

**MINUTES OF THE MEETING OF THE WEST MIDLANDS POLICE AND CRIME PANEL HELD ON 21 NOVEMBER 2016 AT 1400 HOURS, COVENTRY**

**PRESENT:-**

Cllr Sean Coughlan (Chair) – Walsall  
Cllr John O’Shea – Birmingham  
Cllr Peter Douglas-Osborn – Birmingham  
Cllr George Duggins – Coventry  
Cllr Pervez Akhtar – Coventry  
Cllr Preet Kaur Gill – Sandwell  
Cllr Diane Holl-Allen – Solihull  
Cllr Paul Sweet – Wolverhampton  
Kristina Murphy – Independent Member

**ALSO PRESENT:**

David Jamieson – West Midlands Police and Crime Commissioner  
Ashley Bertie – Assistant Police and Crime Commissioner  
Judy Foster – Assistant Police and Crime Commissioner  
Jonathan Jardine, Chief Executive, OPCC  
Jo Barber – OPCC  
Shelley Ward – Prevention of Violence Against Vulnerable People Programme  
Benita Wishart – Scrutiny Officer and support to FGM Task Force  
Emma Williamson – Panel Officer

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**1. NOTICE OF RECORDING**

- 289 The Chairman advised the meeting that this meeting will be webcast for live or subsequent broadcast via Coventry City Council's Internet site (<http://www.coventry.public-i.tv>) and members of the press/public may record and take photographs. The whole of the meeting will be filmed except where there are confidential or exempt items.

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**2. APOLOGIES**

- 290 Apologies for non-attendance were submitted on behalf of Councillors Cllr Ken Hawkins, Cllr Abdul Salam Khan, Cllr Fiona Williams, Cllr Dave Tyler, Cllr Wendy Thompson, Lionel Walker (independent member), Cllr Jayne Francis (substitute), Cllr Julie Webb (substitute), Cllr Claire Clews (substitute), and Sarah Norman.

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**3. MINUTES**

(See document No. 1)

- 291 The minutes of the meeting held on 05 September 2016 were confirmed as a correct record and signed by the Chair.

Cllr Peter Douglas-Osborn thanked the PCC and the police for the policing of the Conservative party conference. He also noted that it was the anniversary of the Birmingham Pub bombings and that a memorial service was being held.

#### 4. DECLARATIONS OF INTEREST

292 None.

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#### 5. PUBLIC QUESTION TIME

293 **Mr Kendall**

“Does the West Midlands Police and Crime Panel agree that there is evidence that the Police and Crime Commissioner is not acting properly by failing to publicly hold the Chief Constable to account over police complaints? The Commissioner's budget 2015/2016 apparently reports a 66% increase in IPCC spend relating to WMP from £18 million to £30 million in addition to £9 million HMIC spend. West Midlands Police Professional Standards Department spend is listed as 2.189 £000's in the Commissioner's budget 2015/16 when this figure should be listed as £2.189 million. 48% of complaint appeals were upheld by the IPCC disagreeing with WMP PSD interpretation. Therefore, there is clear evidence that Mr Jamieson is not properly holding the Chief Constable to account publicly over complaints such as officers' serious misconduct and corruption?”

The Chairman gave the following response:-

Thank you Mr Kendall. Your question is similar to one you asked this Panel in January, and at that time the then Chair undertook to invite the PCC to a meeting to talk about his oversight role and the effectiveness of police complaints and appeals monitoring.

That is on our agenda today, and the intention is to question the PCC on his role in holding the Chief Constable to account with regards to complaints.

I do not consider that the figures that you cite prove that the PCC is not properly holding the Chief Constable to account; however the information you cite will form part of our questioning today.

The PCC thanked Mr Kendall for his question and responded that with regards to the question relating to the Commissioner's budget, the IPCC is totally independent. The figures quoted are the national figures and reflect the top slice that the Home Office takes. Similarly the HMIC figure is a national top-slice. There is a typing error in the budget document referred to, and the budget for the Professional Standards Department was £2.859m.

