

POLICE AND CRIME PANEL**4th FEBRUARY 2021****REPORT OF THE POLICE AND CRIME COMMISSIONER FOR DERBYSHIRE****Panel update on Covid-19****1 PURPOSE OF THE REPORT**

- 1.1 To provide an update to the Police and Crime Panel on the response of the Constabulary to the global Covid-19 Pandemic.

2. BACKGROUND

- 2.1 The Police & Crime Panel were last updated in November 2020 as to the response from the Constabulary to the Covid-19 Pandemic, including details of how the emergency is being managed within the county, as well as several operational and strategic matters.
- 2.2 The Constabulary's response to the Covid-19 Pandemic is a standing agenda item for the PCC/Chief Constable weekly meeting. The PCC also receives ad-hoc briefings as the situation changes, including the responsibilities of law enforcement and other partner agencies.
- 2.3 The Panel are reminded that the Constabulary have adopted a 'Gold, Silver, Bronze' command structure to deal with the response, as is normal for any major incident, and the PCC is represented at both the Gold and Silver levels.

3. INCIDENTS AND RECORDS OF CONTACT (RoCs)

- 3.1 Since the 9th March 2020, in Derbyshire, there have been 167,313 incidents requiring an immediate or priority police response; there have also been 47,480 RoCs which are incident that do not necessarily require a physical policing presence but may require further action from the police or partner agencies.
- 3.2 Incidents are up by 8% when compared to the same period last year, and are up by 14% when compared to the two months immediately prior to the 9th March 2020 (i.e. pre-pandemic benchmark).
- 3.3 Unlike the first national lockdown, which saw a significant reduction in "business as usual", this period has seen a return to the reporting of more traditional incidents, in addition to demand directly related to the Covid-19 Pandemic.
- 3.4 During the first national lockdown, there were an average of 115 incidents per day related to the Covid-19 Pandemic, which is marginally higher than that seen to date for the current national lockdown (92 per day). However, it must be noted that the current national lockdown is less stringent in terms of legislation, with many more people able to legitimately travel as a result of being classed as

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a key worker.

- 3.5 Incidents relating to breaches of the Coronavirus legislation represent approximately 9% of the Constabulary's entire demand, with vulnerability and mental health accounting for another 9%. Domestic abuse accounts for 7% of the Constabulary's entire demand, which is within the expected year-on-year variance, being marginally lower than that seen last year (8.25%).
- 3.6 Typically, breaches of the Coronavirus legislation, that are reported to the Constabulary, relate to individuals not complying with the requirement to self-isolate, parties, and gatherings of groups of people.

4 CRIME

- 4.1 When considering the below, it is worth noting that any crimes relating to breaches of the Coronavirus legislation (i.e. those that would attract a fixed penalty notice) do not appear in recorded crime statistics.
- 4.2 Since 9th March 2020, in Derbyshire, the Force have recorded 62,018 crimes; this is approximately 7% down on the pre-pandemic benchmark period and 5% down on the same period last year. Domestic abuse accounts for 23% of recorded crime, compared to 20% for the same period the previous year.
- 4.3 Whilst the Constabulary saw a small reduction in recorded crime during the first national lockdown, this quickly returned to "slightly higher" than normal levels in the Summer. However, through the Autumn and to date, crime has tracked below the pre-pandemic benchmark period and remained marginally lower than seen in previous years.

5. FUNDING & ENFORCEMENT

- 5.1 In November, the Constabulary was awarded an additional £424,000 from the government to assist with its response to the Covid-19 Pandemic.
- 5.2 Whilst additional funds are always welcome, the Constabulary still has the same number of resources available to it, meaning that spending of these funds has been predominantly through overtime. This has proved to be challenging, as the workforce has become increasingly fatigued, with it being equally susceptible to contracting Covid-19 as any other members of society. Recently, there have been a number of internal outbreaks of Covid-19, putting increased pressures on the remaining staff.
- 5.3 All of that said, the Constabulary have established regular "Covid Patrols", dedicated to enforcement of the Coronavirus legislation across the county. Operational Support have also used this funding for operations to target breaches of the legislation in rural areas by motorbikes and off-road vehicles, and CMARC have utilised additional staffing to assist with our response on 999, 101, and online.
- 5.4 Throughout the Covid-19 Pandemic, the Constabulary has worked closely with Public Health colleagues and the Local Authorities to identify higher risk locations in order to focus joint enforcement activity. More recently, with the

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continued rise in cases, there has been a shift in focus to more robust enforcement to secure compliance with individuals/businesses who are blatantly and/or repeatedly breaching the requirements of the Coronavirus legislation.

- 5.5 Since 9th March, approximately 900 fixed-penalty notices have been issued by the Constabulary, with five of these being at the highest level of £10,000 for the most egregious breaches of the legislation (e.g. illegal raves and house parties).
- 5.6 The constant changes to the Coronavirus legislation, and the significant disparities between this legislation and guidance, remain a continual challenge. Fixed-penalty notices have been scrutinised in order to identify cases where they have been issued inappropriately, and in these instances, those affected have received written notification of the withdrawal; this system has been in place since the Constabulary started to issue fixed-penalty notices in March 2020.
- 5.7 It is important to note, in the overwhelming majority of cases, incidents are being dealt with appropriately and officers are using their discretion and professional judgement, in the correct way.

