

<b>For Consideration</b>	
<b>Public/Non Public*</b>	<b>Public</b>
<b>Report to:</b>	<b>Police and Crime Panel</b>
<b>Date of Meeting:</b>	<b>10<sup>th</sup> November 2014</b>
<b>Report of:</b>	<b>Paddy Tipping Police and Crime Commissioner</b>
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<b>Agenda Item:</b>	<b>5</b>

## **POLICE AND CRIME COMMISSIONER'S UPDATE REPORT**

### **1. PURPOSE OF THE REPORT**

- 1.1 This report presents the Police and Crime Panel (Panel) with the Police and Crime Commissioner's (Commissioner) update report.
- 1.2 In accordance with section 13 of the Police Reform and Social Responsibility (PR&SR) Act 2011 and subject to certain restrictions, the Commissioner must provide the Panel with any information which the Panel may reasonably require in order to carry out its functions. The Commissioner may also provide the Panel with any other information which the body thinks appropriate.
- 1.3 This report provides the Panel with an overview of current performance, key decisions made and his activities since the last report in September 2014.

### **2. RECOMMENDATIONS**

- 2.1 The Panel to note the contents of this update report and consider and discuss the issues.
- 2.2 The Commission recommends that future reports include an update on the budget and efficiency programme.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 To provide the Panel with information so that they can review the steps the Commissioner is taking to fulfil his pledges and provide sufficient information to enable the Panel to fulfil its statutory role.
- 3.2 Information on the budget and efficiency programme will further assist the Panel to fulfil its statutory responsibility and enable the Commissioner to receive increased scrutiny in a critical area at a time of increased economic pressures.

## 4. Summary of Key Points

### POLICING AND CRIME PLAN – (2014-18)

- 4.1 Performance against targets across all seven themes is contained in the tables at **Appendix A** up to August 2014.
- 4.2 The Commissioner's report has been simplified to focus on reporting by exception. In this respect, this section of the report relates exclusively to some performance currently rated red i.e. significantly worse than the target (>5% difference) or blue, significantly better than the target (>5% difference).
- 4.3 The table below shows a breakdown of the RAGB status the Force has assigned to the 28 measures reported in **Appendix A**. It can be seen that 21 (75%) of these measures are Amber, Green or Blue indicating that a majority of measures are close, better or significantly better than the target. Only 25% of measures reported are significantly worse than target.

KEY to Performance Comparators			
Performance Against Target		Aug-14	% of Total
●	Significantly better than Target >5% difference	1	3.6%
●	Better than Target	13	46.4%
●	Close to achieving Target (within 5%)	7	25%
●	Significantly worse than Target >5% difference	7	25%
		28	100.0%

- 4.4 In summary, total crime is higher than last year (+2.4%, Amber) and so is antisocial behaviour (ASB) (+8.6%, Red). In the last Panel report crime was +0.07% and ASB was +19.5% so there has been a slight increase in crime but a significant reduction in ASB. Violence is the key driver to the overall increase in Total crime.
- 4.5 It should be emphasised that most red ratings relate to shared measures e.g. effective trials at courts and satisfaction levels with local authorities in which the Police have no overall control.
- 4.6 Blue Rating (● significantly better than Target >5% difference)

#### **The Number of people killed or seriously injured (KSIs) on Nottinghamshire's roads**

- 4.6.1 There has been a 10.5% reduction in this measure despite an increase in the number of fatal accidents and casualties. Q1 figures are usually influenced by the weather but the winter months of 2014 didn't see the severe winter weather which suppresses serious Road Traffic Accidents (RTC's) that makes the overall reduction in Q1 2014 even more heartening and reflects a genuine reduction.
- 4.6.2 The biggest reductions came in the pedal cyclist category -42% and amongst car drivers -21% but there were increases in motor cycling KSI's +43% and amongst pedal cyclist minor injury casualties +65%. This

strongly suggests that the mild winter of 2014 saw vulnerable road user group out on the roads in strength. Operation 'Drosometer 4' commences from mid October to mid December and will focus on the fatal 4 offences<sup>a</sup> and high visibility enforcement.

