

DURHAM COUNTY COUNCIL

SAFER AND STRONGER COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

At a Meeting of **Safer and Stronger Communities Overview and Scrutiny Committee** held in **Committee Room 2, County Hall, Durham** on **Tuesday 20 February 2018** at **9.30 am**

Present:

Councillor D Boyes (Chairman)

Members of the Committee:

Councillors B Avery, A Bainbridge, J Charlton, J Considine, R Crute, S Durham, D Hall, C Hampson, S Iveson, L Kennedy, H Liddle, J Maitland, E Mavin, J Nicholson, A Patterson, J Stephenson, J Turnbull and C Wilson

Co-opted Members:

Mr A J Cooke and Mr J Welch

1 Apologies for Absence

Apologies for absence were received from S Errington, Chief Fire Officer.

2 Substitute Members

There were no Substitute Members.

3 Minutes

The Minutes of the meeting held 15 January 2018 were agreed as a correct record and signed by the Chairman.

The Overview and Scrutiny Officer, Jonathan Slee noted in relation to the Road Safety item Members had received a copy of the presentation and further information in terms of statistics by Area Action Partnership (AAP). It was added that feedback from the Committee in terms of the County Durham and Darlington Fire and Rescue Authority's Integrated Risk Management Plan (IRMP) had been passed to the Fire Authority. The Overview and Scrutiny Officer noted that in relation to the Police and Crime Panel item, a link to the precept consultation had been shared with Members of the Committee after the meeting, and also a link to the reports from the meeting.

The Chairman noted that it would be the last meeting that the Council's Strategic Manager, County Durham Youth Offending Service (CDYOS), Gill Eshelby would be attending as she was retiring from the Authority. The Chairman and Committee expressed their gratitude for her hard work, excellent delivery of services and attendance at many meetings of the Committee to inform Members and answer questions. The Chairman wished her all the best for the future.

4 Declarations of Interest

There were no Declarations of Interest.

5 Any items from Co-opted Members or Interested Parties

There were no items from Co-opted Members or Interested Parties.

6 Media Relations

The Overview and Scrutiny Officer referred Members to the recent prominent articles and news stories relating to the remit of the Safer and Stronger Communities Overview and Scrutiny Committee (for copy see file of minutes). The articles included: activity resulting in the arrest of two suspected loan sharks, launch of an ambitious plan to support victims and reduce re-offending and partnership work to disrupt crime in a series of coordinated strikes in the east Durham area.

Resolved:

That the presentation be noted.

7 County Durham and Darlington Reducing Reoffending Group

The Chairman introduced the Chief of Staff, Office of the Police, Crime and Victims' Commissioner, Alan Reiss to give a presentation to Members in respect of the County Durham and Darlington Reducing Reoffending Group Update (for copy see file of minutes).

The Chief of Staff referred Members to a strategy on a page for the County Durham, Darlington and Cleveland Local Criminal Justice Partnership 2017-2021 and noted this fitted geographically with other services such as Heath and Courts. The Chief of Staff explained that the strategy set out outcomes, objectives, deliverables and enabling factors. Members were informed that a lot of work was undertaken in County Durham that was not happening elsewhere in the country and that end-to-end support in terms of rehabilitation to help reduce reoffending was better for the individuals involved.

The Committee were referred to the County Durham, Darlington and Cleveland Reducing Reoffending Strategy plan on a page 2016-2021, and were asked to note this had 3 objectives:

- Identify those at risk of offending and ensure appropriate support is in place to break the cycle of intergenerational offending
- Implement early intervention strategies with the aim to divert individuals from the Criminal Justice System and promote positive outcomes for victims
- Ensure critical pathway evidence informs needs-based solutions using integrated offender management principles

The Chief of Staff noted that there were efficient pathways in order to look at underlying issues in an individual's life, including: drug/alcohol misuse; finance; health, including

mental health; family problems. He added that in identifying need then the appropriate help and services would be made available.

