

	<u>Agenda Item: 9</u>
Report to:	Local COVID Outbreak Engagement Board
Date:	30th June 2021
TITLE:	ENFORCEMENT UPDATE
Organisation	West Midlands Police
Presenting Officer	Chief Superintendent Steven Graham

Report Type:	Information
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1. Purpose:
1.1 To receive an enforcement update from West Midlands Police relating to Covid-19.

2. Recommendation
2.1 The Board is asked to note the contents of this report

3. Report Body
<p><u>Introduction</u></p> <p>3.1 This report on WMP's enforcement covers the 4 weeks period which covers Step 3, when indoor hospitality opened.</p> <p>3.2 Throughout the various iterations of legislation, the policing approach has been based around what are known as the 4Es</p> <ul style="list-style-type: none"> - Engage, - Explain, - Encourage and - Enforce. <p>The fourth 'E' of Enforcement was seen as the last resort if members of the public did not respond well to the first three Es. That said, given the rise of the second wave, the policing response nationally has moved quicker to Enforcement and this has included the issuing of a number of the so-called super-fines of £10,000 for organisers of illegal gatherings.</p> <p>3.3 As has been discussed in previous reports, WMP produced an app for the mobile devices of all our front-line staff. This app allowed them to record what we called, "Directions to Leave" (DTL), and when people are spoken to who were breaching the regulations, they were assessed as falling into one of four tiers:</p> <p><u>Level 1:</u> Simple request made, and compliance gained resulting in a voluntary dispersal- these were not recorded on the app.</p>

Level 2: Mild disagreement (argumentative, delaying etc.) resulting in a formal instruction to disperse. Recorded on app.

Level 3: Individual is obstructive, abusive, severely delaying, has been previously dispersed or has come back after already being dispersed, aggravating factor present (e.g. distance travelled). Record as Fixed Penalty Notice (FPN) on the app.

Level 4: As above, but threshold of arrest is met under Code G PACE. Arrest, then deal with person in custody through the app.

3.4 Level 1 interventions from 18 September were also recorded on the app as a result of a local policy change.

3.5 It is this enforcement that I will refer to in the below section. This is not to underplay other important aspects of enforcement that have taken place in conjunction with the BCC Environmental Health Team when it has come to licensing issues related to premises. However, if it was linked to people (usually unlawful gatherings) then WMP would lead.

3.6 Over recent reports I have mentioned the relatively busy periods of protest activity. In my last report I discussed the increase in protests, particularly in the City Centre, with several Pro-Palestinian events having no formal event organiser. The number of these have reduced of late and are now often being picked up through BAU processes. It now seems that protests in the City Centre are a regular- if not weekly-occurrence.

3.7 When the city of Birmingham attracted the enhanced support status, the two Birmingham NPUs created additional capacity to support enforcement activity by deploying 4 double crewed cars on the early and late shift (8 per day therefore) to carry out targeted enforcement. This is being resourced through officers working on overtime and as such has no detrimental effect of everyday policing in the city. In addition to these "Covid Cars" (as they are known), West Midlands Police continues to run Operation Reliant which is a weekend deployment across the whole force to tackle Covid breaches mostly linked to unlicensed events and other large scale gatherings.

Results

3.9 The results referred to below focus on individual interactions as an agreement was arrived out with BCC colleagues that as a general rule, if breaches were connected with a premises (usually related to a licensing issue) then BCC would lead on enforcement.

3.10 The results are as follows:

	Up to 16/9/20	19/9/20- 19/11/20	20/11/20- 10/12/20	11/12/20- 14/1/21	15/1/21- 17/2/21	18/2/21- 17/3/21	18/3/21- 11/4/21	12/4/21- 23/5/21	24/5/21- 20/6/21
Total DTL	1655	4641	4150	5170	3718	2355	1002	669	126
People			10774	12725	7704	8127	4606	3752	2165
Level 1	N/A	4290	3740	4364	2536	1733	862	540	3
Level 2	1196	138	78	380	321	136	24	14	86
Level 3	229	198	331	407	854	484	116	115	37
Level 4	5	15	1	5	0	1	0	0	0

- 3.11 As one would expect with the move to Step 3, the total DTL number is significantly down. Probably that stand out statistic over the past month is that each DTL involves 17 people on average. This very strongly suggests that most enforcement activity now targets the larger events (such as the Reliant type operations referred to above). It is also worth noting that the percentage of FPNs being issued now sits at nearly 30%, which reflects the fact that the Reliant officers are dealing with deliberate and knowing breaches of the law, not people forgetting their facemask in a shopping centre.
- 3.12 We continue to measure the proportion of ethnic minority DTLs compared to white DTLs. Across Birmingham the Asian DTL ratio is 0.2 (was 0.6 on the last report) and the Black DTL ratio is at 7.6 (6.8 at last report). These figures are lower than the West Midlands as a whole, which are 0.6 (1.4) and 14.3 (10.9) respectively. It does seem that a lot of the organised, unlicensed social gatherings where multiple people are dispersed from are still disproportionately attended by people from the black communities in Birmingham (and the region as a whole), which explains the relatively high number in the city. It is interesting that the Asian ratio is at 0.2, whereas we know that there are large Asian communities in the Top 15 wards where the Delta variant appears to have led to the recent rise in infection rates. The intention of the Covid Cars is for them to be intelligence led, so I would expect them to spend more time in these wards and this may lead to an increase in the Asian ratio going forwards.
- Summary**
- 3.13 As in previous reporting periods, even with the swifter move to enforcement, the 4Es remains our overall strategy. There are no targets for enforcement across the city and this has been our policy throughout the pandemic. We continue to balance the enforcement of the new regulations in a way that does not compromise the legitimacy of WMP in our communities, and will remain watchful on any issues that could affect that (such as the disproportionality data discussed briefly above).

Appendices

N/A

The following people have been involved in the preparation of this board paper:

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