

South Wales Police & Crime Commissioner

Annual Summary of Scrutiny and Oversight Activity

April 2019 – April 2020





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Introduction

The Police & Crime Commissioner for South Wales has a statutory duty and electoral mandate to hold South Wales Police to account on behalf of the public. He works to ensure the effective and efficient operation of the force by working together

with the Chief Constable, aiming to provide the best possible police service to South Wales.

The Commissioner uses a range of ways to ensure that formal scrutiny of the force takes place throughout the year. As well as the weekly contact he has with Chief Officers in the force, the Commissioner chairs a Strategic Board on a quarterly basis. This is where he formally holds the Chief Constable to account in relation to crime reduction, force performance, and the delivery of priorities in the Police & Crime Plan. Further detail on these arrangements are laid out in the jointly agreed Manual of Governance and Annual Governance Statement.

In addition to this Board, the Commissioner has established a scrutiny programme, which enables detailed ongoing oversight of policing issues and the ability to act as a critical friend. The programme is delivered through a range of groups, meetings and activities, with the purpose of ensuring that critical and constructive challenge can be provided and that positive improvements can be driven where needed.

This annual summary outlines the activity that was conducted via the scrutiny programme during the financial year 2019/20.

Scrutiny & Accountability Board

This Board meets every 6 weeks and is alternately chaired by the Deputy Police & Crime Commissioner and the Chief Executive. Every other meeting contains a 'deep dive' topic for scrutiny, which enables detailed analysis of a specific policing topic. The Commissioner's team ensures that partner agencies, victims of crime, and the wider public, can feed in as much as possible. The deep dive topics discussed during 2019/20 are outlined below.

Hate Crime and Anti-Social Behaviour (May 2019)

What was considered

As well as the consideration of force hate crime and ASB data, the Commissioner's team sought the views of hate crime victims and partner agencies. Issues considered were hate crime numbers and trends, victim experiences, and confidence to report.

Issues Identified

The key issues that arose during the deep dive were:

- That force Hate Crime Officers provided an excellent service, which victims highly appreciated.
- That good levels of ongoing police contact and support led to greater victim satisfaction and reassurance. Lack of police contact and lack of follow-up led to victim frustration.

- That many hate crime victims had experienced a number of hate incidents before deciding to report to the police. Response officers needed to bear in mind the whole case history when assessing risk and action to take.
- Online harassment was a particular issue for some minority groups. Some victims felt that officers sometimes saw this as a 'low level' issue and that they may not always understand the full extent of vulnerability of hate crime victims.
- That hate crime victims emphasised the importance of police officer training including input from victims with a 'lived experience' of the issues.
- The need for hate crime categories to be broken down further so that a true picture of hate incidents against specific communities was better understood.
- The need to ensure that all communities understood how to report hate crime and the benefits of doing so. Some were not aware of options available or the support they may receive if they reported.
- That a number of prevention initiatives for Anti Social Behaviour were ongoing, including in partnership with other agencies. There was a need to refocus some of this work.

Commissioner's Team Recommendations

A number of recommendations were made to the force following the deep dive, including:

- That officer training should include the lived experience of victims.
- That officer training and messaging should reinforce the disproportionate impact of incidents on hate crime victims, with a need to look beyond crime 'type'.
- That in order to encourage reporting, positive cases of hate crime should be publicised to show how victims are supported when they report.
- That accessible formats of hate crime reporting should be publicised and readily available, and that the force should ensure a range of survey formats are offered to victims when they asked for victim satisfaction feedback.
- That the introduction of hate crime sub-categories should be considered in order to enhance hate crime understanding across the force area.
- That there should be a joint re-marketing of the ASB community trigger.

Stalking, Harassment and Coercive Control (August 2019)

What was considered

As well as the consideration of force data, the Commissioner's team sought the views of officers, domestic abuse victims and partner agencies, and considered previous findings from Her Majesty's Inspectorate of Constabulary, Fire & Rescue Services (HMICFRS). There was a particular emphasis on victim experiences with the police, and escalating police demand in this crime type.