Members noted in connection with restorative justice there had been a lot of good work with offenders and victims, and it was added that it could be a transformational experience. The Chief of Staff explained that in terms of sentences and orders, these tended to look to the “harder end” of options available, though it was emphasised that all the tools available to deal with offenders were available for use where necessary. The work included linking with the Community Rehabilitation Company (CRC) and National Probation Service (NPS).

The Committee learned as regards a number of projects under the effective pathways strategic aim, including: employment pathways for offenders; a review of the pathways to desistance throughout the criminal justice system; housing; Project Beta; Universal Credit; WSA female offending; Tampon Tax Fund; and Project Alpha.

The Chief of Staff noted work in terms of the strategic aim of knowledge and skills including the awareness of partners’ roles and the role of the Department of Work and Pensions (DWP), Price Waterhouse Cooper and the changes to benefits. Members were reminded of the strategic aim of tackling intergenerational offending, with work including Family Ties, focusing on integrating the recommendations from Lord Farmer’s report from summer 2017 into the prison and custody estate in Durham and Darlington.

Members were referred to a number of graphs showing the statistics relating to repeat offending nationally, regionally and locally and also in relation to the work of the CRC and first time entrants to the youth justice system.

The Chief of Staff reminded the Committee of Checkpoint and referred to a table setting out the effective pathways associated, noting the critical ones being mental health and alcohol and drugs issues. Members were reminded that should an individual fail to complete their contract then they would be referred to court.

Members noted statistics in relation to: the Integrated Offender Management cohort; restorative justice; and the use and completion of sentences and orders by the CRC and NPS.

The Chief of Staff summarised by noting the key priorities were: focus on integration and collaboration of services; improving the current provision of services to offenders both in custody and the community; responding to any findings from the pathway review; increasing partnerships in terms of desistance provision; and implement the findings from the Farmer Review across the custody and prison setting. He concluded by noting the average number of offences committed offenders was increasing for both adult and juvenile offenders and the drugs, accommodation and finances had been identified as particularly challenging pathways for offenders.

The Chairman thanked the Chief of Staff and asked Members of the Committee for their comments and questions.

Councillor L Kennedy asked as regards how many chances an offender was given in terms of failing their Checkpoint contract. The Chief of Staff noted failure of the contract meant the individual would be then referred to court.

Mr AJ Cooke noted the main reasons identified, drugs and alcohol, finance and accommodation were not the type of issues that could be overcome in a few days, and therefore asked how long would help from partners, such as the NHS would be provided. The Chief of Staff noted that there was a programme of 4 months of engagement with an individual and if they attended all the required sessions and did not reoffend then there would not be a prosecution. It was added that in practice, if Navigators felt a need for more help for an individual, then referrals could be made. He noted that Public Health were a critical partner and in April there would be a refresh in terms of the Criminal Justice Partnership, including Housing Groups from the Local Authority areas and finance, this being more challenging working with DWP and Credit Unions.

Councillor S Iveson noted those released from prison were given £50 and asked was there any work to help those access benefits as soon as possible when leaving prison. The Chief of Staff noted this was an issue being looked at, and was also recognised by prisons. Offenders were not allowed access to the internet, however, Universal Credit application were dealt with via an online process. Members noted work was ongoing in terms of working with the DWP and the Police, Crime and Victims' Commissioner, Ron Hogg had raised the issue at the Ministerial Level to ensure pressure was on to try and help remedy this issue.

The Chairman asked if all pathways were engaging effectively. The Chief of Staff noted that at a local level, working with other Local Authorities, the CRC and Probation Service and so on was easier than at a national level with Government; however, there was work ongoing to progress issues.

Councillor S Durham noted the National Reoffending Measures and that the number of offenders was decreasing, though the number of offences was increasing. The Chief of Staff explained that this was correct, with those that did not progress to a second offence more likely to have committed a "lower level" offence. The Chairman noted the Committee were aware that there was a "hard core" that represented a cohort of prolific offenders and that all Members were aware of those in their areas. The Chief of Staff noted reminded the Committee that there were 350 less Police Officers than there was 5 years ago, and reminded Members that preventing crime was a core Police role and "hotspots" were identified and that problems solving and time-limited approaches were conducted in conjunction with partners, for example in the East of the County working with colleagues from the County Durham and Darlington Fire and Rescue Service in relation to a number of arson incidents. The Chief of Staff noted that while the tone of the presentation and work may appear to be just around the offender and reoffending, a tough approach would be taken with those prolific offenders that would not engage.

