

CAMBRIDGESHIRE POLICE AUTHORITY

PROFESSIONAL STANDARDS COMMITTEE:

Date: Monday 8th March 2010

Time: 4.00 pm until 5.50 pm

Location: Conference Room 3, Police Headquarters, Huntingdon

Present:

Members: Mr Benjamyn Damazer – Chairman
Mrs Jayne Wright – Deputy Chairman
Mr John Clark
Ms Ruth Joyce
Mr Kevin Wilkins

Executive Team: Dr Dorothy Gregson, Chief Executive
Mr Ronnie Yellon, Policy and Performance Manager
Miss Jackie Chapman, Committee and Support Services Officer
Ms Kate Dalziel, A/ICV and Engagement Co-Ordinator

Constabulary: Assistant Chief Constable Mark Hopkins
DCI Jason Gordon, Deputy Head of PSD

Other Attendees: Ms Rachel Cerfontyne, IPCC

1. To note any apologies

Three apologies were received from Mr Ansar Ali, Mr Ian Bates and Ms Shona Johnstone.

2. To note any Declarations of Interest

None were noted.

3. Questions and Statements from Members of the Public

None were received.

4. Any Other Items of Business that the Chairman decides should be considered as a matter of urgency pursuant to Section 100(B) (4) (b) of the Local Government Act 1972

None were received.

5. **To confirm the minutes of the meeting held on 30th November 2009**

The minutes of the meeting held on 30th November 2009 were accepted as a correct record and signed by the Chairman.

6. **Report of the Custody Visitors Panel meeting held on 8th March 2010**

The Chairman reported that the Custody Visitors Panel had considered a set of reports covering various topics including:-

- The Independent Custody Visitors (ICVs) Scheme and issues raised during the reporting period.
- An update on the local ICV Panel meetings.
- Work surrounding the implementation of 'Self Introduction'.
- The ICV Scheme Management (including an update on forthcoming events, recruitment and training).
- A positive report on the Animal Welfare Scheme.
- An update on the post HMIC/P Inspection of Cambridgeshire Constabulary Custody Facilities.
- The Authority's response to a ministerial letter regarding deaths in Police custody.

The Committee was satisfied with the ongoing work surrounding each issue.

RESOLVED:

- (i) *To note the oral update.*

7. **Overview of Complaints for the period 1st October 2009 to 31st December 2009**

The Committee received an overview of Complaints data dealt with by the Professional Standards Department for the third quarter of 2009/10.

The report gave details of Misconduct and Direction and Control issues; referrals made to the IPCC; improvements; comparative performance between reporting periods and improvements identified by the Constabulary to address specific aspects of performance.

The Constabulary reported that the number of recorded new complaint cases had increased by 19 cases from 291 in 2008/09 to 310 in 2009/10. Individual recorded complaints remained unchanged (516 in 2008/09 compared to 515 in 2009/10). The Constabulary further explained that incivility complaints showed a decrease by 35% (from 146 to 105), due to improvements made to existing processes to deal with complaints. The number of Unlawful Arrests, Breach of Code C PACE and Neglect of Duty did show significant increases. The Committee was assured that these areas would be closely monitored to identify any particular anomalies or trends.

The Constabulary discussed the recent restructuring of the Professional Standards Department. This included a new Inspector within the team to implement measures in compliance with point 10 of the Policing Pledge.

The Committee noted the figures for Complaints Resolution which showed that 41% of complaints finalised in 2009/10 had been resolved by means of investigation; 34% of these were found not proven, with 7% (33) found proven. Furthermore, the number of complaints resolved by Local Resolution in 2009/10 was 37%; a 2% increase compared with the 2008/09 year to date figures.

The Committee considered further detail relating to Complaint Referrals, Appeals, Conduct Data and Direction and Control Data. This was followed by a general discussion about the new IPCC statutory guidance which set out minimum standards for Constabularies in handling investigations.

The Committee asked the Constabulary to determine if there were any underlying issues regarding direction and control complaints. The Constabulary agreed to include an update on this issue in the next report to the meeting.

RESOLVED:

- (i) *To note the report.*
- (ii) *For the Constabulary to include an update in the next report to the meeting, outlining any underlying issues regarding direction and control complaints.*

8. Response to Members' Review of PSD Files

The Committee considered the results of the Professional Standards Departments' complaints files, which was carried out by Mr Benjamyn Damazer on 12th February 2010.

Mr Damazer reported that seven complaints files had been dip sampled and reviewed by one Member. This resulted in one query being raised regarding a PSD complaint file, which has since been actioned.

