

PERFORMANCE & ACCOUNTABILITY MEETING

DATE: 20 November 2020

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

PRESENT: Police & Crime Commissioner – Katy Bourne (KB)
Chief Executive Officer – Mark Streater (MS)
Chief Constable – Jo Shiner (JS)
Assistant Chief Constable – Dave Miller (DM)
Digital Content Officer – Sammi Carwardine (webcasting)
Head of Performance – Graham Kane (retrospective minutes)

REASSURANCE TO SUSSEX COMMUNITIES – TERRORISM THREAT LEVEL

Following the recent terrorist attacks in France and Austria, the United Kingdom (UK) increased its terrorism threat level earlier this month.

- A. What additional measures, if any, have you put in place in Sussex?**
- B. Are you confident that the Force remains well placed in its preparations and plans to respond to any such an event in Sussex?**
- C. What impact, if any, will COVID-19 have on this preparedness?**
- D. Are you concerned that the second 'lockdown' will provide greater opportunities for online radicalisation?**
- E. What is the Force doing to encourage individuals to report any suspicious behaviour or possible terrorist activity to the police or partners?**

The Chief Constable acknowledged that the UK increased its terrorism threat level from 'substantial' to 'severe' earlier this month, meaning that an attack is highly likely. It was highlighted that the threat levels in place are continuously assessed by the Joint Terrorism Analysis Centre (JTAC), with police forces responding to any changes within the five levels of threat, accordingly.

Members of the public were reminded to remain vigilant, trust their instincts and to report anything that appears suspicious or terrorist-related to Sussex Police. This can also be reported to the confidential Anti-Terrorist hotline on 0800 789 321, to enable specially trained officers to assess the threat and provide an appropriate response.

JS reminded members of the public that in the rare event of a firearms or weapons attack they should Run. Hide. Tell, as follows:

RUN to a place of safety. This is a far better option than to surrender or negotiate. If there is nowhere to go, then...

HIDE. It is better to hide than to confront. Remember to turn your phone to silent and turn off vibrate. Barricade yourself in if you can. Only when it is safe, should you...

TELL the police by calling 999.

Further information about staying safe from terrorism can be viewed through the following link:

www.sussex.police.uk/advice/advice-and-information/t/terrorism-in-the-uk/staying-safe-from-terrorism/

Operation Padlock is the dedicated policing response to the increased terrorism threat level in the UK. Sussex mobilised additional resources as part of their response, including the deployment of additional armed and unarmed police patrols in areas with a high footfall and at significant and vulnerable locations identified throughout Sussex and Surrey to provide a visible policing presence. This response is enhanced further through the effective working relationships that have been established with collaborative partners, including Surrey Police, and other statutory partner agencies.

KB was reassured to understand that COVID-19 has not had a detrimental impact on the preparedness of Sussex Police to respond to any such an incident in Sussex. Each of the policing divisions has continued to conduct reassurance and disruptive patrols, with approaches amended to incorporate some of the restrictions introduced in England to prevent the further spread of coronavirus.

Sussex Police has continued to plan, practice and review their operational responses in place to ensure that these remain efficient and effective, regardless of the additional challenges generated by the pandemic. This has included awareness raising, additional training and proactive communications to police officers, staff and volunteers.

The Chief Constable recognised that the risk of radicalisation has increased during the second lockdown with a greater number of vulnerable individuals spending more time alone and online. Sussex Police is part of a regional and national communications network, with other police force areas in England and Wales, through PREVENT – the national counter-terrorism strategy to challenge extremist ideology; stop people becoming terrorists or supporting terrorism and protect institutions from extremists. The media team within Sussex has issued targeted information to parents and young people to support and raise awareness of this threat and the associated risks.

JS concluded by asking members of the public with concerns about individuals or family members who might be demonstrating changes in behaviour, reading different materials or presenting any other suspicious activity to report these to Sussex Police. It was highlighted that any reports received by the Force will receive a sensitive, empathetic and proportionate response, recognising the sensitivity and vulnerability of the subjects, families and any others who might be involved.

