

PERFORMANCE & ACCOUNTABILITY MEETING – 20.5.2016

DATE: 20 May 2016

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

PRESENT: Police & Crime Commissioner Katy Bourne (KB)
Chief Executive Mark Streater (MS)
Chief Constable Giles Yok (GY)
Assistant Chief Constable Laurence Taylor (LT)
Performance & Information Manager Graham Kane – minutes
Correspondence & Administration Officer Micha Dawes

LOCAL POLICING PROGRAMME – UPDATE

The following three commitments were made in respect of the Local Policing Programme (LPP) at last month's PAM:

Improved communications plan – The communications plans and engagement programmes for the LPP will be revisited, amended and changed to provide the public with more meaningful information and enhanced assurances.

Development of case studies – It was acknowledged that the existing summary of functional changes is too police focussed. Instead, dedicated and localised case studies will be created for members of the public to demonstrate "what policing in the LPP will look and feel like in their local areas".

Investment in technology – The use of technology in the LPP will be revisited in relation to remote access. This will include looking at the ability of officers and staff to book on and off from mobile devices. This approach would also remove the necessity for staff to attend a police station in order to carry out this process.

A. Can I have a progress update in respect of each?

LT reiterated the importance of communicating change effectively and confirmed that the Police Community Support Officer (PCSO) Communications Plan had been redrafted and approved by the LPP Board. The revised Plan, which goes live in July 2016, is now more focussed on the role, powers and activities that PCSOs will be responsible for. Feedback on the plan is also awaited from the Independent Advisory Group to ensure that the messaging is appropriate.

The plan also provides enhanced clarification regarding exactly what policing will look like and feel like in Sussex. This includes details about accessibility and how Sussex Police can be contacted by local communities. KB requested a copy of the revised Plan.

LT explained that case studies will be developed which describe how policing will work in specific communities (including rural, urban and mixed economies). This personalised approach will also assist in providing communities with an understanding as to how Sussex Police will work with partners in those areas.

KB was reassured to note that Sussex Police is not withdrawing from local policing and that an ongoing commitment to neighbourhood policing remains. Policing will simply be delivered in a different way through the LPP which is both targeted and effective.

LT confirmed that investment in technology has ensured that police officers and PCSOs are provided with mobile devices which enable them to work away from police stations. This flexibility continues to remain an important part of the LPP model. Employment law dictates that PCSOs must be assigned a permanent base. However, this does not mean that PCSOs have to book on and off at these locations each day. Police officers and PCSOs will continue to be deployed to where they are required.

ACTION: LT to share a copy of the refreshed PCSO Communications Plan with KB.

OPERATIONAL CHALLENGES

A. What have been the recent operational challenges for Sussex Police?

B. How have you reflected on these?

GY emphasised that it had been an increasingly serious month for Sussex Police in terms of securing important prosecutions against some dangerous individuals in Sussex but reiterated that Sussex continues to remain a safe place to live. A summary of operational challenges since the last PAM was provided as follows:

On 15 April 2016, Ms Lesley Dunford, 37, was sentenced to life imprisonment, with a minimum term of 13 years, for murdering her seven-month-old son in 2003, six months before she murdered her three-year-old daughter in 2004. The challenging and historic nature of this case, which drew on evidence from 13 years ago, was emphasised.

On 9 May 2016, Mr Star Randel-Hanson, 50, was charged with the murder of Mr Derick Marney, 70, at his flat in Vernon Terrace, Brighton, in April last year. Mr Randel-Hanson was sentenced to life imprisonment, with a minimum term of 15 years, at Croydon Crown Court after a two-week trial.

Also on 9 May 2016, Mr Marcus Hannon, 35, and Mr Dylan Quantrill, 21, were charged with a 35-count indictment for rape, child cruelty and sexual activity with a child. The 13-year-old girl, who cannot be named for legal reasons, was raped, forced to perform sex acts and watch others perform sex acts on several occasions during trips to the Isle of Wight, between August and October last year. In addition, the 39-year-old mother of the girl, who also cannot be named for legal reasons, was found guilty of sexual activity in the presence of a child, child cruelty and attempting to pervert the course of justice.

On 16 May 2016, Mr Matthew Daley, 35, was cleared of the murder of Mr Donald Lock, 79, but convicted of manslaughter after brutally stabbing him 39 times following a low-speed car collision on 16 July 2015. Mr Daley will be sentenced on 8 July 2016.

