

PERFORMANCE & ACCOUNTABILITY MEETING

DATE: 24 February 2017

LOCATION: Office of the Sussex Police & Crime Commissioner, Sackville House, Lewes

PRESENT: Police & Crime Commissioner – Katy Bourne (KB)
Chief Finance Officer – Iain McCulloch (IMcC)
Chief Constable – Giles York (GY)
Deputy Chief Constable – Bernie O'Reilly (BO'R)
Digital Content Officer – Sammi Carwardine
Head of Performance – Graham Kane (minutes)

RURAL CRIME

Sussex has a large rural community and conversely it is essential that rural crimes are taken as seriously as urban crimes and is something that I am strongly committed to.

A. How does Sussex Police specifically support rural communities?

B. How do you satisfy yourself that the same level of service is provided to rural communities in Sussex as it is to urban communities?

GY began by providing a definition of rural crime. This is any crime that takes place in a rural location where the population density is fewer than 2,500 residents. There are also some more specific farm crimes including theft of fuel at farm locations, theft of farm vehicles, theft of livestock and livestock worrying.

Assurances were provided to KB that exactly the same level of service is provided to rural communities in Sussex as it is to urban communities. This is delivered through the Local Policing Programme which encompasses crime prevention, response and investigation as follows:

- **Prevention** – Local resources deployed in crime prevention, with trained police officers and Police Community Support Officers (PCSOs), working closely with partners, providing problem-solving activities tailored to local challenges, needs and demands. A flexible and strong focus on targeted work in the most vulnerable areas.
- **Response** – 24/7 emergency response delivered from geographical hubs, linked to custody centres. Vehicles will use standby locations, similar to the ambulance service, to ensure rapid and county-wide coverage. Access to officer skills, availability and location will mean controllers will send the most appropriate officer to incidents, first time. Officers will be equipped with mobile devices meaning that, unless an arrest has been made at the scene, they will not need to return to a police station and can return quickly back to their response role. It is acknowledged that the response times might be slightly longer for the rural communities because of the geographic characteristics of Sussex.
- **Investigation** – Clear investigative principles and standards will be applied by the new Resolution Centre to ensure that those calls for assistance that require further investigation are dealt with effectively by officers and staff with enhanced skills.

In addition, it was emphasised that rural specific initiatives exist in Sussex as follows: Farm Watch, Horse Watch, Path Watch and Heritage Watch. Police Sergeant Tom Carter is the Single Point of Contact for the Force and oversees, manages and coordinates all rural policing activity, including the above, throughout Sussex. The Force has also been recognised nationally for the work it carries out in this area. GY concluded by stating that it is fantastically challenging to maintain a visible policing presence in rural communities and reiterated that the Force takes all reports of rural crime incredibly seriously.

POLICING AND CRIME ACT 2017 – PRE-CHARGE BAIL

Changes to the pre-charge bail are expected to be implemented on 3 April 2017 as part of the Policing and Crime Act 2017. The main change is that there is now a presumption of release without bail, unless necessity and proportionality criteria are met.

A. For the benefit of the viewers, can you summarise what the main changes to pre-charge bail are?

B. What impact do you expect these changes to have on Sussex Police?

C. How has the Force been preparing for these changes?

B'OR explained that the main change to pre-charge bail will be the default position of release without bail. The legislation seeks to improve the accountability, transparency and consistency of all bail applications. It was also highlighted that there are 2,696 individuals on police bail in Sussex as at today's date.

These changes will result in fewer individuals on police bail, greater scrutiny on those bailed and more certainty for those individuals arrested but not charged. It is also anticipated that there will be more voluntary interviews and the potential for an increase in the number of warrants issued when a defendant has failed to appear in court. It was also emphasised that the timescales once charged will remain unaffected by these changes because individuals will continue to be subject to court bail.

Sussex Police has been planning for these changes for some time now and will introduce a dual-bail system when the changes are implemented in April to manage those individuals on pre-charge bail under the previous legislation and those on pre-charge bail as part of the Policing and Crime Act 2017. There will be a Bail Manager on each of the three policing divisions (Brighton & Hove, East Sussex and West Sussex) with oversight for the dual-bail system. B'OR stated that he was confident that the Force was ready for the impending changes but agreed that the impact would need to be monitored through the Police Effectiveness Efficiency and Legitimacy (PEEL) Board to ensure that any issues are addressed in "real time".

The Force was challenged regarding the potential implications that the changes to pre-charge bail could have in respect of vulnerable victims, including those subjected to domestic abuse and stalking offences in particular. B'OR acknowledged that arrests would need to be carefully balanced with safeguarding responsibilities to ensure that the changes do not adversely increase the risk to vulnerable victims. The completion of an eLearning training package has been made mandatory to support all police officers and staff who engage in the investigation and bail process with these changes.