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#### ORDER OF THE AGENDA

294 The order of the agenda was changed to consider Agenda Items 7 and 8 (PCC's Oversight Role In police complaints and annual report on management of complaints against the PCC) before Agenda Item 6 Tackling FGM in the West Midlands – Progress on Delivery of Recommendations

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## **7. POLICE AND CRIME COMMISSIONER'S OVERSIGHT ROLE IN POLICE COMPLAINTS**

295 The Police and Crime Commissioner presented his report on his oversight role in police complaints; the effectiveness of the police complaints and appeals monitoring; and the proposed changes set out in the Policing and Crime Bill.

(See document No. 3)

He outlined his role and approach; meeting regularly with the Chief Constable and getting regular reports. Dip sampling of complaints is undertaken by the Strategic Police and Crime Board. He also meets the IPCC chair regularly. Use of body-worn cameras is having an impact on complaints as they can be more easily investigated.

The Police and Crime Bill will get assent in the New Year, and aims to enhance the accountability of the PCC in dealing with complaints. This part of the Act will be implemented in late 2017, so there is time to consider how this will go forward. The PCC will share thoughts with the panel later in the year.

Panel members made the following points:

- Congratulations were given to the PCC on the reduction in complaints, and the use of body-worn cameras welcomed;
- There were concerns regarding the disproportionality with regards to diversity particularly with regards to those from BME backgrounds. The PCC responded that this has been raised with the Chief Constable on a number of occasions. There is a lot more work to be done to understand what these figures are telling us – are BME officers working on areas where likely to be more complaints; are they more likely to be complained about, for example. He has asked for good evidence, but does not have that yet. Assistant PCC Judy Foster reported that there is a report on learning the lessons and a Committee meets on a monthly basis
- It was noted that whilst overall complaints have reduced, there was a bulge of reporting at the end of last year. Cameras are resulting in fewer complaints
- Many lower level complaints are dealt with internally and do not show in the figures – this would have to have the agreement of the complainant. This does not mean that they are not being properly dealt with and could be dealt with quicker and more appropriately.

At this point there was an interruption from a member of the public.

The PCC continued to answer questions about the internal process, and the perception that these are being dealt with properly. The Bill going through Parliament will give PCC more power, and in turn will give panel more opportunity to question the PCC on these matters.

At this point there was a second interruption from a member of the public.

APCC Judy Foster confirmed that it will be a requirement for all complaints to be recorded under the new Act, unless the complainant agrees it is not necessary.

**RESOLVED:-**

That a report be scheduled for 2017/18 on the new role of the PCC under the Policing and Crime Act, once passed.

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**8. ANNUAL REPORT ON MANAGEMENT OF COMPLAINTS AGAINST THE POLICE AND CRIME COMMISSIONER AND DEPUTY POLICE AND CRIME COMMISSIONER**

- 296 Emma Williamson, Panel Officer, presented the report, explaining the delegations to the monitoring officer, and the need to explore the potential of the new Act to impact on the Panel's role in handling complaints against the PCC.

(See document No.4)

**RESOLVED:-**

That a report be scheduled for 2017/18 on the potential impact of the Policing and Crime Act, once passed, on the role of the Panel.

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**6. TACKLING FGM IN THE WEST MIDLANDS – PROGRESS ON DELIVERY OF RECOMMENDATIONS**

(See document No. 2)

- 297 Benita Wishart outlined the background to the report, explaining the inquiry undertaken by the Panel in 2015. Shelley Ward presented the recommendations and progress made, but noted that there is a lot more to be done. She asked that the key messages, including the use of guidelines and the co-ordination of training is taken by members back to their local authorities.