Issues Identified

The key issues that arose during the deep dive were:

- That good levels of ongoing police contact and support led to greater victim satisfaction and reassurance. Lack of updates led to increased stress and anxiety for victims of stalking, harassment or coercive control.
- That coercive control may be less understood by members of the public, who are not always aware they should not put up with the behaviour. More may need to be done to encourage understanding and reporting.
- That officer understanding of coercive control was still relatively new and that it was often more difficult for officers to identify and collect accurate evidence of this type of incident.
- That older people and disabled people in particular may be experiencing forms of coercive control without realising it. Appropriate messaging needed to reach all groups, including partner organisations providing support.
- That partner organisations suggested that positive case studies needed to be promoted to the public to show the benefits of reporting and that victims would be believed.
- That officers had received recent training on stalking, harassment and coercive control but that there was no specific way of measuring its effectiveness.
- That the force stalking and harassment 'Single Point of Contact' officers were proving helpful to disseminate advice and guidance to other officers across the force.
- That positive outcome rates for stalking were particularly low and differed across the force area. The national outcome codes were not considered to be helpful in this regard.

Commissioner's Team Recommendations

A number of recommendations were made to the force following the deep dive, including:

- That the impact of officer training on this subject should be better measured and monitored.
- That officer training and messaging should reinforce the need for statement taking to evidence victim impact.
- That positive outcome differentials for stalking should be closely monitored across the force, and reasons for low outcomes looked into where possible.
- That officers should be reminded of the need to ensure victim updates are prioritised in the case of vulnerable victims of this type.
- That in order to encourage reporting, positive cases of stalking, harassment and coercive control should be publicised to show that victims will be believed and supported.

Internal Culture and Wellbeing (November 2019)

What was considered

For this deep dive, the Commissioner's team sought the views of internal staff networks, associations and trade unions. Employment data was scrutinised and previous findings from Her Majesty's Inspectorate of Constabulary, Fire & Rescue Services (HMICFRS) were taken into account. Issues considered centred around how the force was promoting a positive internal culture of wellbeing and equality.

Issues Identified

The key issues that arose during the deep dive were:

- That there was a clear commitment from Chief Officers to promote mental wellbeing and equality across the force. This was widely accepted by staff associations and reflected in strategic planning. The messaging and commitment was not always filtering down in terms of implementation across all ranks.
- That the recently-introduced force 'Blue Light Champions' were providing a positive level of mental health support to officers and staff. There would be a benefit in further promotion of the roles and how to access them.
- That many staff and officers wanted more investment in diversity training
- That more analysis of grievance outcomes was required in order to assure learning was understood and disseminated.
- That ongoing involvement with officers and staff was required in order to build on recent staff surveys and monitor progress.
- That the force People & Organisational Development Strategy comprehensively set out the training and HR aims for the force and would enable ongoing scrutiny of progress.

Commissioner's Team Recommendations

A number of recommendations were made to the force following the deep dive, including:

- The need to establish clear measures to enable ongoing assessment of progress in the areas identified.
- The need for further promotion of the internal Blue Light Champion Scheme and for additional referral options to be considered.
- That consistent staff surveys should be regularly conducted to track changes and progress in terms of internal cultural issues.
- That differing methods of training or awareness-raising should be considered in order to enhance diversity knowledge across the force.

Victim Satisfaction (February 2020)

What was considered

As well as the consideration of force data in relation to crime levels, victim satisfaction and crime outcomes, the Commissioner's team sought the views of victims and South Wales Victim Focus. Public responses to the Commissioner's engagement survey in November 2019 were also considered, as were victim complaints submitted to South Wales Police in the previous 3 months. The aim was to consider victim experiences and the service they were receiving from South Wales Police.

