



## Police Committee

**Date:** FRIDAY, 24 JULY 2015  
**Time:** 11.00 am  
**Venue:** COMMITTEE ROOMS, 2ND FLOOR, WEST WING, GUILDHALL

**Members:** Deputy Henry Pollard (Chairman)  
Deputy Douglas Barrow (Deputy Chairman)  
Mark Boleat  
Simon Duckworth  
Lucy Frew  
Alderman Alison Gowman  
Alderman Ian Luder  
Vivienne Littlechild  
Helen Marshall (External Member)  
Deputy Joyce Nash  
Deputy Richard Regan  
Lucy Sandford (External Member)  
Deputy James Thomson

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**Lunch will be served in the Guildhall Club at 1pm**  
**NB: Part of this meeting could be the subject of audio or video recording**

**John Barradell**  
**Town Clerk and Chief Executive**

# AGENDA

## Part 1 - Public Agenda

1. **APOLOGIES**
2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
3. **MINUTES**  
To agree the public minutes and summary of the meeting held on 20 May 2015.  
**For Decision**  
(Pages 1 - 8)
4. **OUTSTANDING REFERENCES**  
Report of the Town Clerk.  
**For Information**  
(Pages 9 - 10)
5. **STANDARD ITEM ON THE SPECIAL INTEREST AREA SCHEME**
6. **THE CITY OF LONDON CORPORATION PREVENT STRATEGY 2015/16**  
Report of the Assistant Town Clerk.  
**For Information**  
(Pages 11 - 20)
7. **ANNUAL REPORT ON PROFESSIONAL STANDARDS ACTIVITY - 2014/15**  
Report of the Commissioner of Police.  
**For Information**  
(Pages 21 - 34)
8. **COMMUNITY REMEDY DOCUMENT**  
Report of the Commissioner of Police.  
**For Decision**  
(Pages 35 - 40)
9. **ANNUAL OUTTURN REPORT**  
Report of the Chamberlain (TO FOLLOW).  
**For Information**
10. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
11. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
12. **EXCLUSION OF THE PUBLIC**  
MOTION - That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

## Part 2 - Non-Public Agenda

13. **NON-PUBLIC MINUTES**  
To agree the non-public minutes of the meeting held on 20<sup>th</sup> May 2015.  
**For Decision**  
(Pages 41 - 44)
14. **ACTION AND KNOW FRAUD PROCUREMENT**  
Report of the Commissioner of Police.  
**For Decision**  
(Pages 45 - 52)
15. **GATEWAY 3 ISSUE REPORT: POLICE ACCOMMODATION PROJECT**  
Report of the Chamberlain, City Surveyor and Commissioner of Police.  
**For Decision**  
(Pages 53 - 84)
16. **INTEGRATED SUBSTANCE MISUSE AND TOBACCO CONTROL SERVICES TENDER**  
Report of the Director of Community and Children's Services.  
**For Information**  
(Pages 85 - 90)
17. **COMMISSIONER'S UPDATES**  
Commissioner to be heard.
18. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
19. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

## Part 3 - Members Only Agenda

20. **CITY OF LONDON POLICE CHANGE PROGRAMME**  
Report of the Commissioner of Police.  
**For Information**
21. **RECRUITMENT OF COMMISSIONER**  
Report of the Town Clerk.  
**For Decision**

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## **POLICE COMMITTEE** **Wednesday, 20 May 2015**

Minutes of the meeting of the Police Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Wednesday, 20 May 2015 at 11.00 am

### **Present**

#### **Members:**

Deputy Henry Pollard (Chairman)  
Mark Boleat  
Lucy Frew  
Alderman Alison Gowman  
Alderman Ian Luder  
Deputy Joyce Nash  
Deputy Richard Regan  
Deputy James Thomson

#### **Officers:**

Katie Odling	Town Clerk's Department
Alex Orme	Policy Officer
James Goodsell	Policy Officer
Steve Telling	Chamberlain's Department
James Bradshaw	City Surveyor's Department
Doug Wilkinson	Department of the Built Environment
Commander Wayne Chance	

#### **City of London Police:**

Adrian Leppard	Commissioner
Ian Dyson	Assistant Commissioner
Eric Nisbett	Director, Corporate Services
Hayley Williams	Chief of Staff
Stephen Head	Commander, Economic Crime
Commander Wayne Chance	Commander, Operations

### **1. APOLOGIES**

Apologies for absence were received from Deputy Doug Barrow, Simon Duckworth, Vivienne Littlechild and Helen Marshall.

### **2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

There were no declarations of interest.

### **3. APPOINTMENT OF COMMITTEE**

RESOLVED – That the Order of the Court of Common Council appointing the Committee and approving its Terms of Reference be received.

4. **ELECTION OF CHAIRMAN**

RESOLVED – That Henry Pollard be elected Chairman in accordance with Standing Order 29 for the ensuing year.

5. **ELECTION OF DEPUTY CHAIRMAN**

RESOLVED – That Deputy Doug Barrow be elected Deputy Chairman in accordance with Standing Order 30 for the ensuing year.

6. **MINUTES**

1a. **RESOLVED - That the minutes of the meeting held on 26 March 2015 be approved.**

**Barbican Area CCTV** – Members were informed that the responses to the consultation had been positive and a decision regarding POCA funding would be given consideration at the forthcoming Police POCA Board meeting.

2a. **RESOLVED - That the draft minutes of the Professional Standards and Integrity Sub (Police) Committee held on 6 February 2015 be received.**

3a. **RESOLVED - That the draft minutes of the Performance and Resource Management Sub (Police) Committee held on 18 March 2015 be received.**

7. **OUTSTANDING REFERENCES**

RESOLVED – That the list of Outstanding References be noted.

8. **APPOINTMENT OF REPRESENTATIVES TO THE SUB COMMITTEE**

The Committee considered a report of the Town Clerk which recommended a number of internal and external appointments for 2015/2016.

The Chairman expressed thanks to Deputy Joyce Nash for her invaluable contribution as Chairman of the Professional Standards and Integrity Sub Committee over the last 3 years. He also expressed thanks to Dhruv Patel who has served as the co-opted Member on this Sub Committee for the last year.

RESOLVED – That:-

a) the Terms of Reference be noted;

b) the appointment of the two Sub Committees and the Economic Crime Board be agreed as follows:-

**ECONOMIC CRIME BOARD**

Mark Boleat

Lucy Frew

Helen Marshall

Simon Duckworth

Deputy Richard Regan

(In addition to the Chairman and Deputy Chairman of the Police Committee who are appointed as ex-officio Members).

**PERFORMANCE AND RESOURCES MANAGEMENT SUB COMMITTEE**

Deputy Doug Barrow  
Deputy Joyce Nash  
Alderman Alison Gowman  
Deputy James Thomson  
Vacancy

(In addition to the Chairman and Deputy Chairman of the Police Committee who are appointed as ex-officio Members).

**PROFESSIONAL STANDARDS AND INTEGRITY SUB COMMITTEE**

Deputy James Thomson  
Vivienne Littlechild  
Helen Marshall  
Alderman Alison Gowman  
Deputy Richard Regan  
Lucy Sandford

(In addition to the Chairman and Deputy Chairman of the Police Committee who are appointed as ex-officio Members).

- c) the Chairmen for the two Sub-Committees and Economic Crime Board be appointed as follows:

**Economic Crime Board**

Simon Duckworth

**Professional Standards and Integrity Sub-Committee**

Alderman Alison Gowman

**Performance and Resource Management Sub-Committee**

Deputy Douglas Barrow

- d) the Co-opted Member of the Professional Standards Sub Committee and the Economic Crime Board be appointed as follows –

**Economic Crime Board**

Nick Bensted-Smith

**Professional Standards and Integrity Sub-Committee**

James Tumbridge

- e) the appointments to various internal and external bodies be agreed as follows:

**Streets and Walkways Sub Committee**  
Alderman Alison Gowman

**Safer City Partnership**  
Deputy Henry Pollard

**Association of Police and Crime Commissioners**  
Simon Duckworth

- f) meetings be agreed as follows:-
- 8 times a year for the Police Committee;
  - Quarterly meetings for Board and the two Sub-Committees.

**9. ATTENDANCE AT SUB COMMITTEE MEETINGS**

The Committee received a report of the Town Clerk which provided details of attendance by Members at meetings of the two Sub Committees and the Economic Crime Board.

This report was requested following a discussion at the last meeting of the Police Committee regarding inquorate meetings. The Town Clerk would canvass Members following the meeting to establish preferred meeting days and times.

RESOLVED – That the report be noted.

**10. SPECIAL INTEREST AREA SCHEME 2015/16**

The Committee considered a report of the Town Clerk which set out the arrangements for the Special Area Interest (SIA) Scheme for 2015/2016 and requested Members to confirm appointments to each of these areas.

