

Notice of Meeting

Surrey Police & Crime Panel

Date & time
Monday, 8 October
2012
at 10.30 am

Place
Ashcombe Suite,
County Hall, Kingston
upon Thames, Surrey
KT1 2DN

Contact
Simon Griffin
Room 122, County Hall
Tel 020 8541 9122

simon.griffin@surreycc.gov.uk

If you would like a copy of this agenda or the attached papers in another format, eg large print or braille, or another language please either call 020 8541 9068, write to Democratic Services, Room 122, County Hall, Penrhyn Road, Kingston upon Thames, Surrey KT1 2DN, Minicom 020 8541 8914, fax 020 8541 9009, or email simon.griffin@surreycc.gov.uk.

This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Simon Griffin on 020 8541 9122.

Members

John O'Reilly	Elmbridge Borough Council
Clive Smitheram	Epsom & Ewell Borough Council
Stephen Mansbridge	Guildford Borough Council
Margaret Cooksey	Mole Valley District Council
Victor Broad	Reigate & Banstead Borough Council
Terry Dicks	Runnymede Borough Council
Penny Forbes-Forsyth	Spelthorne Borough Council
Dorothy Ross-Tomlin	Surrey County Council
Charlotte Morley	Surrey Heath Borough Council
Ken Harwood	Tandridge District Council
Pat Frost	Waverley Borough Council
Bryan Cross	Woking Borough Council

PART 1 IN PUBLIC

- | | | |
|----------|--|-----------------|
| 1 | WELCOME

Introduction by Rachel Crossley, Lead Manager of Democratic Services (Surrey County Council). | Rachel Crossley |
| 2 | ELECTION OF THE CHAIRMAN

Members of Surrey's Police and Crime Panel to elect a Chairman for the 2012/13 council year. | Rachel Crossley |
| 3 | ELECTION OF THE VICE-CHAIRMAN

Members of Surrey's Police and Crime Panel to elect a Vice-Chairman for the 2012/13 council year. | Chairman |
| 4 | APOLOGIES FOR ABSENCE

The Chairman to report apologies for absence. | Chairman |
| 5 | INDEPENDENT MEMBERS OF THE POLICE AND CRIME PANEL
(Pages 1 - 4)
<i>Indicative Timing 10.45 to 11.00</i>

Members to note recommendations made by the recruitment sub-group and co-opt independent members to the Panel. | Simon Griffin |
| 6 | POLICE AND CRIME PANEL CONSTITUTION
(Pages 5 - 12)
<i>Indicative Timing 11.00 to 11.20</i>

Members to agree the Panel's Constitution, including terms of reference and rules of procedure. | Rachel Crossley |
| 7 | FORWARD PLAN
(Pages 13 - 14)
<i>Indicative Timing 11.20 to 11.50</i>

Panel Members to receive details of key milestones between October 2012 and June 2013. | Simon Griffin |
| 8 | INDUCTION FOR PANEL MEMBERS
(Pages 15 - 16)
<i>Indicative Timing 11.50 to 12.10</i>

Panel Members to receive details of proposed induction activity. | Simon Griffin |
| 9 | DATE OF NEXT MEETING | Chairman |

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- Interrupt presentations and debates
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SURREY POLICE AND CRIME PANEL

Independent Members of the Police and Crime Panel

8 October 2012

SUMMARY

This report provides details of the process undertaken for the recruitment of the Police and Crime Panel's independent members, including progress made to date, and puts forward the initial recommendations of the recruitment sub-group for consideration by the Panel.

RECOMMENDATIONS OF THE RECRUITMENT SUB-GROUP

Members of the Police and Crime Panel are asked to:

- (i) note the progress made in the recruitment of the Police and Crime Panel's independent members;
- (ii) co-opt the recommended independent members to the Panel (details to follow).

