



Police and Crime Panel

Date Thursday 1 February 2024
Time 10.00 am
Venue Committee Room 2, County Hall, Durham

Business

Part A

**[Items during which the Press and Public are welcome to attend.
Members of the Public can ask questions with the Chairman's
agreement]**

1. Apologies for Absence
2. Substitute Members
3. Declarations of interest, if any
4. Minutes of the meeting held on 14 December 2023 (Pages 3 - 8)
5. Police and Crime Commissioner's Proposed Precept 2024/25 - Report of the Police and Crime Commissioner (Pages 9 - 28)
6. Commissioner Victims' Champions - Report of the Police and Crime Commissioner (Pages 29 - 72)
7. National Association of Police, Fire and Crime Panels Annual Report 2023 - Report of the Head of Legal and Democratic Services (Pages 73 - 94)
8. Complaints Update - Report of the Head of Legal and Democratic Services (Pages 95 - 98)
9. Such other business, as in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Helen Bradley
Monitoring Officer

County Hall
Durham
24 January 2024

To: **The Members of the Police and Crime Panel**

Durham County Council

Councillors D Boyes, L Brown (Chair), J Charlton, L Hovvels, D Nicholls,
R Potts and A Savory

Darlington Borough Council

Councillors S Ali, N Johnson and G Lee (Vice-Chair)

Independent Co-opted Members

Mr N Hallam and Mr R Rodiss

DURHAM COUNTY COUNCIL

At a Meeting of **Police and Crime Panel** held in **Committee Room 1, Town Hall, Darlington** on **Thursday 14 December 2023** at **1.30 pm**

Present:

Councillor L Brown (Chair)

Durham County Council:

Councillors L Hovvels, R Potts and S Quinn (Substitute) (substitute for D Boyes)

Darlington Borough Council:

Councillors G Lee (Vice-Chair)

Independent Co-opted Members:

Mr N Hallam and Mr R Rodiss

1 Apologies for Absence

Apologies for absence were received from Councillors D Boyes, J Charlton, D Nicholls and A Savory.

2 Substitute Members

Councillor S Quinn substituted for Councillor D Boyes.

3 Declarations of Interest

There were no Declarations of Interest.

4 Minutes

The minutes of the meeting held 21 September 2023 and Special meeting held on 25 September 2023 were agreed as a correct records and signed by the Chair.

The Head of Legal and Democratic Services and Clerk to the Panel, Helen Bradley confirmed that feedback in relation to the process for Confirmation Hearings had been sent to the Home Office and the Panel would be update as regards any response.

5 Quarterly Performance Report Quarter Two 2023/24

The Police and Crime Commissioner (PCC), Joy Allen presented her Performance and Delivery Update Report which covered the period July to September 2023 (for copy see file of minutes).

Councillor G Lee noted the increase in civilian workers, from 590 to 1,200 as previously noted by Councillor R Potts and noted a further increase. The PCC noted the issue was an operational issue and would ask the question from the Force perspective.

Councillor L Hovvels noted, in relation to Right Care, Right Person, that mental health issues were often hidden in terms of their impact upon resources and noted that elements such as poverty and the cost-of-living crisis were impacting on the issue. She added she felt that signposting to relevant services was important, however, noted that at some point a service would need to deal with an issue and there would be an associated cost. Councillor L Hovvels noted Operation Endurance and the scourge of off-road bikes and the drain on both Police and Local Authority resources, noting resources she had used in terms of prevention measures. Councillor L Hovvels noted the issue of illegal vapes and asked as regards Government plans and the work of the Police alongside Trading Standards colleague from the Council.

The PCC noted the change in focus in relation to mental health issues, noting that the new Chief Constable, R Bacon had been the national lead on the issue and therefore was keenly aware of the issues. She emphasised that the Force would not be withdrawing all support in that regard, rather there would be the opportunity to signpost and refer, on a risk basis, to other more appropriate services. She added she had met with the Chair of the Mental Health Trust and that all would work in close partnership on the issue.

The PCC noted the work of Operation Endurance, and that County Durham and Darlington contained a number of rural areas. She reminded the Panel of 'hotspot' funding given to Town and Parish Councils, together with match funding from Local Councillors. She noted that target hardening in the east of the county had proven effective and that the issues went beyond anti-social behaviour and included damage and road safety. The PCC noted visits with the Vice-Chair and Kevan Jones MP looking at repairs to damage caused by accidents. She noted that in relation to road safety, she was working with MPs at the highest level to make representation to the Home Office. She added that the team for Operation Endurance was a small team, however, had brought in support from Neighbourhood Teams and use of drone technology.

The PCC noted that intelligence from communities was vital in being able to target offenders, noting both Crimestoppers and local 'garage watch' schemes.

The PCC noted her concerns as regards illegal vapes and while Public Health noted that vaping was better than smoking, there was a criminal black market in relation to vapes. She noted she was lead for the national group on substance and addiction and that she would take the information out to our partners in terms of the risk of death from synthetic drugs, noting high numbers of deaths in the US from such synthetics.

Councillor G Lee noted the number of accidents and near-misses, and that it was perhaps an issue for Local Authorities to look at in respect of speed limits. He noted the issues raised in respect of Police time dealing with mental health issues. He noted an example of where the Police had acted in preventing a suicide, adding that while signposting was important, it was important that the Police were able to respond in such circumstances. He noted issues in terms of crisis nurse availability and asked if the PCC could provide some reassurance and speak to the NHS in this regard.

The PCC noted she had spoken to the Chief Constable in relation to Road Safety issues earlier in the day, and the specific issue referred to in Redworth relating to solar speed visors. She noted an upcoming event 'vision zero' in terms of preventable road safety deaths. She noted regional differences in approaches, noting Durham and Cleveland did not have fixed cameras and it was for the Chief Constable to determine where to site mobile cameras. She noted that if School Crossing Patrol Guards had bodycams, that may help in identifying dangerous drivers.

Councillor S Quinn noted the ability to report incidents electronically, however, noted that some people would want to speak to a person/operator. The PCC noted that many people preferred the self-service methods and added that channel helped to relieve pressure from both the 101 and 999 lines, allowing for quicker responses on those numbers.

R Rodiss noted a 9 percent increase in violent crime and asked if there was any further information as regards the increase. The PCC noted that referred to a number of different issues, adding that the figures could be broken down further. R Rodiss noted he was referring to offences against the person and explained that victims often knew their attacker and that often such violence represented repeat offences. He noted he wished to understand the 9 percent increase, whether it was improved or increased reporting or more incidents. He asked about the resolution rate, noting he felt it was poor when looking at an offence that could be resolved quickly. The PCC noted she could bring back further details in terms of resolution and detection.

She noted that while the rate appeared low, the rate was the best within the country, adding some issues were with the CPS.

R Rodiss noted that Durham County Council had closed down an illegal vape shop in his area, only for another to open within a nail bar. He also noted the use of snus, a tobacco product, by footballers and the impact that could have. The PCC noted that was sadly the case, with organised crime groups operating in terms of illegal vapes. In terms of the impact of footballers as role models, she had written to the Football Association in terms of issues such as snus and nitrous oxide, noting that there should be no normalisation of their use. R Rodiss noted the supply of heroin during the war in Afghanistan and the increase in deaths as a result of the drug being cut with other products. The PCC noted national work in this regard, with many synthetic drugs being available via post. She added she was the national lead on the issue of Drug Driving and explained that Durham was the lead Force nationally in terms of the drug driving campaign. She noted the links between drugs and crime, and explained as regards current legislation in terms of cost of tests. She noted the good work with employers in terms of their drivers, with CCTV within vehicles and random drug testing.

Councillor L Hovvels noted the work in terms of suicide prevention and links to the Health and Wellbeing Board. The PCC noted the data from the Board and noted the amazing work of all in helping to prevent suicides.

Resolved:

That the report be noted.

6 Complaints Update

The Panel considered a report of the Head of Legal and Democratic Services which provided an update on complaints relating to the PCC or the Deputy PCC (for copy see file of Minutes).

It was noted that the last report the Panel received in relation to complaints was at its meeting on 21 September, with one further complaint received since that meeting. The Head of Legal and Democratic Services noted the complaint would be dealt with via the usual procedure under Part B of the agenda.

The Head of Legal and Democratic Services noted a complaint had been received in October wishing to escalate a complaint relating to an operational matter. It was noted it fell outside of the scope of the Panel and, after consultation with the Chair and Vice-Chair, the complainant was informed their complaint was outside of the scope of the Panel.

The Head of Legal and Democratic Services noted she had responded to a request to meet with Chair, outlining the remit of the Panel.

Councillor L Hovvels noted there was a lack of understanding by some of the role of the Panel and noted there may be benefit in improved communications in that regard.

Resolved:

That the report be noted.

7 Police and Crime Panel Work Programme Priorities

The Panel considered a report of the Head of Legal and Democratic Services which provided an update on the work programme priorities for the Police and Crime Panel (for copy see file of Minutes).

The Head of Legal and Democratic Services noted the Panel had agreed its work programme at the June meeting, however, it was intended to be flexible so that matters could be added throughout the course of the year. She noted that where items are added to the work programme, it can impact on the capacity to deliver existing items on the work programme and make agendas very weighty. Specifically, there were a number of matters the Panel had requested to come to the next meeting which necessitated a review of the work programme. The Head of Legal and Democratic Services noted that such matters included the former telecommunications mast, external scrutiny review and latest FMICFRS report. She noted the issue raised in terms of a breakdown of the statistics relating to violent crime, which had been requested under Item 5.

The PCC noted she could provide a breakdown of the statistics to be circulated via e-mail to the Panel. The Chair asked if R Rodiss would be acceptable to information to be provided via e-mail, he agreed. R Rodiss noted the issue in respect of the former telecommunications mast, being Grade 2 Listed. He added he did not feel the HMICFRS report should not be considered separately, and the new Chief Constable should attend to explain the drop in the overall rating. The Chief of Staff, OPCC, Andrea Petty noted the issue had been raised with the Chief Constable.

The Head of Legal and Democratic Services noted that the meeting on 1 February would be looking at the PCC's Precept and noted the Panel may wish to schedule an additional special meeting if they felt necessary in terms of the HMICFRS report. The Chair noted the report referred to a lot of business for the 1 February meeting and she felt an additional special meeting would be beneficial in terms of managing the items.

The Vice-Chair agreed. Councillor R Potts noted he also agreed, with a few items to be listed for each meeting. The Head of Legal and Democratic Services noted that the items listed in red within the report could be added to a special meeting, with a date to be decided. The PCC noted that information relating to the HMICFRS report could be provided to put the Durham rating in the context of other Forces and the new inspection regime. The Head of Legal and Democratic Services confirmed that Members would be contacted as regards a special meeting date after consultation with the Chair/Vice-Chair and OPCC.

Resolved:

- (i) That the report be noted.
- (ii) That a special meeting be added to the diary of meetings for the Panel.

8 Exclusion of the Public

Resolved:

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 of Schedule 12A of the Act.

9 Complaint against the Police and Crime Commissioner

The Panel considered a report of the Monitoring Officer and Clerk to the Police and Crime Panel in relation to a complaint against the Police and Crime Commissioner.

The Panel resolved not to publish the outcome of the complaint.

Police and Crime Panel

1st February 2024

Precept 2024/5

Report of the Office of the Police and Crime Commissioner



Purpose

1. To update the Panel on the process for setting the Policing precept for 2024/25 and to seek the Panel's support for an increase of £13 per household per year for properties in Band D, and commensurate increases for other properties.

Background

2. In December each year, the Police and Crime Commissioner (PCC) is informed by the Home Secretary of the provisional amount of Government grant that will be provided for policing during the following financial year. That enables the PCC to formulate plans for the level of precept that she will need to ask Council Taxpayers to contribute, in order to deliver policing in County Durham and Darlington in line with the Police and Crime Plan.
3. The Government normally puts a cap on the level of precept increase. The Government announced the provisional funding settlement for 2024/25 on the 14th of December 2023. From this, the Force and PCC Office has been making the calculations in relation to the effect of the settlement on the overall budget, along with the priorities for its use.
4. In addition to local taxation and central government grant the Durham Office of the PCC generates and manages additional funding streams. These include from the Ministry of Justice and also grants dependent on bids submitted by the PCC. In the last 12 months this has resulted in total additional funding to the value of £ 5,140,616 to benefit communities of County Durham and Darlington.

Funding in 2024/25

5. Government funding for policing in Durham and Darlington in 2024/25 includes the following:
 - The Police Grant will increase by 6.19% to £118.4m. This comprises:
 - An addition £1.6m, which was already included in the 2021 Comprehensive Spending Review announcement. It is designed to cover all spending pressures across pay, officer incremental pay growth and non-pay.
 - An additional £5.2m toward the cost of the 2023 pay award.
 - A reduction of £2.5m due to an increase in employers' police officer pension contributions.

- Capital funding will remain at nil.
- The PCC is enabled to increase funding from the precept for the council taxpayer by 5.1% or £13 for a Band D property as a maximum.
- The total potential revenue funding, assuming maximum precept, increases from £157.4m to an estimated £167.0m, an increase of £9.6m or 6.1%. This compares to the average increase of 6% across all forces, although after excluding the Metropolitan Police Service increase of 3.5% (which is low due to their underachievement of their Officer Uplift Programme), the average national increase is 6.7%. Therefore Durham receives less increase than the average, as has been the case since 2010 and is due to it having a low taxbase.

6. To achieve the £167m, it will be necessary to increase precept by the maximum permitted, i.e., £13 per household per year, for properties in Council Tax Band D. If this happens, the implications for each Council Tax Band would be as follows:

Council Tax Band	Police Precept 2023/24	Proposed Annual increase for 2024/25	Proposed Police Precept for 2024/25
	£	£	£
Band A	170.16	8.67	178.83
Band B	198.52	10.11	208.63
Band C	226.88	11.56	238.44
Band D	255.24	13.00	268.24
Band E	311.96	15.89	327.85
Band F	368.68	18.78	387.46
Band G	425.40	21.67	447.07
Band H	511.48	26.00	537.48

Consultation

7. The PCC launched an on-line survey on the 24th November 2023 and closed at 5pm on Monday 8th January 2024. It was publicised using social media, releases to local media outlets, at engagements with the public and the PCC website, along with some meetings with MP's and AAP/ councillors. The AAP meetings were supportive of the £13 increase.
8. The PCC and her office had already received views from the public during the summer engagement events/fetes etc on the level of precept the public were willing to pay.
9. The survey asks respondents about how much they would accept to pay extra for the provision of its policing service. The survey and the results are provided in the presentation. In addition to questions relating to precept tax levels, the survey also asks respondents for their views on priorities within the Police and Crime Plan.

Summary

10. Given the overall support for an increase, and the clear need to support Policing beyond the constraints of Uplift funding, the Panel is recommended to support an increase in precept of £13 per household per year for Band D properties.
11. As agreed with the Force this will enable in particular:
 - Officer numbers to be maintained at 1,368 until at least April 2025.
 - PCSO numbers maintained at 146.
 - Additional control room staff.
 - Continued IT technology improvements eg in the control room to improve public contact.
12. Under Schedule 5 of the Police Reform and Social Responsibility Act 2011, the Police and Crime Panel is required to review the proposed precept, and to make a report on it (the Panel are to determine the manner of this report). The report can include recommendations on the level of the precept. The panel has the power to veto the proposed precept, which requires a two-thirds majority in favour of a veto. However, the Panel are requested to not that if not agreed, this will in effect mean real-time cuts to policing across County Durham and Darlington.

Recommendation

13. The Panel is recommended to:

- a) Note the current position of the precept consultation and the outcome.
- b) Consider the PCCs proposal for a £13 precept increase at Band D.
- c) Decide whether to veto the PCCs proposal.
- d) Produce a report setting out the Panel's views.

Joy Allen
Police and Crime Commissioner

Appendix 1: Risks and Implications

Finance

The outcome of consultation will influence the size of the PCC's, and the Constabulary's, budget in 2024/25.