Deputy Joyce Nash, former Chairman of the Professional Standards and Integrity Sub Committee expressed gratitude to the Superintendent, Professional Standards Directorate and his team for their excellent work.

The Chairman thanked Don Randall, former External Member of the Police Committee for his work as Lead Member of the Anti-Social Behavior portfolio.

RESOLVED – That report be noted and Lead Members be appointed as follows –

Business Improvement and Change and Performance and Risk Management	Deputy Barrow
Professional Standards and Integrity	Alderman Gowman
Equality, Diversity & Human Rights	Lucy Sandford
Counter Terrorism	Mr Duckworth
Strategic Policing Requirement Overview	Deputy Pollard
Economic Crime /Fraud	Mr Duckworth



Accommodation/Infrastructure	Deputy Thomson
Road Safety	Alderman Gowman
Public Order	Deputy Barrow
ICV Scheme	Vivienne Littlechild
Anti-Social Behaviour and Community Engagement	Vivienne Littlechild

**11. INDEPENDENT CUSTODY VISITING SCHEME ANNUAL REPORT**

The Committee considered a report of the Town Clerk which updated on the progress of the City of London’s Independent Custody Visiting (ICV) Scheme.

It was suggested that the Force should involve the ICV’s in helping shape the new custody suites. Commander of Operations agreed to investigate alternate ways for ICV’s to enter Bishopsgate Police Station in light of the current security threat level.

The Chairman expressed thanks to Peter Tihanyi for his work as Chairman of the ICV Panel.

RESOLVED – That the report be noted.

**12. STANDARD ITEM ON THE SPECIAL INTEREST AREA SCHEME**

**1a. Community Engagement Update**

The Committee received a report of the Commissioner of Police which provided details of issues raised at Ward level and the Force response since the last report was presented to the Committee in January 2015.

The Commander of Operations expressed thanks to Vivienne Littlechild, Lead Member for her contribution and involvement in the previous year.

At the request of one Member, the Commissioner of Police agreed to contact Westminster Courts regarding disposals made available to Magistrates for lesser acquisitive crimes, as there seemed to be a different approach in the City of London to that in Westminster.

The Committee discussed the *#WeStandTogether* campaign which was launched with involvement from the Prevent Engagement Team and the Volunteer Cadets. The campaign promotes trust, integration and cohesion within communities and police forces across the UK were promoting the message. Members were informed that as part of this Agenda, work was being undertaken around early year’s intervention. The Commander of Operations expressed thanks to the Cadets for their hard work.

With regards to the ‘Hotelwatch’ Scheme in the City, Members were informed that there has been an increase in communication between hotels and it was anticipated that eventually hotels would manage this process themselves.

RESOLVED – That the report be noted.

## **2a. Equality Diversity and Human Rights (EDHR) Update**

The Committee considered a report of the Commissioner of Police which provided an update on the key Equality, Diversity and Human Rights (EDHR) related activities conducted by the Force since the last report.

RESOLVED – That the report be noted.

## **13. NATIONAL LEAD FORCE STRATEGIC DOCUMENTS**

The Committee received a report of the Commissioner of Police concerning the National Lead Force Strategic Documents.

Commander Economic Crime congratulated Town Clerks for their work in securing pan- London funding from the MOJ for victims of fraud.

The Chairman expressed thanks to Commander Economic Crime and his team for the delivery of the EDHR related activities.

The Committee noted that the Economic Crime Board had requested that further work on the format of the report was needed and suggested images should be altered to avoid potential stereotyping.

RESOLVED – That the report be noted.

## **14. CITY OF LONDON POLICE ANNUAL REPORT 2014-15**

The Committee received the draft City of London Police Annual Report for 2014/15.

RESOLVED – That the report be approved subject to any final comments to be submitted by 1 June 2015.

## **15. PUBLIC SECTOR PENSIONS REFORM**

The Committee considered a report of the Chamberlain regarding the establishment of a Local Pensions Board: Police Pensions Scheme.

RESOLVED – That a Police Pensions Board as a Sub Committee of the Police Committee be established, comprising 3 Employer and 3 Scheme Member representatives, in accordance with the Police Pension Scheme Regulations and the draft Terms of Reference.

## **16. POLICE ICT COMPANY**

The Committee considered a report of the Chief Information Officer which proposed that the City of London Corporation joined the national Police ICT Company.

RESOLVED – That authority be delegated to the Town Clerk, in consultation with the Chairman and Deputy Chairman of Police Committee, to join the

national Police ICT Company at the cost of £25,000, subject to the agreement of suitable terms and final signoff by the Comptroller and City Solicitor.

**17. SERIOUS CRIME ACT**

The Committee received a report of the City Remembrancer which provided an overview of the main provisions of the Serious Crime Act 2015.

RESOLVED – That the report be noted.

**18. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

**19. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There were no items of urgent business.

**20. EXCLUSION OF THE PUBLIC**

RESOLVED – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of the Schedule 12A of the Local Government Act.

**21. NON-PUBLIC MINUTES**

1a. **RESOLVED - That the the non-public minutes of the meeting held on 26 March 2015 be approved.**

2a. **RESOLVED - That the draft minutes of the Professional Standards and Integrity (Police) Sub Committee held on 6 February 2015 be received.**

**22. REPORT ON ACTION TAKEN**

The Committee received a report of action taken under Urgency procedures since the last meeting in relation to the provision of Custody Healthcare.

RESOLVED - That the report be noted.

**23. CITY OF LONDON POLICE- FUTURE OF THE MOUNTED BRANCH**

The Committee considered a report of the Commissioner of Police regarding the future of the Mounted Branch.

**24. LEADERSHIP DEVELOPMENT PROGRAMME**

The Committee considered a report of the Commissioner of Police regarding the procurement of services for the Leadership Development Programme.

**25. GB GROUP CONTRACT AND WAIVER OF PROCUREMENT REGULATIONS**

The Committee received a report of the Commissioner of Police regarding the GB Group contract and waiver of procurement regulations.

26. **NHS COMMISSIONING OF HEALTHCARE IN POLICE CUSTODY UPDATE**  
The Committee received a report of the Commissioner of Police regarding the NHS Commissioning of Healthcare in police custody.

**EXTENSION OF THE MEETING**

At this point, the time limit for Committee meetings as set out in Standing Order No 40 had been reached, but there being a two-thirds majority of the Committee present who voted in favour of an extension, the Committee agreed to continue the meeting.

27. **SALE OF BERNARD MORGAN HOUSE, 43 GOLDEN LANE, LONDON EC1Y 0RS**

The Committee received a report of the City Surveyor regarding the sale of Bernard Morgan House, 43 Golden Lane.

28. **COMMISSIONER'S UPDATES**

The Commissioner of Police was heard concerning on-going and successful operations undertaken by the City of London Police.

29. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

30. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There were no items of urgent business.

**The meeting ended at 1.10 pm**

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Chairman

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## POLICE COMMITTEE

24 July 2015

### OUTSTANDING REFERENCES

Meeting Date & Reference	Action	Owner	Status
23/05/14	Delivery of Police Uniform	Commissioner of Police	<b>In progress- The Uniform has been received and is being issued to officers in a planned roll out.</b> .
08/12/14 Item 5 – Road Safety	Commissioner undertook to bring a report back to outline the plan for prevention strategies and explore suggestions put forward by Members in relation to pedestrian inattention as the main cause of collisions at present.	Transportation and Public Realm Director supported by CoLP	<b>In progress</b> Report to the Committee on 25 September 2015
08/12/14 Item 8 – New Anti-Social Behaviour, Crime and Policing Act 2014 – Delegated Powers	The Police Committee, in partnership with the City Of London Police, be responsible for the production of a Community Remedies document.	COLP/ Assistant Director Street Scene, Strategy & Safer City Partnership	<b>In progress</b> Report to the Committee on 24 July 2015
26/02/15 Public Realm Safety	A feasibility study will be undertaken 2015/16 with funded from the Home Office. Dialogue currently on-going with H/O to release funds to start study.	Assistant Director, Environmental Enhancements	Interim updates to be provided to committee with a Gateway 3 report being brought to the Committee when feasibility study complete no later than March 2016
20/05/2015 Community Engagement Update	The Commissioner of Police agreed to contact Westminster Courts regarding disposals available to Magistrates for lesser acquisitive crimes.	Commissioner of Police	Head of CJU has been progressing this with enquiries to Westminster and the Commander Ops will provide a verbal update to Members at the July meeting. .

