

**MINUTES OF THE PCC ACCOUNTABILITY MEETING HELD ON
WEDNESDAY 5 July 2023 AT 10:00 A.M. IN THE OFFICE OF THE POLICE
AND CRIME COMMISSIONER, BUILDING 7, WYMONDHAM.**

1. Attendance and Apologies for Absence

In attendance:

Giles Orpen-Smellie	Police and Crime Commissioner, Office of the Police and Crime Commissioner (OPCCN)
Paul Sanford	Chief Constable, Norfolk Constabulary
Simon Megicks	Deputy Chief Constable, Norfolk Constabulary
Mark Stokes	Chief Executive, OPCCN
Jill Penn	Chief Finance Officer, OPCCN
Peter Jasper	Assistant Chief Officer, Norfolk Constabulary
Ralph Jackman	Director of Local Policing Delivery Unit, Norfolk Constabulary
Sharon Lister	Director of Performance and Scrutiny, OPCCN
James Stone	Head of Performance and Scrutiny, OPCCN
Terry Lordan	Superintendent, Norfolk Constabulary
Phill Gray	Temporary Superintendent, Norfolk Constabulary
Lucy King	Inspector, Norfolk Constabulary
Alex Bucher	Temporary Inspector, Norfolk Constabulary
Matthew Steward	Sergeant, Norfolk Constabulary
Laura Bagshaw	Senior News Officer, Norfolk Constabulary
Kirt Wilkinson	Performance and Scrutiny Manager, OPCCN
Sue Starling	Media and Communications Officer, OPCCN

Apologies for absence:

Dr. Gavin Thompson	Director of Policy, Commissioning and Communications, OPCCN
Nick Davison	Assistant Chief Constable, Norfolk Constabulary
Julie Dean	Temporary Assistant Chief Constable, Norfolk Constabulary

1.1 Before addressing the agenda items, the Police and Crime Commissioner (PCC) welcomed the attendees and explained this is a hybrid meeting and is being recorded on Teams so it can be uploaded to the Office of the Police and Crime Commissioner for Norfolk's (OPCCN) website after the meeting. The PCC also detailed the purpose of the meeting which is for the PCC to exercise his statutory responsibility to hold the Chief Constable (CC) to account for the policing service being provided to Norfolk as the public's elected representative.

1.2 The PCC supplemented his opening remarks by confirming that the meeting will have a focus on the fail to stop incident involving a police vehicle that took place on the 5 March 2022 and the subsequent investigation.

2. Declarations of Personal and/or Prejudicial Interests

2.1 There were none declared.

3. To confirm the Minutes of the Meeting Held on the 19 April 2023

3.1 The minutes were confirmed with no objections. The PCC and the CC confirmed that Action 63: "*The CC and PCC to spend some time discussing how the Constabulary will engage with the public in terms of demonstrating the changes the 'Right Care, Right Person' approach will bring to Norfolk*" had been completed via a briefing from the Assistant Chief Constable (ACC) and attendance at a two-day conference run by the College of Policing and the National Police Chiefs Council (NPCC). The PCC is aware the Constabulary are involved in a programme of briefings, so was content to close this action. The CC added that it was his intention to adopt the approach towards the end of 2023 and he continues to listen to feedback, most of which has been positive.

4. Public Questions

4.1 The PCC confirmed that he would start by addressing the police fail to stop incident that took place on the A146 on the 5 March 2022. The PCC stated that over the last three or four weeks, there had been extensive coverage, particularly by the Eastern Daily Press (EDP) of an incident involving police

officers failing to stop following a collision with a civilian vehicle driven by a lone female driver. The PCC confirmed that there had been no questions about this from the public for this forum, however, he confirmed that his office had received some general correspondence by way of 16 emails in total. The PCC added that he was uncertain as to the correspondence received by the Constabulary on the matter, however, there has been sufficient concern expressed elsewhere to justify spending some time on the matter within the meeting. The PCC stated that he would not be asking specific question about the medical diagnosis as it is not appropriate to discuss personal medical information in public. Furthermore, the PCC stipulated that he would not be asking questions about the specifics of the ongoing police disciplinary procedures as he does not want to prejudice any part of that process. Finally, he added that he would not be asking any questions on the identity of the victim as it is his understanding that they wish for their identity not to be disclosed.

- 4.2** The PCC started by asking the CC to outline both the incident and the subsequent police investigation. The CC responded with an overview of the incident which explained that the incident relates to a collision that happened on the A146 at Barnby in Suffolk on Saturday 5 March 2022 involving two Norfolk police officers. A marked police car was involved in the collision with an Audi A1 as the officers were returning to their station at the end of their shift. The CC noted that the police car failed to stop at the scene when they should have after the collision, and he apologised that this did not happen. The CC described how the driver of the Audi was left shocked and upset but not physically injured. He then confirmed that the passenger in the police car reported the incident to their supervisor at the start of their shift the following day, Sunday 6 March 2022, and once this was reported a full investigation was launched. The CC stated that the investigation was thorough, and it was independently reviewed by another police force which made no recommendations. During the investigation, evidence regarding the driver's medical condition was obtained and based on consideration of all available evidence, and after liaison with the Crown Prosecution Service (CPS), charges were brought against the driver for: careless driving, failing to stop and failing to report a collision. The CC explained that as part of the driver's defence, further medical evidence from a London consultant, in addition to a medical report provided by an NHS specialist neurologist consultant, established that they had experienced a medical episode behind the wheel which could not have been predicted. It also meant that the officer was unlikely to have known what was happening at the time of the incident or have any recollection of it. Consequently, the charges were dropped by the CPS. The CC felt that it was important to reiterate that last point as it has not always been prominent in reporting; it was the CPS who discontinued the criminal case based on the medical evidence of two independent consultants. The CC explained that in respect to the misconduct investigation, having considered all of the evidence, including the further medical reports and in line with the College of Policing's guidance on outcomes in misconduct of these proceedings, the driver was found to have no case to answer. In short, the same medical evidence which caused the

CPS to discontinue the criminal case also meant that misconduct proceedings could not be pursued. However, the CC confirmed that the passenger does have a case to answer for misconduct, for not reporting the incident immediately. The CC stated that these proceedings are ongoing, so it would be inappropriate to comment further until proceedings are finalised. The CC confirmed that the misconduct investigation in relation to the driver was concluded in May 2023, and the force wrote to the victim on the 9 May 2023 informing them of the outcome. The force shared a full copy of the very detailed investigation report with the victim, which is standard practice, and the report has since been shared with the EDP. As opposed to being uncovered through journalism, the CC explained how the series of stories featured in the paper were a result of the information copied from the report. The CC concluded by stipulating that the force has taken all of the action that they could, in line with any other collision investigation, and further clarified that the investigation was independently reviewed by another police force.