Staffing

None

Equality and Diversity

None

Accommodation

None

Crime and Disorder

None

Children's Act 2004

None

Stakeholder/Community Engagement

A consultation exercise has taken place as set out in the report

Environment

None

Collaboration and Partnerships

None

Value for Money and Productivity

None

Potential Impact on Police and Crime Plan Priorities

Size of budget will influence delivery of priorities

Commissioning

None

Other risks

None

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Policing Precept 2024/25

Putting victims first in County Durham and Darlington



Precept

£13 increase at Band D = 25 p per week, as per govt guidelines

Increase from £255 to £268 in Durham

National average £262

Northumbria £168

Cumbria £297

N Yorks £295

Cleveland £291



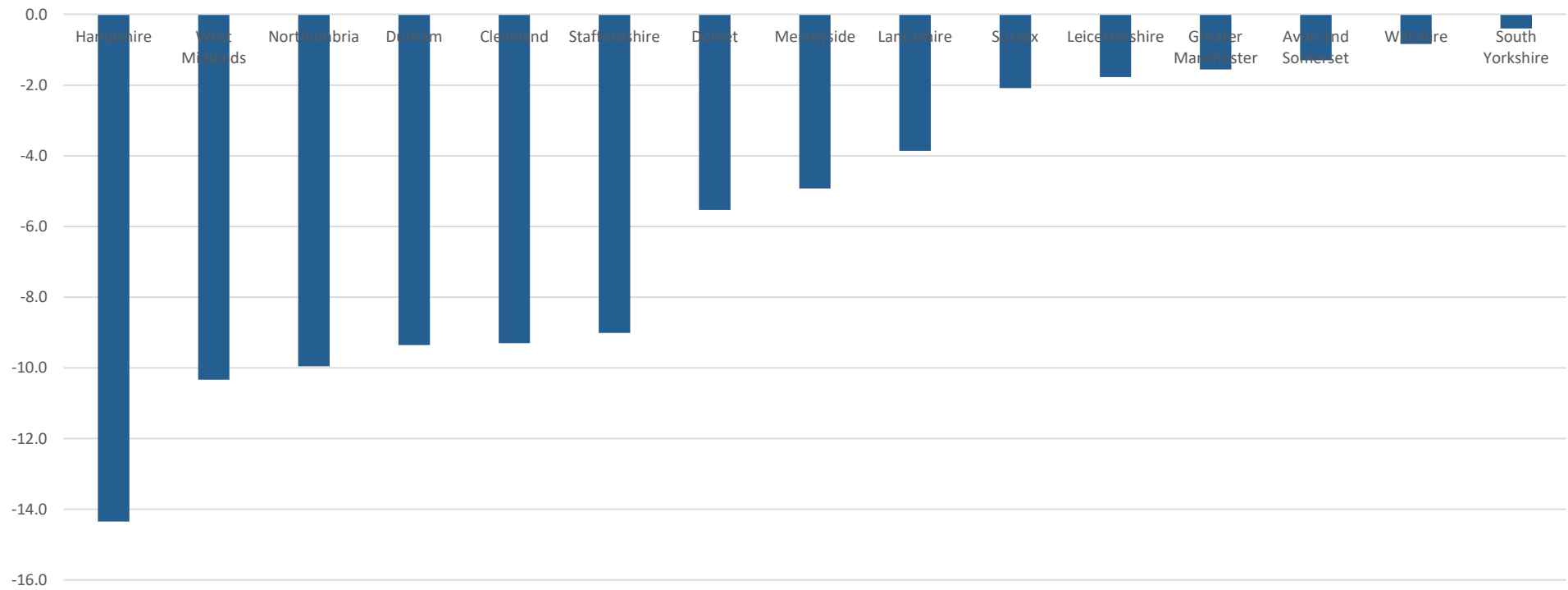
Precept Context – Budget per recorded crime

Durham	£3,200
North Yorkshire	£4,800
Cleveland	£2,500
Northumbria	£3,200
Gwent	£3,600
South Wales	£4,500
Humberside	£3,000
Northants	£3,400
Nat Ave	£3,500



Precept Context- Uplift Losers

Chart Title

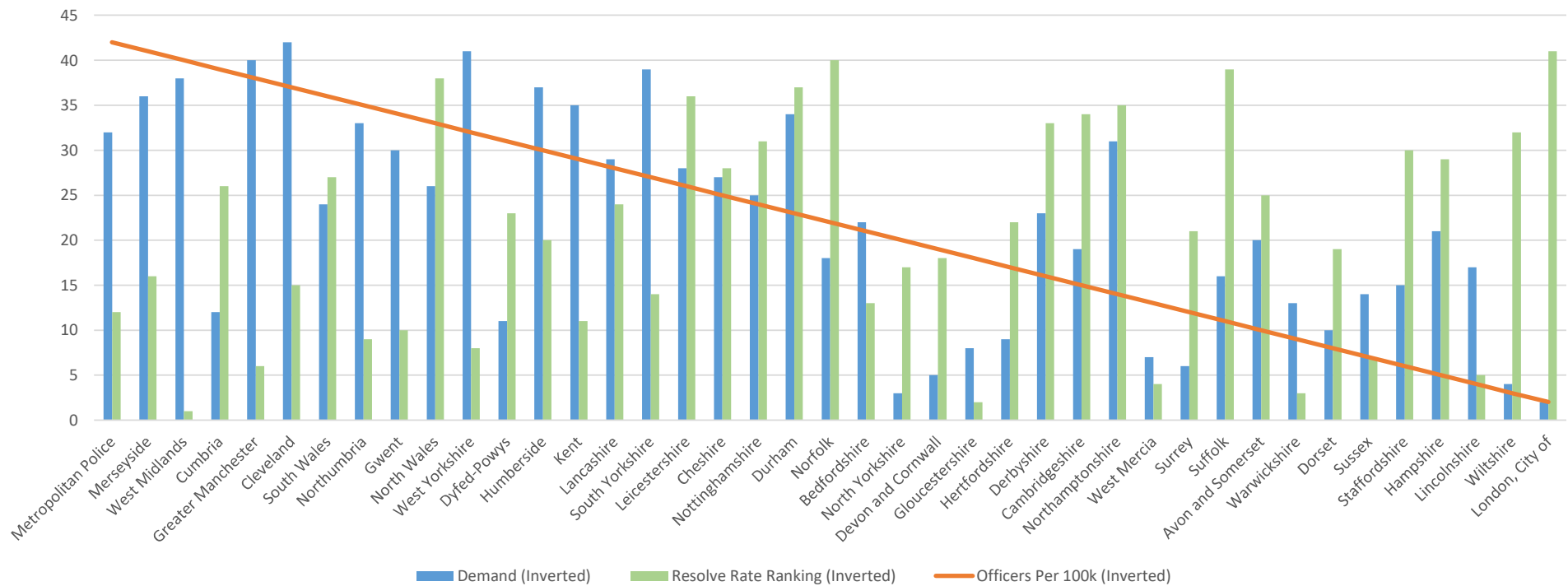


Putting victims first in County Durham and Darlington



Precept Context – demand v funding

Demand & Resolve Rate / Officers Per 100k (Inverted)



Putting victims first in County Durham and Darlington

Public consultation



1,935 people responded to the survey (public engagement events and online survey)

- £20 + 99 = 5.1%
- £20 690 = 35.7%
- £15 201 = 10.4%
- £10 440 = 22.7%
- £0 129 = 6.7%
- Other 376 = 19.4%

** Please note there were other answers that were not numerical, and these have been captured under "other"*

Putting victims first in County Durham and Darlington

Public consultation

Public's Priorities



Top priorities identified:

(please note each person was asked for their top 3 priorities and therefore the number does not add up to the total of 1,935)

- Anti-Social Behaviour – 1324 = 21.4%
- Visible Policing/Police Stations – 936 = 15.1%
- Neighbourhood Policing – 778 = 12.6%
- Drug Use/Drug Dealing – 691 = 11.1%
- Crime Reporting and Response – 520 = 8.4%
- Violence Against Women and Girls – 467 = 7.5%
- Off Road Bikes – 368 = 5.9%
- Serious & Organised Crime – 363 = 5.9%
- Road Safety – 272 = 4.4%
- Crime Prevention -255 = 4.1%
- CCTV Investment – 224 = 3.6%

Deliverables



Precept 2023/4:

- Temp resource into control room (will mainstream)
- Took on more transferees (trained already so more experienced but cost more)
- Extra 5 PCs from 1363 to 1368
- Increase in training
- Increase in Special Constables
- Operation SNAP

Deliverables



- Officers maintained at 1,368
- PCSO's maintained at 146
- Staff c1,000
- Recruitment underway for officers and PCSO's
- Additional call handlers recruited into the Control Room
- Operation Snap
- New technology
- Fleet replacement
- Estates
- Option to bid for more officers (waiting for process to start)



Finance

Revenue Budget

- Balanced for 2024/25
- Deficits in future years

Reserves by 2025/26

- £6.6m working balance
- £2.6m PCC community safety reserve
- £7.9m other



Finance

Capital Budget

- ICT £3m
- Fleet £1.4m
- Estates £0.6m
- No govt support



Efficiency

- Efficiency and savings work ongoing
- Plan on a page agreed with core indicators of efficiency
- National efficiency and productivity group
- High expectation for forces as national finances are limited



Questions?

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Police and Crime Panel

DATE: Thursday 1st February 2024

**Report of the Office of the Police and Crime
Commissioner Victims' Champions**

Purpose

1. To update the Police and Crime Panel on the work of the Victims' Champions.

Background

2. The role of the Police and Crime Commissioner is to secure efficient and effective policing. In exercising those statutory functions, the Police and Crime Commissioner has a legal duty to consult with victims in setting policing priorities and commissions many of the services that support victims to comply with the victims' code of practice. Putting victims first remains the 'golden thread' of the Police and Crime Plan.
3. In setting out the Police and Crime Plan, in order deliver her vision to reduce victimisation and ensure that her approach was victim centric, Durham's Police and Crime Commissioner appointed three Victims' Champions in December 2021 to act as an independent voice for victims, one each for anti-social behaviour, crime, and domestic abuse. The Commissioner's Champions are there to ensure that victims' voices are heard, and their lived experiences help shape future policy, planning and the commissioning of victim support services.

Work of the Victims' Champions

4. The Victims' Champions have engaged with victims to learn of their 'lived experience' from initial contact through their individual criminal justice 'journey' adopting different approaches and methods.
5. They have established a pattern of emerging themes with case studies and together with further research have helped to inform policy, planning and the commissioning of services for victims. The report categorizes concerns from victims into three key areas: Reporting & communication; investigative criminal justice process and victim impact.
6. The report highlights the work of the Champions, their findings, achievements to date and provides information to partners for opportunities to change.

The Champions' Annual Report is attached for consideration.

Next Steps

7. The Report is in currently in draft format and will be professionally designed and digitally formatted in colour for distribution from March 2024.

Recommendations

8. The Police and Crime Panel are invited to note the report and provide comments.

Andrea Patterson & Michael Banks
Victims' Champions
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The Victims' Voice



County Durham & Darlington

Victims' Champions Annual Report
January 2024



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Introduction

The role of the Police and Crime Commissioner is to secure efficient and effective policing. In exercising those statutory functions, the Police and Crime Commissioner has a legal duty to consult with victims in setting policing priorities and commissions many of the services that support victims to comply with the victims' code of practice. Putting victims first remains the 'golden thread' of the Police and Crime plan.

Prior to being elected, the Police and Crime Commissioner for County Durham and Darlington, Joy Allen, consulted with members of the public to inform the development of the Police and Crime Plan 2021-2024. As part of that initial consultation, 34% of people who had been victims of crime and anti-social behavior said they did not report it, and 68% said they found it difficult to report issues.

This mirrored the findings from the National Crime Survey in 2019 and the report "Living a Nightmare" (2019) published by the Victims' Commissioner for England & Wales, Baroness Newlove, who concluded that victims of anti-social behaviour are being let down by police, local councils and housing providers, with many victims having to suffer in silence.

Reports published by Victims Commissioner, Dame Vera Baird (2019-22) highlight the broader and varied issues impacting victims, including delays in the criminal justice process, unsatisfactory outcomes and attrition rates. The Victim Commissioner's reports set out a vision for enhancing victims' rights and reconceptualizing the role of victims as active participants within the justice system; she outlined what is needed in the Victims' Bill to transform the victim experience of the criminal justice system. Four key principles were identified for 'what works' in supporting victims of crime: information and communication; procedural justice; multi-agency working; and professionalized services. More information can be found at www.victimsc commissioner.org.uk

In setting out the Police and Crime Plan, in order deliver her vision to reduce victimization and ensure that her approach was victim centric, Durham's Police and Crime Commissioner appointed three Victims' Champions in December 2021 to act as an independent voice for victims, one each for anti-social behaviour, crime, and domestic abuse. The Commissioner's Champions are there to ensure that victims' voices are heard, and their lived experiences help shape future policy, planning and the commissioning of victim support services.

Executive Summary

The Victims' Champions have engaged with victims to learn of their 'lived experience' from initial contact through their individual criminal justice 'journey' adopting different approaches and methods.

They have established a pattern of emerging themes with case studies and together with further research have helped to inform policy, planning and the commissioning of services for victims. The report categorizes concerns from victims into three key areas: Reporting & communication; investigative criminal justice process and victim impact.

Examples of ongoing current research include: the difficulties of successfully progressing through the Criminal Justice System for victims with a cognitive impairment; the re-traumatizing of victims of rape and serious sexual offences due to initial over-listing and repeated re-listing of cases; and the difficulties encountered in getting to, and being at court, such as transport, childcare and the up-front financial costs.

Victims of crime can often feel that they have been victims of the criminal justice process too, whilst victims of ASB often feel let down by agencies perceiving little is being done to tackle the incidents they report. The optics of an effective system needs to be through the 'eyes' of victims rather than the efficiency 'lens' of the agencies involved. Both Durham Constabulary and the Office of Durham's Police and Crime Commissioner have written 'Victim Impact Assessments' into their respective Governance Statements, to ensure that key decisions are assessed for their potential impact on victims. This is something Durham's PCC would like other criminal justice agencies to adopt.

Victims of ASB have no statutory entitlements under the victims' code of practice (VCOP) or funding to access victim support services. In County Durham and Darlington the Police and Crime Commissioner has commissioned victims' services through the award-winning Community Peer Mentors to support vulnerable victims of repeat ASB, recognising cumulative impact which can have a long lasting devastating impact affecting their mental health and well-being and placing greater demands on stretched public health services.

Victims of ASB often become isolated, living in fear in their own homes and afraid to go out, causing significant distress and harm where often the only solution is to move house. Engaging with victims has identified that agencies often view ASB incidents as low level, in isolation and do not identify repeat victims at an early stage. Reported incidents that are classed as neighbour disputes are not always investigated or progressed and officers can often fail to recognise the cumulative impact and the high level of harm caused. Response teams are often called to incidents offering little or no continuity of officers or knowledge of the local community. The victims lived experience tells us the greatest impact comes from neighbourhood disputes and victims are often faced with having to move home because of the impact the ASB is having on them. Not everyone can do this, nor should it be the victim that should be forced from their home as a means of escape. This too is often the case for victims of domestic abuse, having to move from their home and uproot their children to escape. They are often faced with moving out of the area isolating themselves from family, friends and support networks and made to feel they are the one being punished.

The report highlights the important role for housing providers in taking a greater responsibility in protecting their tenants and tackling ASB. Also, local authorities around selective licensing to hold private landlords accountable in tackling ASB.

Greater efficiencies could be achieved if both CCTV and ICT systems were improved and used to provide effective data analysis and intelligence.

Effective and consistent communication with victims is absolutely fundamental in providing the best victim and witness care by ALL agencies.

There is much to celebrate with multiple achievements, not least the introduction of Operation Crystal improving investigative standards, crime recording and victim care. Stronger partnership working, new strategy, signposting and improved reporting has been introduced. Raised awareness about the use of the ASB Case Review and new ASB escalation processes. The ASB Case Review is now administered in its entirety by the Office for Police and Crime Commissioner and a new independent appeals process for case review has also been introduced, we believe, the first of its kind nationally.