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<b>Committee(s)</b>	<b>Dated:</b>
Policy and Resources Committee – For Decision Community and Children’s Services – For Information Court of Common Council – For Decision Police Committee – For Information	23/06/2015 10/07/2015 23/07/2015 24/07/2015
<b>Subject:</b> The City of London Corporation Prevent Strategy 2015/16	<b>Public</b>
<b>Report of:</b> The Assistant Town Clerk	<b>For Information</b>

## Summary

The Prevent Strategy 2015/16 sets out how the City of London Corporation will fulfil its new duty to have ‘due regard to the need to prevent people from being drawn into terrorism’ introduced within the Counter Terrorism and Security Act 2015. Key aspects of the strategy include:

- Developing an understanding of the threat of terrorism through a Counter Terrorism Local Profile and managing the risks of radicalisation.
- Building a strong relationship with the Prevent lead officers in key agencies and the surrounding London Boroughs.
- Introduce a new Channel Process including the formation of a multi-agency Channel Panel which will assess those identified as being at risk of radicalisation and take steps to protect and de-radicalise these individuals.
- Ensure robust information sharing systems are in place.
- To provide staff and contractors with an understanding of our duty under Prevent.

Finally, as part of its central monitoring role, the Home Office will scrutinise the implementation of the duty and where concerns of non-compliance are raised, various powers to intervene can be used.

## Recommendation(s)

1. Members of the Policy and Resources Committee are invited to recommend the Prevent Strategy 2015/16 to the Court of Common Council.
2. Members of Community and Children’s Services Committee and Police Committee are invited to note the content of the Prevent Strategy 2015/16.

## **Main Report**

### **Background**

The Government's Prevent Strategy which was published in 2011, sets out an intention to combat radicalisation at an early stage in order to stop people becoming involved in terrorism. Prevent comprises one aspect of the Government's overall counter-terrorism strategy called CONTEST. Following on from this, the Government's Counter Terrorism and Security Act which was published in 2015, places a duty on local authorities (along with various other public bodies) to "have due regard to the need to prevent people from being drawn into terrorism." This duty applies to the Common Council in the exercise of its functions as a local authority and as a police authority.

### **Current Position**

Since formal guidance was published by the Home Office in February 2015, lead officers on Prevent from the City of London Corporation and City of London Police have been working across a number of areas to ensure that the organisation is prepared to fully comply with the Prevent duty when they are introduced in July 2015. The City of London Prevent Strategy 2015/16 (appendix 1) sets out a number of key priorities to address radicalisation and comply with the duty which include:

- Developing an understanding of the threat of terrorism to the City of London through the City of London Police Counter Terrorism Local Profile.
- Managing the risks of radicalisation through introducing Prevent considerations to community engagement, safeguarding and venue hire arrangements.
- Building a strong relationship with the Prevent lead officers in surrounding boroughs, especially those identified as Prevent Priority Areas.
- The introduction of the Channel Process including the formation of a Channel Panel which will assess the extent to which identified individuals are vulnerable to being drawn into terrorism and will work closely with such individuals to de-escalate the radicalisation process.
- Ensure strong information sharing systems are in place to provide appropriate support which meets the needs of at risk individuals and informs the Channel process.
- Provide staff and contractors with an understanding of our duties under Prevent through the delivery of a tailored Prevent training programme.

Several workstreams are now in place to develop and implement the strategy through a more detailed Prevent Delivery Plan. The Prevent Delivery plan will be managed by a multi-agency Prevent Partnership Group including Prevent lead officers from the Community Safety Team, City of London Police and Community and Children's Services. This group will inform the work of the City of London Police's overall Counter-Terrorism CONTEST Steering group and report regularly to the Strategic Resilience Group and Safer City Partnership.

### **Government oversight**

It is worth noting that as part of fulfilling its central monitoring role, the Home Office will scrutinise local prevent action plans, project impact and overall performance.



Where there are concerns that a local authority is not complying with its duties under prevent, the Secretary of State has the power to appoint an inspector to assess compliance with statutory 'best value' duty and intervene if it is failing. Intervention could include requiring the organisation to perform a specific action, transfer of functions or a local enquiry.

### **Corporate & Strategic Implications**

The Prevent strategy forms part of the City of London Corporation's strategic aim to: *'provide modern, efficient and high quality local services, including policing, within the Square Mile for workers, residents and visitors'*.

It will also form part of the City Of London Police '*Counter Terrorism*' priority within the City of London Policing Plan.

### **Conclusion**

The Prevent strategy is intended to guide the City of London Corporation's approach to address issues of radicalisation and prevent people from being drawn to terrorism in compliance with its duty under the Counter Terrorism and Security Act 2015. This subject is likely to be a key priority for the Government in the coming years, especially with regards to the contribution of local authorities. The organisation will therefore look to maintain an up to date strategy moving forward based on current legislation and feedback from Community groups across the City.

### **Appendices**

- Appendix 1 – The City of London Prevent Strategy 2015/16

### **James Goodsell**

Policy Officer

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## Appendix 1



# City of London Prevent Strategy 2015-16

<b>Lead Author:</b>	James Goodsell - Policy Officer
<b>Document Owner:</b>	Town Clerks
<b>Approved/Agreed by:</b>	Summit Group Policy and Resources Committee
<b>Issue Date :</b>	23 July 2015
<b>Review Due Date :</b>	23 July 2016

## Introduction

Radicalisation is driven by an ideology which sanctions the use of violence and encourages the rejection of a cohesive and integrated society. Often those who are most vulnerable are deliberately targeted through a narrative which makes this ideology seem as both attractive and compelling.

The City of London has experienced first-hand the devastating effects of radicalisation in recent years. From the bombing of the London Underground at Aldgate in 2005, marches by the far-right organisations in 2014 and the recruitment of young people in 2015 from a neighbouring borough to join an international terrorist group. In order to protect our communities, we must provide those at risk of radicalisation with the support and guidance needed to turn away from violence.

The Prevent Strategy 2015/16 sets out the overall approach of the City of London Corporation in tackling terrorism and radicalisation to fulfil its duty under the Counter-Terrorism and Security Act 2015. This strategy is intended to act as a foundation, upon which a detailed Delivery Plan will be built. This subsequent Delivery Plan will articulate the wide range of projects and initiatives which the City of London Corporation undertakes to promote unity and engagement within its communities.

## National Context

### Contest

The United Kingdom's long term strategy for countering terrorism is called CONTEST. Published in 2011, its aim is 'to reduce the risk to the UK and its interests overseas from terrorism, so that people can go about their lives freely and with confidence'.

The four key elements of CONTEST are as follows:

- Pursue: to detect and disrupt the threat of terrorism
- Protect: to strengthen infrastructure from attack
- Prepare: to reduce the impact of an attack by ensuring an effective response
- Prevent: to tackle radicalisation and stop people becoming terrorists

### Prevent

The focus of Prevent lies primarily on early intervention before any illegal activity takes place and hence operates in the non-criminal space. Under Section 26 of the Counter-Terrorism and Security Act 2015, a duty is placed on the City of London Corporation in the exercise of its functions, to have 'due regard to the need to prevent people from being drawn into terrorism'. The related National Prevent Strategy outlines three strategic strands to help inform our local response. These are set out below:

1. **Ideology:** This involves the challenging of radical ideology and the disruption the ability of terrorist groups to promote it. This will include a greater number of projects around education, communities and the criminal justice system.
2. **Supporting Vulnerable Victims:** To build upon existing multi-agency frameworks to identify and support people at risk of radicalisation. This will include the use of the Channel process and draw on expertise from local authorities, policing and other partnership organisations including community organisations.
3. **Working with other sectors:** Priority areas include education, faith, health, criminal justice and charities. There should be no 'ungoverned spaces' in which extremism is allowed to flourish without firm challenge and where appropriate legal intervention.

The Prevent Strategy places an emphasis on local delivery and partnerships. While the role of policing is important, Prevent is not solely a policing programme. It requires a multi-agency response – key partners include Local Authorities, Schools, Higher Education, Further Education, the Health Sector, Prisons and Probation.

## **City of London Context**

The City of London is a unique demographic area, quite unlike any other location within the United Kingdom. While the residential population numbers approximately 9,500, the City is also home to 15,000 businesses employing over 375,000 people. Due to its iconic attractions, the City of London also welcomes large numbers of visitors daily. With major transport infrastructure improvements including the completion of Crossrail in 2018, these numbers are likely to rise significantly in the coming decade.

As a whole, 79% of the residential population describe themselves white, 13% as Asian and 3% as Black. However, these statistics disguise significant contrast between residential areas. For example, on the Barbican Estate 85% of residents are white whereas on the Mansell Street Estate 47% of residents describe themselves as Asian. Such contrast is also reflected in socio-economic outlook with only 5% of residents on the Barbican Estate in social housing compared to 95% of residents on the Mansell Street Estate, with the area ranked in the 40% most deprived areas of the country.