Issues Identified

The key issues that arose during the deep dive were:

- That victim satisfaction rates were generally positive across the force
- That the South Wales Police Victim Insights Team sought to contact victims to discuss their satisfaction and overall service experience. The Commissioner's team would continue to dip sample the qualitative responses as they became available.
- That officer feedback and updates to victims were constant issues associated with overall victim satisfaction. Victims were much more likely to feel they had received a positive service if they had received regular updates on their case. Dissatisfaction and victim complaints to the force were often associated with lack of follow-up and updates.
- That the time taken for cases to resolve and for complaints to be investigated were often a source of frustration.
- That not all victims were being referred to support services early enough and that there were referral level inconsistencies in different areas of the force.
- That in general, crime volumes were rising and positive outcomes rates were decreasing. Work was taking place to better understand this issue and it was thought to be a national trend.
- That partner agencies were critical in some aspects of overall victim satisfaction, including Anti-Social Behaviour.

Commissioner's Team Recommendations

A number of recommendations were made to the force following the deep dive, including:

- Consideration of the need to break down victim satisfaction and victim support referral rates in each Basic Command Unit area of the force.
- The need for victim satisfaction to be monitored on an ongoing basis via the Commissioner's Partnership Board.
- That the Victims Strategy, currently in development, should incorporate issues discussed in the deep dive and be overseen by the Commissioner's team.

Additional Scrutiny by the Board

In addition to deep dive topics, the Scrutiny & Accountability Board conducted scrutiny of other policing issues during 2019/20. This included:

Knife Crime

The national and local picture of knife crime was considered, which included the analysis of crime data and trends in South Wales. South Wales Police violence prevention initiatives were discussed, as was the association of stop search use with increasing knife crime activity. This work was receiving ongoing attention via the Violence Prevention Unit, which both the Commissioner and force were involved in.

Stop & Search

Stop and search data was considered within the Board, including ethnic disproportionality and the use of Section 60 during 2019. The Section 60 approval system was discussed and a protocol developed, which included informing the Commissioner of the decision to use Section 60 as soon as practicable. Community perceptions and tensions were considered, particularly in relation to media portrayal of Section 60, and it was agreed that ongoing community engagement and internal monitoring was critical. During the year, the Commissioner's team engaged with young people about their experience of stop search in the area, and responses continued to feed in to scrutiny and oversight work.

Gender Pay Gap

The South Wales Police annual gender pay gap report was considered within the Board. The force was particularly asked to consider the disproportionality of bonus payments by gender, and as a result the force conducted further work in this area.

Fraud

The Board received an update on the force's response to fraud cases. The draft Fraud Policy was considered, and ongoing issues with reporting via Action Fraud were discussed. Vulnerability in relation to older people was also considered, as were initiatives to combat this.

Use of Force

Use of force was monitored within the Board, particularly in relation to ethnic disproportionality and the ages of those subject to force.

Automated Facial Recognition (AFR) Technology

The Board received updates on the deployment of AFR across the force, including reasons for use and the outcomes. Chief Officers noted the request that the Commissioner wished to be informed of AFR deployment as soon as practicable in each case. The Board discussed the AFR authorisation process and sign off levels.

Police Accountability & Legitimacy

Group (PALG)

PALG is chaired by the Commissioner's Chief Executive. The group meets quarterly and consists of external partner organisations and independent advisers who assist the Commissioner's team in providing a critical friend perspective of force performance and practice. During 2019/20 the group considered a number of issues, including:

Hate Crime

The findings of the hate crime deep dive were discussed at the group. Members fed in their views and discussed how the promotion of positive case studies could increase public confidence to report.

Public Complaints

The group discussed how to encourage minority groups to make complaints to the force when needed, including the use of accessible and easy to understand language for all communities about how to make a complaint.

Stalking, Harassment & Coercive Control

The findings of the stalking, harassment and coercive control deep dive were shared with the group. Members discussed how older people could be particularly susceptible to coercive control and how this messaging could be communicated. It was agreed that this should be considered within the 'Older People' workstream of the Joint Equality Plan.

Stop & Search (including Section 60)

The group discussed use of Section 60 and how decisions were made to use it. They monitored the outcomes of Section 60 use, as well as the force engagement that had taken place prior to and following its use. Stop search disproportionality by ethnicity was discussed within the group, and the group was able to comment on force efforts to understand and tackle this issue.