Victims, however, are becoming increasingly aware of the resourcing pressures placed on the public sector and empathise with the constabulary, often suffering in silence rather than reporting incidents. Whilst some have lost faith in reporting altogether contributed by long wait times, or perceived inaction, others don't want to burden the authorities. The situation can be likened to what can only be described as "Stockholm syndrome". As greater demand is created for the decreased resources available one should ask "Why should victims in County Durham or Darlington be worth less than victims in other parts of the Country?"

Despite limited resources, credit must be afforded to the innovation of agencies working together to find new approaches to tackling crime and anti-social behaviour, not least Durham Constabulary for consistently remaining one of the best performing Police Forces in the Country.

DRAFT

Meet the Champions

Andrea Patterson

Victims' Champion – Anti-Social Behaviour

The Anti-Social Behaviour Champion works to capture lived experiences from victims to help inform the commissioning of services, working with policy officers to ensure services meet the needs of anti-social behaviour victims. The Anti-Social Behaviour Champion sits on key strategic boards and works directly with senior officers, directors, and partners on behalf of the Police and Crime Commissioner, having those conversations at that strategic level to help shape and change service provision, making a difference for victims of anti-social behaviour across the community safety partnerships.



Michael Banks

Victims' Champion – Crime

The Victims' Champion for Crime engages 'one to one' with victims and with a variety of victim support services. This ensures that both personal 'journeys' through the criminal justice system can be understood and identifies themes, trends and gaps in service provision to victims so that the development of policies, planning and commissioning can be framed with their needs in mind. 'Victims' Voice' case studies inform 'Root Cause Analysis' of these cases to understand what went well, and not so well, to inform service improvement. With the active support of the Police and Crime Commissioner the Victims' Champion for Crime is encouraging all criminal justice agencies to conduct a Victim Impact Assessment on policies and practices.



Vacant

Victims' Champion – Domestic Abuse

The Domestic Abuse Victims & Survivor Champion works with all major partner agencies, organisations and systems which provide support and services to victim/survivors of Domestic Abuse (DA). The Champion's main task is to independently seek the views and lived experiences of domestic abuse victims and survivors, which involves conducting individual interviews, discussion groups, video interviews/conversations, and using any combination of these and other methods. This work then feeds into the work of the Force and partners including through the Domestic Abuse and Sexual Violence Group.

All three Champions work alongside policy officers, to ensure that the victims' voice is central to service planning and commissioning. The expected impact will be that services provided truly respond to the stated needs of victims and survivors and systems are easier for them to understand and use. The victims' Champions also engage with the National Victims' Commissioner's Office; the Association of Police and Crime Commissioners and Her Majesty's Inspectorate of Constabulary to identify national initiatives and good practice which can be tailored to our local needs.

Placing Victims at the Centre of Services

The Ministry of Justice’s vision is “a justice system that supports even more victims to speak up by giving them the certainty that they will be understood; protected and supported throughout their journey in the criminal justice system regardless of circumstances or background”. The Ministry of Justice recognises that a victim of crime should not become a victim of the criminal justice process as well. The consistent message from victims is to be treated fairly, properly and with dignity; clearly, in a timely way and with accurate information; and the opportunity and support to make their voice heard. The Ministry of Justice revised the Victims Code of Practice in 2021 and is currently consulting on the metrics for measuring compliance with it by criminal justice agencies. The Victims and Prisoners Bill is currently progressing through Parliament.

His Majesty’s Inspector of Constabulary Fire and Rescue Service (HMICFRS) assesses the service that Police Forces give to victims of crime and anti-social behaviour. “The duty of the police is to Keep the Peace, prevent crime and disorder and bring offenders to justice. If the service provided to victims of crime is not handled properly and in accordance with the established rules the police cannot perform these duties well. A failure of a police force to correctly deal with the victim at any point, from the initial call to the conclusion of a case, will not only let down a victim, but an offender may be missed as well as a possible opportunity to prevent further crime. It will also reduce public confidence in the police”. (HMIC/GMP/2020)

“No one chooses to become a victim of crime. And they have no choice as to which police force investigates that crime...”

“All victims of crime have the right to expect that forces will allocate their crime to someone with the appropriate skills to investigate it”.

In terms of supervision of investigations, “without direction and support, workloads can become unmanageable and the time taken to investigate increases. Investigators may not follow all lines of enquiry and evidence may be lost. For a victim of crime, this means a longer wait to find out if there will be some justice in their case, and less likelihood of there being any justice. This can increase the distress of being a victim of crime and can lead to loss of faith in the Criminal Justice System. It can mean that victims withdraw from the justice process altogether. (HMIC: Spotlight Report 2020)

Durham Constabulary’s Plan on a Page 2023-25 cites a vision which includes “inspiring confidence in victims”, with outcomes “to give victims a voice and ensure that the victim is at the heart of everything we do; ensure victims and witnesses are referred to appropriate support services; and that the Force adheres to the Victims’ Code of Practice”.

The Local Criminal Justice Board Strategy

Durham has a revitalised Local Criminal Justice Board, which has a Victim and Witness Delivery Group. The vision of this group is that “We will ensure that victims and witnesses are fully supported throughout the Criminal Justice System, with high quality services that meet their needs”. Key objectives are:

1. Provide co-ordinated end to end care and support for victims and witnesses
2. Ensure a partnership focus on victims and witnesses to assist their ability to cope, recover and participate in the Criminal Justice System
3. Demonstrate partnership compliance with the Victims’ Code of Practice

The Police and Crime Commissioner appointed three Victims' Champions to ensure that the voice of the victim is at the centre of everything we do. The Victims' Champions assist the Police and Crime Commissioner to work with partners to ensure delivery of seamless, high quality support for victims that enables them to cope with, and recover from their experience and also participate in the criminal justice system. The Police and Crime Commissioner will ensure compliance with the Code of Practice for Victims of crime, so that victims are aware of and can access their rights. The Police and Crime Commissioner will commission high quality services so that victims have access to a range of specialist support services which respond to the different needs and requirements for them and their families at any point and whether they report to the police or not. Key outcomes for our Police and Crime Commissioner include: Reduced Victimisation; Victims and the vulnerable feel supported; People have confidence in the Police and Criminal Justice System.

Capturing Lived Experiences

The Victims' Champions capture lived experiences through a variety of different methods to inform the Police and Crime Commissioner and wider partners of the victims' voice. These have included gathering statistical information from data sources, monitoring HMIC reports for good practice and areas of improvement in relation to victims, victim satisfaction surveys, one to one meetings with victims to directly listen to their experiences, feedback from scrutiny panels, meetings with community and residents groups as well as feedback from Town, Parish, Borough and County Councillors, engagement with victims' charities and support organisations to capture their first-hand experience. The Victims' Champions listen to the lived experiences of victims so that their voice informs policy, and services can be commissioned with their needs in mind. The Champions:

- Engage with local Criminal Justice agencies to understand their individual and collective (as the Local Criminal Justice Partnership) approach to victims of crime and its efficacy
- Engage with the Victims Commissioner; Association of Police and Crime Commissioners' lead for victims; National Police Chiefs' Council, His Majesty's Inspector of Constabulary, Durham Constabulary, Ministers, All Party Parliamentary Groups and other strategic bodies to ascertain work programmes for local consideration
- Engage with Community Safety Partnerships
- Scrutinise local policy and working practices to ensure victims are at the centre of everything we do
- Scrutinise local compliance with the Victims' Code to ensure victims receive their rights and feel supported and empowered to participate in the CJS and pursue justice
- Through Root Cause Analysis; 'Deep-Dive' research; and targeted surveys, build a body of evidence of victims' experiences, identifying themes, patterns, trends and gaps which can be triangulated and presented to inform policy, planning and commissioning
- Scrutinise the effectiveness of the ASB Case Review on behalf of victims

A great deal of engagement has taken place since the Victims' Champions roles were introduced in December 2021, and progress has been made against each of the areas outlined in the Police and Crime Plan. Progress is reported and regularly monitored through the Police and Crime Panel.

Victims' voices are painting a picture of their experiences and a Root Cause Analysis Group, consisting of representatives of Criminal Justice Agencies, is convened to look at individual case studies and make recommendations to the Local Criminal Justice Board about changes to policies, processes and commissioned services. It can also be fed into training for officers and staff to improve engagement with victims and service delivery, thereby improving confidence and satisfaction. Areas of improvement have been identified including:

better quality and consistency in recording interaction with victims; better Victim's Needs Assessment and Victim's Personal Statement; better Victim Code compliance; correct referrals to Victims Care & Advice Service.

Through listening to victims **and** their needs, victims of ASB are now fully supported through victims' services and the PCC Community Peer Mentor Team despite there being no long term national funding. A joint ASB Strategy has been developed based on 8 key principles and underpinning objectives and adopted by both the Safe Durham Partnership and Darlington Community Safety Partnership for a joined-up approach to tackling ASB. A new three step process to tackling ASB, handling reports and complaints has been introduced including a comprehensive ASB Case Review and appeals process led by the Office for Police and Crime Commissioner to support victims. For the first time in County Durham and Darlington, victims now have the right to attend case reviews or provide victim impact statements. The independent ASB Case Review Appeals Process is the first of its kind nationally, giving victims a greater say in actions taken by agencies to prevent ASB.

Lived Experience Survey

The Victims' Champions developed a lived experience survey for all victims and survivors to put forward their experiences to help inform practice and ultimately help others facing similar situations in the future.

This consultation provided evidence of what victims experienced and it helped the Police and Crime Commissioner to drive change, putting victims at the forefront of commissioned and in-house services. The survey received 77 responses from victims, one for domestic abuse, 6 for crime and 70 from victims of ASB. Further information is available in the report: Anti-Social Behaviour – "Living a Nightmare" in County Durham & Darlington 2023.

The Victims' Champions plan for the survey to form part of a rolling consultation to continually provide feedback to the Police and Crime Commissioner.

Responses from surveys returned suggested victims of crime and domestic abuse are generally happy with the response received from their initial contact with the Force, whilst victims of anti-social behaviour feel their initial contact does not meet their expectations. The reasons listed from ASB victims show a clear disconnect between the public expectations of the service they should receive when reporting anti-social behaviour in comparison to the service they are entitled to or do receive.

What stood out was the detrimental impact on the victims' mental health and well-being which was common throughout all responders.

"Partner does not leave the flat, we have both tried to commit suicide, Taxi's won't come to the address, so this restricts us from leaving the home. We have had numerous takeaways delivered which we didn't order. Impact is horrific."

Emerging Themes

A key part of the Victims' Champions' roles is to hear the 'lived experience' of victims. Often this is an account of their individual 'journey' from their first point of contact, and their experience through the criminal justice process. The detrimental impact this can have on victims of crime and anti-social behaviour is of significant concern.

In its Victims' Strategy, the Government states that victims of crime should not become victims of the criminal justice system too. Sadly, the quotations cited below reflect a not uncommon position. The Victims' Champions use the testimonies of victims to inform service providers and improve policies, planning and commissioned services for victims.

"What is the point in reporting, nothing gets done about it"

"A victim needs consistency. The same officer, better trained in empathy, use of language and reassurance from the outset"

"I was given wrong information, poor information and time delays make you feel like a victim of the process."

"Justice has failed at multiple points. It has failed me. Justice hasn't been done. I am a victim of the Criminal Justice System"

TOP CONCERNS FROM VICTIMS

The Champions found the top concerns from all victims can be placed into three categories:

1. **Reporting & Communication**
2. **Investigative & Criminal Justice Process**
3. **Victim Impact**

Reporting

Communication

Investigative &
Criminal Justice
Process

Victim Impact

1. Reporting & Communication

Reporting and poor communication were the main concerns raised by victims citing several reasons ranging from initial contact, call handling and responses times to ongoing communication about individual cases. There was an apathy in re-reporting where victims had previously encountered poor customer service and the lack of explanation about the investigative and criminal justice processes often led to differences in public expectation and perception versus reality.

Victims' cases of harassment and ASB were often not followed up or they were not given reasons why they were not followed up across all agencies. Often emails re shift patterns and other priorities advising victims that their case is being closed down as time has lapsed and there have been no further reported incidents led to victims losing faith and confidence in reporting.

There is a clear difference between public expectation and current practice. If a member of the public reports an incident to any of the agencies, they expect someone to contact them in a timely manner with an update; and provide updates on what has happened or what is going to happen. Not being able to identify a perpetrator leads to cases being closed with no further action further adding to victim frustration and whilst there is a general acceptance around prioritising high harm and resourcing the question to ask is "why should a victim in County Durham or Darlington receive a different service based on their postcode"? For example, victims in rural areas felt the police do not respond or are unable to, due to lack of resourcing. When they do respond the response is often too late to catch the perpetrators in action.

Whilst there have been some improvements to the 101 service to reduce call handling times and commitment to recruit more call handlers, during high demand times, victims claim they are still waiting up to 50 minutes to get through.

A lot of processes are in place which, if followed, would ensure victims were regularly contacted within agreed timescales and kept updated. However, victims report hearing nothing for weeks and months and having to resort to chasing up officers and staff themselves. The lack of an effective customer relationship management system means greater demand is placed on 101 when victims are seeking an update on their case.

Policing is a busy, complex and demanding business. Officers and staff will be under pressure due to the demands of work, but for a victim, this can be a life changing situation from which many struggle to cope and recover. They need consistency and their rights outlined in the Victims Code of Practice (VCOP) upheld. Police and Criminal Justice agencies need to be able to demonstrate compliance. However, the rights within VCOP does not apply to victims of ASB. The Community Peer Mentors commissioned by the Police and Crime Commissioner provide valuable emotional and practical support to those victims who would otherwise be left to suffer alone. The ASB Victims' Champion and the Victims Commissioner continue to lobby for ASB Victims to be included in the Victims and Prisoners Bill of Rights.

As well as insufficient information, victims refer to a lack of explanation. For instance, many have no previous experience of reporting a crime or anti-social behaviour and have no knowledge of the investigative and criminal justice process which is to follow. For example, why did the police not attend the scene, or only visit the victim several days later, or in some cases not visit at all? Why was some forensic evidence not seized or presented? Why haven't they checked CCTV? Why wasn't a statement taken at the earliest opportunity? Why weren't some witnesses spoken to? Why were some charges preferred to others? Why did the investigation take so long? Why has the case been relisted? What do some sentences mean?

Sometimes the language used by officers and staff within Criminal Justice agencies, however well intended, can have a detrimental impact on victims. Some feel that the warnings given of the 'perils' of the Criminal Justice process ahead is to put them off proceeding with the case. Some feel that the emphasis on Restorative Justice and other Out of Court Disposals, shows more concern for the offender than for them as the victim. Others report none-verbal communications and tone being dismissive, condescending, blasé, feeling like they are wasting police time, over-reacting, their concerns not being taken seriously and worst of all victims blaming. Victims had no choice in becoming a victim. It was done to them. Having choices throughout the investigative and criminal justice processes can empower victims, help them cope and recover. For example, the victim having a choice in whether they are dealt with by a male or female officer in cases of sexual assault; considering Out of Court Disposal Options; consideration of Special Measures; whether to read or have read out for them their Victim Personal Statement.

“If there is a choice then all options need to be explained, discussed and agreed with the victim. If the Officer in Charge prefers a specific option, then the rationale needs to be explained to the victim. No assumptions should be made”.

We know from the National Crime survey that Anti-social behaviour is under reported. In County Durham & Darlington there is a downward trend in reporting anti-social behaviour. However, it is often the case that 'high callers' no longer report through 101, but instead call the neighbourhood police teams and this may account for the downturn in reporting together with apathy around reporting. Also, the way in which ASB is recorded is often a crime so cannot always be traced back or included in ASB statistical analysis. Further work would have to be undertaken to establish the root causes however, anecdotally, the single biggest issue around anti-social behaviour is around poor communication and inconsistent information from all partners.

Victims desire a single front door approach to reporting anti-social behaviour and options for self-service to be kept up to date about progress on their case. Often, they receive an email stating their case is closed or no further action which is common cross agencies with no further information. This adds to the frustration and apathy over the perceived lack of action. Knowing where to report which issues to, was also a problem, with conflicting information on partner websites signposting them elsewhere. Some victims thought ASB was a Police problem and others didn't perceive graffiti, littering and fly tipping as an ASB issue. ASB is often linked to a related crime such as criminal damage further adding to public confusion. Victims felt housing partners have a greater role to play and could be instrumental in preventing and stopping ASB in and around their properties. Improved recording of incidents and quicker action to issue warning notices were cited as needed by victims.