There are five schools within the City of London, four of these are run independently and one provides state education. There are also two main universities within the City of London and two university campuses.

In addition, the City of London Corporation is an education and childcare specified authority for five schools, four academies and one independent school, which are located in other local authorities.

Finally, the City of London Corporation also has a responsibility for a number of publically owned venues and spaces. These range from major cultural institutions such as the Barbican Centre and Tower Bridge to community halls, libraries and large open spaces such as Hampstead Heath and Epping Forest.

## **A Risk based approach**

### **The Threat**

All terrorist groups who pose a threat seek to radicalise and recruit people to their cause. Radicalisation is driven by an ideology which sanctions the use of violence and acts of terrorism or seeks to popularise extreme views which terrorists can exploit. It is often conducted by using grooming techniques to isolate vulnerable individuals from their communities and support networks. The greater use of the internet and the growing interest in social media facilitates the easy circulation of extremist ideology and can be used by terrorist groups to target vulnerable individuals and those at risk.

### **Managing the Risk**

To effectively carry out our duties in preventing people being drawn to terrorism, we must demonstrate an understanding of the risk of radicalisation and take necessary measures to manage it. The City of London Counter Terrorism Local Profile which is produced by the City of London Police will be used as a foundation in identifying risk and driving our overall approach.

The City of London Corporation has developed strong and constructive relationships with our resident and community interest groups. For example, we regularly contribute to Bengali community awareness days and provide support to the Mansell Street Islamic Woman's

Group. These groups should be engaged in order to encourage the sharing of information and to work against the distribution of extremist ideology. We will continue to utilise these existing relations and structures within our communities to counter extremism and radicalisation.

We must also apply a tailored approach in our engagement with our business community - making use of our existing connections through the Economic Development Office, the City Police and the Safer City Partnership. Programmes such as the Safer City Partnership's Hotel Forum can provide a platform to raise awareness with hoteliers across the City. Dialogue through our links to membership groups such as the Livery Companies should be encouraged.

With the growing number of children and young people across the country being influenced and radicalised, we must ensure that we have clear channels of communication with all our education establishments and their designated prevent coordinators. We will also work closely with the City Police to ensure that Higher & Further Education establishments are provided with the support they need to comply with their duties under Prevent. This includes facilitating dialogue to ensure that policies and procedures are in place for the management of events on campus and the use of all university premises.

Our duties also extend to schools where the City of London Corporation acts as the proprietor. We are committed that these schools continue to be safe places in which children and young people can understand and discuss sensitive topics, including terrorism and extremist ideas that are part of the terrorist ideology, and learn how to challenge these ideas. Schools covered by our duty include a number located within the boundary of the City of London.<sup>1</sup> For those located outside the boundary but for which we remain proprietor<sup>2</sup>, we will work with our partners including local authorities and co-sponsors to ensure adequate measures are in place.

Within the schools identified, we will support designated Prevent Coordinators to maintain robust safeguarding policies and ensure IT facilities are equipped with adequate filters to protect children from terrorist and extremist material when accessing the internet. In addition, we will assist Prevent Coordinators in providing training to school staff which provides them with knowledge and confidence to identify children at risk of being drawn to terrorism, challenge extremist ideas and ensure staff know how to refer children and young people for further help.

We will also ensure appropriate support services are available and provided to schools located within the City of London Boundary for situations that are outside of the Prevent duty.<sup>3</sup>

It is vital that we have clear and robust safeguarding arrangements in place if we are to identify and support those at risk of radicalisation. The Prevent duty supports and should be embedded within our current obligations to safeguard those who are vulnerable, including the vulnerability to radicalisation. Adult and children's services will continue to work in partnership with the City of London Police and colleagues across our community services to identify and manage risk. At a governance level, our Adult and Child safeguarding Boards will directly inform the work of a new strategic Prevent Partnership Group attended by representatives from the City of London Corporation, City of London Police and key partners involved in Prevent duties across the City of London. This group will assess risk and trends identified by the Safeguarding Boards, discuss key operational challenges and ensure that

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<sup>1</sup> Including Sir John Cass's Foundation Primary School, the City of London School and the City of London School for Girls.

<sup>2</sup> Including Redriff Primary a City of London Academy in Southwark, City of London Academy Southwark, City of London Academy Islington, The City Academy Hackney and the City of London Freemen's School in Surrey.

<sup>3</sup> Including Charterhouse School and the St Paul's Cathedral School.

information is effectively shared between partners. We will also ensure that clear information sharing arrangements are in place between our Safeguarding Boards and Chanel Panel.

The City of London Corporation also has a duty to ensure that all our venues and their facilities (such as public ICT equipment) do not provide a platform for extremism and are not used to disseminate extremist views. Staff involved in venue hire should incorporate Prevent duty considerations into their booking procedures and appropriate support in the use of equipment (such as computer filtering solutions to limit extremist material) should be provided.

In order to effectively counter radicalisation and extremism in London, the City of London cannot act in isolation. We must build strong relationships with our surrounding boroughs, (especially those identified as Priority Areas) to facilitate information sharing and provide a joined up approach through their dedicated Prevent Coordinators. In addition, the City of London has a key role to play at a regional level, working closely with partners across London to share good practice and build a clear and coordinated response.

In certain circumstances, we may choose to work with outside bodies such as charities to provide advice and support in individual cases or to lead engagement projects. However, we must ensure that organisations appointed in this manner are not engaged in any extremist activity or espouse extremist views. Considerations regarding Prevent must also be incorporated into our procurement arrangements.

### **The Channel Process**

Home Office guidance states that specified authorities should use a risk based approach to radicalisation. Under Section 36 of the Counter Terrorism and Security Act 2015, we are required to undertake a process of risk assessment and support for any individual identified at risk of becoming radicalised – using a multi-agency Channel Panel.

The Panel will seek to intervene at an early stage when an individual is vulnerable to becoming radicalised by extremists or when their behaviour raises concerns and brings them to the attention of the Police. While no specific criminal offence may have been committed at this stage, the Panel will work closely with the individual to de-escalate the radicalisation process and ultimately prevent an act of terrorism from taking place.

Channel referrals will be prioritised by the City of London Corporation, City of London Police and other statutory partners in their work to safeguard vulnerable individuals at risk of being radicalised. A Pre-Screening process is used to filter and review new referrals to establish if a full Channel Panel is required. The Pre-Screening process is designed to quickly identify if individuals are at risk or vulnerable to being radicalised and if there is intent or capability to cause harm. Consideration will always be given to the Home Office Channel Vulnerability Framework 2012.

The Channel Panel will be chaired by the Community Safety Manager. The City of London Channel core membership consists of the Prevent leads from the Community Safety Team and City of London Police using a bespoke approach dependant on the needs and requirements of the individual referred.

### **Information sharing**

A fast time response to carry out initial screening in partnership with the City of London Police is essential to ensure that the appropriate support is in place to meet the needs of at risk individuals and to inform the Channel process. Robust information sharing protocols between the key partners will speed up our response times at this crucial part of the process. The City of London Prevent Information Sharing Agreement ensures that information is proactively shared between parties and across organisations. City of London Police and Corporations Community Safety Team will develop additional information sharing

agreements with external agencies such as schools, universities, health and representative community groups to facilitate a clear and coordinated approach across the City's partners.

### **Delivery Plan**

The City of London Corporation Community Safety Team has produced an overall delivery plan. This plan is intended to identify, prioritise and facilitate the delivery of specific interventions to reduce the risk of people being drawn to terrorism within the City of London at a strategic level. A more detailed operational plan which includes restricted information will also be produced by the Community Safety Team, City of London Police and key partners.

### **Building Capability**

We aim to publicise the prevent duty across the organisation and develop understanding with staff of how the duty might be applied within individual departments. Our intension is provide tailored training and guidance to all members of staff to reflect the type of role carried out. Training received by officers working within the Open Spaces department for example will be significantly different to that received by staff in Remembrancers. In addition, we will take steps to build awareness among our contractors and ensure that the principles of the duty are written into new contracts when they are produced

### **City of London Prevent Governance**

We intend to make use of our existing Safer City Partnership and Strategic Resilience Forum to agree risk and co-ordinate Prevent activity. At an operational level, a Prevent Partnership group will be formed to asses risk and trends identified by the City's Safeguarding Boards and Channel Panel.

### **List of key Partners**

- City of London Corporation
- City of London Police
- London Fire Brigade
- London Probation Trust
- British Transport Police
- Transport for London
- City of London Crime Prevention Association

### **Conclusion**

Radicalisation presents a real risk to communities across London. In order to protect those who are vulnerable to the ideology of violent extremism the City of London Corporation must build a clear understanding of the risk and work proactively to engage these individuals at an early stage through the Chanel Process. Such an approach requires strong partnerships with London Boroughs, agencies, interest groups and communities, robust safeguarding process, the raising of awareness and the building of capability with staff across the organisation.