4.3 The PCC asked the CC what damage was done to both vehicles involved in the collision, as it is the PCC's understanding that the victim pulled over at the next appropriate moment expecting the police vehicle to do likewise. The CC confirmed that whilst the impact occurred at just under 50 miles per hour, there was little speed difference between the two vehicles, effectively meaning that the police vehicle slowly made ground on the black Audi car before striking it. The CC then provided the PCC with a picture of the damage to the victim's vehicle involved in the collision. The CC described the picture by guiding the PCC's attention to the left side of the four-ring emblem of the back of the victim's car highlighting how there is a slight creasing in the rear of the car. The CC confirmed that the police vehicle had no damage at all to it, so in its drive back to the Acle police station, the vehicle itself would have been fit to drive. The CC clarified that he was not sharing the picture to minimise what happened, he merely believed it better described the level of damage to the victim's car. The CC continued by stating that the damage itself is minor due to the fact that the two vehicles were travelling at similar speeds. With that being said the minor damage does not take away from the seriousness of the incident itself.

4.4 The CC was asked by the PCC, from an investigative perspective, what was lost by the officers involved in the incident by their failure to stop and failure to report the incident. The CC suggested that the main loss was that the victim was left by the roadside and not supported as they should have been. The CC repeated his apology from earlier in the meeting. The CC went on to state how the failure to stop and report the incident also meant that the force was not able to collect evidence from the victim immediately, albeit that was remedied when the Constabulary visited the victim the following day at her home address. The failure to stop also meant that no testing for drink or drugs could be carried out. However, the CC noted that both officers were at the end of their shift and during the tour of duty there would have been no opportunity for such substances to be consumed. Even if that was a factor, they would have

interacted with colleagues and the public throughout their shifts, so the CC was certain that if any intoxication was present, it would have been picked up by a colleague, supervisors or members of the public they had interacted with. With that being said, they should have been tested as this is the correct procedure, however there was absolutely no evidence to suggest that intoxication was present. The PCC raised the 101-call delay, however he noted that such is a matter for Suffolk Constabulary so will not go into that any further as the PCC in Suffolk is aware there was a problem.

4.5 The PCC asked the CC why Body Worn Video footage of the incident was not retained. The CC commented that the driver of the police vehicle was called into work the following morning by their supervisor. The purpose of them being called into work was to be informed that an investigation was going to be commenced, to be informed that their license to carry a firearm was going to be removed from them, and similarly their authority to drive a police vehicle. The Sergeant recorded this interaction, which is standard practice, but the Sergeant's position was that there was nothing of evidential value discussed during that meeting, because it would be for the Professional Standards Department to do that. The CC mentioned that with all Body Worn Video (BWV) footage, the Constabulary records hundreds of encounters every day and do not store all of the footage as the cost to store everything would be significant. The way the forces BWV cameras are configured is when an officer docks their camera they have to positively elect if the footage is to be saved as evidence; if that election does not take place, the footage is only retained for 31 days, at which point it is automatically deleted by the system itself. The officer in the incident did not elect to save the footage, so the footage was available to be seen for the 31 days but was automatically deleted after that point. The CC commented that this had no impact on the initial investigation which was further backed-up by the police force that independently reviewed the case. Furthermore, the CC confirmed that decision to charge the driver was not dependent on that deleted BWV footage.

4.6 The PCC went on to ask the CC what medical checks Roads and Armed Policing Team members would undergo routinely. The CC started his response by stating that he would not be disclosing any medical information related to any party in this case without their consent, therefore any medical information in which he does refer to is with their consent. In direct response to the PCC's question the CC confirmed that all officers in the Constabulary's Armed Policing Teams are subject to annual medical checks which is undertaken by the Constabulary's Occupational Health Team. They also, on a six yearly cycle, have reviews with information provided directly from their GP that is in line with College of Policing standards. All officers in the team must also self-certify their fitness to carry a firearm and disclose any relevant medical history and, at the point where an officer draws their weapons at the start of their shift, they also make a declaration to say they are fit to carry that firearm on that day. Officers must also pass an annual job-related fitness test and are also subject to regular supervisor

one-to-ones alongside team training engagement. The CC then confirmed that the driver in this case had complied with all of these requirements and had been declared fit to perform his role prior to this incident. The PCC then asked who within Occupational Health conducts the medical checks on the officers and the CC clarified that a trained Occupational Health Nurse undertakes this. The PCC then asked the CC whether there was any suggestion before the 5 March 2022 that the driver of the vehicle was not fit to perform his duties. The CC confirmed that he had passed all of the relevant tests and had been assessed by the Occupational Health Nurse for several years and he was fit to perform his role.