2. Investigative and Criminal Justice Process

In a criminal justice process which involves many independent agencies mistakes will be made. The consistency, empathy, reassurance and support received by a victim can vary greatly and depending on the nature of the case these can have a significantly enhanced impact on victims.

In addition the whole court experience can contribute to the re-traumatisation of a victim:

- Court building ergonomics can place victims face to face with the alleged perpetrator or their family
- Special Measures not in place at court as requested
- Video link allowed victim and suspect to see each other
- Restraining orders not requested
- Compensation not requested
- Victim learning of court result from other than a professional service
- Not referred to a support service until months after the offence

- Referred to the wrong service
- Victim feeling they are being punished rather than the perpetrator
- Victims of ASB not having their day in court due to lack of evidence
- Victims feeling robust action is not present for breaches of bail and breaches of protective orders
- Officers and other professionals “advising victims to obtain their own non-molestation orders”
- Non-molestation order not always pursued - 1 victim advising the DA Champion that 47 breaches had not been acted upon.

However, it is deliberate practices which causes more trauma and anxiety to victims. Re-listing of cases due to over-listing is one such practice which is particularly impactful on victims of rape and serious sexual offences and assault. Support services report some victims being listed for a fourth time! In addition, the gap between findings of guilt and subsequent sentence adds to the anxiety of the victim and an inability to move on. It appears that these systems are for the efficiency of the court, but it risks re-traumatising the victim.

“There’s no appreciation of the building up of trauma. You don’t sleep, you don’t eat properly and it impacts on your physical and mental health”.

The trial date and hearing at court can mark the beginning of the end of a long criminal justice journey. It is unsurprising that victims can become more anxious, having to re-live their victimisation in the hope of seeing justice. However, there are a number of factors which can add to the stress and anxiety of the actual trial:

- The location of the magistrates’ court:** This can be miles from a victim’s home. Is thought given to selecting a Magistrates’ Court which is closest to the victim’s home? Since most public transport links converge in Durham, should a Magistrates Court be sited there?
- The travel to court:** Difficulties arise in getting to court, or arranging child-care, to get there for a 9.30am start. Victims and witnesses may find the public transport with the defendant and family/friends.
- Special Measures:** The importance of identifying a need for special measures and then getting the right one in place to suit the victim and their circumstances. This could be linked to pre-trial visits. For example, a screen where a victim cannot be seen, may be preferable to a video link, where that victim has to return to the same community where the defendant resides.
- Victims with additional needs:** An example was given of a female victim brought up from down south, housed in a hotel overnight and transported to court the following day. She had addiction issues and was on a methadone programme; homeless; no money; no phone credit. A lengthy wait for her case to progress was aggravated by all these issues. Again, the effort appears to be in getting the victim to court to give evidence. Less so with what happens afterwards.
- Court Buildings:** Newton Aycliffe has a single entrance used by victims, witnesses and defendants. Some court waiting rooms have no windows. Toilet access an issue. There is reticence in moving around the court building in case of contact with the defendant or family. The availability of a room if the prosecutor needs to speak with victim or witness can be an issue.

- f. **Court Staffing:** Communication during the court session can be an issue. Information is key to keep victims and witnesses updated. It can be difficult for Witness Service to glean this information if one usher is serving two courts. Similarly the CPS caseload can impact on time available for communication.
- g. **Intimidation in court:** Victims and witnesses can be vulnerable to intimidation in the court building. There are 'chance' encounters with the defendant, their family and friends. There are reports of victims being followed when they leave the building, even photographed.

The above 'pieces of jigsaw' are individually relatively easy to solve and by addressing these then collectively they combine to present a better picture of the victims' journey through the CJS. The PCC has funded some ergonomic changes at courts to keep victims from defendants. Consideration is being given to 'stand-by' arrangements so that a victim only need to come to court at the last minute.

3. Impact on victims' lives

There are some key points from Domestic Abuse victims' feedback:

- Investigations involving coercive control and stalking: some victims didn't feel that officers (who were not specialists in this crime type) understood the complex nature of their abuse, especially with regards to coercive control. In particular, some victims didn't feel confident that officers knew how to evidence the crimes they were reporting. These types of offences involve a pattern of behaviour rather than a single incident on a particular day, and it is vital officers feel confident of the different types of ways they can evidence these crimes, and also understand these types of behaviours are the most dangerous patterns of behaviour.
- Victim Contact: some victims reported not getting timely updates. Where No Further Action was cited, sometimes there was no discussion as to why, or any advice about a Victim's Right to Review.
- Recognition for action for breaches of non-molestation orders; restraining orders; breaches of bail and other breaches of legal protective orders: Some victims reported having to pay privately for legal representation to obtain non-molestation orders as perceived breaches of bail were not acted upon. This puts the onus on a victim to protect themselves and not all can afford to do so. Furthermore, some report breaches of non-molestation orders not being pursued.
- The Domestic Abuse Victims' Champion had concerns that delays in arresting suspects and a reliance of voluntary attendance for interview, left victims unsafe, unprotected by a lack of bail conditions, a feeling of increased risk having reported the abuse and left to manage their own risk.
- 1 in 5 adults experience domestic abuse during their lifetime and so it stands to reason this will include members of the force. Police perpetrated abuse occurs, and often those victims and survivors will be police officers and police staff. Consideration should be given on how best to support our internal staff members. A potential suggestion is to consider an IDVA role which is solely to support officers and staff.

We've heard about victim impact as a result of the investigative and criminal justice process whereby victims don't just suffer as a result of the crime committed and the same can be said for repeat victims of ASB where the cumulative impact increases traumatisation.

The greatest impact on mental health and well-being for repeat victims of ASB derives from neighbourhood disputes. The highest number of reported ASB incidents in County Durham and Darlington are typically in areas of high deprivation with either the victim or the perpetrator living in either registered social housing or private rented accommodation. More often than not these result in counter allegations and escalation from low level

neighbour disputes to more serious crime. When not effectively tackled the victim often becomes the perpetrator taking matters into their own hands. Housing providers and private landlords are key to tackling ASB and there needs to be sufficient powers in place to allow them to take action against non-compliant tenants. Lobbying has taken place around “The Renters (Reform) Bill” and the Government’s white paper proposes to scrap section 21 notices and introduce new powers to protect tenants as well as make it easier for landlords to repossess properties where tenants are at fault for example in cases of anti-social behaviour.

The current criminal justice systems allow victims of repeat ASB and harassment to be retraumatised through the courts, where the perpetrators can use the court system to drag out cases or make counter allegations against victims. An additional issue for victims of ASB and harassment is that ‘thresholds’ for repeated offending or ‘breaches’ seem to them to be too high for police to take action against perpetrators. This is a consistent aspect of those completing victim satisfaction surveys as ‘completely dissatisfied’. The problem is not solved. The problem is ever present. The victimization persists.

For victims of domestic abuse, operational decisions around delaying an arrest or a decision to undergo an investigation first and invite perpetrators in to be voluntary attendees can have a huge impact. This can leave victims unsafe, not protected by bail conditions, and can lead Family Court blind to some of the risks families are facing.

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Achievements

There is some exceptional work ongoing to improve the service to victims of crime and anti-social behaviour. Durham Constabulary has introduced Operation Crystal in response to victims needs:

- Ease of contact
- Arrival time
- Actions taken
- Follow up
- Treatment

“Process Improvements = Victim Improvements”

Operation Crystal is improving investigative standards, crime recording and victim care: improved Victim Needs Assessments; Victim Contact Contracts; Victim Care Finalisation; and Investigation Plans

Durham Constabulary has also introduced a Victims Code of Practice (VCOP) Tracker tool, which identifies the best processes for delivering each of the 12 victims’ rights. Unfortunately, not all victims of anti-social behaviour are entitled to the same victims’ rights under VCOP.

The Victims’ Champions have contributed to the following:

- The introduction of Victim Impact Assessments
- The development of a VCOP compliance tool
- Multi-agency Root Cause Analysis meetings of Victims’ Voices case studies
- A referral mechanism from victims via Witness Service at Courts
- Referral mechanisms from victim support organisations
- Commissioned research into over-listing contributing to re-traumatising of victims of rape and serious sexual offences
- Commissioned research into the experiences of people with cognitive disability through the criminal justice system
- Enlisted ‘Experts through Experience’ as a consultative mechanism
- Enlisted a victim of stranger rape to assist with investigative training
- New Joint ASB Strategy adopted by both Safe Durham Partnership and Darlington Community Safety Partnership
- New three step “Tackling ASB” process adopted by partner agencies
- New interactive signposting tool to get people to the right agency first time
- Introduction of Victim Centric Case Review (formerly Community Trigger) administered by the Office for Police and Crime Commissioner in its entirety
- Introduced an Independent Case Review Appeals Process
- Victim vulnerability and impact assessments when not meeting the threshold for case review Single Point of Contacts identified by each partner agency to lead on ASB
- ASB Scrutiny Panel Terms of Reference drafted
- Memorandum of Understanding Signed with Housing Providers
- Commissioned victim support through Community Peer Mentors

In County Durham and Darlington the Anti-Social Behaviour Champion has worked tirelessly to place victims at the centre of how agencies deal with ASB, working with our partners, the Home Office, Ministers, All Party Parliamentary Groups and ASB Help to ensure that the impact that persistent and repeated ASB has on victims is recognised across the board. In June 2022, new guidance was published on case review and community remedy, closely followed by the Government’s ASB Action Plan in March 2023. The lived experience of victims in County Durham and Darlington has helped to shape new policy, strategy and improved service provision for

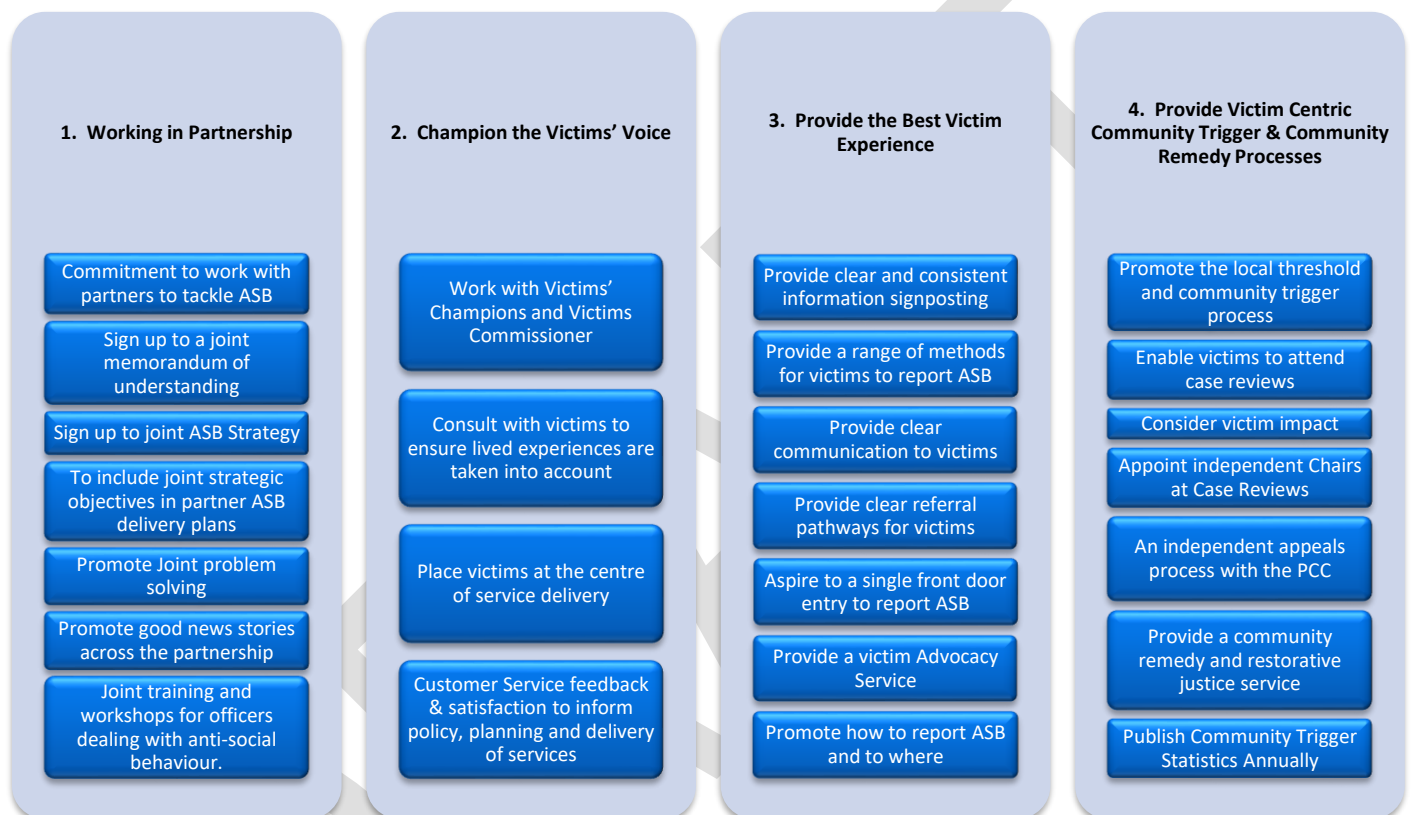
victims both locally and nationally. County Durham and Darlington were named as one of the trailblazer areas for hotspot policing and restorative justice in tackling local ASB. Combined with multiple successful bids to safer streets County Durham and Darlington remain at the forefront nationally in tackling ASB.

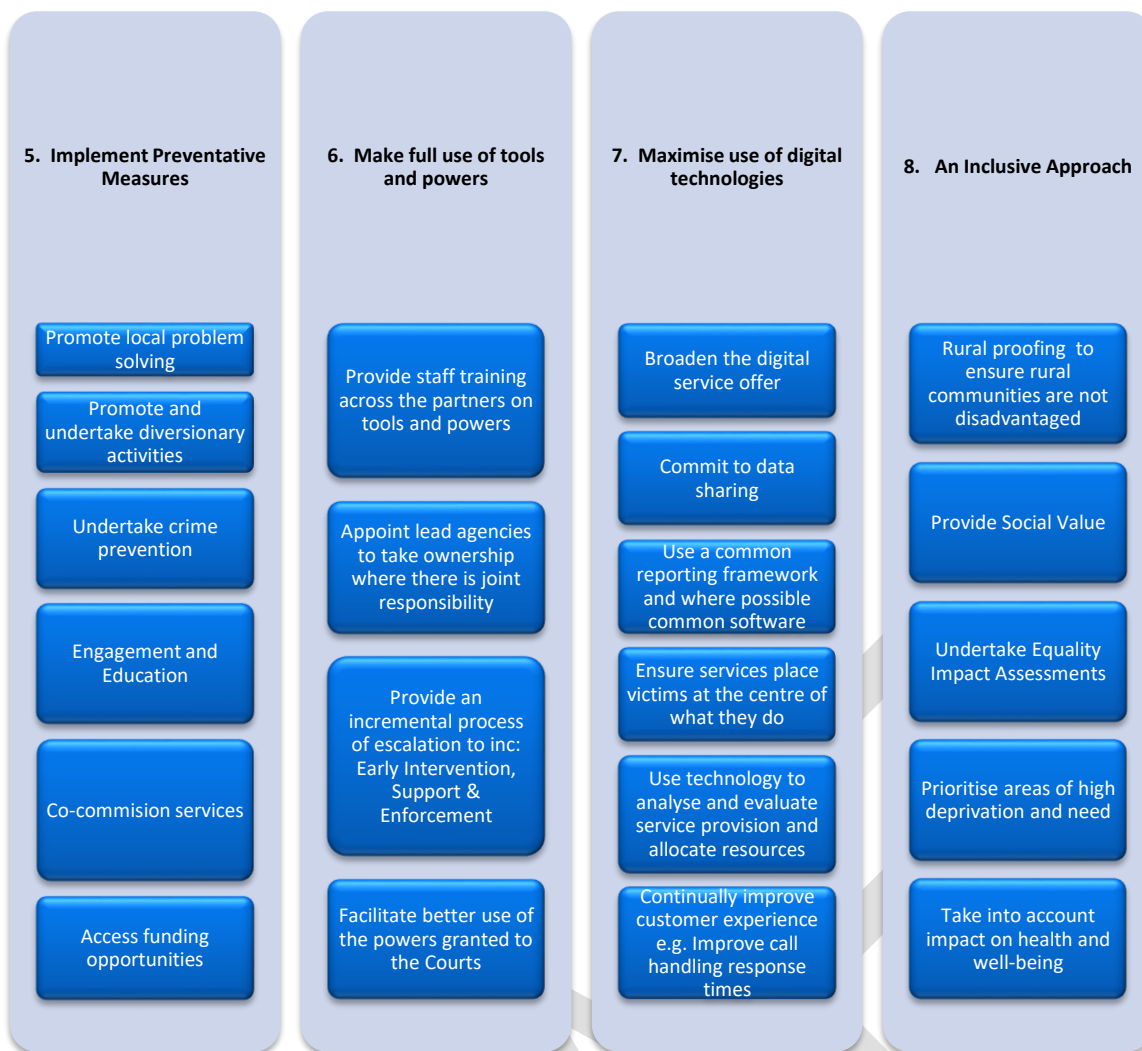
1. Joint ASB Strategy

The Joint ASB Strategy in setting out the vision to place victims at the centre of service provision, the Victims Champion for ASB has engaged with many partners to establish key principles and objectives to tackle ASB. Both the Safe Durham Partnership and Darlington Community Safety Partnership have committed to a new joint ASB Strategy and adopted the eight key principles and underpinning objectives.