<b>Committee:</b>	<b>Date:</b>
Police Committee	24th July 2015
<b>Subject:</b> Annual Report on Professional Standards Activity – 2014/15	<b>Public</b>
<b>Report of:</b> Commissioner of Police Pol 41/15	<b>For Information</b>

## Summary

This report provides a comprehensive overview of activities relating to Police Professional Standards over the year 2014/15, giving an account of both the work of your Professional Standards and Integrity Sub-Committee and of the Force's Professional Standards Department (PSD) during this period.

Your Sub Committee discharges an essential role of oversight and scrutiny of the Force's handling of complaint and conduct matters. It also provides invaluable support to the work of the Organisational Learning Forum (OLF) and the Force's Integrity Standards Board (ISB).

This report also provides a summary of performance statistics which are submitted annually to the Independent Police Complaints Commission (IPCC). Overall the recorded number of complaint cases has increased in this period. This is partially attributable to additional complaints relating to Action Fraud, the fraud reporting authority run by the Force which has a National remit. Complaints relating to City of London Police personnel have also increased. Figures are low relative to the number of interactions with the public and to the complaint figures for other Forces.

The City of London Police's PSD performs well in terms of recording complaint cases within the target of 10 days (96% against a national average of 80%). The time the Force takes to complete an investigation is also lower than the national average (48 days compared to the national average of 102 days).

Following the success of internal PSD training inputs across the Force, PSD has seen an increase in internally referred conduct matters, intelligence and whistle-blowing. This has seen a growth in internal investigations often of a complex nature.

The Organisation Learning Forum (OLF) monitors trends identified as potential concerns and where action such as changes to operational procedures or specific training might drive service improvements. During 2014/15 examples of action taken following OLF include a number of changes to procedures, such as Gifts & Hospitality, Post, Searching of premises and capturing/recording of learning across the Force.

*NB: For the benefit of Members, a glossary of technical terms has been included as an Appendix.*

## Recommendations

That the report is received and its contents noted.

## **Main Report**

### **The Professional Standards and Integrity Sub-Committee**

1. The Professional Standards and Integrity Sub-Committee have responsibility for providing detailed oversight of professional standards in the City of London Police. During 2014/15, it received statistical updates on complaint cases and trends relating to (a) the nature of allegations in complaints, (b) the means by which those allegations are resolved, and (c) the ethnic origin of complainants. The Sub-Committee continue to perform a highly detailed scrutiny function to examine the casework of every complaint recorded by the Force – this is unique among all Offices of Policing and Crime Commissioners and local policing bodies.
2. In 2014/15 the Sub-Committee continued to look at matters of conduct; it received updates on all misconduct meetings and hearings which had been dealt with by the Force. The Sub-Committee receives updates on Unsatisfactory Performance Procedures (UPP), which concern performance or attendance issues (as opposed to misconduct). It continues to receive six-monthly updates by the Comptroller & City Solicitor on Employment Tribunal cases concerning police officers and police staff. These outlined the nature of claims and the outcome of cases. A report from the Integrity Standards Board and integrity dashboard are also scrutinized. This includes the gifts & hospitality of the ACPO leadership team.
3. The Sub-Committee continues to support the Force in ensuring themes identified in complaint or conduct cases are progressed as issues of Organisational Learning. This is done through the PSD Working Group. The Force's Organisational Learning Forum (OLF), chaired by the Assistant Commissioner, includes representation from all Force Directorates and has a series of working groups focusing on specific areas of organisational learning, including PSD, Custody and Public Order. The Sub-Committee was represented by the Town Clerk, James Goodsell, who attended meetings of the PSDWG in 2014/15, and the Sub-Committee received a digest of highlighted areas/themes of learning at every meeting.

### **The Work on Police Integrity**

4. The Assistant Commissioner is the force strategic lead for the City of London Police Integrity Plan, and as such informs the Sub Committee with an executive summary and dashboard of Integrity monitoring across the Force, which includes reports from the Hospitality/Gifts Register, Business Interests of officers and police staff, corporate credit card use, and contacts with the media. During 2014/5, the Chairman of the Sub Committee attended the Integrity Standards Board (ISB), to provide independent oversight. The ISB deliver the activities within the Integrity Action Plan and to proactively monitor areas highlighted for further enquiry in the Integrity dashboard.
5. During 2014/15 the HM Inspectorate of Constabulary (HMIC) visited the City of London police to conduct a review of police integrity; they also completed a legitimacy inspection. HMIC interviewed the Chairman of the Sub-Committee, and officers from the Town Clerk's Department as part of their inspection. HMIC's

findings from its latest inspection of integrity and corruption in the police service do not identify any serious failings in the Force. It is a very positive report overall, making only 4 recommendations for improvement, which are being progressed by the Force.

6. The Office of Surveillance Commissioners (OSC) completed an inspection which included the Professional Standards Directorate (PSD). There were no recommendations provided by the OSC to PSD.
7. PSD Counter Corruption Unit (CCU) has reviewed the Gift and Hospitality policies to capture meaningful data for integrity monitoring. They have also worked in partnership with the Corporation to improve the procurement processes and effective integrity monitoring of these processes. The CCU is currently developing integrity data monitoring software.
8. PSD delivered workshops for first level management (Sgt/Insp) highlighting integrity issues that are the highest risk areas for staff during the previous year. Further bespoke workshops are planned during 2015/16 to provide a PSD update on current threats or trends.
9. PSD are working with an external training provider where for the use of City of London training facilities they provide City of London with a pro-rata number of training courses for PSD staff.

### **The Independent Police Complaint Commission (IPCC)**

10. The IPCC collects complaint data from all 43 Forces in England and Wales and produces a quarterly statistical bulletin. Each Force is provided an individual Bulletin containing complaint data, data compared to the “most similar force” (which the Force does not actually have given its unique size and remit) and national data. The IPCC also report on its own performance. It produces an Annual Report on complaint statistics which allows Forces to see all national Force data together, and outlines any national trends on the reporting, investigation and appeals to the IPCC. The annual report was published in February 2015 for the previous year’s data 2013/14. The IPCC acknowledged the complaints generated from Action Fraud which is a national service.
11. During 2014-15<sup>1</sup>, the IPCC have been referred 21 matters by the CoLP PSD. The IPCC referred 18 back to be locally investigated. 2 complaints are being supervised by the IPCC (where the IPCC agree the terms of reference and investigation plan) and 3 were referred back. Currently, the IPCC are involved in two independent, and four supervised investigations, an increase that reflects government ambition to increase the span and scope of the IPCC involvement, rather than an increase in more serious cases in CoLP.
12. According to IPCC data, the City of London Police’s PSD performs well in terms of recording complaint cases within the target of 10 days (96% against

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<sup>1</sup> Rolling year – some matters recorded during the previous quarter or year

a national average of 80%). The time the Force takes to complete an investigation is also lower than the national average (48 days compared to the national average of 102 days).

## Complaints

### Recorded Complaints

	<b>Complaints</b>	<b>Allegations</b>	<b>Complainants</b>
<b>2014/15 Number (excl Action Fraud)</b>	124	179	137
<b>Action Fraud</b>	132	134	132
<b>Total</b>	<b>256</b>	<b>313</b>	<b>269</b>
<b>2013/14 Number (excl Action Fraud)</b>	95	131	99

13. The City of London Police is the national Lead Force within the UK for Economic Crime investigation and since April 2013, receives all reports of fraud reported across England and Wales through the 'Action Fraud' reporting process. Complainants who previously would have directed their complaints to their local force are now directing them to the City of London Police. The IPCC have acknowledged the complaints generated from Action Fraud as a national service, but the figures are included with the City of London data. The PSD subcommittee received an extra report during the reporting period which focused on the Action Fraud service.
14. Fourteen cases contained an allegation of "discriminatory behaviour". Five of these were "not upheld"<sup>2</sup>, following a PSD investigation. Two were locally resolved, one was withdrawn by force and at the close of the period, one was sub-judice and five were ongoing investigations.
15. A report entitled 'Police handling of allegations of discrimination' was published by the IPCC in June 2014. Following its publication, PSD implemented a number of changes to the handling of allegations containing a discriminatory element. The Director of PSD will review every complaint of discrimination, members of PSD have been briefed on the Directors expectations and provided with a copy of the IPCC report. Local Resolution will not be used in cases of Discrimination. An action matrix has been produced of the learning from the IPCC report to quality assure our response to complaints of discrimination. A Champion has been appointed to deliver this action matrix.