- 4.7 The PCC asked the CC whether he could confirm that it was the medical evidence presented to the CPS that was the sole reason for the decision to drop the charges against the driver. The CC confirmed that the decision to discontinue the case was made by the CPS on the 23 February 2023 which followed a court appearance by the officer which was originally reported in the press at the time. The decision to discontinue was made after further medical evidence was provided. The CC reiterated the point that it was a CPS decision to discontinue the case based on medical evidence, not a Norfolk Constabulary decision. The PCC then asked the CC to clarify whether Norfolk Constabulary were consulted by the CPS at all in their process to come to their decision, and the CC confirmed that they were made aware but not consulted. The PCC went on to ask the CC whether the CPS often drop charges in the light of medical evidence provided by the defence. The CC started by saying that he finds this difficult to quantify but it certainly is not uncommon. With regards to this case, the CC clarified that the driver consulted first with his GP after the collision who then referred him to a Consultant Neurologist at the Norfolk and Norwich Hospital. The first statement considered by the CPS was provided by that consultant following an examination of the officer on the 26 April 2022, where that consultant diagnosed the officer with Transient Global Amnesia (TGA). The driver was charged to court nonetheless, then there was a court case; in the meantime, a second statement was provided by a Consultant Neurologist at the Department of Neurology at St George's Hospital in London, that Consultant Neurologist was also a senior lecturer at St Georges University in London. That statement was based on both a review of medical records and an in-person consultation with the officer. That second consultant gave a diagnosis, either of TGA or Transient Epileptic Amnesia, both diagnoses would have had the same effect in terms of driving behaviour or actions. The consultant recommended further assessment to confirm which of the two occurred. The CC confirmed that it was these two statements that the CPS relied on when making their decision and he is sure that it was the overriding reason for their decision. The CC stated that it's the CPS' decision to explain but notes that the burden of proof to convict a person in criminal courts is 'beyond all reasonable doubt' and there were two consultants providing two nearly identical diagnoses. The CC also noted that the opinions made by the consultants of the officer were made by actually meeting with him in person and not merely based off previous medical records. The CC also added that he would like to discuss some further medical information which has been

provided by the driver with his consent. The CC confirmed that since the CPS discontinued the case the driver has seen a third Consultant Neurologist at the Norfolk and Norwich Hospital, this is separate to the first consultant who was also at the Norfolk and Norwich Hospital. The CC confirmed that this third examination was undertaken following the recommendation of the second Neurologist and following the driver experiencing further medical episodes since the collision on the 5 March 2022. Following neurological tests, this third consultant confirmed the presence of a neurological problem for which the officer is now taking daily medication. The officer has allowed the CC to confirm that he has continually kept the DVLA abreast of his symptoms and medical investigations throughout this time. As a result, the DVLA have revoked his driving licence on the information provided, it was reported in the EDP on the 26 June 2023 that the driver still holds a driving licence, this is not true. The CC then stated that he would be providing no further details on the driver's medical situation as this is an ongoing medical issue for the officer, however given the manner of reporting, he had provided the CC with this further information because he thought it would be helpful in terms of the broader understanding of what is occurring.

- 4.8** The PCC commented that he understands that the victim has exercised their right to ask for a review of the CPS' decision, therefore he asks the CC what the victim's options are if the CPS review does not result in the reinstatement of charges. The CC confirmed that it was his understanding that the victim has asked the CPS to review the decision and it is also his understanding that the outcome of that is awaited by all parties. The CC suggested that when the review is completed, it will be accompanied by information as to what next steps are available to the victim. He further stated that the CPS have their own internal complaints process and upon conclusion of that process the relevant party can contact the Independent Assessor of Complaints and ask them to investigate matters. They are independent from the CPS and are guided by His Majesty's Crown Prosecution Service Inspectorate.
- 4.9** The PCC asked the CC whether the internal police disciplinary action decision in relation to the medical advice was based on any legal advice. The CC confirmed that the decision to drop the investigation against the driver was based upon the assessment frameworks that are provided to Professional Standards Departments from the College of Policing and in line with police regulations. Ultimately, like the CPS decision, it was based on the medical evidence provided which demonstrated that the driver suffered from a neurological condition. The CC stated that the same barrier to prosecution is used in internal proceedings as is used in the criminal courts.
- 4.10** The CC was then asked by the PCC how, generally, a misconduct case would progress from an officer's standpoint. The CC confirmed that for the passenger a misconduct case is yet to take place and cannot commence until the complaint made by the victim to the Independent Office for Police Conduct (IOPC) has

concluded. The CC continued by saying how misconduct meetings can result in a variety of sanctions, however dismissal is not one of them, but they can result in sanctions all the way up to final written warnings. The misconduct case takes the form of a panel, where evidence is provided, along with the representations from the officer concerned, but this can only proceed once the IOPC review has concluded.

4.11 The PCC noted that the internal investigation was reviewed by another force, he therefore asked the CC which force undertook this and what, if any, recommendations they made. The CC confirmed that the investigation was reviewed by the Joint Serious Collision Investigation Unit of Bedfordshire, Cambridgeshire and Hertfordshire. The CC clarified that the review took place after the CPS discontinued their case and it was Norfolk Constabulary that asked for the independent review, as they wanted to be certain that there was no further information or evidence that could have been presented to the CPS to influence the decision that they made. The CC explained how it is not uncommon for himself or Chief Officers to ask forces to peer-review Norfolk Constabulary's work; the CC sees this as a healthy thing to do. The CC suggested that he believed that it was the appropriate thing to do in this case as it involved officers from his own force, therefore the review was important to ensure integrity and impartiality. The CC then presented some key extracts from the independent review, the first statement from the report stated that, when considering the building blocks of the investigation, it was found that the evidence in relation to the collision was secured in a timely fashion. A statement from the victim was completed, along with a Collision Book and Professional Standards Department Notification forms being filled out. Furthermore, the BMW in which the officer was driving was downloaded for cameras and telematics and assessed for damage. Police Sergeant Minnis notified PC Warren and ensured that he was unarmed and was sent home. The independent report commented that from reviewing the file and documents it was their professional opinion that the Norfolk Investigation Team completed all relevant lines of inquiry and did not believe that there had been any missed opportunities to gather evidence in relation to the case. They found that the evidence gathering in this case was completed quickly and in accordance with the Authorised Professional Practice (APP) on investigations and all statements were gathered in a timely fashion where nothing was out of the ordinary. The CC added that the independent report did not believe that there were any opportunities lost to gather evidence in relation to the case, including the deleted BWV camera footage.