VISION: Improving Lives through tackling anti-social behaviour

Eight Principles





2. One Approach to Tackling ASB

In addition to the joint strategy, we have agreed a new three step “Tackling ASB” process with all partners across both the Safe Durham Partnership and Darlington Community Safety Partnership which incorporates clear signposting for victims to get them to the right agency first time when reporting incidents, setting out clear responsibilities for key agencies including handling complaints when things go wrong. The new approach also gives clear guidance about the ASB case review process which is now administered by the Office for Police and Crime Commissioner in its entirety with dedicated resource and introduction of the first independent appeals process.

3. Improved Signposting and Awareness

Our key partners have signed up to the common information signposting and interactive signposting tool online and are linking into the PCC website across their ICT platforms. We continue to raise awareness of how and where to report ASB with regular campaigns. Our “Don’t Suffer in Silence” Campaign was launched in July 2023 during Anti-Social Behaviour Week, and we continue to build on its success.

4. Case Review (formerly known as Community Trigger)

The **Anti-social Behaviour, Crime and Policing Act 2014** introduced specific measures to give **victims and communities** the right to request a multi-agency case review where a local threshold is met. In County Durham and Darlington, together with our partners we are leading the way introducing a new process that removes barriers for victims, improves service provision and provides commitment to undertake a case review to determine if more could be done. We are committed to tackling anti-social behaviour from that very first incident, so victims don't need to wait for three incidents to understand how their case is being progressed. We have:

- a three step, tackling ASB process
- committed to having independent Chairs for case review hearings
- introduced victim support for our most vulnerable victims of ASB
- dedicated support for victims going through the case review process
- given victims the opportunity to attend the case review hearings and/or provide victim impact statements
- introduced case review hearings for vulnerable victims not meeting the threshold of three incidents
- introduced a range of methods for victims to initiate the case review process, making it more accessible
- introduced an independent appeals process for case review
- introduced monitoring and evaluation of the case review process

The Police and Crime Commissioner's Office will now actively monitor the case review process, undertake an annual audit and publish case review statistics annually.

5. Community Remedy

The Community remedy approach has recently been reviewed to consider the list of actions which may be chosen by a victim for the perpetrator to undertake in consequence of their behaviour or offending. Consideration should be given to making better use of the community remedy to give victims a say in the out-of-court disposals of perpetrators of less serious crime and anti-social behaviour, including allowing them to consider a restorative justice approach. The Community Remedy should be considered when it is proposed that a perpetrator be given a conditional caution or youth conditional caution as a means of consulting the victim about the possible conditions to be attached to the caution. If the perpetrator fails to comply with a conditional caution or youth conditional caution, they can face court action for the offence.

6. MOU with Housing Providers

The Police and Crime Commissioner signed a memorandum of understanding in March 2022. This has paved the way for closer working relationships and making better use of tools and powers for our housing partners to tackle anti-social behaviour for victims.

Since the signing of the memorandum of understanding working with housing providers has become an integral part of the anti-social behaviour agenda. We know that there is a clear link between anti-social behaviour and areas of high deprivation. By cross referencing the geographical demand from anti-social behaviour data reported to Durham Police, we established the high impact callers and high demand areas

were in those areas with registered social housing, high deprivation, and a high proportion in left behind towns. Successes in partnership working to place anti-social behaviour victims first include:

- Housing partners having a seat at key strategic groups
- Key housing partners working directly with the Victims Champion
- Commitment to sharing information signposting pages to provide clear messaging
- Direct involvement in the case review process and community remedy
- Joint visits and walkabouts to areas of concern

PCC signed March 2022 – MOU insert graphic

“Durham Police and Crime Commissioner, Durham County Council and Housing Associations working in the County will work together to put those experiencing anti-social behaviour first. We will promote awareness, make reporting easier and set out who we are, what we do, and the service those experiencing anti-social behaviour can expect. As partners we will share intelligence, promote joint working and maximise the impact we can have collectively on community safety within County Durham. “

7. Improved Scrutiny and accountability

The Office for Police and Crime Commissioner is currently undertaking a review of scrutiny and accountability to help the PCC hold the force to account. The Champions are supporting the PCC in her public accountability role by engaging at a strategic level to identify issues received first hand from victims. Dealing with a single issue that focuses on the victim gets the attention it deserves and provides insight to senior officers and decision makers to bring about change for the greater good of the victim. The unique insight into the victims’ lived experience is helping PCC to fulfil the victims element of the Police and Crime Plan.

Victims want something good to come out of a bad experience and feel that by contributing they are helping to bring change for other victims who may find themselves in similar situations.

To support the Police and Crime Commissioner in her role in holding Durham Constabulary to account on the delivery of the Police and Crime Plan, a new open and transparent public scrutiny panel for Anti-social behaviour is being considered for 2024. The proposal is for the panel to be made up of volunteers to represent the neighbourhood policing areas across County Durham and Darlington and to be recruited through an open recruitment and selection process to act as independent scrutineers on the anti-social behaviour agenda. The panel will have responsibility for helping the Police and Crime Commissioner monitor performance on anti-social behaviour, auditing case reviews and as act as an independent panel to hear Case Review Appeals on behalf of partners. The panel will have a term of office of a minimum of two years and will be politically restricted.

8. Improved Victim Support

An innovative single ‘Front Door’ approach has been implemented to receive and triage referrals for victims and others that need support across County Durham and Darlington. Replacing multiple and often complicated referral pathways, the new approach provides an opportunity to assess individual needs centrally and in a timely way ensuring the most appropriate support is put in place when it is needed most.

The Front Door incorporates the newly established use of First Contact RASSO Navigators who will offer practical information and conduct an initial needs assessment. They will work closely with our local sexual violence support services to reduce the need for those victims and survivors to have to re- tell their story unnecessarily.

Our award-winning Community Mentor Service also sits behind the Front Door offering support to victims of ASB, to those members of our communities who are vulnerable or isolated together with supporting those that place a high demand on policing services.

This approach allows us to make a pro-active offer of support to victims and witnesses of crime following a charging decision, victim care and restorative justice practitioners that can act as a continuous point of support for those that need help to guide them through the potentially daunting Criminal Justice experience.

Commissioner Allen said "It can be so complicated for victims of crime to access the support they need and often they don't even know what support is available. The Front Door service is there to really make it easy to access support without the complications of a complicated and unclear referral pathway."

Commissioning - RSACC

In August 2022, Commissioner Allen contracted the Rape and Sexual Abuse Counselling Centre (RSACC) to provide specialist counselling for victims of sexual violence. In procuring the new service the PCC Core budget was used to fund a 3-year contract for the service. The OPCC later welcomed the Ministry of Justice commitment to multi-year funding.

Isabel Owens, CEO of RSACC, said "Securing 3 years funding has allowed us to address the increasing demand for specialist support for survivors of sexual violence. Recruiting counsellors with the expert skills and experience to support survivors is always challenging, but short-term funding adds to this challenge as it only allows us to offer staff short contracts which are not attractive to many. Long term funding allows us to plan how to best use our resources over the coming year to meet the rising demand for support, as we are not working each year to secure funding for the next".

In addition to the multi-year funding commitment, we have sought to encourage a healthy procurement market by working with Go4Growth who support potential bidders through the procurement process and breaking-down larger contracts into smaller geographical lots, making it simpler for a range of providers to compete.

Commissioner Allen said "As Commissioner, I am aware of the unprecedented demand being placed on services supporting survivors of these most awful crimes. I hope that by affording these organisations funding stability we can start to address demand and use resources to develop sustainable provisions that best meet the needs of future victims."

9. Witness service

The Victims' Champion regularly liaises with the Regional lead for the Citizens Advice Bureau Witness Service and with Witness Service staff at the Magistrates and Crown Courts. There is now an agreed referral process via the 'Front Door' where triage is undertaken by the Victim Care and Advice Service manager.

10. Victims and Prisoners Bill

The draft Victims and Prisoners' Bill is, at the time of writing, progressing through Parliament, with Royal Assent expected in Spring 2024.

"...our vision is to see a cultural shift so that victims' experiences become central to the way our society thinks about and responds to crime, with five critical elements for delivering a world-class service to victims"

1. Amplifying victims' voices in the Criminal Justice Process
2. Increasing the transparency of the performance of criminal justice agencies
3. Ensuring there are clear lines of oversight for when victims are treated poorly
4. Supporting victims to rebuild their lives through accessible and professional services and ensuring that criminals pay more to support these services.
5. Ensuring there are better tools to protect victims and prosecute criminals

"We will amplify victims' voices and make sure victims are at the heart of the criminal justice system"

- Enshrine the overarching principles of the Victims' Code of Practice in primary legislation
- Include Community Impact Statements in Victims Code Of Practice

"We will strengthen transparency and oversight of criminal justice agencies at local and national level so that victims' experiences support them to engage, and remain"

- Introduce a duty for CJ agencies to collect data and keep under review their compliance with the Victims' Code and to take into account feedback from victims about their experiences to contextualise and add to Code compliance data
- A duty for PCCs to take a convening role in monitoring compliance locally so there can be a better view of how the system treats victims
- Ensure regular joint thematic inspections by criminal justice inspectorates take place on victims' issues with ratings for agencies on how victims are treated and processes in place for agencies which inspectorates rate poorly
- Require the Victims' Commissioner to lay their annual report in Parliament and require relevant agencies and departments to respond to recommendations and to enhance scrutiny of actions being taken
- Simplify complaints processes for victims against agencies and when escalating them to Ombudsman. Police, CPS Courts to report annually on victims' complaints and resolution
- Introduce a joint statutory duty on PCCs, local authorities and health bodies to collaborate when commissioning support services (Domestic Abuse; Sexual and serious violence) so that services are more holistic and better coordinated. Expectation PCCs will play a convening role.
- Publication of a Local Commissioning Strategy, with special consideration of service needs of victims who may experience barriers to using generic support services
- Introduce a statutory definition for ISVAs and IDVAs to raise profile, professional standing and greater collaboration with other agencies. Standardised guidance for commissioning services with a duty for those that work with ISVAs and IDVAs to have regard of the guidance.

“When a victim reports a crime, they should rightly expect to see justice served. We want to empower victims so that they are able to have more confidence in the criminal justice system and remain engaged in the process, enabling more offenders to be brought to justice”

- Introduce a duty in victims’ code requiring CPS to meet with victims in certain cases before a hearing takes place, where the victim is willing to do so
- Review information in Victims’ Code about the Victims’ Right to Review
- Reduce delays in CJS and reduce impact of delays
- Increased and sustainable funding (Victims’ Funding Strategy)
- Develop a Best Practice Framework for RASSO cases in Crown Court

DRAFT

Opportunities for Change

There are many opportunities for change to improve the victims' journeys and their experiences.

1. Changing existing working practices

- Existing working practices of individual criminal justice agencies eg, court listing practices
- Improved communication on all levels from beginning to end
- Tackling the failure to adequately respond to 101 phone calls quickly especially during peak times
- Introduce PIP2 trained officers to have oversight on all stalking and coercive control investigations
- Introduce a process to identify "repeats" ie repeat victims and repeat breaches
- Introduce specialised Officers/supervisors to oversee the next steps of repeat victims and/or repeat breaches e.g. for stalking
- Have DVAs and ISVAs present during Officer training
- Officers spending time in the domestic abuse and sexual violence services would assist them in understanding the roles more

2. Introduce an Independent Victim Care HUB

Give consideration to introducing an independent Victim Care HUB for when victims are not getting the right or "good" response, and they need someone to intervene to improve the response. This type of model could have huge advantages and would ensure victims become reengaged again in the criminal justice system. The complaints process does not help these victims who need their live investigation to improve, the complaints process is formal, lengthy and is often focussed around whether processes were followed following the end of an investigation.

Victims often do not want to complain, they just want their investigation to improve and their experience to feel better whilst it is happening. The Victim care HUB could also support officers who may be under considerable pressure themselves with the investigation to ensure that victims have a dedicated named contact who they know they can contact for updates and this is their sole responsibility. This would also be a valuable service for VCAS, IDVAs and ISVAs to be able to link into, rather than possibly tracking to track down individual officers in the case.

There are examples where victims have been updated by e-mail often during the night that their case has been closed with no further action, without discussions as to why, or how to complete a Victims Right to Review. Whilst there may be operational reasons why an officer may do this during a night shift, having a dedicated Victim Case HUB can ensure these updates are done with more sensitivity and discussion as to reasons why so victims can make an informed choice about whether to pursue a Victims Right to Review. E-mail updates to tell a domestic abuse victim there is no further action is not appropriate, and discussions around ongoing support, VRR and current risk should be reviewed at this point.

3. Making better use of ICT

- Monitored CCTV is a must to give Officers direct access to local intelligence to help identify perpetrators and collate evidence

- Investment in new modern ICT platforms to enable better case management, information signposting, reporting and analytical capabilities to provide greater efficiencies.
- A single front door Customer Relationship Management (CRM) system for victims to fully engage, report and “Self-serve”
- Opportunities for agencies to improve information sharing by making better use of common/shared ICT platforms

4. Making Better Use of Tools and Powers

- Increase the use of tools such as selective licensing for Social Landlords and expand areas as it doesn’t cover all areas – Example Top 20 ASB areas. Continue to lobby for reform and greater tools and powers under the Renters Bill.
- In legislation PCSOs have the same tools and powers as Police Officers, however contractual arrangements often prevent them from being maximised. Consider contractual changes and a career progression pathway and increased powers for PCSOs
- To enable them to direct progression through to Police Constables to enable more efficiency and less hand over. This will help with staff retention and provide progression and advancement for PCSOs

5. Resourcing

- Investment in dual “on/off road bikes” for Operation Endurance
- Investment in suitable CRM for victim journey, reporting and self service e.g. Salesforce
- Increase investment in Neighbourhood Policing. Neighbourhoods know their localities and are best placed to deal with ASB and local crime. They provide continuity and reassurance to victims.

