

## Sussex Police and Crime Panel

26 April 2019 – At a meeting of the Panel held at 10.30 am at County Hall, Lewes.

Present:

- Cllr Bill Bentley (Chairman) - East Sussex County Council
- Cllr Christian Mitchell (Vice-Chairman) - West Sussex County Council
- Cllr Dave Simmons - Adur District Council
- Cllr Mike Clayden - Arun District Council
- Cllr Eileen Lintill - Chichester District Council
- Cllr Carolyn - LambertEast Sussex County Council
- Cllr Judy Rogers - Hastings Borough Council
- Cllr Norman Webster - Mid Sussex District Council
- Cllr Tony Nicholson - Lewes District Council
- Cllr Tricia Youtan - Horsham District Council
- Cllr Claire - Dowling Wealden District Council
- Mr Peter Nightingale - Independent member
- Miss Susan Scholefield - Independent member
- Cllr John Ungar - Eastbourne Borough Council
- Cllr Val Turner - Worthing Borough Council

Apologies were received from Cllr Brenda Smith (Crawley Borough Council), Cllr Michael Jones (Crawley Borough Council), Colin Fitzgerald (Hastings Borough Council), Mo Marsh (Brighton and Hove City Council), Joe Miller (Brighton and Hove City Council), Eleanor Kirby-Green (Rother District Council), Cllr Chris Saint (Rother District Council), Cllr John Barnes (Rother District Council)

### Part I

#### 34. Declarations of Interest

34.1 In accordance with the code of conduct members of the Panel declared the personal interests contained in the table below.

<b>Panel Member</b>	<b>Personal Interest</b>
Bill Bentley	Lead Member for Communities and Safety Chairman East Sussex Safer Communities Civil Military Partnership Board
Mike Clayden	Chairman of Safer Arun Partnership
Claire Dowling	Chairman of Safer Wealden Partnership
Colin Fitzgerald	Employed by Solace Women's Aid Charity Chairman of Safer Hastings Partnership
Eleanor Kirby-Green	Member of Safer Rother Partnership
Carolyn Lambert	Member of East Sussex Fire Authority Vice Chair of Sussex Inshore Fisheries and Conservation Authority
Eileen Lintill	Member of Chichester Community Safety Partnership
Mo Marsh	Lead Councillor for Community Safety (BHCC) Deputy Chair of the Neighbourhoods Inclusion Communities and Equalities Committee (BHCC)
Tony Nicholson	Co-Chairman of Eastbourne & Lewes Community Safety Partnership

Susan Scholefield	A serving Magistrate Chair of the Competition Appeal Tribunal and Competition Service Non-Executive Director of Surrey and Borders Partnership NHS Foundation Trust
Dave Simmons	Chairman of Adur and Worthing Safer Communities Partnership Sussex Partnership NHS Foundation Trust Council of Governors.
Val Turner	Member of Safer Communities Partnership, Adur and Worthing
John Ungar	Co-Chairman of Eastbourne & Lewes Community Safety Partnership
Norman Webster	Member of Mid Sussex Community Safety Partnership Stakeholder Governor of Queen Victoria Hospital NHS Foundation Trust East Grinstead.
Tricia Youtan	Member of Horsham Community Safety Partnership Cabinet Member for Community Safety at Horsham District Council

34.2 Cllr Judy Rogers declared that she was the Safeguarding Manager for Table Tennis England.

### **35. Minutes**

35.1 Resolved – that the minutes of the last meeting held on 1 February 2019 be approved as a correct record and that they be signed by the Chairman.

### **36. Public Question Time**

36.1 Mr Moore asked the following question of the Police and Crime Commissioner (PCC):

1. I have received the following data as a result of a Freedom of Information Act request from Sussex Police which is correct as at the 18<sup>th</sup> March 2019.

Since the 1<sup>st</sup> April 2018:

Number of police officers recruited 267

Number of police officers retired 133

Number of police officers resigning 83

That means that in terms of additional police officers for that period (1.4.2018 – 18.3.2019) the total is 51.

1. In light of this does the PCC wish to re-consider her target of an EXTRA 200 police officers being in place within Sussex by 2020?
2. What does she intend to do regarding the high numbers of police officers resigning from the force?

36.2 The Commissioner gave the following response to Mr Moore's question:

1. In 2018/19, I increased the police precept by £12 per year for an average Band D property. This decision, combined with the £17m that was

already authorised from reserves, substantially reduced the planned savings requirement for Sussex Police.

The [Sussex Police 2018/22 Transformation Strategy](#) sets out how the Force will use the additional funding to strengthen the Local Policing Model (LPM), improve contact with members of the public and modernise further the policing service to meet a range of complex crime demands.