REASSURANCE TO SUSSEX COMMUNITIES – CORONAVIRUS

Last month (31 October 2020), the Prime Minister announced a new four-week lockdown in England which will continue until Wednesday, 2 December 2020.

- A. What is Sussex Police doing to support the revised lockdown measures introduced to prevent the further spread of coronavirus?**
- B. How has the additional surge funding been used by the Force to support the enforcement of the COVID-19 restrictions in Sussex?**
- C. How are you continuing to ensure that powers available to the Force are used consistently throughout Sussex? And, do you anticipate an increase in the number of Fixed Penalty Notices (FPNs) issued in the county?**
- D. What impact do you anticipate 'lockdown 2.0' will have on domestic abuse in Sussex? And, how will vulnerable victims be supported?**
- E. In April 2020, Sussex Police introduced a Domestic Abuse Local Resolution Team to provide a dedicated response to domestic abuse crimes and incidents and an improved service to victims. Can you provide me with an update regarding performance and the positive impact it has had on victims?**
- F. Last month, I successfully secured £402,000 from the Home Office to support work with domestic abuse perpetrators. How will this funding be used to develop, support and enhance the work of Sussex Police in this area?**

DM reiterated that the Force is continuing to work with the National Health Service (NHS) and other partner agencies in response to the pandemic in order to keep the communities of Sussex safe.

The Assistant Chief Constable thanked members of the public again for their continued compliance with the restrictions in place and recognised that most individuals are continuing to demonstrate good levels of compliance with the safeguarding measures. The ongoing contribution of frontline police officers and staff was also recognised in terms of their continued commitment to serve and protect the residents in Sussex.

Sussex Police has continued to police-by-consent throughout the pandemic. The Force has a dedicated policing operation in place to provide reassurance to local communities and to support the revised lockdown measures introduced to prevent the further spread of coronavirus.

This has included a consistent approach to policing the restrictions in place across Sussex through the process of '4Es' – Engagement; Explanation; Encouragement and Enforcement. The enforcement stage of the process is only used as a last resort if the desired action has not been achieved, if the breach is clear and obvious and to target flagrant and persistent offenders ignoring the guidelines – this position remains unchanged.

The surge funding of £644,621 has been used by the Force to provide an immediate and visible enhancement to the enforcement of the COVID-19 restrictions in Sussex. This has included dedicated patrol activity, both on foot and in police vehicles, targeting the areas within Sussex with the greatest levels of non-compliance through the assessment of information and intelligence received from members of the public.

Sussex Police is also working closely with other local authority partners, including Trading Standards, to ensure that local communities and businesses have the information they require to understand the new regulations and policing approach to enforcing these. Proactive policing activity in this area is continuously tracked and monitored by the Force – demonstrating an open, transparent and accountable process – and is supported further by the weekly returns made to the Home Office.

The Assistant Chief Constable was confident that Sussex Police has used the powers afforded to them through The Coronavirus Act 2020 consistently and proportionately throughout Sussex, including the issuing of a range of different FPNs. All enforcement activity that is undertaken by the Force in this area is monitored and scrutinised on a daily basis through a dedicated command structure to ensure that each FPN issued is balanced, appropriate and fair. Benchmarking exercises with other police force areas has provided the Force with further assurances regarding the proportionality of the enforcement action carried out locally, together with feedback from members of the public and Independent Advisory Groups (IAGs).

It was emphasised that an increase in the number of FPNs issued in the county is anticipated, although this activity will continue to be targeted at those individuals who continue to flagrantly and deliberately breach the restrictions. The Force will continue to consider whether any £10,000 fines should be issued in exceptional circumstances, wherever appropriate.

DM reiterated that domestic abuse continues to remain a priority for Sussex Police and that this is an area of policing that has been monitored even more closely during the pandemic in order to safeguard victims and to hold perpetrators to account for their actions.