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<sup>2</sup> See Appendix A Glossary of Technical Terms

## Allegations Recorded

16. A total of 313 allegations were recorded in 2014/2015. In terms of nature of allegations, the *highest* categories were:

<b>Type:</b>	<b>Number allegations:</b>	<b>Overall percentage</b>
Organisational decisions	144	46%
Other neglect or failure in duty	21	6%
Incivility, impoliteness and intolerance	19	6%
Oppressive conduct or harassment	17	5%
Discriminatory behaviour	14	4%
Other irregularity in procedure	14	4%

17. Organisational decisions are almost all relating to Action Fraud.

18. By comparison, nationally, six allegation categories account for 71% of the total allegations recorded<sup>3</sup>. These are (1) Other neglect or failure in duty (2) Incivility, (3) Other Assault, (4) Oppressive Conduct (5) Lack of fairness & impartiality (6) Unlawful/unnecessary arrest

19. Compared to 2012/13 figures, the highest recorded allegation categories all are at similar percentages in this reporting period. The exception is Organisation decisions which has seen a decrease from 51% to 46%.

## Finalised Allegations

20. In the last year, the PSD finalised a total of 240 allegations. 86 of which were investigated by PSD. 13 (15%) were upheld - (national average 2013/14 was 14%). This is the same as the last reporting period where 15% were also upheld.

21. Following the appointment of a PSD 'Local Resolution Champion' there has been an increase in Local Resolution as a means to finalise allegations. A total of 127 allegations were finalised by means of Local Resolution, equating to 55%. (The national average is 34%).

## **Complainant Ethnicity**

22. PSD does record data relating to the ethnicity of the complainant. However, meaningful data is difficult to collect as complainants are often reluctant to self-identify. 197 out of the 269 complainants (73%) did not state their ethnicity. The highest category recorded is White British, 51 complainants have self-defined their ethnicity within this group (19%).

23. A total of 269 complainants were recorded in 2014/15. Of these 204 stated they were male, 59 female and in 6 cases gender is unknown. Most complainants do

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<sup>3</sup> IPCC National Statistics 2013/14 published via IPCC website Feb 2015

not state age, but from what the Force has recorded, the highest category is 30-39 years of age.

24. PSD complaint diversity data is published on the City of London Police website and is monitored by the Equality and Inclusion Unit within Human Resources. The above statistics reflect the national profile of complainant.

### **Organisational Learning Forum**

25. Learning issues are central to the work of PSD. Complainants often express that they want the officer/organisation to acknowledge what went wrong, and how the Force will ensure that issues will not happen again. The Organisational Learning Forum (OLF) has been operating for seven years and meets on a quarterly basis.

26. The work of the OLF cuts across the organisation, it is a decision making forum and if necessary issues are escalated to the Force's Strategic Management Board (SMB). The OLF has the responsibility for the strategic overview of learning across all Directorates. It is supported by tactical groups focusing on Custody, Public Order, Stop and Search and Professional Standards, to tackle learning on a local level.

27. The Professional Standards Department Working Group (PSDWG) is attended by the Town Clerk, James Goodsell, representing the Sub-Committee. The Chairman of the Professional Standards and Integrity Sub-Committee attends the Integrity Standards Board for independent oversight. Any identified PSD learning issues that need to be addressed at a more strategic level are elevated to the OLF. The PSDWG also reviews the 'Learning the Lessons' bulletins issued regularly by the IPCC and ensures that lessons contained within them are addressed and disseminated across the Force.

28. During 2014-15, the PSDWG took a lead on a number of topics identified as areas for organisational learning, for example:-

#### De-briefing

- To make significant changes to how all learning is captured and disseminated across the Force. This will include a central repository for all learning and capturing best practise across the Force including debriefs.

#### Gifts & Hospitality

- Updated and improved Force policy and Standard Operating Procedures.
- Improved management through the Leadership programme and recording of Gifts and Hospitality.
- Triple A and broadcast messages to reinforce message.

#### Searching of Premises

- Senior management team briefing provided to all directorates in relation to dealing with damage caused during forced entry or searching by police.

#### Postal Issues

- Issues identified regarding the way post is received into the Force especially relating to recorded delivery and post relating to civil claims.

## **Criminal Investigations**

29. During the last reporting year of 2013/14, an officer was arrested by Bedfordshire police in connection to an allegation of affray, assault, criminal damage and false imprisonment. No criminal prosecution ensued but a misconduct hearing took place during this reporting year 2014/15 and the officer was Dismissed without Notice. The officer's details are placed on the central repository held by the college of policing to prevent reapplication to another Force.
30. One officer was arrested for an off duty Public Order offence in relation to a domestic incident. The officer received a caution. The officer attended a Misconduct Hearing and received a Final Written Warning.
31. One officer was criminally cautioned for offences under the Misuse of Computer Act. The officer attended a Misconduct Hearing and received a Final Written Warning.
32. One member of police staff was arrested by the Metropolitan police in connection to an allegation of common assault against a Police Constable and Drunk and Disorderly. The member of staff is currently suspended and the trial has been set for the autumn 2015.

## **Misconduct**

33. During the reporting period 2014/15, 12 misconduct cases were recorded within PSD. A total of 13 misconduct cases were finalised during the reporting period (some of these cases had been carried over from 2013/14). 1 misconduct case originated from a public complaint. 10 misconduct cases remain live investigations. Of the misconduct cases finalised during the reporting period the outcomes<sup>4</sup> were as follows:-
- a) Misconduct Hearings  
There were three Misconduct Hearings held. One officer was dismissed without notice; Two officers received a final written warning.
  - b) Misconduct Meetings  
There were three Misconduct Meetings held. One officer received a final written warning. One officer received a written warning. One officer received formal management advice<sup>5</sup>.
  - c) Management Action  
In one case there was a Case to Answer and the officer was given formal management action.
  - d) No Action  
In three cases there was No Case to answer and no further action was taken against the officer. In three cases there was No Case to answer but the officers received words of advice.

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<sup>4</sup> Some cases involve more than one officer & those involved may receive different disciplinary outcomes

<sup>5</sup> This meeting was the outcome from the misconduct identified within the public complaint so remains recorded under the complaint not conduct matter.

e) Resignation

One Special Constable resigned prior to Formal Misconduct proceedings. The case was in relation to an illegal search.

### **Unsatisfactory Performance Procedures**

34. During the reporting period no UPP was recorded.

### **Conclusion**

35. The number of complaints against police officers remains relatively low<sup>6</sup> given the high numbers of interactions with members of the public, often in challenging circumstances. However the number of complex and multiple complaints and conduct matters has increased, there are also more investigations which have IPCC involvement. The increased emphasis on learning has led to some significant changes within the Force, both in terms of improved operational procedures and in positive changes in officer behaviour.

36. Following the success of internal PSD training inputs across the Force, PSD has seen an increase in internally referred conduct matters, intelligence and whistle-blowing. This seen a growth in internal investigations often of a complex nature.

37. Whilst the number of complaints against City of London officers is relatively low compared to the National statistics there is a year on year increase (as reflected in the National statistics), however due to the austerity measures and budget constraints of all police departments there has been no increase of police personnel to deal with the increase of complaints or complex conduct cases. PSD have been the forerunners of the Force to employ Special Constables in a specialist role and have three special constables who have been vetted and are committed to working in the PSD environ on a regular basis. PSD are also working with HR to employ a volunteer who will work as a single point of contact to those complainants who maybe vulnerable or have mental health issues who require a greater level of support.

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<sup>6</sup> CoLP recorded 128 allegations per 1000 employees, National Average 293 allegations per 1000 employees Q4 2014/15 – *Police Workforce, England and Wales, 31<sup>st</sup> March 2014 (National Statistics)*



## Annex A: glossary of terms

**Complaint case:** A single complaint case may have one or more allegations attached to it, made by one or more complainants, against one or more persons serving with the police.

**Allegation:** An allegation may concern the conduct of a person or persons serving with the police or the direction and control of a police force. It is made by someone defined as a complainant under the Police Reform Act 2002 (see 'complainant' below). An allegation may be made by one or more complainants. A complaint case may contain one or many allegations. For example, a person may allege that they were pushed by an officer and that the officer was rude to them. This would be recorded as two separate allegations forming one complaint case. An allegation is recorded against an allegation category.

**Direction and control:** The IPCC considers the term 'direction and control' to mean general decisions about how a force is run, as opposed to the day-to-day decisions or actions of persons serving with the police, which affect individual members of the public – including those that affect more than one individual.

**Local resolution:** For less serious complaints, such as rudeness or incivility, the complaint may be dealt with by local resolution. Local resolution is a flexible process that can be adapted to the needs of the complainant. A local police supervisor deals with the complaint, which might involve providing an explanation or information; an apology on behalf of the force; providing a written explanation of the circumstances and any action taken; or resolving the complaint over the counter or by telephone.