4.12 The PCC referred to the current IOPC review being conduct and asked the CC whether he has a time scale in which the IOPC will respond. The CC confirmed that he does not currently have a timescale. The CC believes that the IOPC has written to the victim to set out that it might be a significant period of time before they have the opportunity to act, and the CC assumes that this is due to the IOPC's high workload. The CC added that Norfolk Constabulary have contacted the IOPC to encourage them to expedite their review, the reason behind this

being as the Constabulary cannot continue their internal conduct process on the passenger until the IOPC review has concluded and the CC believes that it is in the public interest to have such matter resolved as soon as possible. The CC then went on to explain why Norfolk Constabulary did not refer the matter to the IOPC. He confirmed that they did not do so because the mandatory referral criteria for the matter was not met. For this to be met, the matter should relate to a complaint or conduct that led to death or serious injury, or a serious assault, or a serious sex offence, or a case involving serious corruption, a criminal offence or conduct liable to lead to misconduct proceedings aggravated by discrimination. Furthermore, it must relate to a relevant offence, such being an offence ending with a sentence fixed by law of seven years imprisonment, or that the conduct relates to a Chief Constable or Deputy Chief Constable. However, forces can make voluntary referrals to the IOPC where the gravity or exceptional circumstances would dictate such. The CC noted that now the victim has asked the IOPC to review the case, any referral from the Constabulary on a voluntary basis would be considered by the IOPC to be invalid. The CC mentions this as the EDP and the victim have suggested that the Constabulary should refer themselves to the IOPC, however they cannot. The PCC then asked whether the IOPC findings would be solely in relation to the internal misconduct proceedings and not the reinstatement of charges. The CC confirmed that to be accurate. The PCC continued in asking the CC what options are open to the victim if the IOPC decision goes against them. The CC commented that he thinks this is one for the IOPC to comment on and presumes these options will be put forward to the victim in their response.

- 4.13** The PCC then referred to an article published by the EDP which compared this case to one that occurred in Australia where a drunk driver claimed that he had amnesia during a vehicle collision. The PCC therefore asked the CC whether he believes there to be a direct comparison. The CC confirmed that he had seen the article and had undertaken some research on the Australia case to determine whether there was any similarity. The CC understood that the Australia case concerned a retired police officer who was involved in a serious vehicle collision, and it was determined that the driver was over the drink drive limit. The driver later claimed that it might have been caused by either sleepwalking, amnesia or a blackout. The CC clarified that in the Australian case a Neurologist examined the driver and disagreed, dismissing their claim. The driver was subsequently convicted. The CC then compared such details to the Norfolk incident where three neurologists all diagnosed the driver with similar neurological conditions, therefore the CC concluded that he believes there to be a stark difference between the cases.
- 4.14** The PCC asked the CC what role the Police Federation played in either the investigation or in the defence of the two officers. The CC clarified that the Police Federation is independent from the Constabulary, and they are the body that represents rank and file officers up to and including the rank of Chief Inspector. He then confirmed that both of the officers involved are members of the Police

Federation. The CC explained that when an officer, regardless of the case, is informed that they are being investigated, they are served notice under Regulation 17 of the Police (Conduct) Regulations 2020 that informs them that it is being alleged that they might have breached the Standards of Professional Behaviour. Within that notice, it makes clear to the officer that they have a right to be represented during the investigation of those matters. That can be a member of the Federation, or it can be a nominated police friend, and in this case the officers utilised the support of the Police Federation to support them, and that is the role of the Federation to support; they have no role within the investigation. The CC confirmed that the two officers involved were represented by separate members of the Norfolk Police Federation to avoid any conflict of interest and they were there to solely ensure that the rights of the officers were ensured and appropriately supported throughout the course of the investigation.

4.15 The PCC asked the CC how information has been provided to the victim. The CC confirmed that in any case being investigated by the Constabulary's Professional Standards Department (PSD), the case is allocated to a caseworker or investigator, and it is part of their responsibility to ensure that the victim is kept up to date throughout the course of any investigation. In this case, contact had been maintained throughout the process. At the end of the misconduct investigation, the victim was provided with a very detailed report outlining the reasons for the outcome. It goes into considerable detail as to what has occurred; therefore, the victim has received a considerable amount of update from the Constabulary. The PCC then asked the CC whether further information has been provided to the media. The CC confirmed that the victim provided the EDP with a copy of the report into the misconduct investigation. The CC also confirmed that the Constabulary have answered over 20 questions from the EDP in the course of recent weeks. The content of the reporting on this case has largely come from the contents of the report itself in which the Constabulary sent the victim. The CC clarified that over the past few days a number of articles have suggested that new information has come to light, which is not the case as everything was provided upfront in the report provided to the victim. The CC confirmed that the only additional information included within any media publication came from comments obtained from 'experts' or where they have sought the opinion of people claiming to be former police officers. The PCC asked whether any information is being withheld from the victim or the media when questioned. The CC confirmed that no information is being withheld.

4.16 The PCC referred to a further EDP article in which suggested that Norfolk Constabulary are not being transparent about the case. The PCC asked for the CC's comments on this. The CC referred to his previous answer being that the Constabulary have provided a detailed report to the victim and answered over 20 questions from the EDP on the case. Furthermore, the CC highlighted how there have been over 20 articles published by the EDP on the case, and all the information contained within such has been provided by the Constabulary. The CC stipulated how important transparency is in misconduct cases, and the only

area of reluctance in which he has had on this case concerns personal medical information of the officer concerned as it would not be appropriate for him to provide any information beyond what he has already disclosed.

- 4.17** The PCC asked the CC what duties the two officers are now performing. The CC confirmed that both officers are currently not authorised to carry any firearms, and the driver has had his driver's licence revoked by the DVLA based on the information that he provided to them, as such he cannot drive any police vehicle. The driver is therefore carrying out station duties and has no contact with the public, nor is he investigating crime whilst awaiting further assessments. The passenger is carrying out the standard duties of an officer, but without a firearm.
- 4.18** The PCC referred to a further EDP article which suggests that there has been collusion and cover-up within the Constabulary in relation to this case to protect the two officers. The PCC asked for the CC's comments on this. The CC stated that this simply has not occurred.
- 4.19** The PCC then asked the CC if there is any other information relevant to the case in which he feels should be commented on in this forum. The CC stated that he believed that everything had been covered in all of the previous questions in which the PCC put to him.
- 4.20** The final question on the case in which the PCC put to the CC was in reference to an interview in which the CC gave to the EDP, where a subsequent editorial was published which stated that the CC's words are welcomed, however his actions are what people are interested in. The PCC therefore asked the CC, more generally, what he is doing in terms of ensuring professional standards are raised throughout the Constabulary. The CC clarified that within the interview in which he gave to the EDP he spoke more broadly about what all police forces should do in light of the Casey Report and some of the very damaging cases reported on nationally within the media concerning police conduct. The CC started with some statistics stating that currently in the Constabulary, 16 officers are suspended, and one member of police staff is currently suspended. Referring back to 30 June 2022, there were only five officers suspended and no members of staff, so the Constabulary has seen an increase over the last year. The CC then moved on to share some statistics on conduct investigations within the Constabulary. As of the 5 July 2023, there have been 72 misconduct cases recorded compared to 52 at the same time last year, this represents a 38% increase. Of the 72 current reported cases, the 16 suspended officers would make up a part of that group. The CC confirmed that in the vast majority of those cases, they are matters that have been reported by members of the Constabulary, where officers or staff have raised concerns about the behaviours of their colleagues. The CC stated that he and his Chief Officer team, along with all senior leaders, have been particularly clear with all of their staff, in light of Baroness Casey's Report, and beforehand as well, about the standards expected and the importance of restoring trust and confidence in policing and removing people