4.7 Red Rating (● significantly worse than Target >5% difference)

### **Improve Satisfaction Levels (Police and Council)**

4.7.1 Currently, 53.2% of people surveyed agree that the Police and Council are dealing with local Anti-Social Behaviour and other crime issues this is an improvement over the last Panel report when it was 51.1%. The Force is now 6.8% away from the 60% target. However, it should be noted that this is a shared measure and is impacted by both Police and Local Authority performance.

### **Effectiveness of Magistrates (MC) and Crown Courts (CC)**

4.7.2 This is the same data as reported previously.<sup>b</sup> The percentage of effective trials in the Magistrates' and Crown Courts is lower than the 50% target i.e. MC 40.10% and CC 46.30%. The Magistrates Courts rate shows a slightly decreasing trend over the last twelve months, this being the result of a slight increase in the ineffective trial rate. Ineffective trials are when a trial does not go ahead as planned for reasons which may be due to the prosecution, defence or administrative reasons within HMCTS.

4.7.3 The Crown Court Effective Trial rates saw a positive spike in April 2014 however levels have returned to a more usual level. The long term trend is showing an overall downwards trajectory, again with an increase in ineffective trials showing an upwards trajectory.

### **Reducing Violence with Injury**

4.7.4 The Force was set a target to significantly reduce levels of Violence with Injury but currently it is +11% (year to date) which is an increase on the previous Panel report when it was +9.1%. This type of crime continues to show an increase. The short and long-term significant upward trends suggest that the Force is unlikely to achieve target if current performance continues.

4.7.5 However, performance does appear to have improved month-to-date with a smaller increase of 10.5% compared to the 16% increase recorded in July compared to July last year.

4.7.6 Members may be aware that the recent HMIC inspections into recorded crime has resulted in Forces nationally taking a more robust approach to ensure greater compliance with the crime recording standards. Consequently, violent crime has increased nationally. For example, 39 of

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<sup>a</sup> The fatal 4 offences refer to speeding, mobile phone use, drink/driving and seatbelts.

<sup>b</sup> Partnership data is generally reported quarterly and is not always available in time for the Panel meeting.

the 43 Forces have seen an increase in violence with injury ranging from +1% to +41%<sup>c</sup>.

4.7.7 The Force has not been complacent in responding to the sharp increase and has nominated a Force lead to oversee an Action Tracker to drive performance in all aspects of violent crime. In addition, the Force is taking a two-pronged approach to achieve short-term and medium term results.

4.7.8 Short term results driven by police activity:

- Geographical approach
- Identifying hotspot areas for volume and volume increase
- Operational activity to tackle volume in identified key areas

4.7.9 Medium and long term results driven by partnership and police activity:

- Thematic approach
- Key themes as identified by Other Violence analysis
- Partnership activity, coordinated through established partner/police performance groups.

4.7.10 Hot spots are being identified and action is being taking with partners to tackle the emerging issues with a greater focus being placed on analysing Other Violence as it relates to:

- Stranger Attacks
- Domestic Related<sup>d</sup> (e.g. 15 year old assault on mother)
- Alcohol Related
- Youth on Youth

4.7.11 The analysis identified a number of common themes:

- Many offences are low level and result from an escalation of a minor argument
- Alcohol is a contributory factor
- Mental health and drug issues were also apparent in a number of offences
- A high level of youth involvement
- Uncooperative victims
- Key locations identified for stranger attacks and alcohol related
- High volume beats for domestic related correspond with partnership plus/high impact areas

4.7.12 The Force Tactical Group and City and County Division Violence groups continue to oversee the range of activity.

### **Reducing Antisocial Behaviour (ASB)**

4.7.13 The Commissioner has pledged to reduce antisocial behaviour (ASB) by 50% reduction by 2015/16 (compared to the 2011/12 baseline). This year ASB has increased by 8.6% which is much better than the previous Panel

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<sup>c</sup> *Iquanta data to July 2014.*

<sup>d</sup> *The current national domestic violence definition relates to 16 year olds and above, so excludes incidents where a young male of 15 years assaults his mother.*

report when ASB was +19.5%. The increase (in part) was due to changes in noise reporting to the Police Control Room which is generally a civil matter and tackled by Local Authorities. New advice to callers regarding noise-related complaints and the introduction of the City Council's Community Protection 'Night Car' appears to be having a positive effect.

