

Written evidence submitted by the Association of Police and Crime Commissioners (COR0226)

1. Introduction:

1.1 This submission is made by the Association of Police and Crime Commissioners (APCC), on behalf of Police and Crime Commissioners (PCCs) in England and Wales, regarding their views on how the Home Office and its associated bodies have learned lessons and improved their policy and operational response as outlined by the Home Affairs Select Committee Inquiry 'Home Office preparations for and response to COVID-19'.

1.2 This response has been developed through the APCC national portfolios and shared with PCCs however it does not seek to reflect the views of all APCC members.

2. Preamble:

2.1 The Association of Police and Crime Commissioners (APCC) is the national body put in place to support Police and Crime Commissioners (PCCs) and a number of other policing governance bodies, such as the British Transport Police Authority. The APCC enables PCCs to develop common policy positions and influence change at a national level, whilst providing advice and /guidance about implementation at a local level.

2.2 Listed below, are the key points raised by PCCs in response to lessons learned and resulting changes to the Home Office and associated bodies policy and operational response to COVID-19. Due to the remit of the PCC role, the response will focus on four areas: Policing; Domestic abuse and child abuse; online harms; and immigration. As our national portfolios have each had engagement with the Home Office and associated bodies during the pandemic, we have included feedback from some of these portfolios.

3. Home Office's ongoing response to the pandemic - Policing

3.1 It is accepted that extended consultation is not possible due to the pace of change and need for decisive action to control the spread of this virus. There had been limited consultation on some of the earlier regulations, and subsequent changes, however the increased engagement with policing on the more recent regulations has been welcome.

3.2 PCCs have also been grateful for the regular calls with Minister for Crime and Policing, Kit Malthouse. Since the first national lockdown, the Minister has maintained consistent contact with PCCs via calls on Microsoft Teams. This has provided PCCs with a valuable opportunity to ask the Minister timely questions about recent developments to regulations and broader implications of the ongoing pandemic.

3.3 Furthermore, PCCs have a role in shaping the strategic direction of matters impacting on crime. This crisis will have an impact on society for some time and, moving forward, it is important that PCCs have a voice in regard to how this impact is managed.

3.4 *Further observations of policing the COVID-19 pandemic are:*

3.4.1 Financial impact - There has been a significant and well-documented financial impact on forces of policing the COVID-19 restrictions: There are a whole host of reasons why the service has not been able to collect as much income in the COVID period. Most notably there has been a significant impact on council tax revenue,

including the absence of an expected growth in the council tax base through a slowing in new house building and the impact on industry, including job losses and consequential inability of individual households to pay.

- 3.4.2 Additional costs - Forces incurred additional costs operationalizing the COVID-19 response; maintaining business as usual; and procuring personal protective equipment (PPE). PCCs have welcomed the assurances from the Home Office that they will reimburse the full costs of both medical-grade and non-medical grade PPE.
- 3.4.3 Legal clarity - Policing is required to enforce regulations, not government guidance. However, the existence of both in tandem has presented some difficulties. Once available, the NPCC and College of Policing guidance for forces has sometimes been effective in supporting the operational implementation of regulations. However, there have been some instances where the guidance has gone beyond its remit, for example, when the NPCC issued instructions to forces to pause issuing of 10k fines, given uncertainty around whether it was legal. This was met with considerable concern from some PCC and CCs as to the role of NPCC in this matter. This example further demonstrates the challenges of guidance / legislation being issued at speed and the importance of clarity as to what the legislation says.
- 3.4.4 Timing - The difficulties associated with the presence of the two different sets of rules have been exacerbated by timing. Operationally, the late publication of subsequent changes to the active Coronavirus Regulations has led to some confusion among front line officers and staff. There have been instances where the rules and guidance have not been practically available to PCCs until after they had come into force which has presented difficulties around preparing for the introduction of restrictions, and providing effective communications for the public, officers and staff.
- 3.4.5 Regulation clarity - As the pandemic has developed the regulations have become much clearer for policing, due to strong engagement between Governments and forces to ensure the system was right and there was an agreed enforcement strategy. This has been most welcome, and it is essential that the consultation with policing continues to enable officers to enforce the regulations effectively and confidently.
- 3.4.6 Legal divergence - From a practical perspective, the less divergence of regulations is easier to enforce. There have been issues around Wales and the fact the devolved administrations have different restrictions and rules, which has made it very difficult for policing when policing is not devolved. There is a need for better join up / alignment between England and the devolved admins.
- 3.4.7 Workforce impact - The past eleven months have still seen officers and staff stretched to the limits. Our frontline workforce is out on the streets at the height of this pandemic and they have exemplified the best traditions of British policing in their engagement with the public and encouragement of widespread compliance with rules and restrictions that were unprecedented in peace time. Nevertheless, policing the Covid-19 restrictions has placed additional strain on the police workforce with increased officer and staff overtime and rest day working. It has been important to balance this against officer welfare and resilience considerations.