In 2019/20, I increased the precept by £24 per year for an average Band D property. This extra investment will ensure that by March 2023 there are 250 more police officers, 100 more Police Community Support Officers and 50 more specialist staff than there were in March 2018 – a total increase of 400 individuals.

I will continue to monitor closely the delivery of this investment through the LPM and revised Transformation Strategy and will challenge Sussex Police on behalf of the public, where appropriate.

2. I can confirm that the number of police officers leaving Sussex Police by resignation has actually decreased in each of the past three years. The number of officers transferring to other police force areas has remained consistent over this period too.

Sussex Police has a turnover rate of less than 3% (if retirements are excluded from the figures) and 7% (if retirements are included). This is very low and is not something I am unduly concerned with at this moment in time.

The Chief Constable is accountable in law for the exercise of police powers and retains direction and control of the Force's police officers and staff, including monitoring the number of officers leaving Sussex Police.

36.3 Mr Jacklin asked the following question of the Commissioner:

I am aware that Sussex Police have taken steps to encourage more Black Asian and Minority Ethnic (BAME) applicants to redress the under-representation of this group in the police force.

How confident is the PCC that BAME residents are treated fairly and with appropriate cultural sensitivity by Sussex Police?

What measures (other than those to encourage BAME applicants) is the force undertaking to achieve this?

36.4 The Commissioner gave the following response to Mr Jacklin's question:

I am confident that the Black, Asian and Minority Ethnic (BAME) residents are treated fairly and with appropriate cultural sensitivity by Sussex Police.

The Force aims to provide an equitable service to everyone in Sussex, regardless of ethnicity. The [Code of Ethics](#) sets and defines the exemplary standards of behaviour for everyone who works in policing in England and Wales. The Code is produced by the College of Policing in its role as the professional body for policing. One of the standards of professional

behaviour contained within relates to equality and diversity, in respect of acting with fairness and impartiality and not discriminating unlawfully or unfairly.

Sussex Police monitor feedback regarding the service delivered across the county through a combination of quantitative and qualitative approaches. This approach is complemented by proactive engagement with BAME community members throughout the year and is reinforced within individual performance management.

As an employer, there is a range of organisational activity delivered by Sussex Police to ensure that all individuals are treated fairly and are involved in the development and delivery of policing in Sussex.

Sussex Police has a mechanism called 'Focus' for line managers to regularly meet and discuss the performance of their individual team members. This approach provides line managers with an opportunity to understand better how individuals are using the Code of Practice to underpin their work in Sussex, including areas such interactions with BAME individuals and communities. Training and development needs are raised and agreed at these meetings if any particular concerns about performance are highlighted.

The Force also has number of staff networks including: disability and carers; BAME; lesbian, gay, bisexual, and transgender; gender and faith. Each of these networks is part of the organisational policy framework which ensures that all policies are subject to consultation to provide reassurance for both colleagues in the workplace and policy authors. Equality Impact Assessments are also conducted for any new policies, policy changes or business cases to ensure that those implementing the change have gone through a process of considering whether any groups or people with particular characteristics would be disadvantaged in any way.

As a service provider, Sussex Police conducts victim satisfaction surveys to understand better the experience of individuals who report crime. The data obtained through these surveys indicates that 80% of victims who identified themselves as BAME were satisfied with the way they were treated by the Force. There is no statistically significant difference between the satisfaction for BAME victims compared with those victims who identified themselves as white.

Sussex Police also facilitate a Race Advisory Group. This is an independent external reference group, chaired by a member of the public, comprising representatives from BAME communities across Sussex. The Group meets regularly to provide qualitative insight around community issues, identify engagement opportunities and advise the Force on its strategic approach in this area.

The Force also hosts a Stop and Search Scrutiny Panel to provide independent scrutiny of police powers. The Panel, again chaired independently, comprises members of the public from a diverse range of community groups and meets on a quarterly basis throughout the year. The Panel scrutinises the following areas: disproportionality of those stopped and search; use of force; lawfulness of grounds; outcomes of activity; complaints relating to stop and search; use of Body Worn Video and the use of 'no-suspicion' stop and searches (Section 60).

In addition, I have supported the Chief Constable by opening the recruitment processes for police officers to increase the overall resources available in Sussex.

I continue to challenge the Chief Constable regarding the recruitment processes, including what Sussex Police is doing to encourage applications from those individuals with a protected characteristic at both my informal weekly meetings and my formal monthly Performance & Accountability Meetings (PAMs).

Most recently, police officer recruitment was a theme at my PAMs on 21 September 2018, 19 October 2018 and 19 January 2019. These sessions are archived and can be viewed on [my webcast online](#).