6. WORKPLACE

- 6.1 There have been just over 250 confirmed cases of Covid-19 within the Constabulary, with spikes of infection in October, December, and January. This is consistent with the national infection rate and that seen across the communities of Derbyshire.
- 6.2 In January 2021, 8.68% of the workforce were off work either due to sickness or being required to self-isolate following contact with a positive or symptomatic case. In March of 2020, this figure was approximately 20%, primarily due to a number of individuals identified as being clinically vulnerable and therefore required to shield.
- 6.3 Whilst the Constabulary's most vulnerable members of staff are still required to shield, there are risk assessments and control measures in place to protect others within the workplace. That said, the Constabulary has seen a significant transition to non-frontline duties being performed from home, or dispersed throughout their estate to ensure compliance with social distancing.
- 6.4 In order to maintain resilience in these challenging times, the Constabulary has reviewed how to best utilise the resources that it has available. A Blue, Green, Amber, Red, Black (least to most concerning) system of resourcing evaluation is implemented weekly to highlight areas of concern at the earliest opportunity, enabling them to flex/relocate resources as required.

7. CRIMINAL JUSTICE

- 7.1 The Criminal Justice System has been significantly impacted by the Covid-19 Pandemic.
- 7.2 Initially, there were issues regarding remand courts, and in order to retain this critical function, the Constabulary facilitated Virtual Remand Hearings (VRH).

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The Constabulary still manage VRH, which are now embedded and efficient, but they are only conducted for detainees that are either symptomatic or confirmed as being Covid-19 positive. An ongoing project to deliver VRH on a Sunday, in exceptional circumstances, to help relieve some pressure in custody is being conducted with the Courts and is welcomed by the Constabulary.

- 7.3 The adjournment of trials has created a backlog which is still increasing, despite courts having re-opened (albeit with a much-reduced capacity). For example, Guilty Anticipated Plea (GAP) hearings have reduced from 27 per week to 20, resulting in new cases being listed for August 2021 and beyond.
- 7.4 In order to facilitate trials, whilst maintaining social distancing, the Crown Court has reduced the number of courts from four to two. Despite this, the number of cases being listed is higher than before the Coronavirus Pandemic, further compounding the problem of backlogs.
- 7.5 In an attempt to fill court space, victims and witnesses are being warned and then de-warned multiple times. This is at the detriment of victims and witnesses, and may also result in an increase in attrition of cases and a subsequent loss of confidence in the Criminal Justice system. Victim's voices are not being heard by the courts, and trials are being listed inappropriately without taking victims circumstances into consideration.
- 7.6 The Constabulary is determined to maintain its focus on supporting victims and witnesses, but this will continue to be a challenge due to the huge backlog of cases and long court dates. These delays have resulted in a significant increase in workload for Witness Care, which is replicated nationally.
- 7.7 As policing has returned to "business as normal" the pressure on the court system, victims, witnesses, and the processing of fixed-penalty notices (which is also conducted by the Criminal Justice team in the Constabulary) is forecast to only increase.
- 7.8 Derbyshire Criminal Justice Board brings together chief officers from the various criminal justice agencies, county and city councils and health to work together on issues in the best interest of the community of Derbyshire. The Board is chaired by the PCC and prior to the pandemic met three times a year. Meeting frequency has now increased as agencies share information and attempt to co-ordinate their response to the challenges caused by Covid-19.
- 7.9 The criminal justice system has been particularly hard hit by the pandemic, initially almost completely closing down causing a backlog in court cases. Whilst progress has been made to clear that backlog, particularly in the work of the Magistrates' Courts, there are still unacceptably long delays in some areas of work, most notably with jury trials, and a consequent risk to both public and victim confidence in the administration of justice. Requests to open "Nightingale courts" in Derbyshire have so far been rejected by HMCTS and whilst the greater use of technology is welcome and likely to be long lasting, the response of the MoJ has been disappointing.

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8. RECOVERY

- 8.1 The Constabulary, whilst continuing to deal with the complex challenges of responding to the Covid-19 Pandemic, is simultaneously undertaking work to facilitate a well ordered and efficient recovery.
- 8.2 The Chief Constable and I have written a letter to the Prime Minister requesting that police officers and staff are offered the vaccine at an appropriate stage in the rollout. This will help prevent the transmission of the virus in the community, from police officers and staff conducting their essential roles, and also help to ensure that we can continue to provide an excellent service to the people and communities of Derbyshire.
- 8.3 Testing of police officers and staff is another area that is being developed within Derbyshire, to ensure that the Constabulary is able to maintain an effective and resilient workforce. Small scale testing has already been used in specific situations, such as the recent mutual aid deployments to Kent, for which officers were tested prior to deployment and upon their return into Derbyshire. The use of testing to facilitate essential training (such as first aid and self-defence) is also being explored to reduce the possibility of transmission of the virus between colleagues.
- 8.4 Testing will also be made available to any member of staff who has been assaulted by an individual using Covid-19 as a weapon (e.g. through spitting). Hopefully, this will provide reassurance to the officers and staff, and help them to protect their family and friends as much as possible.
- 8.5 The Coronavirus Pandemic has necessitated the Constabulary developing new ways of working, some of which will be carried forward into the recovery phase and beyond. As we emerge from this emergency period, I believe Derbyshire Constabulary will emerge as a leaner and more agile police force, better able to face the challenges of the twenty-first century.

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