On 18 May 2016, Mr Osmon Koroma, 31, and Mr Max N'Gasa, 25, were convicted of a series of 18 sexual exploitation offences against 12 local teenage girls at locations in Littlehampton, following a complex six-week trial. The offences were committed between 2010 and 2014 and the victims were aged between 13 and 15-years-old at the time. Mr Koroma was convicted of eight offences against five girls; one rape, two sexual assaults and five offences of sexual activity with a child. Mr N'Gasa was convicted of 10 offences against seven girls; two offences of rape and eight offences of sexual activity with a child. Mr N'Gasa was found not guilty of one sexual assault and one offence of attempting to carry out sexual activity with a child. Both men were remanded in custody for sentencing at Lewes Crown Court on 7 June 2016.

POSSESSION OF DRUGS – CANNABIS

There is a general perception that the police service is turning a “blind-eye” to cannabis possession, supply and production, both nationally and in Sussex, despite it remaining a Class B drug. This is of concern to me given the correlation that exists between cannabis use, mental health issues and increased levels of anti-social behaviour and acquisitive crime.

A. The current law states that the maximum penalty for cannabis possession, supply and production is five years imprisonment, an unlimited fine or both. For the benefit of the viewers, what are the different disposals available to Sussex Police in respect of cannabis?

B. How many individuals have been charged and formally cautioned with possession of illegal substances in Sussex in the past year?

C. How many of these charges specifically related to cannabis possession?

D. A blanket ban on ‘legal highs’ comes into force on 26 May as part of the Psychoactive Substances Act. How are Sussex Police prepared for this?

LT explained that in 2015/16, Sussex Police conducted over 7,900 stop and searches across Sussex, of which 4,900 were in relation to drugs; this equated to over 60%. Of those searches carried out, over 1,700 were positive with individuals found in possession of drugs.

In respect of cannabis, 40% of positive searches resulted in a sanctioned outcome. This confirms that Sussex Police are taking positive action when cannabis is found and are not turning a “blind-eye”, as has been inaccurately perceived. Stop and search remains a regular and effective tactic for the Force.

There are four escalatory disposals available to Sussex Police in respect of cannabis and the Force would not expect the same disposal to be offered twice.

1. Cannabis Warning. *There is an expectation that if an offender admits possession, and there is no evidence of intent to supply to others, dealing with the offender by way of a cannabis warning would be a proportionate and appropriate method of disposal for Sussex Police. In these circumstances, the offender would be asked to sign a Cannabis Warning Booklet acknowledging that they have received the cannabis warning and also confirming that they have disclaimed the property. The booklet is then retained on record by the Crime Management Unit for three years. It was also highlighted that cannabis warnings cannot be given to a child aged between 10 and 17-years-old. Instead, Community Remedy should be used in these circumstances to prevent and educate (see below). Children under the age of 10 years found in possession of cannabis should immediately be considered to be ‘at risk’ and appropriate referrals to other agencies made.*

2. Penalty Notice for Disorder (PND). *A PND is a type of fixed penalty notice that is available in England and Wales for a specified range of penalty offences, including possession of cannabis. Individuals will not receive a criminal conviction if the penalty fine is paid.*

3. Community Remedy. *Sussex Police work with partners to provide five Community Remedy options across the county. In respect of cannabis, offenders will be referred to local rehabilitative ‘cannabis diversion schemes’ for support, guidance and education around the dangers of cannabis use and the potential impact of being caught again. The use of this disposal is at the subjective discretion of individual police officers and follows Force issued guidance based on the merits of each case. A multi-agency Community Resolution Scrutiny Panel independently assesses and monitors the use of Community Remedy in Sussex.*

4. Power of Arrest. *Sussex Police are able to use the power of arrest, through the Police and Criminal Evidence Act 1984, in respect of cannabis. However, there is a presumption nationally that police forces should prevent harm without criminalising others and, in respect of a first time offences, all other disposals should be considered first before any arrest is made. This should also only be done as a last resort based on necessity. It was emphasised that the arrest rate for cannabis in Sussex Police is in line with rates for other police force areas in England and Wales.*

LT confirmed that 1,005 individuals were charged or formally cautioned with possession of illegal substances in Sussex last year, of which 472 of these charges specifically related to cannabis possession. This equated to 47%.