The Committee nominated Mr Ian Bates and Mr John Clark to conduct the next review of PSD Complaints Files, and report their findings to the Constabulary, for report back and discussion at the next Committee meeting

RESOLVED:

- (i) *To note the report.*
- (ii) *For the Policy and Performance Manager, Mr Ian Bates and Mr John Clark to arrange a suitable date for the next review of Complaints Files.*

9. Taser Update

The Assistant Chief Constable reported on the Constabulary's plans to extend the operational deployment of Taser devices to specially trained Officers across the organisation.

At previous meetings, the Committee have expressed concerns regarding the deployment and use of Taser. The Constabulary gave assurance that the latest report not only set out to address concerns, but also gave details on the anticipated set-up cost implications of the roll-out. The Committee noted that the costs (£45k in total) would be found from within existing budgets.

Despite this assurance, the Committee continued to express some reservations about the extended use of Tasers. The Committee asked for an update report to the next meeting providing clarity that the Constabulary have strict monitoring controls in place regarding this issue.

The Assistant Chief Constable confirmed that a draft Taser policy (currently awaiting approval by the Project Working Group) would provide public assurance and address the Committee's concerns.

RESOLVED:

- (i) *To note the report.*
- (ii) *For the Constabulary to provide a report to the next meeting detailing the strict controls in place regarding the extended use of Tasers, and providing clarity and public assurance on this issue.*

10. Retention of DNA

The Assistant Chief Constable outlined the Constabulary's position regarding the retention of DNA from persons suspected, but not convicted.

The Committee was informed that to date, Cambridgeshire have followed procedures and been compliant with the national guidance. Since 2004 (and notably since the 4th December 2008 ruling), several requests have been made by unconvicted arrestees wanting their samples removed. Following a strict criteria, the Constabulary have retained these samples. However, in some 'exceptional cases', eleven DNA Fingerprints and PNC records have been amended. Two specific arrests/conviction data records have been removed (but DNA and Fingerprint information retained) with the other nine records, being removed entirely.

The Committee acknowledged the complexities surrounding the retention of DNA samples and the recent media coverage on this issue. One Committee Member registered his specific concerns regarding Cambridgeshire's existing policies, and notably the legality of ACPO's position and any long term legal implications for any 'unlawful' retention. The Committee Chairman agreed to consider the existing legal advice obtained from other Forces on this matter.

To conclude the discussion, the Committee was assured that Cambridgeshire Constabulary currently operates its retention of DNA samples, in accordance with national ACPO guidance.

RESOLVED:

- (i) *To note the report.*
- (ii) *For the Chairman of the Committee consider the existing legal advice obtained from other Forces.*

11. Learning the Lessons Bulletin 8

The Constabulary presented a report which summarised Cambridgeshire's response to the eighth 'Learning the Lessons' Bulletin.

The Committee was reminded that the Bulletins are published by the Independent Police Complaints Commission (IPCC) and detail investigations carried out into a range of national Police matters and their outcomes.

The Committee was generally satisfied with Cambridgeshire's response to each of the points raised. However, the Assistant Chief Constable agreed to confirm the latest position regarding two specific issues which were raised. These related to:-

- Whether or not the Constabulary would be receiving any future Home Office financial support to purchase defibrillators for use in Police vehicles and custody suites? And,
- If any appropriate training was in place for front-line Police Officers on 'suicide intervention', and how this fits into the wider training strategy.

The Committee noted that this information would be provided at, or prior to the next meeting.

RESOLVED:

- (i) *To note the report.*
- (ii) *For the Assistant Chief Constable to confirm the Constabulary's position regarding the two specific issues raised (as highlighted above).*

12. Exclusion of the public

The Chairman directed that under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Clauses 1 and 2 of Part 1 of revised Schedule 12A to the Act.

Summary of minutes excluded from public deposit**13. Consideration of Individual Complaints and Discipline Matters (Constabulary)**

The Committee considered details of specific complaints that had been investigated for more than 120 days; complaints that had been referred to the IPCC and details of Officers who were currently subject to Suspension, Restriction or Service Confidence.

RESOLVED:

- (i) *To note the report. No further actions/decisions agreed.*

14. Review of Persistent Complainant

The Committee endorsed the continuation of the specific application of the 'restricted communications policy' with regards to a persistent complainant.

RESOLVED:

- (i) *To note the report and endorse the agreed course of action.*

15. Consideration of Individual Complaints and Discipline Matters (Police Authority)

The Committee was updated on the outcomes of issues and complaints made against Chief Officers since the last report was received on 27th August 2009.

RESOLVED:

- (i) *To note the report. No further actions/decisions agreed.*

16. Date of the next meeting

It was noted that the next Professional Standards Committee meeting would be held on **Wednesday 12th May 2010 at 4.00 pm** at Police Headquarters, Huntingdon.

CHAIRMAN