

# **Independent Residents' Panel Annual Report 2020**

Panel Chair - Simon Barnes

February 2021

## Purpose of the Independent Residents' Panel

The Independent Residents' Panel (IRP) consists of 10 independent panel members who are all volunteers representing the communities of Avon and Somerset. Their aim is:

***'To act as a 'critical friend' to the Police and Crime Commissioner (PCC) and to Avon and Somerset Constabulary by providing feedback on completed complaint files to the office of the PCC and to the Constabulary's Professional Standards Department (PSD). The Independent Residents' Panel (IRP) will review complaints against the police from a local citizen's viewpoint.***

More information is on the PCC webpage [here](#).

## Foreword by the Chair Simon Barnes

What can one say about 2020 that hasn't been said already? It is hard to believe that the panel's first meeting of 2020 was a physical meeting at Police HQ in which we were all gathered together in one room without first having to follow a one-way system, apply liberal amounts of hand sanitiser and stand two metres apart. I can just about remember what it was like to travel back home on a crowded train.

It is a great credit to the OPCC's team that our meetings were moved seamlessly on-line and we have been able to continue our work throughout the pandemic. Whilst the Covid situation has been disruptive for the panel, one can only imagine what it has been like for the constabulary, not only having to enforce a rapidly changing set of Covid rules alongside other regular duties, but also having to ensure the health and safety of police officers and staff. As a critical friend to the constabulary, the IRP has been constantly impressed by the resilience and professionalism shown.



## A tribute to Sue Mountstevens, Police and Crime Commissioner for Avon and Somerset

In this annual report, we will reflect on some particular issues which arose last year. However, before doing so, the IRP wanted to pay tribute to the Police and Crime Commissioner for Avon and Somerset, Sue Mountstevens.

Sue established the panel and will be standing down from that role later in the year after agreeing to serve an extra year to deal with the Covid crisis.

Sue has truly been a leader in furthering the levels of transparency and accountability in policing.

The IRP is unique. It is the only police scrutiny panel in the region comprised of and run by local people who have completely unfettered access to completed police complaints files. The panel is totally independent and can review any public complaint it chooses with no information being off limits. This level of transparency, which many organisations would shy away from, has enabled the panel to use its collective knowledge and experience to work constructively with the constabulary, in particular the Professional Standards Department, to ensure that the voice of the public is heard and that complaints about the police are dealt with fairly, transparently and to a consistently high standard.

People who have cause to complain about the police may do so for all sorts of reasons and can sometimes be very vulnerable.

Over the years the panel has noticed a consistent rise in standards, especially in the way in which the constabulary communicates and empathises with the public.

The panel is also consistently impressed by the Professional Standards Department who have always been willing to engage and take on board our views whether positive or negative.

Without Sue's vision and leadership, none of this would have happened. The IRP wishes Sue all the very best for the future (which will hopefully be slightly less eventful than the recent past!).



## Bodyworn Video.

The use of Body Worn Video (“BWV”) is of enormous benefit to maintaining the public's confidence in the police.

The use of BWV is the default position for Stop and Search, Taser and the issuing of Covid fixed penalty notices. It is expected to be used when responding to emergency calls, use of force and as incidents develop. The video and audio provide the public with a clear picture of the occurrence and of the tone and language used, protects the officer from unwarranted criticism, is of evidential value, supports warranted criticism; and provides invaluable pointers to training needs both personal and organisational.

The panel is able to view BWV when technology allows and it can be invaluable when reviewing complaints as it avoids the need to adjudicate between competing accounts. Even if the panel is not able to review the BWV itself, the fact that PSD have done so gives confidence that the conclusions reached are based upon sound evidence.

That is not to say that BWV is a panacea. It should be viewed in context and it must be appreciated that it only provides one perspective on a situation.



Furthermore, it is important to be astute to when it was turned on and off and what might not have been captured on it as a result.

However, there is no doubt that BWV is an important tool for operational officers and for those of us who review their actions later. BWV and the ability of complainants to view it are topics which the IRP are hoping to focus upon specifically in 2021.

### Comments from Head of Professional Standards Detective Superintendent Jane Wigmore:

2020 was not only a challenging year because of the pandemic but also because of the change in Regulations in February impacting heavily on Professional Standards. This meant training, introduction of new guidance, new processes, new outcomes and supporting colleagues in other departments while adapting to working from home.

Given the anticipated demands of COVID, complaints were allocated to Professional Standards to release capacity to front line officers and staff. This resulted in a significant rise in workloads compounded with a record increase in recorded complaints (1840 in the last rolling 12 months compared with 897 in the previous).