1.0 INTRODUCTION AND BACKGROUND

- 1.1 In accordance with the Police Reform and Social Responsibility Act 2011, where a force area consists of more than ten authorities, there will be as many appointed members of the Police and Crime Panel as there are local authorities in the force area, with one from each authority. In Surrey, this equates to twelve members appointed to the Panel by local authorities.
- 1.2 In addition to these appointed members, the Act requires Panels to co-opt two independent non-political members. Independent members will have full voting rights on Panel procedures and will be co-opted to the Panel for a term of four years.
- 1.3 The co-option of independent members to the Panel provides an opportunity to build on the skills and experience offered by the appointed members, and to assist the Panel in discharging its functions effectively.
- 1.4 The process for recruiting and co-opting independent members, previously agreed by Surrey's local authorities, is set out in the Panel Arrangements.
- 1.5 In accordance with these arrangements, the recruitment process included public advertisement of the independent member posts for a period of 4 weeks, and the preparation of information packs for interested parties, which set out the eligibility criteria, person specification and the roles and responsibilities for Panel members.
- 1.6 Applications were considered against the agreed eligibility criteria by a nominated sub-group of the appointed Panel members, as a result of which a short-list of candidates was invited to interview.
- 1.7 The recruitment sub-group consisted of Cllr Pat Frost (Waverley Borough Council), Cllr Ken Harwood (Tandridge District Council) and Cllr Dorothy Ross-Tomlin (Surrey County Council). Cllr Terry Dicks (Runnymede Borough Council) acted as a substitute for Cllr Ross-Tomlin at the sub-group's meeting to discuss short-listing.
- 1.8 Upon completion of the interviews, the Panel will be invited to consider final recommendations made by the sub-group with regard to co-option of the independent members.

2.0 ANALYSIS AND PROGRESS

- 2.1 Throughout the recruitment process, members of the sub-group have been mindful of the experience, knowledge and skills required for the Panel to be effective.
- 2.2 The Panel will support the Police and Crime Commissioner in the effective exercise of their functions and will play a crucial role in promoting

openness in the transaction of police business. As such, considering candidates against the essential criteria set out in the supporting information was of fundamental importance.

- 2.3 Following short-listing, the majority of interviews took place on 13 September. However, in order to accommodate existing commitments, and in the interest of fairness, it was not possible to complete all interviews until the first week of October.
- 2.4 As a result, the members of the recruitment sub-group have not been able to put forward their final recommendations to the Panel in this report, and propose to do so once all interviews have taken place.

3.0 EQUALITIES AND DIVERSITY IMPLICATIONS

- 3.1 Officers of the host authority ensured that the recruitment process was conducted in accordance with Surrey County Council's policies and its status as a 'Two Ticks' employer.
- 3.2 Efforts were made to ensure that the posts were advertised across a range of websites and local newspapers, and to provide details of the post to partner organisations in the voluntary, community and faith sectors.
- 3.3 The Police and Crime Commissioner is defined as a 'public body' under the Equality Act 2010 and, accordingly, is bound to give 'due regard' to its duties. Members of the Panel will therefore be required to consider the Commissioner's compliance with equality duties as part of their role, and the suitability of candidates was considered with this function in mind.

4.0 CONCLUSION AND RECOMMENDATIONS

- 4.1 The Panel is asked to note progress made to date in the recruitment of its independent members.
- 4.2 Upon conclusion of all interviews, members of the recruitment sub-group will submit further information for consideration by the Panel, including its final recommendations on the co-option of the Panel's independent members.

5.0 REASONS FOR RECOMMENDATIONS

- 5.1 The above recommendations are made to highlight progress made in the recruitment of the Panel's independent members, and to outline the actions proposed to conclude the recruitment process.

6.0 WHAT HAPPENS NEXT

- 6.1 Interviews are due to be completed in the first week of October, following which the recruitment sub-group will make final recommendations to the Panel.

6.2 Recommendations will be put forward by the sub-group in advance of the Panel meeting on 8 October, at which the independent members will be formally co-opted to the Panel.

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Surrey Police and Crime Panel – DRAFT Constitution

The Panel is a Joint Committee under sections 101 and 102 of the Local Government Act 1972. The county and each of the eleven borough and district authorities across Surrey shall appoint one member as its representative on the Panel, and two independent persons will also be co-opted to the Panel. All members of the Police & Crime Panel may vote in proceedings of the Panel.