from policing who have no place in the service. The CC suggested that he believes that the force is hearing that message loud and clear and that is what is leading to the significant increase in reports. The CC then stated that he does not want people in the force who do not share the forces values. He then added that in the past year, he has dismissed three officers from the Constabulary, all of whom have been reported in the local media, along with four members of police staff. Further to this, he confirmed that the Constabulary have a number of cases awaiting hearing with hearings set throughout the remainder of the calendar year. The CC, however, did highlight, that it is taking a long time to get hearing dates set and this is due, in part, to the availability of Legally Qualified Chairs (LQCs) as there is seemingly a shortage of them at a time when the number of hearings nationally is going up. Furthermore, the Constabulary are struggling to find Barristers to present the evidence in these cases. The CC stated that despite these difficulties, these hearings will be heard but there will be a delay unless there is a change in conduct regulations, and he notes that there has been some talk of this within the media. The CC welcomes any changes that would speed up the process, particularly where there are victims involved in these cases, but also because officers are being paid with taxpayers' money, so it is important to make a determination of whether there is guilt or not so they can either stop using this money to pay the officer or return the officer back to normal duties. The CC added that if the process would have been made quicker, the Constabulary may have seen more than three officers and four members of staff dismissed. The CC then moved onto student officers entering the Constabulary by mentioning that there is an additional requirement through which you can require them to leave the service, being Regulation 13. Under Regulation 13, which covers student officers' probation period, the Constabulary have dismissed one officer in the last twelve months. Furthermore, the Constabulary have had three student officers resign following a case conference decision to dismiss, and finally the Constabulary had eleven student officers leave throughout the totality of their process. Combining all those figures together, the CC acknowledges that he is taking a robust position on conduct and confirmed that the force will make the difficult decision if they establish someone is not right for policing. The CC also highlighted the fact that the force is made up of nearly 1,900 police officers and 1,200 police staff, the majority of which came into the force to help make their communities better and that is what they do every day, however, if someone does not match the forces standards they will be moved on. The CC commented that he has deployed four extra detectives in the Anti-Corruption Unit, along with three extra Police Constables into the Serious Case Unit and four extra officers into the forces Vetting Team. On top of this they have established a Regional Anti-Corruption Team with colleagues across 7 Forces. One final point the CC added was that the force has completely reviewed the vetting status of all of the colleagues within the Constabulary and washed all of the data in which they hold against their colleagues into the Police National Database which they are analysing the returns. This demonstrates that the Constabulary is taking a proactive approach in this area. The PCC added that it is his understanding, on the point of LQCs, that the Home Office review into police misconduct

processes, and the future of the LQC concept, is on Ministers desks so there should be an announcement before recess on the 20 July 2023. However, what he does not know is the timescale for implementation as he does not know how much primary legislation will be involved. The CC then speculated that the new regulations may not be able to be applied retrospectively, however the detail of such will need to be examined by both the CC and PCC.

- 4.21** The PCC moved on to questions from the public and started by referring to a question received from a member of the public concerning road safety and speed enforcement on the B1112 near Downham Market. It is the PCC's understanding that the Safety Camera Team does deploy to the stretch of road in question, so it is being addressed. The question of police assets would be a police operational matter, which the PCC has discussed with the appropriate team, so the specific matter is now being considered.
- 4.22** The PCC then addressed a suggestion received by a group called 'Living Streets Norwich' which referred to how parking issues could be reported online to the Constabulary. The PCC is mindful that parking matters are ordinarily a County Council responsibility, but again the PCC has discussed this with the appropriate team within Norfolk Constabulary who are currently considering it. The PCC mentioned, that if needs be he and the CC could discuss the issue with the County Council on where the division of responsibilities may be.
- 4.23** The PCC turned his attention to a third question received by a member of the public which asks the CC what work is being done to change the Constabulary's culture with regards to racist, homophobic and misogynistic behaviours, and in doing so can the CC comment on training and guidance about interventions. The CC commented that he had touched upon this in his last answer, however the conduct regime is just one aspect of the culture within the Constabulary, he states that in light of Baroness Casey's Report they have a broader programme of work around cultural change. Some of these activities involve Chief Officer and senior leadership workshops with middle managers which discuss standards and cultural change. The CC also confirmed that he has written to all members of the Constabulary detailing what his expectations are and what change looks like moving forward. In addition to this, the Chief Officer team has made a number of pledges stating how they themselves will follow these standards and expectations. The Constabulary is holding focus groups with officers and staff so that the CC can hear from them about what is working in this area and what is not. The CC confirmed that the force is delivering a training toolkit, which will be produced and made available for all leaders under the forces' existing leadership programme called 'Leading with Care'. Staff surveys have also been undertaken to ensure that the opinion of all corners of Constabulary is influencing the change programme and further to that the force is carrying out activities such as 'listening circles' so views can be shared between staff. The final

point in which the CC made was ensuring that positive behaviours are also rewarded and celebrated; this supplements discouragement of behaviours that will not be accepted in order to see cultural change take place within the force. The CC comments that there is a fine balance between praising positive cultural behaviour and discouraging inappropriate behaviour. The PCC noted that there was a second part to this question which asks what the CC is doing to dismiss those demonstrating unacceptable behaviour, however he suggests that the CC had already covered this as part of his answers earlier on in the meeting. The Deputy Chief Constable (DCC) added that he sits across the top of Professional Standards and the main metric in which he uses to assess the Constabularies culture is the statistics in which the CC previously provided, being suspension numbers and the number of misconduct cases reported internally by colleagues. These numbers would suggest that members of staff and officers are feeling more supported and confident to report inappropriate behaviour within the force.