KB concluded by agreeing to monitor the impact of these changes once implemented.

ASSAULTS ON POLICE OFFICERS

Earlier this month, I was shocked but not surprised to hear that figures from the Police Federation of England and Wales estimated there are more than 6,600 assaults on police officers every day and that, on average, an assault happens every four minutes. Their survey revealed that police officers in England and Wales face around 2.4 million attacks each year, of which there were 40,000 injuries due to violence last year.

A. How many of these assaults are estimated to have involved Sussex Police officers?

B. What measures is the Force taking to reduce the risk of assaults on officers?

C. How does the Force support those officers who are assaulted?

B'OR explained that on average there are between two and three assaults on police officers in Sussex every day. An assault can include offenders struggling to get free, wrestling, hitting, kicking or spitting at officers. The Force takes the safety of all officers really seriously and is proactive in terms of trying to mitigate the chances of assaults taking place.

Eight days of personal safety and first-aid training are provided to all frontline police officers when they first join the Force. This training includes the Job-Related Fitness Test, National Decision Model (NDM) and information and instruction in respect of escalation and de-escalation based on different scenarios and circumstances. This is enhanced through the provision of two days of refresher training each year thereafter.

Sussex Police provides all police officers with the following items to protect them from becoming the victim of an assault: stab vest, baton, incapacitant spray, personal issue body-worn video and spit guards. All of these can have a positive impact on the behaviour of potential offenders.

However, the Force is not complacent or desensitised and any trends in police officer assaults are constantly monitored through the Use of Force Board and the Health and Wellbeing Board.

In addition, a seven point plan has been adopted by the Force in an attempt to give officers the confidence to report any assaults against them to understand better how many officers are actually assaulted because many do not make official reports. The introduction of this plan links in with ongoing work with the Crown Prosecution Service to ensure a consistent process throughout the criminal justice system and the national Police Federation campaign 'Protect the Protectors' which is seeking a change in legislation to provide greater sentencing powers when any emergency service worker is attacked on duty.

Sussex Police recognise that it is a criminal offence to assault a police officer and support any officer who has been assaulted whilst on duty. The level of support that is provided to an individual is dependent on the assault experienced but the point was made that a member of the Chief Officer team would try and make personal contact with as many of those officers who have been assaulted as possible.

USE OF SPIT GUARDS

Spit guards have been introduced by over a third of all police forces in England and Wales to prevent any individuals arrested from spitting.

A. For the benefit of the viewers, can you explain how the spit guards are used in Sussex?

B. All officers in Sussex are aware of the requirement to be accountable for their use of force, on every occasion, including the responsibility to document at the earliest opportunity the extent and method of force used, and the rationale for that force. How does the Force monitor the use of spit guards to ensure that their use is appropriate?

C. What training is provided to police officers in respect of the use of spit guards and how often is this training refreshed?

B'OR explained that spit guards are personally issued to all frontline police officers in Sussex to protect them and members of the public from being spat at by any individual who has been arrested. However, the frequency of their use was also emphasised. The Force makes approximately 30,000 arrests each year but explained that spit guards are used in less than 1% of all of these arrests.

The requirement for all frontline officers to be accountable for any use of force, on every occasion, including the responsibility to document at the earliest opportunity the extent and method of force used, and the rationale for that force, was reiterated. Spit guards are a use of force and any use of them would need to be justified, recorded on a 'Use of Force' form, logged in a pocket notebook and captured on body-worn video.

Training is provided to officers in respect of how to put the spit guards on an individual and the justification for their use in respect of the NDM – necessary, proportionate, justifiable and legal. This is delivered as part of the two-day refresher personal safety and first-aid training.

B'OR concluded by stating that spit guards would be removed at the first available opportunity where a situation can be de-escalated.

PROCEEDS OF CRIME ACT

The Proceeds of Crime Act (POCA) 2002 sets out the legislative scheme for the recovery of criminal assets. The aim of the POCA is to deny criminals the use of their assets, recover the proceeds of crime and disrupt and deter criminality.

A. How much has Sussex Police recovered under the POCA in 2016/17 to date?

B. An Asset Confiscation Enforcement (ACE) Team within the South East Regional Organised Crime Unit work with a number of law enforcement agencies to recover proceeds of crime from offenders. How much has the ACE Team recovered, and what percentage of the monies recovered have been returned to victims in Sussex?

C. How knowledgeable are frontline police officers in respect of POCA and what is the Force doing to improve this understanding?

GY explained that he was very supportive of POCA to deny criminals the use of their assets, recover the proceeds of crime and disrupt and deter criminality. The POCA consists of two key aspects: confiscation orders (a criminal action set against the level of benefit gained through criminality) and cash forfeiture (a civil action that can run alongside a criminal investigation).