Councillor J Maitland asked as regards the ability for prisoners to be able to access online services, such as the previously mentioned Universal Credit application. The Chief of Staff noted that this was a matter for the Ministry of Justice (MoJ), adding both the Secretary for Work and pension and the MoJ had been written to in this regard.

Resolved:

That the report and presentation be noted.

8 County Durham Youth Offending Service - Work to Reduce Reoffending

The Chairman introduced the Strategic Manager, CDYOS, Gill Eshelby and the Countywide Manager (Operations and Service Delivery), Dave Summers to give a presentation to Members in respect of the County Durham Youth Offending Service – Work to Reduce Reoffending (for copy see file of minutes).

The Strategic Manager, CDYOS reminded Members of the Youth Justice Plan and the many iterations of the Plan which had been presented to the Committee. She added that the work of the CDYOS was a strong area within the criminal justice system, was multi-agency, and worked.

Members were referred to a new structure of the CDYOS for April 2018, noting some changes to the delivery and some administration, now including Police secondees carrying out some functions previously done by Durham Constabulary. It was explained there were 2 Officers from the National Probation Service and over 70 volunteers in addition to the structure as set out. The Strategic Manager, CDYOS noted the Interventions Team, of approximately 30 people, and highlighted that this element was very important. She noted that the Chief of Staff, OPCVC, had previously spoken of helping offenders into employment as a pathway and highlighted the CIC “Skill Mill” in terms of helping achieve this, an intensive 6 month programme, noting 3 young people from the first cohort had gone on to secure employment. She noted this was a particular success with those having gained employment having been very far from the job market prior to the programme.

She added there was work with Public Health, the PCVC and the Heath Service in relation to speech and language specialists, nurses and emotional wellbeing workers, helping to meet the complex health needs of the cohort. The Strategic Manager, CDYOS explained there was funding for a Consultant Psychologist to further help address childhood issues.

Members were referred to the Youth Sentencing Framework, with out of court disposal (O OCD) and post court work. It was noted O OCDs included: pre-caution disposals; youth cautions; and youth conditional cautions. It was added that post court included: conditional discharges; referral orders; youth rehabilitation orders, which included requirements; and custody. The Strategic Manager, CDYOS noted that of those who had a pre-court disposal, only 18% had reoffended.

The Countywide Manager (Operations and Service Delivery) noted, from the previous item, £50 for those leaving prison and explained that this was for adults only and those aged 16-17, and some 18 year olds, could be left with nothing. He added it was very complex work and that if Members wished to know more as regards this he was happy to speak to them. The Chairman noted to liaise via the Overview and Scrutiny Officer.

The Countywide Manager (Operations and Service Delivery) noted for out of court and post court there was a specialist national criminogenic assessment and intervention planning tool (AssetPlus), which aimed to identify the strengths, in desistance factors, and also needs and problems. Members noted that the service would learn from what works and the Youth Offending Group Reconvicting Scale (YOGRS) was used in order to assess the likelihood of reoffending and the impact of the offence.

Members noted that the average length of a post court intervention was 8 months, ranging from 3 months up to when the offender turned 18, and for O OCDs it was 1 month, ranging between 1 week and 3 months.

The Countywide Manager (Operations and Service Delivery) explained that intervention plans were bespoke to each young person and aimed to reduce the risk presented by the young person and to also build upon an individual's strengths. Councillors were reminded of the importance of the multidisciplinary service, with elements including: working with the young person and family/carers; offence specific interventions; restorative justice; health screening (speech, language and communication needs, substance misuse, emotional wellbeing/mental health); comprehensive health assessment; education, employment and training; and work carried out in relation to attitude to offending/risk.

Members noted that the frequency of contact depended upon the risk of reoffending and harm, varying between a minimum of 1 contact per week of 2 hours up to 25 hours over 7 days and also included measures such as electronic tagging. The Committee noted that this was governed by National Standards for Youth Justice and national Case Management Guidance, was audited annually and reported to Ministers.