It was highlighted that Sussex Police are well prepared for the blanket ban on psychoactive substances when it comes into force on 26 May and that the same principles for cannabis disposal will be applied. Police officers and staff have been made aware of the introduction of the Psychoactive Substances Act and an online National Centre for Applied Learning Technologies training package is available for all to complete. Performance in this area will be monitored on a regular basis until this becomes established within the Force.

GY concluded by stating that Sussex Police will continue in their pursuit to target drug dealers in the county.

ACTION: KB would like clarification whether or not Nitrous Oxide is to be considered a psychoactive substance under the Act.

OUTSTANDING WARRANTS

Last week it was reported that more than 13,000 people are subject to outstanding arrest warrants in England and Wales, with the oldest dating back to 1980.

A. How many of the outstanding arrest warrants are from Sussex and to what different charges do these relate to?

B. What is Sussex Police doing to find these individuals and how are they prioritised?

LT emphasised that whilst there are 13,492 known warrants outstanding in England and Wales, the total number is expected to be higher because a further nine forces either refused to provide details or did not reply to the freedom of information request.

The two types of warrants that these figures relate to are: a Failure to Appear (FTA) warrant and a warrant to arrest 'in the first instance'. It was highlighted that Sussex Police has 501 FTA warrants and 41 warrants to arrest in the first instance outstanding. A FTA warrant relates to a failure to appear at court and a warrant to arrest in the first instance relates to circumstances where a postal requisition cannot be served in the normal way. This is most commonly used at the start of the extradition process.

FTA warrants are prioritised through three categories based on the seriousness of the offence. Sussex Police has 76 outstanding 'Category A' warrants (for the most serious offences, including drug trafficking, serious assaults and robbery), 404 outstanding 'Category B' warrants (for the less serious offences, including volume crime, theft and criminal damage) and 21 outstanding 'Category C' warrants (for minor public order and low level traffic offences).

In 2015, a total of 2,011 warrants were issued in Sussex, of which 97 remain outstanding. This equates to an execution rate of 95%. In 2016 to date, a total of 570 warrants have been issued, with an 88% execution rate, of which 66 are still outstanding. This confirms that the vast majority of warrants are being executed by Sussex Police as a matter of routine.

Sussex Police use a range of methods to try and find individuals with outstanding warrants. These activities include: address checks, text messaging to offenders (asking them to hand themselves in), briefing systems, publicity through the media, visiting places of employment, targeting known vehicles, credit checks and checks with the Department for Work and Pensions.

LT concluded by explaining that the Warrant Enforcement Bureau undertakes regular checks of all outstanding warrants in the system. Category A warrants are reviewed within two weeks of submission, Category B warrants within three weeks and Category C warrants within four weeks. These warrants are then reviewed systematically based on information and intelligence. All warrants remain 'live' on the system until an individual is found or could not possibly be alive anymore.

NON-EMERGENCY CALL HANDLING TIMES

48% of non-emergency calls were answered within 60 seconds across the month of April 2016 which is 27% under the Force target of 75%. More worryingly, a similar trend is being demonstrated in May and the Force has now not exceeded the target for an individual month for ten months (since June 2015). 999 calls answered within 10 seconds have also reduced to less than 90% for each of the past three months. This continues to remain a concern to me.

**A. Can you provide me with an update regarding performance in this area?
B. At February's PAM, I was reassured to note that new technology was to be introduced in April to enable staff in the Contact and Command Centre to answer both non-emergency and emergency calls which will improve the ability and resilience of the department to respond to demand more effectively. When do you expect the introduction of this new technology to have an impact on performance?**

GY acknowledged that the 48% of non-emergency calls currently being answered within 60 seconds, against a Force target of 75%, is not acceptable and requires improvement.

This performance was attributed to three factors: staffing, equipment and processes.

- **Staffing.** An additional 20 members of police staff have been recruited and are currently completing their training. This has had a direct impact on capacity because qualified call operators tutor unqualified call handlers at their work stations which affects productivity. These staffing issues are expected to subside as this training nears completion and these individuals start to operate independently.
- **Equipment.** Equipment in the Contact and Command Centre is starting to reach the stage where it needs to be replaced. It was emphasised that 60% of the existing machinery has been replaced to date.
- **Processes.** Changes to the recording of anti-social behaviour reports on Niche, an integrated crime management system, only started in January 2016 and the Contact and Command Centre is working closely with the Resolution Centre to embed these new processes.

The introduction of new technology which will enable Contact and Command Centre staff to flex between two systems to answer both non-emergency and emergency calls is not yet in place. This has been tested in a 'non-live' environment but issues were identified around the integration of calls which are currently being investigated and rectified.