The Force is reviewing the modus operandi (pattern of procedure) of domestic abuse perpetrators to understand whether this has shifted from partners to other family members. Sussex Police understands that the pandemic has made it more difficult for individuals to access support services at this time and has developed a comprehensive pan-Sussex communication and engagement plan to reiterate the position that domestic abuse is not acceptable, will not be tolerated and signposting individuals to these services.

The Chief Constable reminded individuals that the Domestic Abuse Local Resolution Team responds to low-risk, non-urgent reports of domestic abuse. The team comprises of specialist officers who have each been trained to respond exclusively to domestic abuse crimes and incidents. Following triage, the team endeavour to make an appointment with victims of domestic abuse within 48 hours of initial contact, either in person or via a video appointment service which leaves no trace on a mobile telephone.

Victim feedback surveys carried out by Sussex Police have indicated very high levels of satisfaction with the Local Resolution Team and the engagement methods used to provide this support. In particular, the customer satisfaction surveys conducted between March and September 2020 demonstrated that 95% of victims were satisfied with the overall service provided by the Force, with 91% of individuals also stating that they have confidence in Sussex Police.

It was highlighted that the Domestic Abuse Local Resolution Team responded to almost 1,900 domestic abuse incidents between the three-month period 1 August to 31 October 2020 - with 73% of victims offered appointments within 48 hours and 48% of those victims opting for video contact. This represents a significant improvement in response times and, more importantly, means that victims of domestic abuse in Sussex now receive an enhanced and victim-focussed service in terms of both consistency and continuity.

JS confirmed that Sussex Police is "incredibly excited" to have received funding worth £402,000 from the Home Office to develop, support and change the behaviour of domestic abuse perpetrators. This Force currently has a High-Harm Domestic Abuse Perpetrator Programme which is aimed at the top ten perpetrators of domestic abuse in Sussex. This cohort consists of the most active and dangerous perpetrators, selected using principles regarding frequency, gravity and severity.

The award of this additional funding will enable the Force to build on the existing approach and extend the design of the programme to address individual offender behaviour, including:

- ✓ a dedicated specialist mental health worker to support identified domestic abuse perpetrators – either with one-to-one case management or access to other services;*
- ✓ a dedicated drug and alcohol specialist worker to support identified domestic abuse perpetrators – either with one-to-one case management or access to other services;*
- ✓ increasing the number of Integrated Offender Management (IOM) Case Managers to support a greater number (30 to 40) of high-harm perpetrators throughout Sussex (compared to the current 10 perpetrators);*
- ✓ dedicated support for victims of the perpetrator from a qualified Independent Domestic Violence Advisor (IDVA), working alongside the IOM Case Managers, drug and alcohol and mental health workers to safeguard victims; and*
- ✓ a domestic abuse perpetrator programme offered on both an individual basis (for the most challenging cases) or group sessions (for standard and medium cases) – scaled around acceptance, disruption and enforcement.*

The Chief Constable provided KB was assurances that the Force could spend this funding within the prescribed deadlines in order to maximise the investment and keep the communities of Sussex safe. This programme will also be subject to independent evaluation as this develops further.

JS recognised the potential for the current challenges and pressures surrounding COVID-19 to contribute towards the heightening of family tensions in the lead up to Christmas and New Year celebrations this year. Sussex Police will raise awareness of this issue by providing support to national campaigns around the same theme. The advice offered to any victim of domestic abuse remains unchanged, with individuals encouraged to contact the Force or other third-party agencies to obtain the advice, support and safeguarding they require.

PREPAREDNESS OF SUSSEX POLICE FOR EU-EXIT

The UK left the European Union (EU) on 31 January 2020, with the 11-month transition period set to end at 23:00 on 31 December 2020.