The twelve local authorities making up the Surrey Police and Crime Panel and adopting these constitutional arrangements are:

Elmbridge Borough Council
Epsom & Ewell Borough Council
Guildford Borough Council
Mole Valley District Council
Reigate & Banstead Borough Council
Runnymede Borough Council
Spelthorne Borough Council
Surrey County Council
Surrey Heath Borough Council
Tandridge District Council
Waverley Borough Council
Woking Borough Council

In the event that an authority fails to appoint a member, appointment of a member of that authority shall fall to the Secretary of State for the Home Office.

1.0 Terms of Reference

The Panel will hold the elected Police and Crime Commissioner to account and will seek to work in a constructive manner with the post-holder with a view to supporting the effective exercise of his/her functions.

- 1.1 To review the draft police and crime plan, or draft variation, given to the Panel by the Police & Crime Commissioner (PCC) and make a report and recommendations to the PCC, who must have regard to them.
- 1.2 To review the PCC's annual report and ask questions, make reports and recommendations at a public meeting, which the PCC must attend.
- 1.3 To review or scrutinise decisions made, or other action taken, by the PCC in connection with the discharge of the PCC's functions.
- 1.4 To publish any reports or recommendations made to the PCC.
- 1.5 To require the PCC and members of their staff to attend the Police & Crime Panel to answer questions.
- 1.6 To hold a confirmation hearing to review, make a report and recommendation in respect of certain senior appointments made by the PCC.

- 1.7 To hold a confirmation hearing to review and make a report on the proposed appointment of the Chief Constable, with the power to veto the appointment by a two-thirds majority.
- 1.8 To hold a scrutiny hearing to review and report on the PCC's proposals to remove a Chief Constable.
- 1.9 To review the PCC's level of precept, with the power to veto the precept by a two-thirds majority.
- 1.10 To suspend the PCC on their being charged with certain criminal offences.
- 1.11 To appoint an acting PCC where the elected PCC is incapacitated, resigns or is disqualified.
- 1.12 To handle complaints about the conduct of the PCC and/or Deputy PCC and engage in informal resolution of such complaints, passing serious complaints to the Independent Police Complaints Commission (IPCC) as appropriate.
- 1.13 The Police and Crime Panel may not exercise any functions other than those conferred by the Police Reform and Social Responsibility Act 2011 (as outlined in paragraphs 1.1 – 1.12 above).

2.0 Panel Arrangements

Resources

- 2.1 All Home Office funding for the Panel will be received and administered by the host authority. The host authority for the first full year will be Surrey County Council.
- 2.2 The total costs of running the Panel shall be contained within the Home Office funding, although any local authority may provide additional funding or other resources to support the work of the Panel.
- 2.3 An annual budget report shall be submitted to the Panel by the host authority.
- 2.4 Constitutional and other specialist support will be provided by the host authority, together with the creation and maintenance of Police and Crime Panel webpages and administration of the payroll for member allowances. Additional services can be commissioned as needed, subject to funding being available. All constituent local authorities will be encouraged to provide a link from their websites to the Panel webpages, in order to promote the work of the Panel, and opportunities identified to promote with the public through existing resident newsletters and events as appropriate.
- 2.5 The host authority will be responsible for the payment of travelling expenses of members, in line with the host authority's allowance scheme. The proper officer of the host authority may, with the agreement of the Panel Chairman, authorise any Panel member to attend relevant conferences or training courses and for this

to be paid for at the subsistence rates available from the host authority, within available funding.