- 4.24** The final public question in which the PCC addressed was in relation to Safer Neighbourhood Action Panels (SNAP), specifically in Aylsham where a resident expressed concern that these were not taking place. The PCC noted that the next Aylsham SNAP was to be held on the 10 July 2023. The PCC therefore asked the CC what the SNAP meetings intend to achieve and to reassure the PCC that these are taking place across the county post-pandemic. The CC stated that under section 34 of the Police Reform and Social Responsibility Act 2011, the Chief Officer of Police must make arrangements for obtaining the views of the public to inform policing priorities and to inform the forces activity in neighbourhoods. These are usually discharged through SNAP meetings, however there are other surveying activities that take place to obtain the public's views along with informal discussions with members of the public on a day-to-day basis. The CC confirmed that there is currently some ongoing work within the Community Safety Department, which is developing a new model for the SNAP meetings, including how the force can better publicise them in advance and to try and see if attendance can be increased. During the pandemic these meetings were held virtually, and the force found that it was quite positive in terms of numbers attending the meetings. Post-pandemic the force is hosting a number of hybrid meetings so that members of the public have both options available to them. The CC confirmed that there was a missed SNAP meeting in Aylsham in March due to a sudden change to the Local Policing Inspector for that area alongside a scheduling clash which meant that many Council members would be unable to attend the SNAP meeting due to the pre-election period. The CC confirmed that the new Inspector in that area is running two SNAP meetings in July to try and make up for the missed one in March.

The meeting had a short break and reconvened at 11:15

5. Police, Crime & Community Safety Plan 2022-24: Pillar 1 'Sustain Norfolk Constabulary'

- 5.1 The Assistant Chief Officer (ACO) started by confirmed that the Pillar 1 papers contain the usual updates around sustaining Norfolk Constabulary which include Estates, Finance, ICT and His Majesty's Inspectorate of Constabulary and Fire & Rescue Service updates. Of note the ACO mentioned that the paper included the financial outturn report for 2022/23 including the recommended final reserve movements. In summary the ACO noted in relation to the outturn report, the group overspend was £241,000 which was 0.12% of the total budget. This was due to pressures concerning utilities as well as higher than expected pay settlements throughout the year. The PCC commented that he has discussed this outside of the meeting and has signed off the movements of reserves.
- 5.2 The PCC asked a question on the HMICFRS police effectiveness, efficiency and legitimacy (PEEL) report which dates back to October 2022. He asked the CC for a midterm update in relation to progression of the eleven Areas For Improvement (AFI) put forward within the report by HMICFRS. The CC presented an update on each of the eleven AFIs. The CC noted that eleven AFIs was actually quite a low number when compared to other forces nationally. The first AFI put forward stated that the force needs to make sure that officers properly record their grounds for stop and search. The CC confirmed that since the report the force has put out extensive training and provided new guidance to officers which has changed the way in which they are now recording the grounds for stop and search. The CC highlighted that in the report itself the Inspectorate had no issues with the BWV camera footage of the stop and searches conducted, it was solely to do with how the written grounds were recorded. Furthermore, the force has carried out audits, and continue to do so and would now expect to be graded 'good' for that. AFI 2 concerned problem-solving plans and to see if these could be managed centrally with further assessment and evaluation. The CC has confirmed that they have made the required changes as Problem Solving Advisors have greater involvement with the implementation, management and assessment of problem-solving plans. Furthermore, the force does not allow a plan to be closed unless opportunities for learning have been identified, recorded and shared. Turning to AFI 3 which stipulates that the force should make sure that call handlers use and correctly record structured initial triage and risk assessments, to decide on call prioritisation and the most appropriate response. The CC confirmed that they have put in place the changes within systems in the Control Room to ensure that assessment is now mandated and every 24 hours a report is generated which highlights any calls that have slipped through the net. The CC noted on this point, that the more time spent on 999 calls, the greater the reduction in capacity to take more calls. Over the years forces have rightly seen a number of recommendations put forward which has led to call takers being on calls for

much longer, however without further investment and funding from central government there will be greater impact on 101 calls performance. AFI 4 stipulated that the force should make sure that repeat callers and vulnerable victims are routinely identified. The CC confirmed that the force is carrying out audit work to ensure that does take place alongside further training in the Control Room. On AFI 5, which states that the force needs to make sure that call takers give appropriate advice on crime prevention and preservation of evidence, the CC confirmed that the force has provided additional training and changed processes to ensure this occurs. In relation to AFI 6 which stipulates that the force should reassess the training and direction it has taken to improve crime supervision and investigation quality, the CC confirmed that their supervisors are aware of core minimum standards and have developed, what the CC describes as best in class, data insights dashboards which are available to supervisors. These changes have resulted in Norfolk Constabulary, as of June 2023, having the second highest detection rates in the country. Dedicated District Crime Units have had an impact on detection rates as they enable closer scrutiny of investigations and allow the force to ensure they are better supporting victims. The CC turned to AFI 7 which relates to the Victims' Code. The CC confirmed that they are again using the data insights dashboard to better understand where the force is complying and where it is not. AFI 8 relates to ensuring an auditable record of the decision of the victim, and the CC commented this is very much linked to AFI 7 so provides the same response. In relation to AFI 9, which states that the force should make sure that ancillary order such as Domestic Violence Protection Notices or Order are considered in all appropriate cases, the CC confirmed that the force is considering the best use of these through research. The findings thus far support the Constabularies existing practice which is that they are most effective when those Orders are used in cases where individuals are most at risk. The CC suggests that the effectiveness of the Order is limited if they are liberally used in a non-targeted way. This is also not an efficient use of the Constabularies resources if overused, nor is it good for the victim. Despite this, the CC confirmed that the force is reviewing their policy when they close cases to see if an Order is appropriate. Furthermore, the forces Domestic Abuse Perpetrator Partnership Approach Team is actively reviewing cases to see if they are suitable for Stalking Protection Orders, and if not, to offer other support to the victims. AFI 10 stipulates that the force should make sure that officers are aware of their safeguarding responsibilities beyond the initial safeguarding. The CC confirmed that training in Domestic Abuse linked to changes in risk assessment processes highlighted these as risk factors for officers to be aware of and respond to. Furthermore, the closure plan now includes an element to consider the victim's needs at such point. Finally, in relation to AFI 11, which stipulates that the force should review its capacity to manage the risk posed by registered sex offenders, the CC confirmed that the number of registered sex offenders in the county is growing from year-to-year as the force is catching more offenders and they are living for longer. However, the