Councillors were reminded that resources in all of the public sector were facing reductions and therefore in terms of reducing reoffending, there was a need to target those reoffending the most through a multi- agency approach. It was noted that this represented those who had committed 6 or more offences in the previous year, the cohort refreshed every 6 months. Members were reminded that this was a small cohort, 19 young people out of 43,000 young people aged 10-17 in County Durham. It was added that those young people had an intensive, enhanced, individualised multi-agency intervention programme, with a monthly review panel.

The Strategic Manager, CDYOS concluded by noting that the reducing reoffending cohort represented 0.04% of the young people in the county and while they were persistent offenders, they had multi-layered issues and needs that would require continued in-depth coordination between agencies. An invitation was also offered to Members to visit the CDYOS offices.

The Chairman thanked Officers for their presentation and asked Members for their comments and questions.

Councillor L Kennedy asked as regards "life sentences" for young offenders. The Strategic Manager, CDYOS noted that there was a tariff associated with a life sentence, and they would be under the responsibility of the YOS up to the age of 18, then under the responsibility of the probation service in adult prison 18 and older. Councillor L Kennedy asked if the offenders were visited while in prison, the Strategic Manager, CDYOS noted the YOS was statutorily responsible and the minimum would be a visit per month until a young person reached 18.

Councillor L Kennedy asked how those 19 individuals were allowed to commit those hundreds of offences. The Countywide Manager (Operations and Service Delivery) reiterated that these individuals often had been in custody, it had not worked and they had reoffended, and that their needs were incredibly complex and required potentially years of intensive work.

The Chairman asked what was done to engage with individuals involved in "low level" crime. The Countywide Manager (Operations and Service Delivery) noted that all individuals were approached in the same way; however, there was a targeting of the more prolific offenders in that they represented greater harm.

He added that if there was intelligence as regards a particular area in the county then agencies would work together in order to tackle an particular issue.

The Chairman asked as regards what work was done with those individuals that had been issued with Criminal Behaviour Orders. The Countywide Manager (Operations and Service Delivery) noted the YOS worked with those that had committed an offence, and ASB is not a criminal offence. Those young people involved in ASB were dealt with via Anti-Social Behaviour Teams and mainstream Children's Services according to the relevant policies.

Councillor S Iveson noted that young people released from prison did not receive £50 as adults did and asked what support was available for those young people. The Countywide Manager (Operations and Service Delivery) noted the YOS was the support for those individuals and there was a homeless protocol in place, and in terms of frontline work a lot of preparation was done in advance of the day a young person was released.

Councillor C Wilson asked if it was known how many of the young people in the reoffending cohort had come from Local Authority care. The Strategic Manager, CDYOS noted such figures for care leavers could be obtained, though the number of young people that offended while being looked after in County Durham was the lowest in the country.

Resolved:

That the report and presentation be noted.

9 Consumer Protection - Enforcement Activity

The Chairman introduced the Council's Consumer Protection Manager, Owen Cleugh to give a presentation on Consumer Protection – Enforcement Activity (for copy see file of minutes).

The Consumer Protection Manager noted a restructure from previous arrangements that had Trading Standards and Licencing Issues to one with: Business Compliance; Special Investigations; Licensing Enforcement and Licensing Administration. It was noted that they were all supported by an Intelligence and Information Team.

Members were referred to statistics in terms of consumer information, service request data and noted the top areas of concern were used cars and home improvement services and the top service request areas were: problem traders; doorstep crime; counterfeit goods; underage sales; and general misdescription of goods.

Members noted Business Compliance looked at: Rogue/Problem Traders; underage sales; weights and measures; product safety; with a number of projects in addition. It was added that there were currently 21 problem traders being looked at, and in terms of underage sales, there was a 25% failure rate in those businesses tested. The Committee were informed of actions in terms of covert operations in respect of a weights and measures case and product safety included looking at used cars. In respect of projects, the Consumer Protection Manager noted work ongoing in terms of "pop up" car lots and sales via online services, such as Gumtree.