Use of Force

The group was given a demonstration of types of force that could reasonably be used and were able to question how tactics were used and decided on. Disproportionality of use was considered, particularly in relation to ethnicity. The group asked the force to provide information on the types of force used against children and young people. This was presented in detail at a later meeting, with appropriate explanation and reassurance provided.

Joint Independent Ethics Committee

This committee is jointly run by the Commissioner and Chief Constable. It contains external independent members and has an independent chair. The committee meets quarterly and discusses ethical dilemmas that the force is presented with, with the aim of offering independent opinion. During 2019/20 the issues considered included:

Use of Body Worn Video at Sudden Deaths

The committee discussed whether bodyworn video should be used by officers at all sudden deaths. The balance of gathering evidence versus family sensitivities were debated, and it was the opinion of the committee that bodyworn video use should be mandatory for all sudden deaths but that clear explanation should be provided in force policy to outline where it would be appropriate not to film.

Variable Service

Discussions took place around the force's proposals to adjust resources for certain incidents so that some could be investigated as a desktop exercise by the Incident Resolution Team, rather than having police attendance. Following extensive discussions, the committee was not averse to a policy of fair, variable service.

Speed Camera Exemptions

The committee discussed the proposal to change the speed camera activation procedure so there was a natural exemption process for emergency service vehicles. This would initially be limited to Roads Policing Unit officers. Implementation of the proposal would save hours of administrative processing, and a random dip sample check of activations throughout the year would be undertaken to ensure there was no abuse of process. The committee agreed there were no potential threats, harms or additional risks to the proposal, and that the proposal was proportionate, efficient and effective as long as the oversight system was in place.

Naloxone

The committee considered whether undercover officers should carry naloxone for use if someone had overdosed. Officers were not allowed to administer naloxone but it was available in custody suites and was carried by drug users as it was provided in treatment facilities. Committee members discussed the national positions and there was a general view that it was appropriate for officers to carry naloxone in future but that the dilemma would be raised to the National Group to ensure national consensus was considered.

Joint Audit Committee

This committee operates jointly between the Commissioner and force. It consists of independent members, with an independent chair. The committee provides an oversight and monitoring function, particularly in relation to financial and audit matters. During 2019/20 the issues considered included:

- The presentation of accounts



- Annual Governance Statement
- Audit reports received in relation to South Wales

Police and the Commissioner

- Reports and recommendations from Her Majesty's Inspectorate of Constabulary, Fire & Rescue Services (HMICFRS) □ Force risks, uncertainties and issues logs.

Other Oversight and Scrutiny

In addition to the scrutiny work via Boards and groups outlined in this report, additional oversight and monitoring work took place within the Commissioner's team during the year. This included attendance at 'Out of Court Disposal Scrutiny Panels', whereby a selection of criminal cases that had been settled out of court were considered for their fairness and appropriateness.

Also, public complaints made to South Wales Police were randomly assessed by the team, to ensure that the force appropriately and fairly considered the cases and used appropriate methods to investigate them. Police officer Body worn video footage was randomly reviewed by the team in order that stop search and use of force powers could be independently assessed for appropriateness and fairness. In addition, stop search and use of force forms completed by officers were assessed for accuracy and fairness. Finally, some physical site visits took place, including Commissioner team observation within the Public Service Centre to consider how callers were responded to, how hate crime victims were assessed for risk, and how mental health triage calls were undertaken by specialist mental health practitioners.

Conclusions

The oversight and scrutiny work that has taken place during 2019/20 has led to a number of recommendations, which South Wales Police is committed to working towards where possible. Ongoing monitoring and review of progress will continue within the Commissioner's scrutiny programme for 2020/21.

The Commissioner and his team are committed to ensuring that scrutiny of South Wales Police is a fair and positive activity, which looks to identify good practice where possible, and to proportionately challenge the force where appropriate and where improvements on behalf of the public can be made.

Thanks are extended to the crime victims, members of the public, partner agencies and independent advisers who have substantially contributed to the scrutiny and oversight work during the year.



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