Despite this, Professional Standards on average contact 70% of complainants within 72 hours and high levels of non-schedule 3 complaints are resolved at first point of contact.

Professional Standards remain committed to improving the transparency of how it handles complaints to maintain public confidence. The role of the IRP is key in providing learning for the department and we welcome the constructive feedback for continuous improvement.



## Equality, Diversity and Inclusion

The panel was impressed by the recent social media campaign by the constabulary regarding its inclusive culture.

If you haven't seen it, it can be viewed [here](#)

The idea of the police being an inclusive and caring organisation runs contrary to the stereotypical (and hopefully outdated) impression that members of the public might have of the police, and it is hoped that this may encourage people from under represented sections of society to consider a career with the force. At a national level, it is heartening to see the work of the National Police Chief's Council whose 2019 report 'Understanding Disproportionality in Police Complaint & Misconduct Cases for BAME Police Officers & Staff'

[The National Police Chief's Council report into Understanding Disproportionality in the Police Complaint and Misconduct Cases for BAME Police Officers and Staff 2019](#) is a serious attempt to understand and tackle the disproportionate treatment which officers from BAME backgrounds experience in the police complaints system.

It is clear that nationally there is still much to be done in this area, however the report provides a fascinating insight into the causes of the issue (which are not what one might expect) and it is hoped that the NPCC and the Avon and Somerset Constabulary will continue to build on this good work

## Engagement

The panel has had the benefit of some excellent presentations which have been invaluable in helping understand processes and procedures, and also the pressures that police officers and staff face when carrying out their duties.

Such training can be of real benefit when reviewing complaints as it can help explain why officers have acted as they did in a particular situation.

For example, during our use of force training in March, the presenting officer explained how in some situations the drawing of a taser, which might appear heavy handed, can lead to a potentially violent suspect complying with an arrest and is therefore a safer option in terms of use of force compared to an officer using a baton or PAVA spray.

It is important to emphasise that the panel still examine such claims very carefully in individual cases, however it is helpful to have an understanding of police tactics and training. In December, we had two presentations from the Counter Corruption Unit of PSD, and from the Independent Office for Police Conduct. Again, these were invaluable in widening our understanding of police complaints.



## Policing the pandemic

At its June meeting the panel focused on complaints related to the Covid 19 pandemic.

These were complaints arising from cases which took place at the beginning of the pandemic when the situation was still very new and the police were tasked with enforcing new lockdown regulations in a very fast moving environment.

The panel appreciated the significant pressure on the police during this time, but there was some concern that there was disparity regarding the level of breaches reported in relation to BAME communities and it was felt that there is still work to be done in understanding the drivers.

The demonstrations that resulted from the death of George Floyd in the USA culminated in images being shared around the world of the toppling of the Colston statue in Bristol and sparked a debate about the adequacy of the police response.

The panel felt that communication is key to establishing community trust and we had a constructive discussion about these issues with the Deputy Police and Crime Commissioner which also touched on the

policing of domestic violence during the lockdown. A fuller summary of our discussion may be found [here](#).

## Good Practice

The panel noted many examples of good practice including on record keeping, the support that complainants had in terms of sign-posting to other sources of help; and evidence of good practice and sensitive approaches being used in cases of neglect or failure in duty.

Accountability was also highlighted in some cases in which the complainants were informed of the organisational learning derived from dealing with a complaint.

The move to show timelines of expected completion dates for complaints demonstrates that the constabulary is serious about continuous improvement, even in the face of challenges such as the pandemic. The panel were particularly impressed by the development and use of the 'Otherwise than by Investigation' form which systematically walks investigating officers through a decision-making process which includes identifying and correcting for any unconscious bias.

## Looking forward

The panel will be meeting virtually throughout 2021. We look forward to continuing to work with PSD, and to welcoming the new PCC after the election.

### Comments from Avon & Somerset Police and Crime Commissioner Sue Mountstevens:

I would like to start by thanking Simon and the rest of the panel members for their candour, dedication and commitment, especially over the last 12 months. It has been a particularly challenging year for policing with the impact of the global pandemic especially when given the new COVID related legislation and enforcement responsibilities. It has been a 'journey' as they say, but the IRP have been with us the whole way scrutinising police actions and ensuring that standards do not slip, even in a global crisis! I am incredibly proud of the work of the Panel and humbled by their kind words. Thank you again for your significant contribution to the OPCC and for contributing towards ensuring the highest levels of policing for the communities of Avon & Somerset.