- A. At the conclusion of the transition period, the UK will lose all benefits of EU membership, including the use of the Schengen Information System (SIS II) and access to European Arrest Warrants. What risks does this present to public safety and the detection of crime?**
- B. What other operational challenges are associated with the EU-Exit and how is Sussex Police preparing for these?**
- C. I understand that each police force area has been provided with a local 'Force Readiness Assessment' from the International Crime Coordination Centre – to review their preparedness for using contingency systems. How have you reflected on the findings of this assessment for Sussex? Have you completed and returned the action plan and checklist to the International Crime Coordination Centre, as requested?**
- D. Have you undertaken any 'Back-Record Conversion' activity in Sussex to transfer the high-level alerts and individuals from the SIS II system and re-log them onto Interpol, whilst running both systems simultaneously?**
- E. How confident are you about the proposed conversion process and the local decision-making as to what information to recreate and transfer over? Is the Force sufficiently resourced for this eventuality?**
- F. What work has been undertaken with officers and staff to ensure they are aware of the impending changes in policy, procedure and practical application?**
- G. Has the Force identified an increase in community tensions or any other associated risks around the UK leaving the EU? And, how are these being managed by Sussex Police?**

The Assistant Chief Constable is the lead officer for Sussex Police in respect of the EU-Exit and explained that the Force has been preparing for this eventuality for a number of years now, remaining "alive" to the continued and ongoing negotiations.

The EU-Exit means that the UK will lose all benefits of EU membership, including the requirement for law enforcement agencies to move away from automated processes (SIS II and European Arrest Warrants), to alternative systems that are likely to present the Force with greater challenges in respect of speed and additional manual processes. It was emphasised that Sussex Police has been running dual systems since September 2019 and that officers and staff have worked hard to understand exactly how the new system works. This approach has been further supported by the regular testing of this capability ahead of the transition period ending on 31 December 2020.

Sussex Police has also undertaken 'Back-Record Conversion' activity to transfer individuals and high-level alerts from the existing SIS II system onto Interpol, whilst running both systems simultaneously, which has proved successful. The Force has also carried out benchmarking exercises with other police force areas in England and Wales and the International Crime Coordination Centre (ICCC) – responsible for coordinating this activity – to monitor progress in this area. The Assistant Chief Constable provided KB with assurances that Sussex Police was in a good position and that these changes will not present a risk to public safety or the detection of crime.

Sussex Police is part of a multi-agency approach to EU transition, both locally and nationally. The EU-Exit is anticipated to present a number of similar challenges to all partner agencies which reiterates the importance of remaining coordinated in this process and the preparedness activity. The Force has well-established relationships with each of these agencies and has refreshed the strategies and plans that were developed and tested last year ahead of a potential 'no deal Brexit'. The post-transition period immediately after the EU-Exit is anticipated to be "testing", for which the Force will be supported by local and national partners, including the Sussex Resilience Forum (SRF).

In recognition of the significant crossover within each of the areas, Sussex Police has established Operation Titan – comprising of three separate strands: Operation Apollo (COVID-19); Operation Hermes (EU-Exit) and Operation Boreas (winter preparedness). DM also confirmed that he remains in regular contact with other police forces and health partners in the South East region to understand better the challenges, anticipated demand and the consequential impact that each of these areas could have on Sussex – providing a holistic view.

The Assistant Chief Constable confirmed that the ICCC asked all police force areas to review their preparedness for using contingency systems and to complete a 'Force Readiness Assessment' in November last year. This assessment, action plan and checklist were completed by Sussex Police at the time and have, subsequently, been reviewed and quality-assured by the ICCC, with all feedback and learning points identified now addressed. These dynamic plans have been kept under constant review at Gold Group meetings since then to oversee progress, assess any further risks and to ensure that the Force remains as prepared as it possibly can be. These meetings will continue in the build up to next month's deadline and immediately afterwards, during the post-transition period.

DM confirmed that the Force is sufficiently prepared and resourced to manage the proposed conversion process to recreate and transfer over the required information from the SIS II system onto Interpol. It was recognised that the reduced autonomy of this manual process makes this a more time-consuming and labour-intensive process. Sussex Police will continue to review this area regularly to ensure that the necessary intelligence is available to facilitate and support the arrest of individuals in Europe.