### **Make Efficiency Savings**

4.7.14 The Force is required to make efficiency savings of £12.7m by March 2015 and is currently off target by £0.6m<sup>e</sup>. The Force has not provided any new data since the last report but detailed plans are in place to ensure the savings target is met. Data is not available for August but is currently being worked on.

4.7.15 The Force's overtime expenditure year to date was £2.030m, which is an over spend of £0.195m against a forecast of £1.835m. The majority of the over spend was in County, City and OSD. This over spend has been partially offset by income from mutual aid and providing cover during the Fire Service strikes.

4.7.16 Overtime was incurred to undertake a number of major crime operations and provide additional safety measures connected to ministerial visits for the Newark By-Election (Kapok).

4.8 The Commissioner's staff are represented at the key Divisional, Partnership and Force local Police Board meetings in order to obtain assurance that the Force and Partners are aware of the current performance threats, and are taking appropriate action to address the emerging challenges. Should there be any issues of concern these are relayed to the Commissioner who holds the Chief Constable to account on a weekly basis.

4.9 Due to the rise in violent crime and ASB reported at the last Panel meeting the Commissioner held a special performance stock take meeting on 5<sup>th</sup> September 2014 at which the Force and key partners provided a detailed overview of current trends in crime and ASB. The Commissioner is assured that all possible interventions are in place to tackle the current challenges.

## **DECISIONS**

4.10 The Commissioner has the sole legal authority to make a decision as the result of a discussion or based on information provided to him by the public, partner organisations, members of staff from the Nottinghamshire Office of the Police and Crime Commissioner (NOPCC) or Chief Constable.

### **Significant Public Interest Decisions**

4.11 The Commissioner's web site provides details of all significant public interest decisions. Since the last Panel report a number of decisions have been approved in respect of:

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<sup>e</sup> *This is rated red due to the short term trend*

- **Provision of Pensions Services to Nottinghamshire Police:** A Contract has been awarded to Mouchel Business Services Limited for the period 23 September 2014 to 31 August 2019 (with the option to extend for 2 x 12 month periods) for the provision of Pension Services to Nottinghamshire Police.
- **Redevelopment of Kennel Facilities Force Headquarters:** Approved the contract to Robert Woodhead Ltd for the Redevelopment of the Kennels at Force Headquarters for the total contract value of £498,595.
- Policy - Change in Wording (CC Package): Word change approved.
- **Funding for UK Network of Sex Work Projects for Ugly Mugs initiative:** £3,000 safety grant funding approved for 2013/14 and again in 2014/15 to support Ugly Mugs initiative.
- **Dragons Den Style DV Schools Awareness Project:** Agreed to make a revenue contribution to capital.
- **Provision of Arrow Centre Redevelopment at Hucknall, Nottingham:** Approved the recommendation to award to Derwent Valley Construction Limited for the total contract value of £860,699.99
- Invitation to Tender for the service provision of 'The Voice' survey and Police Budget Participatory Groups for Nottinghamshire: Invitation to tender offered for a bespoke piece of social research to support the Review of Priority Plus Areas in Nottinghamshire, together with providing information for the Police and Crime Needs Assessment to identify threats and opportunities for future priorities for the Police and Crime Plan and setting the precept.
- **Nottinghamshire County Business Crime Partnership (BCP) - £10k Funding:** Approved £10k funding toward the Nottinghamshire County Business Crime Partnership (BCP) in support of reducing retail crime.
- **Collaboration Agreement - Multi Force Shared Services (MFSS):** Approved the collaborative agreement between Nottinghamshire, Northamptonshire and Cheshire.