Continue to lobby for increased resourcing Nationally including:

- Rural services delivery grants
- Funding for areas of deprivation
- Less “sticking plaster” approaches with one off funding streams
- More investment in neighbourhood policing

6. Changes in Legislation

- Changes in legislation to be more victim centric and include Victim Impact Assessments. Both the Victims and Prisoners’ Bill and the Victims code of practice excludes victims of persistent anti-social behaviour. The victims code of practice should be revised to recognise the impact on victims of persistent ASB and afford them the same entitlement to victim support as all other victims of crime.
- Case Review thresholds set locally doesn’t help the victim – geographical areas are not co-terminous with other statutory partners for example housing. In the interests of victims one National threshold should be set for all.
- Changes in legislation repealing the Vagrancy Act – options to replace should consider offenders as victims and like the Darlington model, consider empathy, engagement, education and support as options before enforcement.
- Renters (Reform) Bill – greater powers for landlords to take action against tenants committing ASB

- A legal requirement for Local Authorities, Police and Crime Commissioners, Police and housing associations to display accurate guidelines on the Case Review prominently on their websites and notice boards and publications, enabling all victims to seek help.
- A call for the Home Office to consider replicating legal powers available to police in Scotland who can serve warnings, fines and seize noisy equipment.
- With multiple independent agencies involved in the criminal justice system, it is imperative that their interoperability is constantly under review so that marginal gains can be identified, with these often small changes having a significant positive impact on a victim's journey.

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Next Steps

The Champions have collectively identified areas of improvement required to enhance the victims' journey, it is now up to the agencies and the respective community safety partnerships to respond and introduce measures to bring about change.

There is an overwhelming need for the Champions to remain an independent voice of victims to ensure lived experiences are taken into account when deciding on policy, strategic approaches and overall service delivery. The Champions see their role as raising awareness, allowing agencies to respond locally and where national input is required, the Police and Crime Commissioner will seek reform - "The Three R's"

THE THREE R's



The Champions will continue to lobby on behalf of victims and continue to advocate victims rights.

TOP TEN ASKS – Victims of Anti-Social Behaviour

1. Victims and Prisoners' Bill and the Victims code of practice to include repeat victims of anti-social behaviour
2. Fair funding for Police Forces to allow for greater investment in neighbourhood policing. Funding should take into consideration, rurality, deprivation and need and be based on actual levels of crime and anti-social behaviour
3. Funding to support victims of anti-social behaviour not just crime.
4. A single front door for victims to report anti-social behaviour which can be triaged
5. One National recording system for all agencies, to enable effective case management, early identification of repeat victims, greater intelligence gathering, improved data analysis and effective customer relationship management
6. One National threshold for entitlement to case reviews
7. Legislation to: provide greater powers to landlords; and to make landlords more accountable for their tenants
8. Improved access to public health services for victims i.e. mental health services
9. Improved Court escalation processes ie to be much quicker and more robust, so offenders see the consequences of their actions and victims feel justice is served
10. Introduction of a multi-agency inspection framework for tackling ASB for improved accountability

TOP TEN ASKS – Victims of Crime

1. Re-introduce HMCTS Inspectorate.
2. Victim Impact Assessments to be adopted by all CJ agencies and relevant HMG Departments when developing policies, processes, and practises.
3. Specialist RASSO Courts.
4. Review of Court locations so that they are more easily accessible by public transport.
5. Review of court ergonomics and set compulsory standards, e.g., separate entrances for complainant and defendant.
6. Review of Court Listing Policies.
7. Review of expenses payments for Court attendance, so that there are no upfront costs for victims.
8. Victim access to support services at time of need (e.g., counselling waiting lists unacceptable for victims to cope and recover).
9. Extension of s.28.
10. Review of Protection from Harassment Act (so that it has more impact for neighbour disputes).

Top 10 ASKS – Victims of Domestic Abuse

1. Legal aid for all victims of domestic abuse (and not means tested) as victims and survivors not eligible for legal aid are getting into significant debts / or needing to self-represent and face their abusers without legal representation in the Family Courts.
2. Ensuring that migrant victims with No recourse to public funds can access domestic abuse services including Refuge
3. Appropriate Funding to ensure victims have access to specialist independent domestic abuse services who can support them all the way through the Criminal Justice Journey including from the point of report to the outcome (whether this be via conviction and sentence or specialist support for victims to request reviews of decisions)

4. Recognition of domestic abuse as a health issue – funding to ensure health professionals have specialist domestic abuse training for further opportunities for disclosure and support for early intervention and to prevent escalation.
5. National register for stalking and domestic abuse serial perpetrators.
6. Ensuring all stalking victims have access to a stalking specialist. Stalking is a complex crime, and victims must be supported by specialist advocates who have expertise in the area.
7. Perpetrators of coercive control and stalking to lose parental rights over child where it has been deemed not in the child bests interest to have contact (cannot keep controlling parenting decisions against the child and safe parent’s wishes)
8. A specialist training package on coercive control and how to evidence it to be mandatory for all professionals dealing with victims of domestic abuse (including police, CPS, judiciary, children’s services etc)
9. All professionals dealing with victims of domestic abuse to have trauma informed training.
10. Review of court ergonomics and set compulsory standards, e.g., separate entrances for complainant and defendant. Video link to be allowed including in Family Court.

Further Information

Office of the Police and Crime Commissioner

Email contact general.enquiries@durham-pcc.gov.uk

Possible links to:

- Police and crime plan link
- Annual report link
- Victims Commissioner Office Report “Living a Nightmare?”
- Government ASB Action Plan
- Tackling Anti-Social Behaviour

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The Victims' Champions

Michael Banks & Andrea Patterson

The Victims' Champions - Recap



- ▶ Born from the need to put victims first and provide victim centric services
- ▶ Three Champions approved as part of the Police and Crime Plan - appointed December 2021
 - ▶ Anti-Social Behaviour - Andrea Patterson
 - ▶ Crime - Michael Banks
 - ▶ Domestic Abuse - (Vacant)
- ▶ Attended the Police and Crime Panel 2023

The Champions Report

- ▶ Report covers the engagement work of all three Victims Champions
- ▶ Highlights the work of the Champions, our findings, achievements to date and provides information to partners for opportunities to change
- ▶ Currently in draft format
- ▶ Will be professionally designed and digitally formatted
- ▶ Inviting the Police and Crime Panel to comment on the report and to note the report

Key Areas

- ▶ Last year talked about emerging themes
- ▶ Identified three key areas from all victims
 - ▶ Reporting & communication
 - ▶ Investigative and criminal justice process
 - ▶ Victim impact

The Champions have identified concerns and have been working to influence change at a local and National level. Key to this is working with Durham Constabulary and wider partners to introduce change locally.

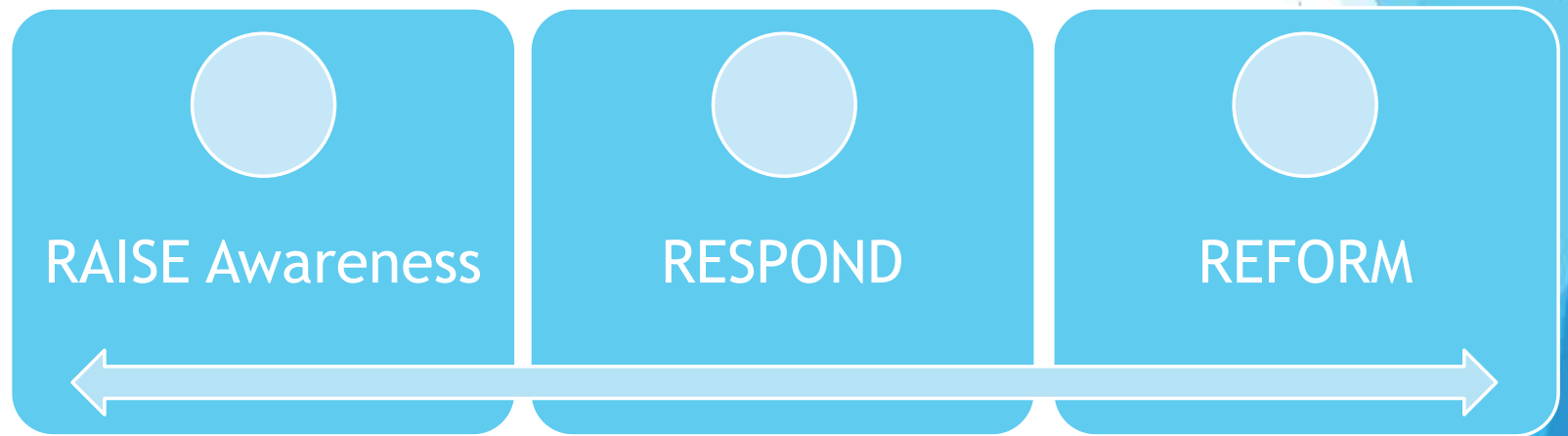
Achievements

- The introduction of Victim Impact Assessments
- The development of a VCOP compliance tool
- Multi-agency Root Cause Analysis meetings of Victims' Voices case studies
- A referral mechanism from victims via Witness Service at Courts
- Referral mechanisms from victim support organisations
- Commissioned research into over-listing contributing to re-traumatising of victims of rape and serious sexual offences
- Commissioned research into the experiences of people with cognitive disability through the criminal justice system
- Enlisted 'Experts through Experience' as a consultative mechanism
- Enlisted a victim of stranger rape to assist with investigative training

Achievements

- Joint ASB Strategy
- Three step “Tackling ASB” process adopted by partner agencies
- Interactive signposting tool
- Victim Centric Case Review Process
- Independent Case Review Appeals Process
- Introduced victim vulnerability and impact assessments when not meeting the threshold for case review
- Single Point of Contacts identified by each partner agency to lead on ASB
- ASB Scrutiny Panel Terms of Reference
- Memorandum of Understanding Signed with Housing Providers
- Commissioned victim support through Community Peer Mentors
- Don’t Suffer in Silence Campaign

The Three R's



TOP 10 ASKs - Victims of Crime

1. Re-introduce HMCTS Inspectorate.
2. Victim Impact Assessments to be adopted by all CJ agencies and relevant HMG Departments when developing policies, processes, and practises.
3. Specialist RASSO Courts.
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10. Introduction of a multi-agency inspection framework for tackling ASB for improved accountability

TOP 10 ASKs – Domestic Abuse

1. Legal aid for all victims of domestic abuse
2. Ensuring that migrant victims with No recourse to public funds can access domestic abuse services including Refuge
3. Appropriate Funding to ensure victims have access to specialist independent domestic abuse services who can support them all the way through the Criminal Justice Journey including from the point of report to the outcome (whether this be via conviction and sentence or specialist support for victims to request reviews of decisions)
4. Recognition of domestic abuse by NHS – funding to ensure health professionals have specialist domestic abuse training for further opportunities for disclosure and support for early intervention and to prevent escalation.
5. National register for stalking and domestic abuse serial perpetrators.
6. Ensuring all stalking victims have access to a stalking specialist. **Stalking is a complex crime, and victims must be supported by specialist advocates who have expertise in the area.**
7. Perpetrators of coercive control and stalking to lose parental rights over child where it has been deemed not in the child bests interest to have contact (cannot keep controlling parenting decisions against the child and safe parent's wishes)
8. A specialist training package on coercive control and how to evidence it to be mandatory for all professionals dealing with victims of domestic abuse (including police, CPS, judiciary, children's services etc)
9. All professionals dealing with victims of domestic abuse to have trauma informed training.
10. Review of court ergonomics and set compulsory standards, e.g., separate entrances for complainant and defendant. Video link to be allowed including in Family Court.

QUESTIONS

Thank you for listening.

Contact Details:

General.enquiries@durham-pcc.gov.uk

Tel: 0191 3752001



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Durham Police and Crime Panel

1 February 2024

National Association of Police, Fire and Crime Panels Annual Report 2023

Report of Helen Bradley, Head of Legal and Democratic Services

Electoral division(s) affected:

None

Purpose of the Report

1. To provide members with the annual report of the National Association of Police, Fire and Crime Panels (NAPFCP).

Executive summary

2. At the NAPFCP Annual General Meeting in November 2023, the Chair presented his annual report setting out key events and activities undertaken in the last year.
3. The annual report is attached information.

Recommendation

4. The Police and Crime Panel are asked to note the report.

Background

5. The Police Reform and Social Responsibility Act 2011 established Police and Crime Panels within each force area in England and Wales (excluding Greater London).
6. In June 2018 following an inaugural meeting of PCP representatives, a National Association of Police, Fire and Crime Panels was formed as a national body supporting both Police and Crime Panels and Police, Fire and Crime Panels. Durham and Darlington Police and Crime Panel is a member of the NAPFCP.
7. The NAPFCP provides, amongst other things, a forum for collaborative discussions on matters that impact PCPs, a mechanism for direct liaison between PCPs and the Home Office and an opportunity for dialogue with relevant bodies.
8. The NAPFCP Chair's annual report was submitted to the NAPFCP annual general meeting held on 9 November 2023.

Background papers

- None

Other useful documents

- None

Contact: Helen Bradley

Tel: 03000 269732

Appendix 1: Implications

Legal Implications

None.

Finance

None.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

None.

Climate Change

None.

Human Rights

None.

Crime and Disorder

This is a key focus of the role of the Police and Crime Commissioner and Police and Crime Panel.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.

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NATIONAL ASSOCIATION OF POLICE, FIRE & CRIME PANELS



Dear Chair,

It was a great pleasure to meet so many Chairs, Panel members and support officers at the NAPFCP AGM and Frontline annual conference on 9th November and I trust that your Panel representative(s) benefitted greatly from the excellent speakers that contributed to the conference. Panel representatives confirmed the appointment of the NAPFCP executive committee and a list of these members is included at the end of this letter.

The NAPFCP Annual Report was sent to each Panel and detailed the work undertaken in the year. For ease, a copy of the annual report is provided with this letter.

I was pleased to announce that NAPFCP membership has now reached 40 out of a maximum of 41 Panels and whilst this is encouraging it remains a disappointment that 100% membership has not been achieved. All members benefit by having a strong supporting voice when interfacing with the Home Office and LGA, and especially when the NAPFCP responds to the various Panel orientated consultations and surveys issued during the year. The annual report listed some of the consultations that were issued and responded to this year.

Three Commissioners from Durham, Essex and Humberside were invited to present at the annual conference; each contributed greatly to the different debates during the day. The clear message that flowed through the many topics discussed is the importance of a respectful, trusting and professional relationship existing between a Panel and the commissioner. This can be a difficult challenge but one that when achieved can benefit all parties and, in particular, the public.

The Home Affairs Select Committee has recently launched an inquiry entitled "Police and Crime Commissioners - Ten Years On". All Panels were invited to submit a response to two specific questions for inclusion in the LGA's response to the enquiry and the NAPFCP was directly invited by the Committee to respond to a further seven questions as follows:

- What impact have PCCs had since 2012?
- To what extent do PCCs provide effective oversight and democratic accountability for local policing?
- How effective are PCPs at scrutinising PCCs?
- How well do relationships between PCCs and Chief Constables function? How clear are their respective roles and responsibilities as set out in the Policing Protocol?
- How effective are PCCs at driving collaboration to improve public safety?

- How effective are PCC at commissioning services, including those for victims?
- How effective are PCCs at performing their roles in the complaints system
- What impact has there been when PCCs have taken on responsibility for fire and rescue services, and why have so few PCCs done this so far?
- What further reform, if any, is needed to the PCC model?

A copy of the association's response is attached.

To inform their work, the Home Affairs Select Committee has begun what is believed to be a series of inquiry sessions with relevant organisations and subject matter experts being invited to address the committee. The first session has been held and a video recording is available on BBC iPlayer and can be viewed at <https://www.bbc.co.uk/iplayer/episode/m001sl96/select-committees-police-and-crime-commissioners-10-years-on-inquiry>

The recording is most informative and the speakers provide great insight into PCC's interaction, performance and relationship working with policing area partners. I highly recommend viewing the recording.

Unfortunately, not everything that is happening within our sector is positive and this is particularly evident when a PCC has their integrity of decision-making or behaviour called into question. Two recent examples relating to the Northamptonshire and Lincolnshire commissioners have resulted in significant adverse publicity.

A recording of the Northamptonshire PFCP meeting is available through the link below which provides valuable learning for any Panel having to address controversial decisions made by the Commissioner. <https://www.youtube.com/watch?v=GuPnxni6QBI>

The Lincolnshire PCC was the subject of an IOPC investigation (Operation Motala) in respect to an allegation that he sought to manipulate a Chief Constable selection process. I will leave it to the reader to form their own conclusions on the allegations as set out in the report, however extracts from correspondence between the PCC and PCP and the inflammatory Tweet by the PCC clearly contradict the views and statements of the three commissioners who presented at the Frontline Annual Panel Conference.

