



Police and Crime Strategic Board

23 April 2015

Chief Constable's Report

1. National Issues

1.1 Update on 'A fair deal for the people of Lincolnshire'

1.1.1 The election is now less than six weeks away and we are therefore in the "purdah" period where it would be inappropriate for us to make public statements in relation to funding, as we have to be extremely careful about making any statements which appear to either criticise or support the government or any major political party.

1.1.2 It is fair to say that the core facts that underpin policing and particularly policing in Lincolnshire frame challenges that an incoming Government, of whatever complexion, must address however policing may well see further reductions in funding. Put simply, the amount of money available to police this county in the next few years will be smaller and it has to be spent wisely. That is the core challenge for the next Government.

1.1.3 There is a real opportunity to share that funding intelligently across the service to improve efficiency and sustain performance. Hopefully under the new Government the review of the police funding formula will continue. A range of issues in that formula mitigate against Lincolnshire which shows us being the lowest funded force in the country with the people of Lincolnshire paying a Council tax levy in the top quartile of all forces to fund their police. One of the joint aims with the Police and Crime Commissioner is to get a fair deal for Lincolnshire and together we will continue to lobby the new Government with our arguments for a fairer deal. We have always said to the Home Office that we do not want Lincolnshire Police to be seen as a problem, but rather as a very efficient and innovative force that has good ideas about where the solutions might lie around improving police funding and the way that it is distributed.

1.2 Police Victim Right to Review (VRR) Scheme

1.2.1 VRR relates to the right for any victim to ask for a review of a Police decision not to prosecute. This came into effect on 1 April 2015 and includes all decisions after this date. The right of a victim to request such a review was considered in the case of R v Killick and is set out in Article 11 of the EU Directive on Victims, which comes into effect in November 2015.

1.2.2 In R v Killick, the Court of Appeal considered an abuse of process claim, amongst other matters, following the conviction of a man for sexual assault offences. A decision had originally been made by the Crown Prosecution Service (CPS) not to prosecute the offender but this was overturned by the Court, following a complaint by one of the victims. In the ruling the Judges confirmed an earlier decision that interested persons have a right to seek a judicial review of decisions not to prosecute and noted that it was therefore, 'disproportionate for a public authority not to have a system of review without recourse to court proceedings'. They asked the CPS, 'to

consider whether the way in which the right of a victim to seek a review cannot be made the subject of a clearer procedure and guidance with time limits’.

- 1.2.3 Following a successful national pilot the CPS confirmed their adoption of VRR scheme and issued national guidance.
- 1.2.4 Article 11 of the EU Directive provides that, ‘Member States shall ensure that victims have the right to a review of a decision not to prosecute’, and the Directive makes clear that this includes decisions made by, ‘law enforcement authorities such as police officers’.
- 1.2.5 The EU Directive provides the legal imperative to develop a police VRR system but it is anticipated that facilitating reviews of police decisions not to prosecute will also improve victim satisfaction and public confidence in the service, and it accords with the policing principles of openness, fairness and accountability, as set out in the Code of Ethics.
- 1.2.6 Once the police decision is made not to prosecute, the victim is notified of their right to ask for a review. An officer at least one rank higher than the decision maker will conduct the review. They should not have been previously involved and where the case requires specialist knowledge they should also have the relevant experience and qualifications. Their decision takes precedence over the original decision. Only NCRS offences are relevant and only where a suspect has been identified and interviewed under caution, either following an arrest or by voluntary arrangement.
- 1.2.7 It is possible that a victim could appeal a police decision not to prosecute resulting in that decision being overturned and referred to the CPS for a charging decision. The CPS could then decide to take no further action and the victim would then be entitled to ask for a review of the CPS decision under the CPS VRR scheme and ultimately to refer the matter for a judicial review.
- 1.2.8 Reviews of decisions not to prosecute should not be considered as ‘complaints’ against the police as the purpose of a review is not to apportion blame. The appropriate way for a victim to challenge the reviewing officer’s decision is by way of judicial review. As such, allegations made solely about the decision itself may be regarded as an abuse of the complaints process.

1.3 Emergency Services Mobile Communications Programme (ESMCP)

- 1.3.1 The aim of the ESMCP is to deliver future mobile voice and data communications to the emergency services via an Emergency Services Network (ESN). The services to be provided under this Programme will replace those delivered under the existing Airwave contract(s). There is considerable potential for the ESN to become the platform of choice for all future operational communications, not just within the police but across all three emergency services and beyond.
- 1.3.2 It is a key police and emergency service requirement that there will be complete national interworking and interoperability during the transition process and that the ESN will be in place nationally, sufficiently tested to ensure user confidence, prior to transition beginning.
- 1.3.3 The East Midlands region is scheduled to go-live at the end of 2016 / beginning of 2017. It was selected as the first region due to the proximity of expiration of Airwave contracts and the relatively small size of the region. However, Lincs Police Airwave

contract is not due to end until June 2018. The Home Office held a briefing for our Force on 25 November 2014 where all stakeholders had the opportunity to discuss any concerns/risks. These were captured and forwarded to Home Office as follows:

- Costs: There are no cost details at present. We currently budget for £88k per month for Airwave (£1M per year). However, there is likely to be a top-slice to support wider additional budget needs.
- Insufficient G4 Coverage for Lincolnshire
- Tight timeframe to complete. National requirement is for implementation in FCRs by the end of 2016.
- Budget Costs/Transition costs. Concerns have been expressed in national media about the ability to deliver this on time and to budget.
- While Airwave may be maintained for a short period as part of transition plan, it is unknown who will continue to pay for outgoing contract if new arrangements are imposed and mandated.

1.3.4 Next Steps include setting up a Project Board, establishing a Project Team and continuing Regional discussions. Lincolnshire has already established a county wide Multi Agency User Group involving Police, Fire and Rescue, Ambulance and Emergency Planning who are holding regular meetings.

2 Regional issues

2.1 Update - East Midlands Operational Support Services (EMOpSS)

2.1.1 The 'go live' date for EMOpSS is still planned for 4 May and recently the first meeting of the Strategic Management Board (SMB) was held, chaired by the Chief Constable.

2.1.2 The SMB will meet quarterly and be the primary forum under which the objectives and delivery of the Strategic Business Plan will be scrutinised. It will be responsible for the strategic management of Finance, Performance, Risk Management, Business Continuity and Compliance. We have agreed to be the force lead for both Finance and Audit as the two are intrinsically linked.

2.2 Update – Regional Niche RMS Voluntary Ex-Anti Transparency (VEAT) Notice

2.2.1 The VEAT notice for the provision of Niche RMS to Leicestershire, Northamptonshire and Nottinghamshire was published on 18 March and the 30 day standstill will be complete by 17 April. Final testing and configuration work is being completed on the regional design of Niche, ahead of a go-live date in Leicestershire of the 28 April (case and custody) and 29 April (Crime and intelligence).

2.3 Public Service's Network (PSN)

2.3.1 PSN is a national programme that we are in collaboration with colleagues in the East Midlands to procure a regional solution. The business case for the move from PNN to PSN was agreed and authorised in December 2014, the project budget set is; Capital £230,070; Revenue £375,972.

2.3.2 Lincolnshire's implementation of PSN is on track to deliver and we are currently preparing for the transition to PSN with Virgin Media Business (VMB), who are the provider recently awarded the East Midlands Regional contract for PSN. The budget

set aside for PSN will now start to be drawn-down as we procure services and equipment to implement the transition commencing 13 Jul 2015.

- 2.3.3 We recently received confirmation that our PSN Code of Connection had been authorised which allows the project team to move forward as PSN must be implemented and operational by 31 Oct 2015.

2.4 East Midlands Regional Agile Working Project

- 2.4.1 The Regional Agile Working Project is designed to provide a single interoperable mobile working solution that has the potential to support all users in the East Midlands Region. The scope of the project includes the initial delivery of interoperable mobile working with a handheld device to 500 officers within the newly formed EMOpSS Regional Unit.
- 2.4.2 The project will deliver a platform for forces in the region to procure and deploy a solution to their own officers. For example, the Nottinghamshire Mobilising the Workforce project will adopt the regional solution to replace its existing Capita Beat solution for 1,800 officers.
- 2.4.3 After the successful Innovation Fund Bid, work is now ongoing between the forces in the region to agree a Business Case on the proposed future solution including functionality and costs.

3 Local issues

3.1 End of Year Performance

- 3.1.1 Our business year closed on 31 March. In very difficult circumstances Lincolnshire Police has recorded yet another reduction in overall crime (2.2%). The crimes that really matter to our communities, such as burglary of people's homes and violent behaviour leading to injury, have all been at least the same as last year's rates. That is a tremendous achievement from our reduced workforce (1220 officers three years ago, 1100 now).
- 3.1.2 Despite the welcome long term and recent reduction in crime, it is important to see that in context. Overall demand for policing services is increasing. Last year we received 366,683 calls for service, 83,709 being 999 calls. Dealing with crime represents just 21% of police business. Our day job comprises a really broad range of other responsibilities. In particular, last year we dealt with 7,661 road traffic collisions, 21,768 incidents of anti-social behaviour, 8,200 domestic incidents and 2,800 missing persons.
- 3.1.3 Our 231 Special Constables have, over the past 12 months, carried out 66,050 hours of policing and training. This was 18000 more hours than the previous year. They have made 468 arrests and assisted with 1110 others. This equates to just over £1m worth of policing to the county.
- 3.1.4 Increasingly, as austerity continues to impact public sector services, the police, as the service of last resort, end up filling the gap. We deal with mentally ill people who should be in hospital. We end up taking injured people to hospital when ambulances are delayed and attend calls to carry out welfare checks on behalf of other people and agencies that are not based upon Threat Harm and Risk. We are not always best placed to perform this function.