The police officers and staff responsible for using this new system on 1 January 2021 have been briefed on the impending changes in policy and procedure and trained in the practical application of these requirements – this is now regarded as business as usual. The Force is also able to ask a Single Point of Contact (SPoC) from the ICCC for any further guidance, training and support that is required around technical and procedural matters to assist them in this transitional process. For all other officers, staff and volunteers, general information and advice around the changes following the EU-Exit has been made available on the Sussex Police intranet. An internal communications plan is also set to be updated and refreshed within the next four weeks to raise further awareness in the lead up to these changes being implemented.

It was emphasised that Sussex Police has been monitoring community tensions around the UK leaving the EU since the result was first announced in 2016. This has been monitored by local policing teams through regular engagement by police officers and Police Community Support Officers (PCSOs) in communities and weekly intelligence meetings that consider operational threat assessments on each of the three policing divisions (and the districts contained within) to highlight any themes, patterns or areas of concern and addressing these through a process of escalation. The Force has also been assisted in this work through the correspondence received by members of the public, monitoring of social media and discussions at IAGs.

The Assistant Chief Constable was pleased to confirm that the Force is not currently experiencing an increase in community tensions, hate crimes or any other areas of concern relating to the EU-Exit. This position will continue to be closely monitored.

POLICING OF HUNTS

The policing of artificially laid trails is a difficult balancing act for the police.

A. What is Operation Rush?

B. What impact, if any, will COVID-19 have on the policing response?

C. How have Hunt Liaison Officers and Protest Liaison Teams improved the policing response in Sussex?

D. What challenges exist for Sussex Police in respect of wildlife crime?

DM confirmed that Operation Rush is the dedicated Sussex and Surrey Police response to the policing of hunts. This collaborative approach means that the methods and tactics employed by both forces are interoperable, transferable and reflects better the movement of the hunts across the boundaries of both police force areas. Superintendent Rosie Ross is responsible for overseeing all activity in relation to the policing of hunts to ensure consistency of approach.

The introduction of The Hunting Act 2004 made fox hunting illegal and provides the Force with the legislative framework to operate within in terms of upholding the law and keeping people safe from disorder and violence. The Force is aware of the tensions, emotions and sensitivities involved and endeavours to provide an open, transparent and proportionate policing response to balance the rights of those participating in lawful trail hunting, with those wishing to lawfully protest against it. The operational response demonstrated in Sussex and Surrey is reflective of the advice and guidance provided by the National Police Chiefs' Council (NPCC).

The reluctance of individuals to report allegations of criminality or to engage in investigations can make it extremely difficult for the police service to secure successful prosecutions. The Force will use BWV footage or police officer-led prosecutions to obtain evidence and prove intent, where appropriate.

Individuals were reminded that no hunting activity should be taking place during lockdown, owing to the restrictions in place to prevent the further spread of coronavirus. When artificially laid trails are permitted to resume, the policing response will remain unchanged, with resources deployed against threat, risk and harm assessment based on the information available. Further challenges are presented to Operation Rush and other policing operations as a result of the additional safety measures that need to be considered and introduced to safeguard police officer welfare, including Personal Protective Equipment (PPE) and social distancing.

The introduction of dedicated Hunt Liaison Officers (HLOs) and Protest Liaison Teams in Sussex has improved the policing response in this area by increasing the engagement, trust and relationships with the hunting community and hunt monitors. These officers are provided with specialised training in the application of the legislation to facilitate the delivery of an effective policing response through proactive engagement to reduce tensions and support investigations. The HLOs are supported by the Rural Crime Team. Sussex Police also works closely with Action Against Foxhunting; Countryside Alliance and League Against Cruel Sports to facilitate this activity.