**Investigation:** If a complaint is not suitable for local resolution, it must be investigated. This involves the appointment of an investigating officer who will investigate the

complaint and produce a report detailing the findings about each allegation and any action to be taken as a result of the investigation. There are two different types of investigation referred to in the report:

- Local investigations: Are carried out entirely by the police. Complainants have a right of appeal to the relevant appeal body following a local investigation.
- Supervised investigations: Are carried out by the police under their own direction and control. The IPCC sets out what the investigation should look at (which is referred to as the investigation's 'terms of reference') and will receive the investigation report when it is complete. Complainants have a right of appeal to the IPCC following a supervised investigation.

**Disapplication:** Disapplication only applies to allegations linked to complaint cases received on or after 22 November 2012.

A full list of the allegation categories available and their definitions can be found in the IPCC's Guidance on the recording of complaints. There are certain circumstances in which a complaint that has been recorded by a police force does not have to be dealt with under the Police Reform Act 2002 (PRA 2002). For allegations linked to complaint cases received on or after 22 November 2012, this is called disapplication. It can only happen if certain circumstances apply:

- If more than 12 months have passed between the incident, or the latest incident, giving rise to the complaint and the making of the complaint and either no good reason for the delay has been shown or injustice would be likely to be caused by the delay.
- If the matter is already subject of a complaint made by or on behalf of the same complainant.
- If the complainant discloses neither their

name and address nor that of any other interested person and it is not reasonably practicable to ascertain these.

- If the complaint is repetitious.
- If the complaint is vexatious, oppressive or otherwise an abuse of the procedures for dealing with complaints.
- If it is not reasonably practicable to complete the investigation or any other procedures under the PRA 2002.

If the complaint was not required to be referred to the IPCC, the police force can carry out a disapplication. If the complaint was referred to the IPCC and the IPCC has either referred the complaint back to the force or determined the form of investigation, the force must apply to the IPCC for permission to carry out the disapplication.

**Dispensation:** Dispensation only applies to allegations linked to complaint cases received before 22 November 2012.

There are certain circumstances in which a complaint that has been recorded by a police force does not have to be dealt under the Police Reform Act 2002 (PRA 2002). For allegations linked to complaint cases received before 22 November 2012, this is called dispensation. It can only happen if certain circumstances apply:

- If more than 12 months have passed between the incident, or the latest incident, giving rise to the complaint and the making of the complaint and either no good reason for the delay has been shown or injustice would be likely to be caused by the delay.
- If the matter is already subject of a complaint made by the same complainant.
- If the complainant discloses neither their name and address nor that of any other interested person and it is not reasonably practicable to ascertain these.

- If the complaint is repetitious.
- If the complaint is vexatious, oppressive or otherwise an abuse of the procedures for dealing with complaints.
- If it is not reasonably practicable to investigate the complaint.

**Discontinuance:** A discontinuance ends an ongoing investigation into a complaint. It can only occur if certain circumstances apply:

- If a complainant refuses to co-operate to the extent it is not reasonably practicable to continue with the investigation.
- If the force decides the complaint is suitable for local resolution.
- If the complaint is repetitious.
- If the complaint is vexatious, oppressive or otherwise an abuse of the procedures for dealing with complaints.
- If it is not reasonably practicable to proceed with the investigation.

If the complaint was not required to be referred to the IPCC, the police force can discontinue a local investigation; otherwise, they must apply to the IPCC for permission to discontinue the investigation. In the case of a supervised investigation, the police force has to apply to the IPCC for permission to discontinue the investigation.

**Withdrawn:** A complainant may decide to withdraw one or more allegations in their complaint or that they wish no further action to be taken in relation to their allegation/complaint. In this case, no further action may be taken with regard to the allegation/complaint.

**Investigation outcomes:**

- Unsubstantiated / Substantiated: These are the outcomes of allegations that have been judged solely in terms of whether

evidence of misconduct was found. This outcome will only apply to allegations linked to complaint cases recorded before 1 April 2010. As time progresses there will be fewer allegations with these outcomes.

- **Not upheld / Upheld**: As of 1 April 2010, police forces are expected to also record whether a complaint is upheld or not upheld. A complaint will be upheld if the service or conduct complained about does not reach the standard a reasonable person could expect. This means that the outcome is not solely linked to proving misconduct.

**Sub judice**: After recording a complaint, the investigation or other procedure for dealing with the complaint may be suspended because the matter is considered to be sub judice. This is when continuing the investigation / other procedure would prejudice a criminal investigation or criminal proceedings. There are a number of factors police forces should consider when deciding whether a suspension is appropriate. The complainant must be notified in writing when the investigation / other procedure into their complaint is suspended and provided with an explanation for the decision. A complainant has the right to ask the IPCC to review that decision.

**Chief officer**: ‘Chief officer’ is a collective term that refers to the heads of police forces (chief constables for all forces except the Metropolitan Police and City of London Police, which are each headed by a commissioner).

**Non-recording appeal**: Under the Police Reform Act 2002, the police have a duty to record all complaints about the conduct of a serving member of the police or the direction and control of a police force.

Complainants have the right to appeal to the IPCC in relation to the non-recording of their complaint on a number of grounds. These are set out in the ‘findings’ section of the report. The appeal right in relation to direction and control complaints is limited; full details can

be found in the IPCC’s Statutory Guidance.

**Investigation appeal**: This applies to all complaints investigated by the police force itself or where the investigation has been supervised by the IPCC. The complainant may appeal to the relevant appeal body on a number of grounds in relation to the investigation, which are set out in the ‘findings’ section of the report. There is no right of appeal in relation to the investigation of a direction and control complaint.

**Local resolution appeal**: Complainants are entitled to appeal to the relevant appeal body against the outcome of a local resolution. There is no right of appeal where the complaint locally resolved relates to direction and control.

**Disapplication appeal**: An appeal may be made to the relevant appeal body against the decision to disapply the requirements of the Police Reform Act 2002. There is no right of appeal where the complaint subject to the disapplication relates to direction and control or where the IPCC has given permission for the disapplication.

**Discontinuance appeal**: An appeal may be made to the relevant appeal body against the decision by a police force to discontinue the investigation into a complaint. There is no right of appeal where the complaint subject of the investigation discontinued relates to direction and control, where the IPCC has given permission for the discontinuance or if the discontinuance is carried out by the IPCC in relation to a supervised investigation.

**Invalid appeals**: There are a number of reasons why an appeal may be judged to be invalid. These are:

- If the appeal is not complete. An appeal must be in writing and contain certain information such as the details of the complaint, the name of the police force whose decision is subject of the appeal and the grounds of appeal, although the relevant appeal body may still consider an appeal even if it does not consider the

appeal complete.

- If there is no right of appeal. Only a complainant or someone acting on his or her behalf can make an appeal. If anyone else tries to, the appeal is invalid. An appeal must also follow a final decision in relation to a complaint from the force (or, in the case of non-recording where no decision has been made, at least 15 working days must have passed between the complainant making their complaint and submitting an appeal against the non-recording of that complaint).
- If the appeal is made more than 28 days after the date of the letter from the police force giving notification of the decision (which is capable of appeal) to the complainant and there are no special circumstances to justify the delay. The right of appeal in relation to direction and control complaints is limited, as noted in the definition for each appeal type above; full details can be found in the IPCC's Statutory guidance.

**Complainants:** Under the Police Reform Act 2002, a complaint may be made by:

- a member of the public who claims that the conduct took place in relation to them
- a member of the public who claims they have been 'adversely affected' by the conduct, even though it did not take place in relation to them
- a member of the public who claims to have witnessed the conduct
- a person acting on behalf of someone who falls within any of the three categories above. This person would be classed as an 'agent' or 'representative' and must have the written permission of the complainant to act on their behalf. A person is 'adversely affected' if they suffer distress or inconvenience, loss or damage, or are put in danger or at risk by the conduct complained of. This might apply, for example,

to other people present at the incident, or to the parent of a child or young person, or a friend of the person directly affected. It does not include someone distressed by watching an incident on television.

A 'witness' is defined as someone who gained their knowledge of that conduct in a way that would make them a competent witness capable of giving admissible evidence of that conduct in criminal proceedings or has anything in their possession or control that would be admissible evidence in criminal proceedings.

One complaint case can have multiple complainants attached to it and one individual can make more than one complaint within the reporting year.

Subjects: Under the Police Reform Act 2002 (PRA 2002), complaints can be made about persons serving with the police as follows:

- police officers of any rank
- police staff, including community support officers and traffic wardens
- special constables

Complaints can also be made about contracted staff who are designated under section 39 of the PRA 2002 as a detention officer or escort officer by a chief officer.