The Consumer Protection Manager noted Special investigations included work on: doorstep crime; counterfeit goods; illicit tobacco; and also feeding into larger investigations such as “car clocking”.

It was explained that the Intelligence and information Team was a hub used by all teams and had access to a range of systems and comprised of one full time and two part time members of staff, the part time officers being Financial Investigators. It was explained this helped to build up evidence in order to then be able to take action, and also linked into Trading Standards both regionally and nationally.

The Committee noted licensing enforcement activities, with the majority being in terms of taxi licensing and enforcement, with a lesser amount in terms of street trading and gambling premises. Members were also given a breakdown in terms of Licensing Act activities, the majority being temporary event notices and premises reviews.

The Chairman thanked the Consumer Protection Manager and asked Members for their comments and questions.

Councillor R Crute asked as regards the links between the RIPA report considered at the Corporate Overview and Scrutiny Management Board and covert activities. The Consumer Protection Manager noted that they were liked and explained he had met with the Inspector yesterday in terms of covert activities and added that applications would be then made at the Magistrates’ Court accordingly. He noted that direct surveillance authorities lasted for 3 months and covert human intelligence sources lasted for 12 months. He added that there had been a lot of authorisation, and the initial feedback from the inspector was that inspection had been positive.

Councillor C Wilson noted an item in a shop with a price of £1.99 and was told at the till that the price was actually £2.49. She asked what the legal position was on this type of activity. The Consumer Protection Manager noted this was not permitted if deliberate; however a customer did not have the right to demand the product at the lower price.

Councillor J Maitland noted as regards the powers to close a shop in terms of selling counterfeit goods, and asked how Officers were able to discern which were genuine and which were not. The Consumer Protection Manager noted that it depended upon the product, some being fairly obvious due to low quality packaging and so on, however in some cases advice would be sought from the trademark holder in assessing whether an item or goods were genuine. He added that this was becoming less of an issue in shops themselves and more in terms of goods bought online and reminded Members that if the price looked too good to be true it probably was.

The Chairman noted the numbers in terms of vehicle enforcement and asked if there were links to Organised Crime Groups (OCGs). The Consumer Protection Manager noted that this was an issue that had been raised at the Disruption Panel and added that mapping work was required. He noted that there was possible links in terms of “pop up” car lots, dealing in cash only and that work was ongoing.

Councillor A Pattinson asked in terms of business compliance, had changes in consumer regulations impacted for example in advice relating to faulty goods. The Consumer Protection Manager noted that the service no longer offered consumer advice, that non-statutory function having ended around 2 years ago. He explained there was a national advice helpline, though where there was a problem reported with a trader it could be an

issue the Authority would look at as appropriate, for example where a threshold had been met in terms of complaints.

Resolved:

That the report and presentation be noted.

10 Overview and Scrutiny Review Update

The Overview and Scrutiny Officer noted that the report in respect of Arson and Secondary Deliberate Fires had been presented by the Chairman to the Safer Durham Partnership (SDP); it had been very well received. Members noted that the draft Cybercrime report had been circulated for comments and the Overview and Scrutiny Officer noted that they would be collated and then reported back to Committee, Cabinet and the SDP in due course.

Resolved:

That the verbal update be noted.

11 Police and Crime Panel

The Overview and Scrutiny Officer gave a verbal update in respect of the last meeting of the Police and Crime Panel (PCP). Members were advised that the agenda had been a single item, the Council Tax Police Precept for 2018/19. It was explained that the precept had been supported by the PCP, and information as regards the next meeting of the PCP on 8 March 2018 would be reported back at the March meeting of the Safer and Stronger Communities Overview and Scrutiny Committee.

Resolved:

That the verbal update be noted.

12 Safe Durham Partnership Update

The Chairman asked the Strategic Manager – Policy, Planning and Partnerships, Andrea Petty to speak to Members as regards an update from the Safe Durham Partnership (SDP) (for copy see file of minutes).

Members noted that items considered were those covered by the Overview and Scrutiny Officer in his review update, Arson and Secondary Deliberate Fires and Cybercrime.

Resolved:

That the report be noted.