## ACTIVITIES OF COMMISSIONER

4.12 The Commissioner and Deputy Commissioner continue to take steps to obtain assurances that the Chief Constable has not only identified the key threats to performance but more importantly that swift remedial and appropriate action is being taken to tackle the problems especially in the Priority Plus Areas in the County and High Impact Wards in the City.

4.13 Some recent activities and developments include:

### **Multi Agency Mental Health Conference**

- A multi-agency event was held in Nottingham on 25<sup>th</sup> September to identify how services and support can be improved for people experiencing mental health distress. The Crisis Concordat meeting, brought together experts from a range of agencies including policing, health, third sector organisations and social care to examine the response to people facing mental health crisis in Nottingham and Nottinghamshire and how this can be improved.

- The Commissioner has prioritised the welfare and safety of those suffering a mental health crisis in his Police and Crime Plan. As part of an effort to improve the way police respond to vulnerable people, he has worked with Clinical Commissioning Groups to introduce Mental Health Triage Cars in Nottingham. These vehicles are staffed by a police officer and a mental health nurse and will respond to people experiencing a mental health crisis.

### **Beechwood and other Children's Homes – Historic Abuse Allegations**

- The Commissioner has recently had discussions with leaders of both the City and County Councils and local Safeguarding Boards in respect of the emergence of local historic abuse allegations made about Beechwood and other children's homes. He published a statement on 15<sup>th</sup> September 2014 in which he stated that an independent review in Nottinghamshire should be carried out as soon as practically possible. Although the details and timetable for this need to be agreed, the Leaders of both the City and County Councils endorse this approach and would like to make progress as soon as possible. The Commissioner is in discussions with the local Safeguarding Boards to determine the best way forward.
- In the meantime the Commissioner is receiving on going briefings from the Chief Constable to make sure that he is up to date with the Force's progress in these matters and has been monitoring the development of Operation Daybreak.

### **Domestic Abuse Recovery Courses**

- The Commission secured £228,175 in July 2014 from the Ministry of Justice's PCC Competed Fund to pay for projects supporting women affected by domestic abuse. He has earmarked £125,000 of that sum to finance the Rights and Recovery project that includes five healthy relationship courses for women survivors in the city and ten in the county.
- The Deputy Commissioner who heads up the work on domestic abuse-related issues is overseeing the project. A series of courses specially developed to help women cope with the aftermath of domestic abuse is now underway in Nottinghamshire. Learning about healthy relationships is an important part of helping victims to cope with the effects of domestic abuse and recover from the harm they have experienced.
- Abuse behind closed doors in what should be the safety of home is traumatic, affecting not only the present but the future for many women who experience it. The courses are designed to enable survivors to reach a greater understanding of domestic abuse, why and how it happens and the impact it has on both them and their children.

### **Ending Alcohol Harm**

- The Commissioner is supporting a new campaign which highlights the problems caused by excessive drinking. The Ending Alcohol Harm campaign, co-ordinated by the Nottingham Crime & Drug Partnership (CDP), brings together key partners to deliver a targeted communications intervention with the aim of getting people to think twice before they drink too much. The campaign explores a new way of approaching specific harms through various interventions and smaller mini-campaigns delivered throughout the year,

focused on the health, financial and social effects of alcohol, including crime and where to get help.

- The work to date has involved representatives from the City's Universities, Police and Licensing, the City Council, Community Protection, alcohol service providers, and many more. Driven by Nottingham's status as a Local Alcohol Action Area (LAAA), a section of the work will be delivered in partnership with Drinkaware, the national alcohol charity.

### **Police Cadets - Summer School Certificates**

- On 29<sup>th</sup> August 2014 the Commissioner together with the Chief Constable, presented the Police Cadets with their Summer School Certificates of Completion, and is looking forward to them using their new skills and knowledge of crime prevention for the benefit of the County's communities.
- The 25 cadets, who have already completed half of their two years' training, were the second and final batch of Nottinghamshire Cadets to show off their newfound skills at the end of a Summer School at the University of Derby. The Cadet Scheme is specially designed for young people who may later want to join the force as a regular officer or Special Constable.