36.5 Mr Jacklin asked the following supplementary question of the Commissioner:

In your answer, you refer to statistics from the victim or complainant survey. My concern is whether people accused of crimes are given an equal or fair treatment. Are there any statistics on the outcomes for defendants or those accused of crimes?

In his 2017 review, MP David Lammy concluded that "BAME individuals still face bias, including overt discrimination, in parts of the justice system." The statistics showed that, whilst there were small differences in conviction rates between BAME and white men for most classes of offence, for Public Order Offences the conviction rate for BAME men was 5 times higher than for white men.

[[www.theguardian.com/law/2017/sep/08/racial-bias-uk-criminal-justice-david-lammy](http://www.theguardian.com/law/2017/sep/08/racial-bias-uk-criminal-justice-david-lammy)]

Given the 'discretion' the police may have when pursuing public order offences, and the risk that they may believe one complainant in preference to another, in my view there is a clear risk of bias in these types of offences.

36.6 The Commissioner advised she would provide a response to Mr Jacklin's supplementary question as part of the actions arising from the meeting.

### **37. The Role of the Commissioner in Ensuring Sussex Police Provide an Effective Response to the Possession and Use of Offensive Weapons in Sussex**

37.1 The Panel considered a report by the Sussex Police and Crime Commissioner. The report was introduced by Mark Streeter, Chief Executive and Monitoring Officer for the Office of the PCC. The following key points were highlighted from the report:

- Over the last 3 years, the PCC has had a specific focus on the use and possession of knives and offensive weapons.
- The PCC holds the Chief Constable and his staff to account at monthly Performance and Accountability meetings (PAMs).

- The Serious Violence Strategy published in April 2018 suggested that Sussex appeared to be an anomaly in terms of the low statistics of knife enabled crime.
- The PCC challenged the Chief Constable at a PAM for a proper understanding of these low figures.
- Further investigation by Sussex Police revealed that force systems were not always picking up where there was use or possession of a knife or offensive weapon. The figures were not being recorded correctly, given an inaccurate account of these types of crimes.
- The Deputy Chief Constable acknowledged the problem at a PAM and confirmed it had been remedied.
- The PCC recognises this is a key area of public concern.
- Performance figures show a steady increase in the number of knife and sharp instrument offences in Sussex in the last 3 years.
- In order to increase policing powers, the Government is seeking to amend the Offensive Weapons Bill to introduce Knife Crime Prevention Orders, banning the use of and access to offensive weapons.
- Sussex Police uses 3 strands to respond to knives and offensive weapons. These are prevention, education and enforcement.
- Stop and search powers are used where there is suspicion that an individual is carrying an offensive weapon.
- Operation Sceptre was launched by the Metropolitan (Met) police, and other forces around the country have followed. The campaign takes place twice a year and involves operational and educational activities to discourage the use of knives and offensive weapons.
- In March 2019, Sussex Police supported an Operation Sceptre campaign, whereby Amnesty Bins were made available in police stations.
- In order to effectively respond to the problem, Sussex Police require partnership working with others such as the NHS and local authorities.
- Prevention Youth Officers (PYOs) in Sussex have been working with schools, and engaged approximately 3k students in highlighting the risks of possessing and using knives and other offensive weapons.
- The PCC allocated £1.215m to the Community Safety Partnerships (CSPs) in Sussex for 2019/20. The PCC was also successful in an application to the Early Intervention Youth Fund (EIYF) and secured £890,616.
- The EIYF will contribute to the Reboot programme, aimed at engaging with those under 18 at risk of committing serious violence. Early feedback indicates this programme is going well. Further results would be brought back to the Panel at an appropriate time.
- Sussex Police were also recently awarded an additional £1m from the Serious Violence Fund.
- The PCC remains intrusive in both challenging and supporting the Chief Constable in terms of tackling this growing menace.

37.2 The Chairman invited questions from the Panel. A summary of their questions, and responses from the PCC, were as follows:

- Members queried whether under paragraphs 5.2 and 5.3 of the report, the number of offences in 2018 involving a knife or sharp instrument (979) included the number of possessions in 2018 of a

knife or sharp instrument (781). The PCC advised she would confirm as part of the actions arising from the meeting.