Another technical solution being considered by both Sussex Police and Surrey Police is a 'queue buster'. Instead of holding the line, members of the public will be offered a call back service. This approach is expected to reduce the waiting times, number of repeat calls and user satisfaction.

MS questioned the feasibility of the Contact and Command Centre in Surrey supporting Sussex during the summer when demand tends to be exacerbated. GY confirmed that whilst emergency calls are automatically redirected to other police forces when necessary, the same approach is not possible for non-emergency calls. It was also highlighted that a summer performance plan has been developed and will be implemented to alleviate some of these seasonal pressures.

GY reiterated that Sussex Police are continuing to work hard to rectify this situation and again explained that he would welcome a discussion with KB to remove the locally imposed Force targets and to, instead, focus on an approach based around user satisfaction. KB agreed to look at this area again next month because it remains a concern.

VICTIM FOCUS

REVENGE PORNOGRAPHY

In April 2015, the Criminal Justice and Courts Act made it a specific criminal offence in England and Wales to share private and sexually explicit photographs or videos films without the consent of the person featured.

A. For the benefit of the viewers, can you explain what 'revenge pornography' is and what the key issues around this look like for Sussex Police?

B. How many reported incidents of revenge pornography have been made in Sussex since it became a criminal offence and how many of these have resulted in charges?

C. Is the Sussex Police decision to refer a reported incident to the Crown Prosecution Service any different if a victim is under 18 years of age?

D. The Force has made significant investment in the training provision for frontline officers and staff in respect of domestic abuse, child sexual exploitation and female genital mutilation. What does the training plan look like for revenge pornography?

E. What are Sussex Police and partners doing to raise awareness and encourage the reporting of revenge pornography?

GY explained that the Criminal Justice and Courts Act made 'revenge pornography' a specific criminal offence in England and Wales to share private and sexually explicit photographs or videos films without the consent of the person featured. The offender must also have intent to cause the victim humiliation or embarrassment. It was also emphasised that there are a number of offences which are similar in nature but do not necessarily constitute revenge pornography.

It was highlighted that there have been 63 reported incidents of revenge pornography in Sussex since it became a criminal offence, of which 46 were committed by ex-partners (which equates to 73%). GY recognised that this is a hugely under-reported offence and not one that police officers across the Force will be familiar with. Anyone who thinks that they may have been a victim of revenge pornography was encouraged to report this to Sussex Police.

Four of 63 reports resulted in charges and two resulted in cautions. There were also a variety of other outcomes used where there was either insufficient evidence or where the victim did not want to support a prosecution through the judicial court process. It was emphasised that the age of a victim (for example, a child under 18 years of age) will also have an impact on the decision as to whether to refer this to the Crown Prosecution Service for advice or charge.

Cautioning guidelines exist to assist police officers in their decision making over which offences to issue a caution for based on appropriateness and circumstance, taking into account any aggravating or mitigating factors. It is recognised that decisions on whether to caution are often complex and are made by officers on a daily basis. Whilst there are guidelines, the final decision remains a subjective one.

GY highlighted that an Investigation Framework has been developed which gives police officers a structure for considering a range of factors in each case. This includes the impact on the victim and offender, seriousness of the offence and whether or not it is in the public interest. This consideration will then enable a decision to be taken in respect of charge, no further action or another disposal in between. GY extended an offer to KB for her to meet with Detective Sergeant Laurence Cartwright to discuss the new Investigation Framework in more detail.

KB sought assurances that frontline police officers understand the offence and the potential impact that this can have on victims and their families. LT acknowledged that owing to the newness of the legislation and the known under-reporting, Sussex Police do not currently have a full understanding of revenge pornography.

A pan-Sussex Sexual Abuse Management Board exists which looks for opportunities to learn and develop from previous investigations, raise awareness of particular offences amongst officers, staff and with partner agencies and to identify training needs. LT expressed his gratitude to the four victims who are currently assisting Sussex Police in their understanding of issues around revenge pornography and the impact on victims. This work will include the production of a video which will be shared with all police officers and staff. LT also confirmed that there is no specific training package available for revenge pornography nationally, which KB agreed to raise with the College of Policing.

ACTION: KB to meet with Detective Sergeant Laurence Cartwright to discuss the new Investigation Framework.