The extracts include:

'PCPs in current form are worse than a waste of money they are a negative drain on resources. That doesn't mean they could [sic] be better.'

'We are subject to substandard scrutiny though which is much more dangerous. Some of that 'scrutiny' is very politically motivated and very corrosive. PCPs are, in my experience a costly waste of time and a massive distraction from delivering quality service for the public.'

'The cost isn't the issue it's the structure. We are accountable to the public at the ballet [sic] box, the police authority didn't have a PCP. We need a standardised structure for mediation with Chiefs nut [sic] the rest is political. The Panel is a pointless distraction.'

The IOPC report - Operation Motala can be read here:

<https://www.policeconduct.gov.uk/publications/operation-motala-executive-summary>

The majority of Panels' focus between now and February will be on Police (and Fire and Rescue) budgets in preparation for precept reviews in the new year. Hopefully more Commissioners now hold budget workshops for Panel members to help in understanding the current financial drivers that underpin the budget which drives the resulting precept demand. Setting the 2024 precept will be challenging and particularly as 2024 is an election year.

In closing I would like to wish you, your Panel members and support officers a wonderful festive season and prosperous 2024.

With Kind Regards

A handwritten signature in black ink that reads "J Gili-Ross". The signature is enclosed in a thin yellow rectangular border.

John Gili-Ross

Chair - National Association of Police, Fire and Crime Panels

Chair - Essex Police, Fire and Crime Panel

07957804621

NAPFCP Executive Committee

The following were elected unopposed at the November 2023 AGM

John Gili-Ross

Evan Morris MBE

Gill Mercer

Suma Harding

Ged Potter

Pat Astbury

Professor Ian Rolfe

Joyce Welsh

Paul Downing

Following the resignation of Siobhan Monaghan, the executive committee co-opted Chris Burke at its November 2023 meeting.

Executive Committee support is provided by Emma Tombs

NATIONAL ASSOCIATION OF POLICE, FIRE AND CRIME PANELS



Report title: Chairman's annual report	
Report to: National Association of Police, Fire and Crime Panels – AGM	
Report author: John Gili-Ross, Chairman	
Date: 9 November 2023	For: Information
Enquiries to: Emma Tombs, Support Officer to the NAPFCP, emma.tombs@essex.gov.uk	

NAPFCP Annual Report - November 2023

Welcome to the fifth Annual General Meeting of the National Association of Police, Fire and Crime Panels which again Frontline Consulting is kindly hosting as a lead into this year's Annual Conference for Police (Fire) and Crime Panels.

In this report when using the term PCC or Commissioner, this can be interchanged with PFCC and likewise, use of the term PCP or panel can be interchanged with PFCP as appropriate.

The local elections held last May resulted, for some panels, in significant change to their membership and hence the experience in providing effective PCC challenge. The membership of some panels changed by as much as a third. Whilst change can be beneficial the significant downside is the loss of knowledge and continuity which takes time to replace but is greatly assisted if quality panel training is undertaken. I strongly recommend that panels adequately budget for member training.

We have become accustomed to workshops and training being held by remote means and many find this both time and cost effective. There are still though significant benefits for sessions held in the traditional manner, and face to face sessions do help members feel part of a collective team as well as providing more effective networking opportunities.

Currently there are 39 (out of a maximum 41) panels in membership including all four Welsh panels. The influence of the NAPFCP within the sector will always be judged by the strength of its membership, therefore the target will always be 100% membership.

Executive Committee

There are 10 members of the Executive Committee, each having valuable skills and capabilities with some having served on panels since 2012. In addition, the skills and experience of this committee is strengthened by invited "observers" who are welcome and encouraged to attend our monthly meetings. During the past 12 months the Executive Committee's focus has been on adding value through providing advice

directly to panels when requested, completing consultation responses, liaising with key partners or producing supportive materials and sector related press articles. NAPFCP workload is spread amongst executive committee members according to their availability and knowledge and skills. The Executive Committee continues to meet to discuss and review any sector specific developments and when appropriate forwarding details to member panels.

Evan Morris MBE, in his role of vice chair, has formed a productive relationship with the College of Policing to explore ways of allowing their research material to be made available to panel members. Whilst this will be an ongoing project it is already showing benefits and it is hoped this will continue as the relationship matures. Whilst the research relates largely to operational policing, which is out with a panel's remit, it does provide interesting reading and may help form non-operational lines of enquiry between the panel and the PCC. This [link](#) provides a useful example of the value of the police college library and helps with a broader understanding of policing

One Executive Committee member, Cllr Susan Waring, decided not to stand for the local election last May and therefore stepped down from the Executive Committee. My thanks go to her for her contribution to the NAPFCP. Panels were advised of the vacancy in June, and applications were invited. After careful consideration Paul Downing (Bedfordshire) was co-opted and has already proved to be a welcome addition.

Consultations Addressed During the Year

Outcomes from the PCC Review Part 2

Following the outcome of the PCC Review Part 2, the Home Office invested in providing additional training material and videos relating to the work of panels. Last December and January, the Home Office appointed consultants Leapwise to undertake a number of workshops to help determine whether centralised panel support should be implemented. Members of the Executive Committee attended each of these workshops to assist in the debate. These workshops were helpful, although the running theme that support for the administration of complaints against the PCC or their deputy would be of benefit did not seem to register. Following the workshops the Home Office continues to explore the viability of providing centralised panel support and they are in the process of approaching panels seeking to ascertain whether lead authorities could host this support function. The outcome of this investigation is awaited.

College of Policing Consultation on the Revised Code of Ethics

The NAPFCP provided a response to this consultation, that sought to gather views on the revised Code of Ethics. To date the outcomes of this exercise have not been published.

Home Affairs Select Committee

The Home Affairs Select Committee directly invited the association to provide input to its inquiry into how well the PCC / PCP system is operating now that it is more than 10 years old. The HASC inquiry covered nine topic areas and the association developed its responses using the experiences of Executive Committee members. The LGA

additionally asked the association to forward a shortened version (at only two questions) to all panels in order to contribute to the LGA's response, however the deadline provided was extremely short and in most cases would be insufficient for panel responses to be formally approved.

Key Lines of Enquiries

HMICFRS has issued many performance reports on both county policing and fire and rescue services following on from their inspections. It is suggested that Panels could consider using these reports to form key lines of enquiry relevant to their PCC. Asking challenging questions based on the contents of the HMICFRS reports and then asking for regular progress updates can add constructively to panel challenge and debate. In addition, this could form the basis of what panels expect to see included as priorities in the police and crime and, where applicable, fire and rescue plans developed by the PCC following next year's elections.

Some panels will be preparing for budget and precept discussions proposed by the PCC for the 2024/25 period. Not all PCCs welcome panel engagement in these discussions, but others welcome the opportunity to share the constraints and challenges that underpin the finances for policing and fire and rescue. If PCCs do not consider there are benefits from this early panel engagement, this should not prevent a panel from asking to be kept informed of the material drivers that underpin the budget.

The NAPFCP continues to recommend that panels enquire as to how recruitment and vetting of new officers and support staff is undertaken and what behaviour monitoring for established personnel is in place to ensure high levels of integrity among staff. The public would expect these questions are asked by the commissioner of the relevant services and panels should be able to examine the process and understand its effectiveness.

Training and Advice

The sector continues to benefit from the learning and networking workshops provided by Frontline Consulting through its regional workshops. These sessions are open to support officers, chairs and panel members and allow participants to share their experiences both good and bad. For support officers in particular these workshops provide an excellent opportunity to network and meet the challenges of panel support.

At its last meeting, the executive committee agreed to investigate how best to set up a series of remote meetings, (possibly three per year), to provide space for discussion and information sharing for panel chairs and vice chairs. More news on this will be sent to panels following the AGM.

Regrettably and largely as a result of illness the LGA were not in a position to run a workshop during the year to complement the regional events run by Frontline Consulting for panels.

I would encourage support officers to seek advice from the NAPFCP whenever there is a need and particularly for new officers taking up the role for the first time. Executive Committee members are always willing to help and provide advice for panel members. As a highly experience democratic services manager, Emma Tombs provides the NAPFCP with not only excellent support but through her significant

experience in all aspects of panel work, is ideally positioned to advise and share her experience with other panel support officers.

Closing Remarks

I am extremely pleased to report the improving direct relationship between the association and the Home Office. Good professional relationships take time to establish and to develop trust on all sides. A number of meetings have taken place over the last 12 months and we now have quarterly meetings to discuss items of interest within the sector.

The relationship between the LGA and APCC continues to strengthen in a spirit of mutual benefit and I would like to thank each for their support.

I would like to thank Dave Burn of Frontline Consulting for the great work he has done within the sector in providing training and practical governance advice and for hosting the AGM this year.

Thanks goes to the Executive Committee members for the support they give to the association and to me personally throughout the year.

Thanks also to the various Panel Chairs / Vice Chairs and support officers for sharing their panel experiences. Their support and advice is greatly appreciated and helps shape my thinking on the many diverse areas of panel working.

Finally, and most importantly my heartfelt thanks goes to Emma Tombs for her professionalism, knowledge and the sound advice she provides to the NAPFCP and to me in particular.

I hope you enjoy the AGM and most importantly the Frontline 12th Annual Conference.

A handwritten signature in black ink that reads "John Gili-Ross". The signature is written in a cursive style and is enclosed within a thin yellow rectangular border.

John Gili-Ross
Chair - National Association of Police, Fire and Crime Panels
07957804621

NATIONAL ASSOCIATION OF POLICE FIRE AND CRIME PANELS



Home Affairs Committee - NAPFCP Feedback

The National Association of Police, Fire and Crime Panels wishes to thank the Home Affairs Committee for its invitation to provide feedback to a number of questions relating to its inquiry on how the PCC / PCP system is operating following more than ten years after its inception.

In this document the use of the terms PCC and PFCC may be interchangeable as is the cases for the terms PCP and PFCP.

Context

There are 41 police and crime panels across England and Wales, 39 of which are national association members including all four Welsh panels. The association was formed by the members in 2018 to create a forum for collaborative discussion of issues relating to panel remit of challenge and, where appropriate, support of the decisions made by Police, (Fire) and Crime Commissioners.

The association's objective is to aid good practice sector development and to provide support and practical advice to its members. Most of the advice given to panels is to panel Chairs / Vice Chairs and panel support officers.

The association's executive committee meets monthly and is made up of ten representatives from different panels, each being subject to an annual election held in November. Currently the executive committee is comprised of five panel chairs, one vice chair and four panel members. Four executive committee members are co-opted independent panel members. Four executive members have served on their respective panels since these were formed in 2012. The association welcomes panel members as non-voting observers to attend executive committee meetings.

The NAPFCP does not receive any funding or subscriptions for the work it undertakes on behalf of the sector and operates on a self-help voluntary basis.

The association's Terms of Reference are;

- To provide a forum for collaborative discussion of issues relating to and impacting on Police and Crime Panels and Police, Fire and Crime Panels (PCPs / PFCPs)
- To share ideas and experience in response to the expanding role of PCCs and PFCCs and thereby PCPs / PFCPs
- To create a mechanism for direct liaison between PCPs / PFCPs and the Home Office
- To provide an opportunity for dialogue with relevant bodies such as the Association of Police and Crime Commissioners, Association of Police and Crime Chief Executives and others
- To support the development of joint PCP /PFCP responses to relevant consultations
- To promote professional standards

- To share good practice and create guidance and other supporting materials for PCPs /PFCPs
- To ensure stability and collective memory in a landscape where PCPs / PFCPs can have significant changes in membership
- To provide capacity for horizon scanning across all PCPs / PFCPs.
- To promote better public understanding of the role of PCPs / PFCPs.

It is a feature of panels that, due to an ongoing personal interest in the subject matter, there are many former police officers and fire and rescue officers within their membership. Some are appointed to panels by a local authority as elected members and others are independent co-opted panel members. This tendency is reflected within the membership of the NAPFCP, with two retired police officers as members.

The NAPFCP encourages every panel to include training for new as well as experienced panel members at least annually and specifically after area elections are concluded. Frontline Consulting is a private company that has provided training and feedback sessions for panels for a number of years. Frontline also holds regional panel networking sessions for support officers and chairs / vice chairs that provides a forum for sharing experiences and sector related intelligence. These regional networking sessions are attended by a NAPFCP executive committee member to help ensure current developments and issues affecting panels are recognised and fed back to the LGA and Home Office as appropriate.

The NAPFCP is regularly invited to provide a response to the various consultation projects on PCC / PCP related subjects including but not limited to;

- The Home Office PCC review consultation Part 1 and Part 2
- The College of Policing Consultation.
- The Home Office Panel Training Initiative.
- The Home Office Investigation into central support for panels.
- The Police Federation PCC Review.

The NAPFCP is a LGA Special Interest Group (SIG) and regular meetings are held between the LGA lead officer for Policing and Fire & Rescue and the association's chairman.

NAPFCP Feedback Response

The response to the individual questions asked by the Home Affairs Committee has been compiled from feedback provided from the association's executive committee members. The association's Chair regularly receives direct feedback from panels, usually relating to relationships between the PCC and the respective panel, this has also been used to inform the response.

The questions asked by the Home Affairs Committee are copied below and the NAPFCP response follows each question.

❖ *What impact have PCCs had since 2012?*

The introduction of the PCC role within Policing has largely been a success in terms of providing positive benefits to the public. The Chief Constable has an extremely difficult and complex role, providing policing not just for their relevant policing area but also for wider policing, resource management, hidden crime, fraud, online cyber-crime and counter terrorism amongst others. On behalf of the public a PCC holds the Chief Constable to account for the delivery of the wider policing responsibilities but very specifically for the areas of crime more closely understood and experienced by the public in their everyday lives.

Prior to 2012 the Police Authority part filled the role of the PCC in holding the Chief Constable to account. The public often did not understand or appreciate the role of the Police Authority and other than the few independent members that formed the authority it was made up of elected members from the district, borough, unitary or county councils. When elected members were appointed to the authority it could be used as a means to reward party political loyalty, as a means of granting status or perhaps the remuneration by way of the allowance. The public had no collective say in the membership of the authority and the independent members were selected by the authority members. The Police Authority often had a sizeable support structure in place to facilitate the day to day administrative and operating requirements.

The PCC's statutory responsibility for producing an area policing plan is often shaped around their election manifesto which supported their election success. Whilst the plan is developed by the PCC it invariably acts as a marker for local policing delivery upon which the Chief Constable will be held to account. As the policing plan is finally scrutinised by the PCP before it can be issued, the public has some element of comfort that the plan is both locally focussed and broadly in line with their expectations for local policing. From a public perspective, the PCC provides a strong public media presence with responsibilities for policing as part of the policing family.

The role, responsibilities and in some areas the remit of the PCC has evolved significantly since 2012. Some Panels are considering the extent of a PCC's engagement in the criminal justice system and have requested or are requesting specific details on the role their PCC or deputy has in this regard.

In 2017 legislation was passed enabling the transfer of fire and rescue governance from the unelected Fire and Rescue Authorities to directly elected PFCCs, subject to Home Secretary approval. This change to legislation was only for England and excluded fire and rescue services in Wales. This option has successfully been progressed in Essex, Northamptonshire, North Yorkshire, Staffordshire and Cumbria effective April 2023.

The Essex PCC was the first to submit a business case to the Home Office to replace the Fire Authority and in creating the business case the PCC invited the PCP to comment on the business case prior to submission. This was appreciated by the PCP as a positive step in acknowledging the additional demand challenges that would follow as a Police, Fire and Crime Panel.

At that time the Lucas report on Essex FRS had been released which made for disturbing reading as it identified widespread bullying and intimidation with failures from top to

bottom within the organisation, including a lack of management. The newly appointed PFCC took on the challenge of reforming the Essex FRS to address the report findings and completely transformed the service's culture and recruitment processes. The Chief Fire Officer was appointed from a non-fire and rescue background, emphasising the need to focus on cultural change. The last HMIFRS report for Essex showed a significant improvement had been achieved in organisational and culture reform which can be largely attributed to the actions of the PFCC working in partnership with the FRS transformational team.