### **Commissioner urges Prime Minister to increase firearms licensing fees**

- The heavy cost of administering firearms licensing, paid by Nottinghamshire taxpayers, has prompted the Commissioner to personally urge the Prime Minister to support an increase in fees.
- The Commissioner has written to David Cameron (Friday, 29 August) pointing out that the costs to police forces in administering the scheme far outweighs the income generated from fees.
- This year, the cost of firearm licensing in Nottinghamshire is more than £450,000. Yet the income received from fees was around £82,000 in 2012-2013 and £56,000 in 2013-14, with a broadly similar sum anticipated this year.
- The Commissioner has argued that it is difficult to justify public support for shooting sports in Nottinghamshire of around £400,000 per annum when difficult decisions about police priorities, including the loss of police officers, are being made.
- Fees have not been increased since 1 January 2001 and nationally, the cost to the public purse of firearm licensing is estimated at £23.7m, the amount recovered thought to be £6.4m, leaving a shortfall of £17.3million.
- The Commissioner believes that organisations representing shooting recognise the costs involved in administering the lengthy and time-consuming licensing process – and would accept a fee increase provided they receive an efficient and speedy service.

### **Strategic Resources and Performance Meetings**

- The Commissioner continues to hold the Chief Constable to account at the Strategic Resources and Performance meeting which is open to the public. The last meeting was held on 3rd September 2014 at Broxtowe Borough Council.

## Visits to Priority Plus and High Impact Areas

- The Commissioner has made arrangements to visit a number of key Priority Plus areas in the County and High Impact areas in the City over the next five months. The purpose of the visits is to obtain assurance from Police, Partners and local Councillors that current community safety issues are fully understood and that appropriate action is being taken. He is keen to learn of any barriers and especially any concerns from local residents so that he can have regard to these when he considers his Policing and Crime Plan priorities.
- So far this year the Commissioner and his Deputy have visited the following areas:
  - Bulwell 25<sup>th</sup> June 2014 Commissioner
  - St Anns 14<sup>th</sup> July 2014 Deputy
  - Arboretum 21<sup>st</sup> July 2014 Deputy
  - Meadows 2<sup>nd</sup> Sept 2014 Commissioner

### 5. Financial Implications and Budget Provision

- 5.1 None - this is an information report. Although the report does contain some information on budget variance.

### 6. Human Resources Implications

- 6.1 None - this is an information report. However, the report does provide some information about BME representation.

### 7. Equality Implications

- 7.1 None – although it should be noted that high levels of crime occur predominately in areas of high social deprivation.

### 8. Risk Management

- 8.1 Risks to performance are identified in the main body of the report together with information on how risks are being mitigated.

### 9. Policy Implications and links to the Police and Crime Plan Priorities

- 9.1 This report provides Members with an update on performance in respect of the Police and Crime Plan.

## 10. Changes in Legislation or other Legal Considerations

### ANTISOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014 – COMMUNITY TRIGGER AND REMEDY

10.1 The Anti-social Behaviour, Crime and Policing Act 2014 received royal assent on 13 March 2014 and the provisions became effective from 20 October 2014. Some key aspects were reported to the Panel at the last meeting i.e. Community Remedy and Community Trigger.

#### Community Remedy Document

10.2 At the previous Panel meeting Members were briefed on the development of the Commissioner's Community Remedy document and its purpose. For example, over the summer the Commissioner undertook a major publication consultation exercise to obtain the public's views on a range of sanctions for perpetrators of low level crime or ASB. The document contains a list of actions that victims will be able to choose from in order to punish offenders.

10.3 Findings from this consultation exercise have since been analysed and taken into account in the development of the Community Remedy Document.