**Misconduct:** A breach of the Standards of Professional Behaviour

**Gross Misconduct:** A breach of the Standards of Professional Behaviour so serious that dismissal would be justified

**Management Action:** A way to deal with issues of misconduct other than by formal action. They can include improvement plans agreed with officers involved.

**Misconduct Meeting:** A type of formal misconduct proceeding for cases where there is a case to answer in respect of misconduct, and where the maximum outcome would be a final written warning.

**Misconduct Hearing:** A type of formal misconduct proceeding for cases where there is a case to answer in respect of gross misconduct or where the police officer has a live final written warning and there is a case to answer in the case of a further act of misconduct. The maximum outcome at a Misconduct Hearing would be dismissal from the Police Service.

**Unsatisfactory Performance Procedures**

**(UPP):** Procedures which are available to deal with performance and attendance issues. They are not, as such, dealt with by Professional Standards, but by the Force's Human Resources Department.

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<b>Committee:</b> Police Committee	<b>Date:</b> 24 <sup>th</sup> July 2015
<b>Subject:</b> Community Remedy Document	<b>Public</b>
<b>Report of:</b> Commissioner of Police Pol 40/15	<b>For Decision</b>

## Summary

This report sets out proposals for the Community Remedy Document (CRD). Under Part 6, Section 101 Anti-Social Behaviour, Crime & Policing Act 2014 the local policing body must prepare a Community Remedy Document for the local police force area and may revise it at any time. The CRD will be published on the agreement of the City of London Police Committee in agreement with the City of London Police Commissioner and any other agreed community representatives.

A CRD is a list of the actions which might, in the opinion of the City of London Police Committee, Commissioner of the City of London Police and any other community representative included in the consultation process, be appropriate in a particular case to be carried out by a person who has engaged in Anti-Social Behaviour (ASB), or has committed an offence and is to be dealt with by way of Community Remedy and without court proceedings.

An internal consultation on the proposals with the various agencies that deal with anti-social behaviour was carried out and a public consultation was also undertaken. The public consultation was run for a period of three weeks, on the Corporation's website, detailing the remedies proposed by the City of London Police, with a largely positive response. The results from this consultation process are similarly represented around the country.

### **Recommendations**

It is recommended that members endorse the proposed community remedies for inclusion within the Community Remedy Document.

Members are asked to consider:

- Whether the consultation process undertaken to date is sufficient to allow the preparation of the CRD.
- Endorsement of the proposed remedies included in this report for inclusion within the CRD.
- A date for publication of the CRD subject to any agreed further consultation.

## Main Report

### **Background**

1. On the 20th October 2014 the Anti-Social Behaviour Crime and Policing Act 2014 came into force. Under Part 6 Section 101 the local policing body must

prepare a Community Remedy Document (CRD) for the local police force area and may revise it at any time. The Community Remedy is intended to give victims more say in the punishment of perpetrators outside of the court system.

2. The CRD is a list of the actions which might, in the opinion of the City of London Police Committee, Commissioner of the City of London Police and any other community representative included in the consultation process, be appropriate in a particular case to be carried out by a person who has engaged in Anti-Social Behaviour (ASB) or has committed an offence and is to be dealt with outside of court proceedings.
3. The Act specifies how the Community Remedy will be applied and states that when a police or civilian officer has evidence that an individual has engaged in anti-social behaviour, or committed an offence; and the individual admits to the officer that he or she has done so, in certain circumstances the officer may decide it is more appropriate for the individual to carry out an action of some kind, instead of imposing other resolutions.
4. This course of action is dependent on the strength of the evidence, the appropriateness of the sanction and where they can be obtained, the views of any victim involved. If the victim expresses a view that the individual should carry out a particular action listed in the Community Remedy Document, the officer must invite the individual to carry out that action unless it appears to them it would be inappropriate to do so.
5. Under section 101(3) an action is appropriate to be carried out by a person only if it has one or more of the following objects;
  - a)Assisting in the person's rehabilitation.
  - b)Ensuring that the person makes reparation for the behaviour or offence in question.
  - c)Punishing the person.
6. There is a legal requirement to publish the CRD once it has been agreed.

### **Community Remedy in practice**

7. The Community Remedy Document will be used as part of the existing process for delivering community resolutions. It will give the victim of low-level of crime and anti-social behaviour a say in a punishment of perpetrators outside of the court system. The Community Remedy can also be used when a conditional or youth conditional caution is given, as means of consulting with the victim about the possible conditions to be attached to the caution.
8. When a community resolution is to be used the officer shall make reasonable efforts to obtain the view of the victim as to whether the perpetrator should carry out any of the actions listed in the community remedy document. If the officer considers that the action chosen by the victim is appropriate, the perpetrator should be asked to carry out that action.



9. The officer will have the ultimate responsibility for ensuring that the action offered to the perpetrator is appropriate and proportionate to the offence.

### **Relevant offences to which the remedies can be applied**

10. The community resolutions already in practice within the City of London Police give the basis for the Community Remedy, therefore to maintain uniformity between both it is proposed that the following low level offences qualify for application of actions under the CRD:
  - Theft under £100 (Retail or other but excluding theft from employer)
  - Criminal Damage under £500
  - Sec.4 and Sec. 5 Public Order Act 1986 (Fear or provocation of violence/Intentional harassment, alarm or distress “low level” only)
  - Common Assault
  - Anti-Social Behaviour (low level)

### **Proposed Remedies**

11. The Community Remedies proposed for inclusion in the document are:
  - Reparation direct to the victim for any damage caused (financial or otherwise)
  - Reparation direct to the community (unpaid work for a limited time)
  - Apology (face-to-face or by letter)
  - Counselling
  - Restorative Justice or mediation – third party to bring together both parties to reach common agreement
  - Agreement contract between parties (e.g. Acceptable Behaviour Contract, Parenting Contract)
  - Structured diversionary activity such as educational/training courses (self-funded or otherwise)
  - Targeted intervention (e.g. alcohol treatment or anger management course)

### **Consultation Process**

12. To seek views from the different communities in the City of London, a public consultation was promoted via the Corporation’s website for three weeks from 20th April. It asked the public if they agreed or disagreed with the range of proposed actions as listed above and the results were:
  - 100% of participants agreed on reparation direct to the victim for any damage caused.
  - 100% of participants agreed on reparation direct to the community.
  - 80% of participants agreed on apologies while 20% disagreed.
  - 60% of participants agreed on counselling while 40% disagreed.
  - 60% of participants agreed on Restorative Justice or mediation while 40% disagreed.
  - 80% of participants agreed on agreement contracts between parties while 20% disagreed.

- 60% disagreed on structured diversionary activity while 40% agreed.
  - 60% of participants agreed on targeted intervention while 40% disagreed.
13. This consultation was carried out by the City of London Corporation. The consultation had five responses and although the number of responses was low it serves to demonstrate that certain Community Remedy options are viewed more favourably by the public. This pattern of the public preferring more direct and more clearly punitive responses is one seen in a number of areas. The low response rate is also consistent with that seen in other areas of the country.
  14. An Internal Consultation was carried out within the Anti-Social Behaviour Working Group which raised mixed views regarding the proposed remedies. The representatives of agencies dealing with drugs and alcohol saw diversionary schemes as a very positive way forward and other agencies had concerns about the police offering counselling as a remedy.
  15. A report on the Community Remedy Consultation was considered at the Safer City Partnership (SCP) chaired by Deputy Henry Pollard. The matter of the low numbers of responses received to the consultation exercise was discussed at this forum. The board were cognisant of the fact that this reflected the national picture.

### **Corporate & Strategic Implications**

16. Once the CRD has been completed and approved, training will be required for relevant staff across the City of London Police and agencies that deal with Anti-Social Behaviour. All Community Remedies will be recorded.

### **Legal Implications**

17. Once the CRD is complete, the advice of the Comptrollers will be sought to ensure compliance with the Anti-Social Behaviour Act.

### **HR Implications**

18. An equality impact assessment has been carried out by the City of London Police in establishing their ASB standard operating procedure and policy.

### **Strategic Implications**

19. Delivery of the remedies and the provisions for its implementation will be carried out by the City of London Police and officers employed by the force.

### **Consultees**

20. It is intended that this will follow the recognised consultation process for police related decisions, therefore will be presented for decision to:
  - Police Committee – 24<sup>th</sup> July 2015

And for information to:

- Safer City Partnership –24<sup>th</sup> September 2015

## **Conclusion**

21. The Community Remedy is a statutory requirement. The Community Remedy Document will be published on the approval of the City of London Police Committee in agreement with the City of London Police Commissioner and any other agreed community representatives.

## **Contact:**

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