Wildlife crime can be defined as any activity that goes against the legislation protecting wild animals and plants in the UK. It can cause harm, pain and suffering to animals, push species closer to extinction and can be linked to other more serious and organised criminality. Further information about wildlife crime can be viewed through the following link:

www.sussex.police.uk/advice/advice-and-information/wc/wildlife-crime/what-is-wildlife-crime/

Sussex Police will relentlessly target and disrupt any serious and organised crime groups involved in wildlife crime and other areas of criminality, seeking to obtain the greatest possible sentences and convictions through the criminal justice system, as appropriate. It was also emphasised that the Force is not always the lead agency for prosecutions and will support other police force areas and organisations with their own prosecutions and convictions in this area, including the Royal Society for the Prevention of Cruelty to Animals (RSPCA) and Trading Standards.

The Assistant Chief Constable asked members of the public with any specific concerns about wildlife crime to report these to Sussex Police either by email to: contactcentre@sussex.pnn.police.uk or via the website: www.sussex.police.uk. If a crime is in the process of being committed or someone is in danger, members of the public were asked to call 999 immediately. Individuals can also report wildlife crime anonymously to the independent charity Crimestoppers on 0800 555111.

INFORMATION ACCESS REQUESTS

My office continues to receive concerns from members of the public regarding delays in the processing of requests for information under the Freedom of Information Act 2000 and Data Protection Act 2018.

A. Can you provide me with an update in respect of these delays?

B. What proportion of requests for information are responded to by Sussex Police within the statutory timescales set for each of the Acts?

C. How many requests remain outstanding, over and above these timeframes? And, what is the Force doing to progress these.

JS confirmed that the Information Access Team within Sussex Police responds to an average of 45 freedom of information (FOI) and Subject Access Requests (SARs) each week. There are statutory deadlines determined for the length of time permitted to respond to each of these: 20 working days for FOIs and 30 calendar days (one month) for SARs. The Information Access Team is also responsible for preparing responses to court orders; requests from the Criminal Injury Compensation Authority (CICA); insurance; fitness to practice and civil claim enquiries.

It was emphasised that the Force makes every effort to respond to all requests received within the statutory timescales. However, it is recognised that some of the requests received are complicated and it can take a significant amount of time to establish exactly what information has been requested, before locating, obtaining and processing the information requested. This task can include seeking further clarification around the information being asked for or the terminology and definitions used by the requestor.

The Chief Constable confirmed that Sussex Police experienced a 40% increase in the number of FOI and SARs received in 2019, compared to the year before. The Force is currently complying with 92% of all requests received within the statutory timescales, against a minimum performance of 90% set by the Information Commissioner's Office (ICO). This performance compares favourably with other police force areas in England and Wales in terms of the time it takes to process the information access requests.

JS confirmed that Sussex Police currently has 13 FOI requests that are overdue, all of which were received in October 2020. These delays are attributed to a combination of the complexities of the information requested, time taken to gather the information from multiple business areas/other police forces and extensions granted to consider the Public Interest Test (PIT) of disclosure relating to sensitive areas of policing (as permitted within the Act). It was highlighted that individuals are updated whenever an FOI cannot be processed within 20 working days. Sussex Police has recruited two additional individuals within the Information Access Team to improve the capacity and capability to respond to the requests received.

The Chief Constable concluded by highlighting that the ICO published a national report on 10 November 2020 in respect of the "Timeliness of responses to information access requests by police forces in England, Wales and Northern Ireland". The report highlighted good performance by Sussex Police, in respect of FOIs (page 51) and SARs (page 54). The report also referred to the significant demand of requests received in Sussex during the 12-month period to 31 August 2020, with 1,138 FOI requests and 815 SARs received. KB was reassured to note that Sussex Police has reviewed this report and that each of the 9 recommendations contained within has already been introduced by the Force.

NEXT UP:

The next PAM is on Friday, 18 December 2020 at 13:00. Further information can be viewed on my website through the following link:

www.sussex-pcc.gov.uk/get-involved/watch-live/