- 3.4.8 The 4 E's approach - The approach of Engage, Explain, Encourage and Enforce has generally been an effective method for policing the COVID-19 restrictions. There has been a focus on the first 3 E's with police officers engaging, explaining, and encouraging people to do the right thing before taking enforcement action.
- 3.5 Also, our Equality, Diversity and Human Rights portfolio has noted that all the meetings previously held physically with the Home Office have transitioned to meeting online more or less seamlessly. Furthermore, with regard to the Home Secretary specifically, EDHR Lead, Hardyal Dhindsa (PCC for Derbyshire) and EDHR Deputy Lead, John Campion (PCC for West Mercia) have written to the Government calling on them to be more proactive in providing reassurance messaging to communities vulnerable to hate crime, including hate crimes related to COVID-19. In light of this, it would be recommended that the Home Secretary and the Policing Minister should be more proactive in this regard.
- 3.6 Finally, our perception is that Local Resilience Forums (LRFs) have generally performed well in co-ordinating the emergency service response to COVID-19. Neither PCCs nor their offices are statutory members of LRFs, and an APCC 'Call for Evidence' in April 2020 (with 29 PCCs/OPCCs responding) found significant variation in local approaches to PCC and/or OPCC involvement. Most PCCs reported that, even where not represented, they were linking into their LRFs, either directly or through their offices. It is important to ensure and develop PCC involvement in LRFs, given their critical role in the response to COVID-19 (e.g. as chairs of LCJBs and commissioners of victims and other services). While many PCCs/OPCCs are satisfied with the way LRFs are working locally, others have found it more challenging to engage with and secure representation on their LRF and a majority of respondents to our Call for Evidence favour a review of the law and/or guidance on LRFs to address the role of PCCs/OPCCs.

4. Home Office's ongoing response to the pandemic - Domestic abuse and child abuse

- 4.1 It is important to note that whilst the Government lead on domestic abuse is with the Home Office, they do not provide funding for PCCs to support victims - the Ministry of Justice do. The Home Office fund national helplines.
- 4.2 PCCs welcome the Government's focus and prioritisation around domestic abuse and that this was identified early on during the pandemic. While PCCs fund local support services, national helplines are also a vital part of the support landscapes for survivors and victims or domestic abuse; the additional funding the Home Office has given to the national helplines and the national comms campaign #YouAreNotAlone is also welcomed.
- 4.3 Most recently we have seen the "Ask for ANI" codeword scheme from the Home Office that has provided a discreet way for victims of domestic abuse to signal that they need emergency help from the safety of their local pharmacy. PCC are supportive of this scheme however would stress that it is vital that this is linked in with local support services for victims of Domestic Abuse as well as the national helplines and the police.
- 4.4 The focus, messaging and the accompanying resources from Government during COVID-19 to support victims needs to be maintained once the pandemic is over – as this is an issue that has been highlighted by the pandemic but not caused by it.
- 4.5 Funding support for victims needs to be sustained and baselined through the next SR process. The evidence to support this ask and on demand on support services for victims and

the need for additional and sustainable investment in them comes from a number of sources:

- 4.5.1 Firstly, feed-back from the sector and other stakeholders (including the APCC) into MOJ's Victims & Witness Silver Command which has been stood up during the pandemic.
- 4.5.2 Secondly, during the pandemic MOJ have set up processes to enable them to capture much more regular and granular data and evidence in respect of demand for and pressure on support services.
- 4.5.3 This is both in the form of data from national helplines and providers (such as Refuge) but also regular data that PCC offices provide to MOJ. Indeed, it was this evidence that helped make the case for the additional COVID-19 emergency funding that was made available, the additional £40m secure in the Spending Review for 2021-22 and we believe will make the case for on-going additional and more sustainable investment to support victims.

5. Home Office's ongoing response to the pandemic - online harms

- 5.1 Online harms - The opportunity for online harm has only increased during COVID as more and more activities have been pushed online by lockdown restrictions.
- 5.2 Fraud - Engagement has been good with the Fraud Policy Unit, as well as with the research unit that covers economic crime. There is recognition that fraud has increased during the COVID-19 period and work has been underway to try and respond. This momentum has been welcomed by PCCs and is being used to drive forwards the response to fraud, including potentially setting up a PCC-led national fraud forum.

6. Home Office's ongoing response to the pandemic - Immigration and visas

- 6.1 The APCC can report good engagement with the IE Operational Planning, Engagement & Delivery Command. They have shared with us their engagement plan and will be attending the next SOC Specialist Capabilities Portfolio Group on 4 February.

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