- Members of the Panel queried whether the reported data included records on the possession of weapons in schools. The PCC advised the data only reflected situations where there was police intervention.
- Members considered that better police liaison in schools was required, and reported a lack of uniform presence advising students in schools about the risks of knife crime. The PCC advised that it was not possible to go into every school, but that where problem areas were identified, resources were targeted accordingly. The PCC further considered that schools and other partner agencies were responsible for finding solutions to this problem, as well as the police, and encouraged more partnership working.
- Members expressed concern about public understanding of the police, and particularly young people who avoid reporting offences involving weapons. The PCC explained that all cohorts and communities should feel confident in reporting crime to the police. She added that the police were not just an enforcement arm, but there also for protection and safeguarding.
- Members of the Panel considered that the low levels of crime reported was a major issue, and made a plea that any available tools were used to get the message out that crimes must be reported. The PCC responded that crimes such as domestic abuse, stalking and harassment, and child abuse and exploitation were seeing an increase in reporting, and that she would continue to support this drive for all crime at a national level.
- The Panel considered the performance data in paragraphs 5.2 and 5.3, and noted the lack of important detail, such as demographic and contextual identities, locations of these offences, and so on. The Panel felt without knowing where, and within which cohorts the problem sat, how could it be effectively tackled. Members considered this may also highlight some successes where numbers of offences might be decreasing.
- The PCC advised her role was to provide an overview of the information from Sussex Police. The PCC reported that Sussex Police were one of eighteen force areas to receive additional funding from the Serious Violence Fund to enable them to further investigate the problem of possession and use of offensive weapons. The Panel requested an updated report on both the spending of the additional funding, and a more comprehensive consideration of the data behind the figures in paragraphs 5.2 and 5.3 to return to the September 2019 meeting.
- Members of the Panel reported they were not aware that during a 999 call if a person is in danger and unable to speak, they can enter 55 on their telephone keypad. They suggested more publicity around this would be useful. The PCC advised that if prompted the caller can press 55 and the operator will transfer them to the police. The initiative had been publicised recently, however the PCC would raise this with the Chief Constable. The Chairman suggested all ways of contacting the police be provided to the Panel via the action list.

### 37.3 Resolved –

1. That the Panel requests an updated report in September 2019 on the spending of the additional £1m from the Serious Violence Fund, to include a more comprehensive breakdown of the data on possession and use of offensive weapons.
2. That the Panel notes the report.

## **38. Quarterly Report of Complaints**

38.1 The Panel considered a report from the Clerk to the Panel, providing an update on complaints received in the last quarter.

38.2 The Clerk drew members attention to paragraphs 1.6.3, and 1.6.4.

38.3 Resolved – that the Panel considers the complaints against the Commissioner.

## **39. Commissioner's Question Time**

39.1 The Chairman invited questions from the Panel for the Commissioner. A summary of the main questions and responses were as follows:

- Members of the Panel noted that in other parts of the country, 60% of crimes reported were no longer investigated or closed within 24 hours. Is the Commissioner, in consultation with the Chief Constable, convinced that Sussex Police's figures are more encouraging to those who wish to report crime, bearing in mind the low levels of reporting. The PCC advised that crimes were dealt with in many different ways, and enforcement at the end isn't always the outcome. There is a huge reliance on crimes being accurately recorded in the first instance, in order for the correct results to be achieved.
- Members of the Panel further suggested that confidence in the police was undermined by these negative reports of non-investigation, and what were Sussex Police doing to ensure positive messaging about the importance of reporting crime. The PCC explained in circumstances where immediate response wasn't required or necessary, the report is recorded as an incident and then passed to a local prevention team to devise a plan of action. The person who reports the crime would not be fed back the progress or action taken because it would be unfeasible to do so in every case. Technology was being considered by Sussex Police, and forces nationally, in order to give the public confidence that action is being taken where reports are made. Online reporting and feedback loops were being trialled to try and tackle this issue, but intelligence from the public remains vital.
- Members noted the heavy equipment police were required to wear, and asked whether there were plans to revise this for reasons of health and safety. The PCC confirmed that officers were required to carry a large amount of equipment, but that it was now much lighter than it used to be. The PCC explained that police equipment was procured nationally, but that she had the responsibility for estates and ensured adequate gym and occupational health



facilities. The PCC encouraged members of the public to thank police when they see them.

- Members noted at a previous meeting of the Panel a HMIC report had uncovered problems with accurate reporting. The Panel were subsequently reassured by the PCC there were no problems going forward. The report on Sussex Police's response to the use and possession of offensive weapons has highlighted that knife crime was not being recorded in the correct way. Is the PCC concerned that there are fundamental issues with the way crime types are reported, and if so what is proposed to be done about it. The PCC advised she was monitoring the integrity of how crimes were recorded. It was around 5 or 6 years ago that HMIC did their crime integrity inspection, and Sussex Police were the highest performing force at that time when it came to accuracy of recording. The issue of the offensive weapon recording identified a lack of process, so other crime types are now being considered to ensure there are no other discrepancies. HMIC is expected to undertake another investigation into crime data integrity in the near future.

#### **40. Date of Next Meeting and Future Meeting Dates**

40.1 The next meeting of the Panel would take place on 28 June 2019 at 10.30am at County Hall, Lewes. The Chairman thanked those members of whom it would be their last meeting for their hard work on the Panel.

The meeting ended at 12.08pm