All of the money received through POCA is sent to central Government for reallocation as follows:

- *50% goes to Her Majesty's Treasury and the other 50% is split into thirds;*
- *one third goes to the agency responsible for the collection of the monies (Her Majesty's Courts and Tribunals Service);*
- *one third goes to the prosecuting authority (Crown Prosecution Service); and*
- *one third goes to the Financial Investigator (Sussex Police).*

GY explained that Sussex Police has recovered a total of £1.4m from 93 individual cases across 2016/17 to date. This has resulted in allocations in excess of £260,000 being returned to the Force through the above apportionments. This was in comparison to returns of approximately £400,000 in 2015 and £260,000 in 2014.

KB questioned why the annual allocations vary so much. The point was made that the concept of POCA is about causing harm and disruption to criminality rather than income generation. This is because what could be seen as a nominal amount to one individual engaged in criminal activity could be very disruptive to another. KB asked what the Force is doing with the apportionment available to distribute to divisions and departments. This information was not known and was asked for retrospectively.

GY explained that whilst frontline police officers have some knowledge of POCA this is not something that they would regularly need to use as part of their day-to-day roles. The Economic Crime Unit run POCA clinics and the contact details for a Single Point of Contact are available on the Sussex Police intranet to provide any officers and staff with help or advice in respect of POCA. In addition, POCA is included as part of the initial training for all specialist roles within the Force.

ACTION: KB would like to know what the Force is doing with the POCA apportionment available to distribute to divisions and departments.

PAYMENTS TO INFORMANTS

Earlier this month, figures obtained by 5 live Breakfast, under a freedom of information request, announced that police forces across the UK have paid out at least £22m to informants over the last five years. Sussex Police made payments to informants of £499,476 over the same period.

A. For the benefit of the viewers, how do informants contribute to the fight against crime?

B. What assurances can you give that robust policies are in place to ensure proper management of informants and decide on appropriate levels of reward in each case?

C. How is the effectiveness of this tactic regulated, measured and evaluated?

B'OR confirmed that the use of informants is a well established and highly-regulated tactic that has been used by Sussex Police for a number of years. The Force has made payments totalling £499,475.76 to police informants over the past five years.

Informants provide police forces with a valuable source of information and intelligence. The use of this tactic is managed and authorised by experienced senior officers, working to strict national guidelines, to ensure it is justifiable and proportionate when set against other police tactics. It was also emphasised that the practice is used to prevent planned and organised crime that is going to take place as well as to solve crime that has already been committed.

The Office of Surveillance Commissioners (OSC) oversees the conduct of covert surveillance and covert human intelligence sources by public authorities in accordance with the Police Act 1997 and the Regulation of Investigatory Powers Act 2000. Each police force is audited on their use of informants and is subject to a robust annual inspection by the OSC to ensure compliance with the law.

NATIONAL POLICE AIR SERVICE

The National Police Air Service (NPAS) is a national service, regionally coordinated for local delivery. The focus of NPAS is to deliver a more cost effective service, balancing the need to save money against the need to ensure the police service has a quickly deployable asset. The Sussex Police contribution has increased by 19% and £112,000 from 2016/17 to £701,000 in 2017/18.

- A. How many 'Actioned Calls for Service' were made by Sussex Police in 2016?
B. How have NPAS justified such a significant increase in contribution for 2017/18?
C. What has the Force done to challenge this position?**

NPAS is a national service, regionally coordinated for local delivery. Sussex is part of the South East Region with eleven other police force areas: Bedfordshire, Cambridgeshire, Essex, Hampshire, Hertfordshire, Kent, Metropolitan, Norfolk, Suffolk, Surrey and Thames Valley Police. The South East Region has four bases located at: Benson – Oxfordshire, Boreham Airport – Essex, Redhill – Surrey and Wattisham – Suffolk.

NPAS provides support to the South East Region in respect of: vehicle follows and pursuits, locating and tracking suspects, missing persons, critical incidents, public order and photographic tasks.

The focus of NPAS is to deliver a more cost effective service, balancing the need to save money in a challenging economic environment against the need to ensure the police service has a quickly deployable asset that can be used to tackle crime and protect the public. Police forces will also be able to make use of a number of aircraft within each region meaning that the police service's response will, in many cases, be enhanced over the previous provision.

However, it was acknowledged that finding a fair, equitable and sustainable funding formula remains challenging for this relatively "immature" service. The contributions are no longer calculated by hour's service and are, instead, based on 'Actioned Calls to Service'. Sussex Police made 534 Actioned Calls to Service in 2016. This was an increase on the number of calls made in 2015 and was acknowledged as a contributing factor behind the proposal to increase the contribution made by Sussex Police to £701,596 in 2017/18.

GY concluded by stating that he represents the South East Region on the NPAS Strategic Board. The Board's primary focus is to hold the lead force to account, agree the operational model for NPAS each year and to set the budget from which the model must be delivered.