CC confirmed that he has committed additional resources to that problem, so the Public Protection Unit has more capacity to visit those offenders. The CC then touched upon the recent HMICFRS report on the Eastern Regional Response to Serious and Organised Crime. He confirmed that Norfolk Constabulary received four AFIs within the report and the force is making good progress against them all. The PCC added that he is currently completing his Section 55 response to the report which will be published shortly.

- 5.3** The PCC then asked the Constabulary to comment on the position regarding assaults on officers. The DCC commented that for the calendar year of 2022 the force recorded 822 investigations as a consequence of assaults, and they range from an Assault by Beating of the Constable, all the way up to and including Grievous Bodily Harm with Intent (section 18). The majority of those cases ended with some sort of sanction for the individual. The DCC stated that the force takes little tolerance on assaults caused to Constables performing their duties, so most do get charged to attend court. However, there are other cases, where due to the nature and being considerate of the individuals, that some do get cautions. Of the 822 investigations, a number of these officers and staff do unfortunately end up in hospital, the predominate cause for this is officers being spat at, either in their eyes or their mouth, which requires medical intervention. The DCC reassured the PCC that the officers and staff members who do attend hospital get visitations to check on their welfare and are supported afterwards to make sure any longer term physical or psychological effects are addressed. The PCC noted that, with just over 1,800 officers in the Constabulary, 822 assaults make up more than a third of total officers or some officers get assaulted more due to being in front-line roles. The CC added that it is not just officers who get assaulted, but police staff also, particularly in custody suites. The PCC further asked whether the CC is happy with the courts support in terms of sentencing of individuals assaulting officers and police staff as he notes that the Home Secretary increased the sentencing guidelines for assaults on emergency service workers. The DCC commented that he welcomed this extension and its recognition of the seriousness of the assaults in terms of supporting officers and staff.

6. Police, Crime & Community Safety Plan 2022-24: Pillar 2 'Visible and Trusted Policing'

- 6.1** The DCC introduced the Pillar 2 papers. Firstly, he pointed out the public perception on 'the police doing an excellent or good job' metric, which decreased just one percentage point from the previous twelve months (year ending March) from 86% to 85%. The DCC stipulated that this is actually positive as over the last year there has been significant national exposure on policing, so Norfolk Constabulary holding steady over the last year actually may not be such a negative. He added, however, that the force is not relaxed about the figures and if there are any changes to be made the force will do

so. The DCC then mentioned Norfolk Constabulary's position in regard to detection rates, being that they are now second in the country. The DCC noted that the City of London Police is top, which is a very unique force, as it has a small radius and population which is unusual for policing. Finally, the DCC turned to 999 call figures, which he stated, over the last three months, have seen some of the highest numbers the Constabulary have ever recorded. The DCC stated that the force continues to monitor 101 call performance also as they do not want this to get lost in the rising 999 call demands. The DCC also mentioned how the Constabulary regularly hit the benchmark of answering 90% of 999 calls in under ten seconds, however, this has an impact on resourcing and keeping call handlers free for other emergency calls. The PCC then asked about the daily peaks of 999 calls, as he recalls them having over doubled since he has been within his role as the PCC (from 250 calls a day to over 600 now). The DCC confirmed this to be true and commented how this is unprecedented. He added that it is difficult to balance resources between 999 calls and 101 calls, as with 999 calls you need call handlers to be free to answer these calls in under 10 seconds. The DCC also ensured the PCC, that the force has been using new technology with 101 calls which is helping them to efficiently triage the calls from the switchboards based on the apparent risks identified. In terms of the figures quoted within the paper, the PCC asked the DCC whether this is entirely all 999 calls received into the Constabulary. The DCC confirmed that to be the case and noted that about a third of these calls are converted into a response, some of which are not responded to with an emergency blue light. The PCC then asked whether these are all Norfolk calls or is there any spill over from other counties. The DCC confirmed that because Norfolk Constabulary are particularly good at answering 999 calls quickly, they do not export any calls, however they do import calls from other counties (200-300 a month). The CC clarified that an increase in 999 calls or 101 calls does not mean an increase in crime in Norfolk at the same rate. The CC added that they are finding that many of the increasing call types are those called 'concern for safety calls', which he hopes will be addressed with the 'Right Care, Right Person' approach. The CC gave a recent example of this being that the Norwich district, on the morning of the 4 July 2023, came into ten missing persons cases just within the Norwich City district. The CC noted that it is these other areas of responsibility in which the police deal with, which are not necessarily crimes but are still important, that take up a significant amount of time and a lot of policing resources. The DCC noted that the force is moving to the Single Online Home provision which will give members of the public far greater digital access to the service, which the force hopes will help with 999 demand and maintaining 101 performance.

7. Police, Crime & Community Safety Plan 2022-24: Pillar 3 'Tackling Crime'

- 7.1** The DCC introduced the Pillar 3 report. Firstly, the DCC identified that Domestic Abuse positive outcomes are increasing which is very much driving

the overall arrest rates. The DCC confirmed that the force has been, appropriately and proportionately, pushing arrest rates as an investigative and safeguarding tool. Furthermore, the DCC highlighted how the force is understanding their datasets to ensure they have data provisions for the right people at the right time. The DCC then confirmed that the number of disruptions to Serious and Organised Crime has increased. He added that the force has been focusing on their County Lines activity where disruption, dismantlement and removal of County Lines coming into Norfolk has been substantial. Efforts have focussed here as this is an area where the force has identified significant visible harm occurring. The final point in which the DCC made was in relation to rape offences and Operation Soteria, confirming that Norfolk Constabulary do apply the Soteria principles, particularly working hard on engagement with victims. The DCC confirmed that the force has set up an engagement team who really focus on supporting victims. He also confirmed that detection rates are in double figures on a month-by-month basis which represents a positive increase.