In the ensuing discussion, Panel members raised a number of issues:

- CCGs and other health organisations need to be involved as community safety officers in local authorities cannot tackle this alone;
- The lack of prosecutions was noted and felt to be disappointing. However, it was recognised that prevention was the best option;
- Community champions idea was welcomed;
- It was thought the community intelligence forms should be shared more widely across the region, including both the statutory and faith and community sectors;
- The co-ordinated approach was welcomed, but there was concern that girls were being taken abroad for these crimes;
- Questions were asked on the involvement of the education sector, and it was noted that Hazel Pulley chairs the task force and is a head-teacher. She has been briefing teachers over the summer about a teaching pack that has been developed and asking them to go out to their schools to talk to other teachers;

- It was noted that work had been done at airports and this was welcomed, but should this happen earlier in the summer holidays as that's the main danger time for taking girls out of the country?
- Despite it being illegal for 30 years, there have been no successful prosecutions years; do we need to make the legislation less cumbersome to make it easier to go after perpetrators?
- There are some very innovative approaches, and hope that these are pushed out to the other local authorities so that these can spread.

The PCC introduced Jo Barber, who leads on this work in the OPCC, and the two Assistant PCCs are also involved. He emphasised that this is an illegal act and can lead to lifelong physical and psychological damage. It is cultural not religious.

Jo Barber explained that there have been five FGM protection orders in the region in the last 12 months.

The PCC also said that FGM is included in initial officer training; the number of officers in protection units increased 300 to 800, particularly looking at violence against people including FGM. He recognised that prosecutions are difficult; in other countries a child can be examined without parent's consent, which cannot happen in this country. The Victims Commission has provided substantial support to victims of FGM.

The Chair noted the financial stress that local authorities are under that may become a barrier to this work.

**RESOLVED:-**

- i) That the progress made by the PCC and other key partners towards implementing the recommendations in the Panel's scrutiny inquiry report Tackling Female Genital Mutilation in the West Midlands be noted; and
- ii) The Panel request an update report in 12 months' time.

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**9. PCC'S UPDATE**

298 The PCC circulated a note on knife crime and noted the activity that has been happening, in particular the need to work with young people who make up the majority of offenders. In response to members' questions, the PCC told panel members how they work with schools to draw young people away. The Gang Violence approach has a number of strands to support young people and their families. Work with faith communities also needs to develop further.

The PCC also updated the Panel on the following:

- Lloyd House is now complete, in seven years the work will pay for itself through efficiencies and closing other buildings; it will now accommodate 1400 people (previously 700);
- The Police and Crime plan will be published on Wednesday;
- Started recruitment of 800 officers and 200 specialist staff; the PCSO recruitment will come later;

- The report following the hearing on the M6, which took place earlier this year, will be reported to the Minister following a second session where partners are asked back to say what has changed;
- There have been a number of concerns raised this year regarding travellers, and will hold a hearing in February on how we can do things better;
- HMIC have put WMP in the top two outstanding forces in terms of efficiency, and the OPCC is the second cheapest in the country with only 30 members of staff; it's a very effective team at a relatively low cost.
- Body worn cameras are now available for response officers.

Members also raised the following:

- A request for a report on how tackling motorcycle crime and off road bikes – plaguing east and Solihull. The PCC said he had asked the Chief Constable to look at this as there had been a number of incidents recently and is very much on our radar.
- Speeding traffic is a problem but few resources to deal with it. LAs have to put road side equipment in and the police will enforce it. When the consultation on the plan took place, road safety and speeding was the biggest single issue across the region.

It was also noted that there could be benefit in bringing local authorities in the West Midlands together to tackle issues such as travellers, speeding etc – this could be a role for the West Midlands Combined Authority and Mayor.

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#### **10. WORK PROGRAMME 2016/ 17 AND RECENT DECISIONS BY THE POLICE AND CRIME COMMISSIONER**

(See document No.6)

298 Emma Williamson outlined the approach to the proposed inquiry. The PCC also asked if the panel would like a preliminary budget report for their January meeting.

#### **RESOLVED:-**

- i) That the inquiry session be set up as outlined in the note tabled;
- ii) That the PCC brings a preliminary budget report to the January meeting.

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#### **11. DATE OF NEXT MEETING**

299 Monday, 16 January 2016 at 1400 hours, Wolverhampton Civic Suite

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#### **12. URGENT BUSINESS**

300 None.

The meeting ended at 1555 hours

CHAIR