10.4 A first version is now available as required by the Act as of 20<sup>th</sup> October 2014 (**Appendix B**) and is available to the public on the Commissioner's web site<sup>f</sup>. However, the process has identified a number of issues which will need more time to resolve and resource to make the remedy more robust e.g. procedures where an offender fails to comply with the agreed remedy, possible pathways of support using the third sector and potential links to the Commissioner's Community Grants Scheme. This may lead to a second version at some time in the future.

#### Community Trigger Document

10.5 The Community Trigger is defined in the Act as being a requirement of the relevant bodies in a Local Government area to carry out a review of the response to anti-social behaviour where a person has made a complaint about anti-social behaviour and

- (a) that person, or any other person makes an application for such a review, and
- (b) the relevant bodies decide that the threshold for a review is met.

10.6 The Act states that the relevant bodies in each Local Government area must produce a Review Procedure which describes the arrangements for carrying out ASB Case Reviews by those bodies and ensure that the Review Procedure is published.

10.7 The ASB Transition Group has sought to develop a consistent approach to the implementation of the Community Trigger across the City and County. However, Local Authorities are required to produce their own.

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<sup>f</sup> <http://www.nottinghamshire.pcc.police.uk/Our-Work/Restorative-Justice.aspx>

- 10.8 The Commissioner must be consulted on the Community Trigger procedure when it is set up, and must also be consulted whenever the procedure is reviewed. Depending on how the local council areas are arranged for the purposes of the Community Trigger, there may be a number of different procedures in one Police Force area. Arrangements may be made for the PCC to be directly involved in the Community Trigger, for example by:
- auditing case reviews;
  - providing a route for victims to query the decision on whether the threshold was met or the way a Community Trigger review was carried out; or
  - monitoring the use of the Community Trigger to identify any learning and best practice.
- 10.9 The Commissioner is very keen that he is involved in reviewing cases where the victim is not satisfied with local reviews and has developed a procedure similar to the Merseyside Commissioner's model which has been termed 'Commissioner's Community Trigger Appeal Process'. The Commissioner has asked Local Authorities to incorporate this escalation process into their local Community Trigger documents. **Appendix C** details the process and this is also made public on the Commissioner's web site.<sup>g</sup>
- 10.10 The 'Appeal Process'<sup>h</sup> will essentially be a desk top review and will not involve hearings or meetings with victims although the Commissioner may consider meeting with victims in exceptional circumstances. The Commissioner's appeal process will be subject to periodic review to ensure that victims' interests are adequately considered.

## 11. Details of outcome of consultation

- 11.1 The Deputy Chief Constable has been consulted on this report and feedback has been taken into account.
- 11.2 Local Police practitioners have assisted with the development of the Community Remedy document and the Chief Constable and local Partners have been consulted and feedback has been taken into account.

## 12. Appendices

A. Performance Tables

B. Community Remedy Document (Version 1)

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<sup>g</sup> <http://www.nottinghamshire.pcc.police.uk/Get-in-touch/Community-Trigger-Appeal.aspx>

<sup>h</sup> *Whilst the legislation does not refer to an Appeal Process this term has been used to distinguish it from the Review Process already undertaken by the Local Authority.*

*In addition, it would seem that the legislators may have had regard to the Commissioners responsibilities under the Police Reform and Social Responsibility Act 2011 [Schedule 11 5(3)[1A]] i.e. he may require a report under subsection (1) only if— (a) the Commissioner is not satisfied that the responsible authorities for the area are carrying out their functions under Section 6 Crime and Disorder Act 1998 (Formulation and implementation of strategies) in an effective and efficient manner, and (b) the Commissioner considers it reasonable and proportionate in all the circumstances to require a report."*

## C. Commissioner's Community Trigger Appeal Process

### **13. Background Papers (relevant for Police and Crime Panel Only)**

- Police and Crime Plan 2014-2018 (published)
- Force Performance Report – August 2014
- Anti-social Behaviour, Crime and Policing Act 2014: Reform of antisocial behaviour powers, Statutory guidance for frontline professionals (July 2014).

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