- 7.2** The PCC asked about the positive hare coursing figures, decreasing 30.3% over the last 12 months and 52.4% against the long-term average, and how successes in this area can cross-pollinate other rural crime types. The DCC stated how the Constabulary's hare coursing reductions are clearly a success, and part of that success is working in collaboration across the 7 Forces and targeting coursers with civil legislation. The DCC also commented on how the forces network with local farmers and others in the rural community is strong, so they hear what these individuals are saying. He added that the force enforces the law, whether that be through seizing vehicles or dogs, and then pursuing it through the courts.

8. Police, Crime & Community Safety Plan 2022-24: Pillar 4 'Prevent Offending'

- 8.1** The Director of Local Policing Delivery Unit (DLPDU) outlined the report in relation to Pillar 4. Firstly, he referred to the Integrated Offender Management Scheme, which is continuing to do great work with partners. Of the 19 individuals who came off the scheme within this reporting period, the force saw a 71% reduction in their crime harm score compared with their year prior to joining the scheme. On the other side of this the DLPDU commented that within the cohort, 22% were charged with other offences and one in five had breached action taken against them by the Probation Service. The second point in which the DLPDU raised was in relation to the Domestic Abuse Perpetrator Partnership Approach (DAPPA) pilot, which is continuing its good efforts despite some staff retention issues. Furthermore, there has been some encouraging signs around the number of Stalking Prevention Orders increasing. Finally, the DLPDU mentioned that the encouraging figures around the number of young people aged between 10 and 17 years old entering the criminal justice system has continued to fall, something which has been an ambition of the whole partnership. Norfolk

now has a figure less than both the eastern region and national figures.

- 8.2** The PCC asked how much of what has been mentioned is dependent on grant funding as opposed to in-house consistent funding. The DLPDU stated that there are several pilots the force currently has going on and it is evaluating these to see how they are going to be sustained going forward.

9. Police, Crime & Community Safety Plan 2022-24: Pillar 5 'Support Victims'

- 9.1** The CC outlined the Pillar 5 papers suggesting that a lot of the key elements have been discussed elsewhere within the meeting. However, he mentioned that some of the highlights include the performance dashboards which have now been completed, which allow the force to better understand and support victims of crime. The CC added that the force continues to upskill their staff, more presentations have been delivered to leaders and managers around how they use the new dashboard to better drive compliance. In terms of investigations, the CC mentioned that Operation Investigate continue to develop training days for frontline officers and he believes that detection rates previously referred to are the best indicator of success in this area. Furthermore, the CC suggested that the Op Converter Team have been a part of the force's success in this area, who have achieved 200 positive outcomes of crimes by re-engaging with offenders and identifying further criminality amongst them. The PCC asked whether this is a one-off pilot, or will this be a sustained approach, as this does seem to be paying off. The CC confirmed that it is a team that has been funded for this year, but one in which the CC will do his best to keep funding next year, however there are a number of cost pressures facing the force. The CC stated that the force will always prioritise crime and the solving of crime. The CC then mentioned one area of significant pressure that the force faces is from the workload of the Victim and Witness Care Team; they are too regularly having to contact victims or witnesses telling them that court hearings are being rescheduled at short notice. The backlog in the criminal justice system is falling upon policing to support through the management of victims and witnesses. It is an area in which the force has had to grow and increase the size of the team on a temporary basis, however the CC stated that the staff within the team are fantastic and are doing an incredibly challenging job. The PCC mentioned that at the last Local Criminal Justice Board, he asked the regional director of His Majesty's Courts and Tribunal Service to go back and see whether there was funding from them to support this additional burden on policing as the police are carrying their financial risk. The regional director understands where the PCC was coming from and would do his best. The CC reiterated that it is a significant cost pressure to policing and resources have to be redirected in order to deal with this.

10. Police, Crime & Community Safety Plan 2022-24: Pillar 6 'Safer and Stronger Communities'

10.1 The DCC outlined the report in relation to Pillar 6. He highlighted how the new Commercial Vehicle Unit provide the force with specialist knowledge and investigative capability around commercial vehicles. The force does numerous action days where lorries are pulled over and do all the necessary checks and they are out on the roads building intelligence. The DCC mentioned that this is the forces response to the increase in commercial vehicles being involved in Killed or Serious Injured incidents. He also noted that the Commercial Vehicle Unit are also using their intelligence to disrupt serious and organised criminality, such as drug and human trafficking. The DCC went on to comment on how Norfolk has the lowest burglary rate in the country along with the lowest residential burglary rate in the country and that links in with Norfolk having a safer, stronger community. The PCC added how it is positive to see an increase in solved hate crimes, being up 30.2% in the last 12 months and 22.7% against the long-term average. The DCC noted that the force focuses vigorously on hate crimes, and these are looked at daily. He added that they also monitor community tensions and protest events, and the impacts these may have. The DCC further added that some of this is seasonal as a significant amount of hate crime happens in the public space. As autumn and winter approach there are fewer people in the public space so the force would expect to see a drop in the volume of hate crimes. The PCC then raised the issue of non-crime hate incidents and asked the DCC if these were included in the report figures. The DCC confirmed that the report relates to crime incidents only, however there is a balance to be drawn between the two.

11. Emerging Operational/Organisational Risks

11.1 There were no emerging operational/organisational risks discussed.

12. A.O.B

12.1 There was nothing discussed under Any Other Business.

13. Date of the Next Meeting

- 13.1** The PCC stated that the Police and Crime Panel, which was due to take place on the 17 July 2023, is being rescheduled.

- 13.2** The next PCC Accountability Meeting is scheduled to take place on Tuesday 17 October at 10:00am in the Office of the Police and Crime Commissioners Conference Room, Building 7, Falconers Chase, Wymondham.



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Giles Orpen-Smellie
Police and Crime Commissioner



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Paul Sanford
Chief Constable