PUBLIC CONFIDENCE

MANAGEMENT OF POLICE INFORMATION

The principles set out in the Management of Police Information (MoPI) Code of Practice provide a way of balancing proportionality and necessity that are at the heart of effective police information management.

**A. How do the MoPI principles ensure that a consistent and professional approach to collecting and recording information is maintained by Sussex Police?
B. What training is provided to police officers and staff in Sussex to comply with the law and manage the risks associated with police information and how often is this training provided?**

GY explained that the MoPI Code of Practice sets out the requirements for collecting, recording and retaining information about individuals in respect of protection of life and property, preservation of order, preventing the commission of offences, bringing offenders to justice and any duty or responsibility arising from common or statute law.

The fundamental areas MoPI applies to were identified as follows: intelligence, custody, child protection, domestic violence, crime recording and firearms.

There are also five MoPI principles: collect and record, evaluation, processes, sharing and retention, review and disposal. GY acknowledged that Sussex Police have not been as effective in this area as they could be in respect of holding onto more information and for longer than is necessary.

It was highlighted that mandatory training is provided to all police officers and staff in Sussex as part of their initial training through an online NCALT package. This provides officers and staff with the necessary skills to be able to comply with the law and to manage the risks associated with police information. Annual refresher training is provided in respect of this area which emphasises the importance that is placed on understanding and respecting the information police officers and staff have access to.

MENTAL HEALTH AWARENESS WEEK

I was pleased to be able to support "Mental Health Awareness Week 2016" this week to raise awareness of the importance of building and maintaining good relationships.

A. How is Sussex Police supporting this week and what activities have been planned?

B. How has Sussex Police promoted the week to all staff and potential service users?

GY was also pleased to be able to support "Mental Health Awareness Week 2016" and expressed his pride at what Sussex Police has achieved in this area.

In particular, it was highlighted that with support from the national charity Police Dependants' Trust, Sussex Police and Surrey Police have created a Mental Health Advocates Scheme and trained over 100 police officers and staff to be Mental Health Advocates. Training for these 'Advocates' has been received from the National Health Service (NHS) England in the competencies of listening, understanding and signposting individuals to where they might be able to find further support and guidance.

GY concluded by stating that healthier and fitter police officers and staff are more able to look after each other and, as a result, are better able to look after the public. KB agreed with this statement and was very supportive of this approach.

VALUE FOR MONEY

HOME OFFICE GRANT FUNDING – MENTAL HEALTH CRISIS CARE CONCORDAT

I'm pleased to confirm that East Sussex, Brighton & Hove and West Sussex County Councils have been identified as areas that would benefit from additional Home Office grant funding and support to improve the provision of health-based places of safety for individuals detained under Section 136 of the Mental Health Act 1983.

A. How are Sussex Police, as partners, working with the Clinical Commissioning Groups to support the bidding process which will supplement and accelerate the sustainable provision already planned for in the local Concordat Action Plans?

B. From a policing perspective, what do you think are the priority areas in terms of tackling mental health?

GY confirmed that Sussex Police has a strong working relationship with the Sussex Partnership NHS Foundation Trust which delivers mental health services in the county.

The additional Home Office grant funding is restricted to capital investment to improve the provision of health-based places of safety for individuals detained under Section 136 of the Act. The funding cannot be used to provide enhanced or pilot services.

The greatest challenge Sussex Police face in this areas is the number of people who are going through a mental health crisis and come into contact with the Force. It was recognised that whilst this area has transformed in recent years it remains a difficult balancing act for the police service between helping people through a mental health crisis and holding them to account for crimes committed.

GY explained that the priority areas for tackling mental health from a policing perspective focus on the safety of individuals, police officers and staff and effective partnership working.

It is acknowledged that there are a large volume of people with mental health issues who call upon the services provided by Sussex Police. Whilst the vast majority of these individuals do not pose a threat to others or themselves, a small percentage do which highlights the importance of sharing information with partners where there are valid justifications to do so. MS was also reassured to note that appropriate processes exist in terms of the information exchange between partners in respect of individuals who have not come to the attention of the police but could still pose a threat.

In addition, further to the recent conviction of Mr Matthew Daley (see Operational Challenges) Colm Donaghy, Chief Executive of the Trust, has commissioned a "thematic review" into 10 killings between 2011 and 2016 involving patients it had come into contact with.

Sussex Police are supportive of this approach and will assist the Trust with the review process. This will also provide the Force with an opportunity to identify any learning and to contribute to future service delivery design.