious sexual assault are reported across Sussex on a weekly basis. She noted that many cases involve complex domestic situations in addition to random 'stranger rape'. Analysis carried out by the Force

showed that 50% of offences reported are not pursued by victims and in many cases the trauma suffered by victims has meant they're unable to follow through supporting and engaging with the Force. Commissioner Bourne informed the Panel that recent figures show 94% of reported rape and serious sexual offences in Sussex result in convictions – 16% above the national average and a 40% improvement on figures in 2017/18. It was highlighted that the Force is working closely with the CPS to improve the quality of case files. Where victims are willing to support the police, this enables the Force to present their case to the CPS for early advice once the victim's account has been obtained and the suspect(s) arrested. As a result, this aids the prosecution team's understanding and informs potential lines of enquiry as well as speeding up for the process for the case hearing.

ii): The Commissioner acknowledged that a high-profile national case prompted considerable work carried out by national policing bodies and the CPS, resulting in new guidelines being put in place in terms of going forward. The PCC's stance is that she does not support victims being required to hand over their mobiles to aid investigations.

6. Q: Is the Commissioner confident of the links and connections established by the Force's Rural Crime Unit (RCU) and local intelligence?

A: The Commissioner recognised that the RCU is still in its infancy and remains a work in progress. The team size has grown to 18 members and it's the biggest of its kind in the South East. She commented that the RCU has been well-received by rural communities, and farmers in particular. Mention was also given to a pilot project in Wealden District which has seen nearly 1,000 residents and businesses sign up to report crimes and provide evidence via 'Disc' (online cloud-based crime management system).

7. Q: A new multi-agency initiative has been launched to tackle some of the worst incidents of domestic abuse. It is it being led and monitored by the OSPCC – could the Commissioner provide an insight in terms of the type of activities involved?

A: The Domestic Abuse Perpetrator Programme (DAPP) is working across Sussex with the highest-risk perpetrators, while the Force works closely with the probation service to identify those perpetrators who cause the most harm. The average perpetrator has 6 to 7 victims and the purpose of the initiative is for specialist professionals to work with them in attempt to change their behaviour. In addition, the DAPP ensures that victims/survivors are supported and no longer at risk through liaison with an Independent Domestic Violence Advocate (IDVA).

8. Q: Neighbourhood disputes have increased by 16% during lockdown – what is the impact on referrals made to the Sussex Mediation Alliance (SMA) following the recent award of a £200,000 grant.

A: The Commissioner explained that when she was first elected as PCC, the five mediation services in Sussex worked independently of each other, yet all sought funding from the OSPCC. She said that her Office has since encouraged them to amalgamate their services and the SMA is now in receipt of long-term funding via the PCC's funding framework. The OSPCC has agreed 12 ways of measuring public confidence for its funded service providers to monitor performance.

62.1 Councillor Yeates temporarily left the meeting at 11.35am.

63. Police Complaints Reform – Update on Reviews

63.1 The Panel considered a report introduced by Mr Streater, on behalf of the PCC.

63.2 It was questioned whether the Commissioner compared notes with PCC colleagues in the other 42 regional police forces, in particular those who did not adopt Model 1?

63.3 The Commissioner re-affirmed her strong support for Model 1, one year on from adoption, and belief that the right choice has been made for the Force. She noted that Sussex Police was in the majority of forces to adopt Model 1 (38) and a small minority of Forces alternatively opted for Model 2 (3) and Model 3 (1). She added that Mr Streater is part of a group of Chief Executives who are currently carrying out a review of the adopted models on behalf of the Association of PCCs.

63.4 The Panel queried whether this process has resulted in unforeseen or increased costs to the OSPCC which may impact on future council tax requirements?

63.5 The Commissioner confirmed this was not the case and commented that an increased workload has been absorbed by the OSPCC's governance departments and is managed within her Office.

63.6 Resolved - the Panel noted the report.

63.7 Councillor Yeates returned to the meeting at 11.59am.

64. Quarterly Report of Complaints

- 64.1 The Panel considered a report from the Clerk to the Panel, providing an update on complaints received in the last quarter.
- 64.2 Resolved – the Panel noted the report.

65. Date of next Meeting and Future Meeting Dates

- 65.1 The Chairman thanked Mr Nightingale for his contribution and service upon fulfilling his five-year term on the Panel as an Independent Member.
- 65.2 The Chairman announced that this was also his last meeting in the role as he opted not to re-stand as a county councillor at the upcoming local elections on 6 May. Councillor Bentley thanked the Commissioner, all of her staff and the Democratic Services teams at East and West Sussex County Councils. He also thanked the Vice Chairman, Councillor Mitchell, for his support since assuming the role in 2017 and Ninesh Edwards, for his professional guidance as Senior Advisor to the Panel.
- 65.3 The Commissioner thanked Mr Nightingale for his contribution, particularly on the Panel's working groups, and Councillor Bentley for his support as Chairman of the Panel before wishing them luck in their future endeavours.
- 65.4 The next meeting of the Panel would take place on 25 June 2021 at 10.30am via Microsoft Teams or at County Hall, Lewes/County Hall, Chichester – subject to Government guidance.

The meeting closed at 12.05pm.