- 3.1.5 Police officers and staff across the force have all contributed to this performance in a variety of ways and there have been some exceptional levels of performance. As we have reduced crime further in this performance year, 2015/2016 will be a greater challenge for us to maintain and/or reduce further. We are focussed on continuing to deliver a quality service to our communities which will no doubt contribute to delivering and improving our performance in both existing and emerging crime trends.

3.2 Strategic Policing Requirement (SPR)

- 3.2.1 The SPR, issued in 2012, set out the national threats, according to the Home Secretary, and the appropriate policing capabilities required to counter those threats. These were identified as terrorism, civil emergencies, serious and organised crime, public order and a national cyber-crime security incident.
- 3.2.2 In April 2014 HMIC recommended that the SPR should be periodically reviewed to ensure it remains relevant and effective and as a result the Home Office consulted policing partners to consider the validity of existing and emerging threats to ensure the SPR remained current and fit for purpose.
- 3.2.3 The recent unprecedented increase in the reporting and investigation of Child Sex Abuse (CSA) offences has called for a joined up approach to providing an integrated, robust policing response, by ensuring skilled investigators are available and all victims have access to justice.
- 3.2.4 It is recognised offenders, groups and gangs can commit offences across police boundaries and offences can be so serious that they are of national importance. It is for this reason that the SPR has recognised CSA as an additional national threat and forces are encouraged to build a collective understanding of the capabilities required to address the threat.
- 3.2.5 The Force Operational Policing Plan 2015 – 17 is built from four elements, one of these being the national SPR. We have committed to prevent, respond to and resolve crimes according to risk by ensuring we have sufficient resources to respond both within our own force and at a regional and national level.
- 3.2.6 A thematic lead for each of the SPR threats has been appointed who provide highlight reports at the monthly force PEEL Board meetings chaired by the Deputy Chief Constable. These reports indicate the activity completed by officers during the relevant period to address the threats, provide focus for the next period and identify the risks to the plan and how to mitigate them.

3.3 Update - Legal Highs (New Psychoactive Substances)

- 3.3.1 From the 1 April 2015 there is now a Public Space Protection Order (PSPO) in place in the centre of Lincoln that prohibits the consumption of intoxicating substances (including alcohol & legal highs).
- 3.3.2 Upon the introduction of the order Neighbourhood Policing Teams and EMOpSS resources were directly tasked to patrol the designated area. Three people have been arrested for being in possession and under the influence of legal highs.

3.3.3 We continue to deal pro-actively with intelligence regarding premises covertly selling legal highs at prices that are now over twice as expensive. Once evidence has been collated enforcement action will be taken as the community protection order currently in place covers premises as well as the owners.

3.3.4 Media coverage, on the whole, both locally and nationally, has been supportive of the action taken and recently the Lincolnshire Echo reported how city centre retailers and visitors had noticed a significant improvement (in the area) and that the PSPO appeared to have reduced the number of anti-social behaviour incidents.

3.4 Update – Mobile ID Project

3.4.1 The Mobile ID Project has provided an Evaluation Report of the work carried out so far that has been reviewed by Chief Officers and Assistant Chief Constable Local Policing has consulted with colleagues, including the new EMOpSS leadership, and the collective view is that is not appropriate to continue with the Mobile ID service.

3.4.2 The operational view is that whilst there have been some cases in which the technology has proved useful, and although there is a possibility that a revised approach to deployment might increase the frequency of these successes, on balance the force would not realise sufficient benefits from continuing with it to justify the direct and opportunity costs involved.

3.4.3 The rationale for this is:-

- There is a financial cost involved which would come from a budget that is already stretched and may be subject to further pressure before the year end. The costs are per unit so would grow in proportion to the number of devices being deployed.
- The prospect of increased operational impact exists but is by no means certain.
- Any extension would only be for a year, after which the existence of a new technology or national platform to migrate to is questionable.
- The force has limited Project Management capacity and this should be used in support of projects which are most likely to deliver significant operational benefits. Compared to Mobile Data or Body Worn Video, both of which are currently in progress, Mobile ID is in the margins.
- Gains to be expected from other mobile data technology will ensure that, more widely, we stay at the forefront in securing efficiency from our officers and enabling them to be effective and supported while working in our communities.

3.4.4 It was entirely appropriate, and the right thing to do, to go ahead with the Mobile ID Project which has enabled us to assess the potential of the technology fully, however having done so, it is considered we should focus our efforts elsewhere.