When PCCs were first appointed there were concerns that this could lead to the politicising of policing services, particularly as a PCC had the remit to appoint or even dismiss a Chief Constable. Whilst this remit could appear controversial, it does provide the public with greater transparency in the selection and appointment of a Chief Constable especially as the PCP holds the power of veto as an ultimate sanction. Most Chief Constables are on extendable 4/5-year contracts which helps to ensure that changes created by the PCC election cycle are manageable for both the CC and any newly elected PCC.

Year on year operating cost reductions continue to affect sector budgets. The process of agreeing budgets and hence the setting of precepts has become much more transparent for the public. The police budget is determined by the Chief Constable leaving the PCC to determine the precept that is needed to cover the budget. The political debate on cost savings and central government funding falls to the PCC without lessening Chief Constables' ability to approach the government directly. Good and positive working between the PCC and the CC can act as a positive persuading force for government.

Police estates remain a significant expenditure budget line item. Since 2012 and out of necessity PCCs have needed to establish an estate strategy to reduce costs, and improve asset efficiency. This has led to closure of older and under-utilised police buildings and entry into shared accommodation contracts with fire and rescue and local authorities. Whilst the closure of buildings is not generally welcomed by the public, the presence of estates strategies at least provide some transparency and explanation.

As elected officials most PCCs hold public meetings throughout their county making the public more aware of the position held within the policing family. Whilst these sessions are often attended by senior police officers, it is for the PCC to determine how the flow of the session develops and whether officers are invited to address specific questions. These sessions help in transparency providing the public with answers to general county-wide issues without being dominated by specific policing incidents.

❖ *To what extent do PCCs provide effective oversight and democratic accountability for local policing?*

This largely depends on the individual that is elected. The PCC position is high profile and influential, and to be successful requires the individual to have the necessary skillset developed prior to their election to office. The role involves understanding and making difficult decisions when dealing with budgets, leading the team within their office, interaction with the public and the media and most importantly being able to

win the respect of the Chief Constable as well as the Local Authority leaders and the PCP. The majority of PCC candidates are subject to local selection processes by political groups and it is those processes that determine the suitability of candidates for the role.

Without adequate and appropriate skills, it is difficult to envisage how a PCC can provide effective oversight of local policing. Whilst additional skills and capability may be provided by a Deputy PCC, not all PCCs have made such appointments.

Training is not a statutory requirement for PCCs which would assist greatly in terms of oversight provision and public accountability. PCCs are members of the APCC, which provides networking and strategic thinking relevant to modern policing methods and the role PCCs have in meeting police related challenges.

The Home Secretary has recommended that PCCs should develop their role within the criminal justice system. Placing the PCC as chair of the Local Criminal Justice Board (LCJBs) on a statutory footing, to help mobilise agencies to work together more effectively, will require considerable interpersonal and commercial skills.

A PCC must be capable of thinking on their feet when dealing with the public at open forums. A good relationship between PCC and PCP can be used to benefit a PCC with an open mind, as questions raised by an informed panel often reflects the questions the public would wish to see answered.

It is important that a PCC has a broad understanding of local and central government and how to operate effectively within these environments. Without this knowledge PCCs may not be aware of the nuances of public sector working and how to develop a position of trust across diverse elected member local authorities.

❖ *How effective are PCPs at scrutinising PCCs?*

A number of factors influence the effectiveness of PCP scrutiny. Experience shows that where a professional, non-party political and respectful relationship exists between the PCC and the panel membership then effective outcomes can be achieved. Conversely without a good, trusting relationship the panel may not be able to exercise effective scrutiny particularly if the panel are viewed as a threat by the PCC for what may be exposed or reported on.

Panel members are either politically appointed by a local authority or appointed as independent co-opted members selected by the panel until their termed appointments (normally 4 years) come to an end. It can take some time for panel members to understand their role. This collective understanding can be impeded by regular changes in membership resulting from local elections when it is not uncommon for more than a third of elected members to be replaced.

There are a number of factors involved in the development of Panel effectiveness:

- (a) developing an understanding of the role and the limits of the Panel's remit by its members,
- (b) a quality secretariat providing relevant panel support and administration;
- (c) agreeing a relevant panel work programme; and

- (d) a PCC that understands, appreciates and responds positively to PCP requests in its role as a critical friend and provides the information needed for the Panel to fulfil its role.

When the above factors are not present then PCP scrutiny becomes more difficult and therefore potentially less effective.

The ability of Panels to deal appropriately with complaints made about the PCC or Deputy PCC is a significant concern for panels. Such complaints can be extremely time consuming and expensive where outside expertise is required to progress them. Where multiple complaints against the PCC or Deputy are made the position is exacerbated. This concern has been raised with the Home Office.

Some panel member comments received by the NAPFCP include;

“I believe that we as a Panel are good at scrutinising the Commissioner and he responds very positively to our questions. There are no reforms to the Panel that I believe are necessary as it does perform its functions in scrutinising non-operational decisions taken by the Commissioner.”

“Overall, there is a shortage of contemporary research information available on the topic of PCCs and the interactions with PCPs”.

PCP resourcing is often provided by a single individual within the host authority which can place limits in the provision of meaningful and robust scrutiny at a local level. This situation has been considered by the Home Office and a project to create panel information hubs is in development to help address this shortfall. Panels have been consulted on Home Office plans to develop these hubs which may help to provide more robust support for panels that only have single resource capability.

When PCCs engage with PCPs in the earlier stages of budget development effective scrutiny is encouraged, however few PCCs appear to welcome this or see how it can assist in the process of precept determination. Some panels are invited by the PCC to take part in short budget workshops prior to the budget being formally presented to the panel for approval of the precept in order to build understanding of the PCCs intentions.

If a panel does not accept the PCC’s proposed precept, the panel can only ask the PCC to make changes once. The PCC is only required to make a minor amendment to the proposed precept (e.g. one penny difference) for the precept to be passed. Using the veto is unusual, perhaps because of this limited scope for meaningful change, although the negative publicity likely to be attracted when it is used is a demonstration of the ‘soft power’ that panels can wield.

PCCs are not required by statute to appoint a deputy. In instances where deputies have not been appointed, and the PCC is unable to carry out their responsibilities due to illness or other unforeseen circumstances, the opportunity for PCPs to challenge the decisions made by the PCC is largely suspended. PCCs should be required to appoint a deputy to safeguard against such events, this being justified by the additional workload added to PCC remit since 2012. Some panels have also expressed concerns when a Deputy PCC is appointed as there is no requirement for the position to be filled following a formal or transparent interview process. Some Panels also believe that its power of appointment veto should be extended to include Deputy PCC appointments.

❖ *How well do relationships between PCCs and Chief Constables function? How clear are their respective roles and responsibilities as set out in the Policing Protocol?*

Providing there is a good professional relationship in place between the PCC for governance and the Chief Constable for operational matters then in general there appears little conflict and particularly as their respective roles and responsibilities in policing are clearly set out in the protocol.

Some PCCs may request the Chief Constable to provide reports or information on specific operational matters for sharing with the panel to assist in the understanding of related strategic decisions taken by the PCC.

❖ *How effective are PCCs at driving collaboration to improve public safety?*

This is dependent on the skills and capabilities of the PCC. If they have held a senior role engaging with multiple stakeholders prior to being elected they may already possess the interpersonal skills and flexibility of thought that is needed to drive lasting collaboration to improve public safety. When a PCC listens to other partnership leads, analyse the advice given and be prepared to work meaningfully with senior leads then public safety initiatives can more readily be implemented.

Most PCCs issue newsletters and progress updates on a regular, sometimes weekly, basis for public awareness and understanding of policing initiatives. These newsletters are available to members of the public signing up to them; they can also be circulated via other stakeholders, such as Parish and Town Councils.

PCCs are able to provide grant funding to help develop or promote public safety initiatives. Whilst grant provision comes with an administration cost, the payback can be significant in supporting direct and indirect collaborative working practices.

With the transition of grant funding for Community Safety Partnerships from government to PCCs this can help drive collaboration between the CSP and the PCC and helps to ensure the Policing Plan priorities form part of a CSPs planning. However, some panel members who serve on CSPs have voiced concerns relating to lower-than-expected CSP funding by the PCC.

❖ *How effective are PCC at commissioning services, including those for victims?*

PCCs are ideally placed to be effective in the support of victims and providing they are prepared to resource the OPCC appropriately. Restorative Justice, mediation and collaboration with partners in policing, criminal justice, judges and magistrates are invaluable initiatives in providing effective victim justice as well as potentially assisting in reducing delays within the crown court system.

The effectiveness of PCCs in commissioning services is better measured by the outcome report for police and crime and fire and rescue plans where applicable. An annual independently commissioned report should be commissioned by the Home Office (or the HMICFRS) to record the effectiveness of each PCC against their police and, where applicable, fire and rescue plans.

❖ *How effective are PCCs at performing their roles in the complaints system?*

The role of PCCs in the complaints system has been in place for a number of years and still remains a time consuming and often delayed process. Additional OPCC resource is often required to undertake the necessary work in a satisfactory and time efficient manner.

The PCC has the power to suspend or terminate a Chief Constable and is required to consult with the PCP before taking such action. Prior to panel involvement it may be of benefit if the PCC was required to consult with the HMICFRS / College of Policing, as an external independent organisation and the resulting advice shared with the PCP prior to their consideration of the matter.

❖ *What impact has there been when PCCs have taken on responsibility for fire and rescue services, and why have so few PCCs done this so far?*

Within Essex the appointment of a PFCC was the first step in delivering the wholesale cultural change that had been mandated by the Lucas report. The PFCC appointed a new Chief Fire Officer who was not an FRS professional but possessed a track record of successful public sector transformation programmes. A new Deputy CFO was also appointed who was highly skilled in FRS operational management. The PFCC working with the CFO and Deputy embarked on a significant programme of change which has led to significant positive change to the staff and operational efficiency of what was a failing service.

In North Yorkshire local stakeholders initially did not support the proposed change referring that the PCC became a member of the Fire Authority which would have remained largely in place. The Home Secretary however approved the PCC's business case and PCC became the PFCC. The relationship between the PFCC and the PFCP was initially strained, however this changed positively during the months that followed.

Prior to Northamptonshire PFCC being appointed, the FRS was under the control of Northamptonshire County Council which at the time was experiencing serious financial difficulties. FRS finances and associated reserves were not ringfenced and hence were not necessarily employed in the sole support of the service until the PFCC was appointed. The PFCC provided much needed focus to decision making, based on what would be best for the service in meeting public need. The service was allowed to develop in an appropriate manner in line with other fire and rescue services which included the recruitment of new officers, which was not the case prior to the PFCC appointment. The PFCC has recently attracted adverse public attention after appointing an interim chief fire officer who possessed no operational fire experience, which provides an example of the need for transparency in senior appointment recruitment coupled to appropriate confirmation by the PFCP. In spite of a call of no confidence in the PFCC's leadership by the Fire Brigade Union and several elected councillors, the PFCP concluded by majority not to support this challenge perhaps due to his previous record of achievement whilst in the role.

Staffordshire has had two different PFCCs and both have recognised the need for positive change in working practice, governance and accountability. There have been reports of the widespread resistance to change by differing services across England, this

sometimes being blamed on the reluctance of unions to accept changes to productivity as necessary without an automatic increase in salary. The PFCC appointment has allowed smoother and arguably quicker implementation of revised and enhanced FRS working practices that may not have been so easily achieved in a non PFCC area controlled by a multiple member Fire Authority.

The reasons why more fire and rescue services have not been transferred to PFCC governance have been well documented through various Home Office reviews on PCCs. One important consideration is that not all Fire and Rescue Services are co-terminus within one specific PCCs geographic area therefore making it unclear as to which PCC would produce the required business case and how the required consultation with various parties would take place.

Hertfordshire FRS is governed by Hertfordshire County Council. In 2018 the PCC submitted an application to become a PFCC, believing this would lead to significant savings for both policing and fire and rescue. He later withdrew the application after signing an agreement with the County Council that was expected to provide savings through greater police and fire and rescue collaboration.

It may require the government to mandate that all PCCs change to the PFCC model if more PFCCs are to be established.

It may also be of relevance that if a PCC takes on the responsibility for fire and rescue, the fire authority members may experience financial loss if the collective authority membership is replaced by a PFCC. Allowances made available through the Home Office grant for PFCP members are capped at £920p.a., in contrast with the allowances paid to FRA members. Likewise, membership of the Fire and Rescue Authority can be used as an incentive award for political status.

Similarly, the PCC role is extremely demanding even without the additional governance responsibilities that stem from fire and rescue. There is little if any financial incentive for PCCs to take on the PFCC role in addition to the additional responsibilities they are now expected to meet for example engagement within the criminal justice system. Salary levels for PCC/PFCCs has not increased in general terms since 2012 when the position was first established.

❖ *What further reform, if any, is needed to the PCC model?*

The following comments and suggestions are derived from the experiences of the NAPFCP executive committee members and observers.

The PCC model appears to work well with little reform of the model identified as being needed. The model itself has introduced the PCC and PCP into the policing, and where applicable, fire and rescue family. A good working relationship based on trust, openness and professional governance is essential, however this often relies more on personalities and individual skills rather than changes to the model itself.

The government should consider introducing mandating that fire and rescue governance should transfer to PCCs. Without a mandate there appears little incentive for a PCC to take on the additional work thereby potentially decreasing the benefits that can accrue.

Currently PCCs or panel members are not mandated to attend training with respect to their roles. If suitable training sessions were mandated this would help develop the model positively, especially if the content of the training sessions was standardised to ensure consistency.

Panels currently have only limited powers to address any excesses and no powers to dismiss a PCC should a “vote of no confidence” be tabled. Introducing further powers to address this would be of benefit.

Consideration should be given to introducing HMICFRS inspection reports of PCCs and OPCCs.

It should be mandated that every PCC should appoint a deputy using a transparent independent recruitment process. The process could be jointly developed by the NAPFCP and APCC.



Durham Police and Crime Panel

1 February 2024

Complaints Update

Report of Helen Bradley, Head of Legal and Democratic Services

Electoral division(s) affected:

None

Purpose of the Report

1. To update members on the number of formal complaints received since the last meeting.

Executive summary

2. On 23 June 2022, the Police and Crime Panel approved an update to the procedure for handling complaints relating to the Police and Crime Commissioner (PCC) or the Deputy PCC.
3. In addition to this, the Police and Crime Panel agreed to receive at each regular meeting an update on the number of formal complaints received including those which may have been rejected without consideration by the Panel in accordance with the procedure.

Recommendation

4. The Police and Crime Panel is asked to note the report.

Background

5. The Police Reform and Social Responsibility Act 2011 sets out the role and responsibility of Panels, which includes handling complaints relating to the Police and Crime Commissioner and their Deputy where appointed.
6. On 23 June 2022, the Panel approved an updated procedure for dealing with complaints and conduct matters about the PCC and their Deputy. The Procedure reflects the Local Government Association's best practice guidance for complaints handling.
7. All complaints received after 23 June 2022 are dealt with in accordance with the updated procedure.
8. Responsibility for the initial receipt of complaints and referral to the Panel is delegated to the Clerk to the Panel. There may be instances where a complaint is not presented to the Panel where they fall outside the procedure or are withdrawn by the Complainant.
9. In order to promote transparency and ensure effective scrutiny, the Panel receives a report at each regular meeting on the number of complaints received including those which have not been/will not be presented to the Panel.

Complaints Update

10. The last report the Panel received in relation to complaints was at its meeting on 14 December 2023. There was one outstanding complaint, which was considered by the Panel at the same meeting. The Panel decided not to publish the outcome of the complaint but the outcome has been communicated to the Complainant and the PCC.
11. No further complaints have been received since the last report to Panel.

Background papers

- None

Other useful documents

- None

Contact: Helen Bradley

Tel: 03000 269732

Appendix 1: Implications

Legal Implications

The Police and Crime Panel must have arrangements in place for dealing with complaints in accordance with the Police Reform and Social Responsibility Act 2011 and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012.

It is good practice for Panels to maintain oversight of the number of complaints and how they are dealt with in accordance with the agreed arrangements.

Finance

None.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

None.

Climate Change

None.

Human Rights

None.

Crime and Disorder

This is a key focus of the role of the Police and Crime Commissioner and Police and Crime Panel.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.

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