- 2.6 The Panel will meet approximately quarterly, with an annual meeting in June each year. Meetings may be held in any part of Surrey, but will usually be held at 10.30 a.m. at County Hall, Kingston-upon-Thames.
- 2.7 The host authority will be responsible for ensuring that agendas, summons and papers are sent out that comply with the requirements of the Local Government Act 1972. The notice of meeting and summons will be signed by the proper officer of the host authority.
- 2.8 The presumption is that all formal items will be considered in public except for those that meet the Part II confidentiality criteria of Schedule 100a of the Local Government Act 1972. Part I reports, agendas and minutes will be published on the dedicated webpages provided by the host authority, to which other authorities are invited to provide a link.
- 2.9 The press and public may be excluded from any part of a meeting when the Panel passes a resolution to that effect, when it considers that exempt information may be given or discussed and that it considers the public interest in keeping the information out of the public domain greater than the public interest in disclosing it. A Part I summary of any such discussions shall be included in the minutes.
- 2.10 Members are under an obligation not to disclose any confidential or exempt information that they obtain as a member of the Panel when it has been made clear to them that the information is not in the public domain.
- 2.11 Reports to the Panel must make reference to statutory or legal provisions to which the Panel must have regard.

Membership of the Panel

- 2.12 The Panel will be made up of twelve appointed members, one from each local authority in Surrey, and two independent members. All members of the Police and Crime Panel may vote in proceedings of the Panel.
- 2.13 All county, district and borough councillors are eligible to be members of the Police and Crime Panel. Appointments will be made at the relevant council's annual meeting, with the term of office agreed by that council.
- 2.14 Constituent authorities will strive to maintain political proportionality of the Panel as far as is practicable and will review the proportionality of all members of the twelve authorities on an annual basis, taking account of local authority elections across Surrey.
- 2.15 If necessary, the Panel can take steps, which could include co-opting additional members, to ensure that it is, and continues to be, balanced over time.

- 2.16 A vacancy on a Police and Crime Panel arises when an appointed or independent member reaches the end of their term of office, resigns or is removed from the membership of the panel.
- 2.17 Each council will fill vacancies for elected members in accordance with the arrangements in their constitution. Vacancies for independent members will be filled in accordance with the selection process outlined in paragraphs 2.19 – 2.22 below.
- 2.18 Panel Members, both appointed and co-opted, may be re-appointed and may serve a maximum of eight years on the Panel.

Independent Co-opted Members

- 2.19 The Panel shall co-opt two independent members for a term of four years. Independent co-optees shall have full voting rights, but may not be members of the constituent authorities of the Panel.
- 2.20 The recruitment process for the independent co-optees will include a public advertisement, via Surrey's shared job website, for a period of at least 2 weeks. Information packs will be prepared and made available to interested parties, including the person specification for a Panel member outlining the skills, knowledge and experience required.
- 2.21 The applications will be considered against an agreed eligibility criteria, following which a nominated sub-group of the appointed Panel members will be invited to meet to consider applications and interview candidates.
- 2.22 Following the interviews, the sub-group will make recommendations to the Panel about membership.

Removal or Resignation of Appointed and Co-opted Members

- 2.23 Any member wishing to resign from the Panel should inform the Chairman of the Panel in writing. If the member wishing to resign is the Chairman, then they should inform the Vice-Chairman.
- 2.24 An appointed member can be removed from the Panel, and replaced by another councillor, by a formal council decision. Co-opted members can be removed from the Panel by a two-thirds majority vote of the Panel members.
- 2.25 If any Panel member, either appointed or co-opted, is absent from Panel meetings for a period of 6 months, a motion for removal from the Panel can be moved by another member of the Panel. If carried by a two-thirds majority vote, the Panel member will be removed and the vacancy filled by the appropriate process, depending on whether it is for an appointed or co-opted member.

Standards

- 2.26 Members of the Panel will be bound by the code of conduct of their respective authority.

2.27 Independent co-opted members of the Panel will be bound by the code of conduct of the host authority.

3.0 Rules of Procedure

Chairmanship

- 3.1 A Chairman and a Vice-Chairman will be elected annually, at the annual meeting in June. Nominations will be made at the meeting and voting will take place by a show of hands. A secret ballot can be requested by three Panel members.
- 3.2 A Chairman can be removed from office through a majority vote of no confidence called by any member of the Panel.
- 3.3 Any vacancy occurring in the Chairmanship or Vice-Chairmanship through removal or resignation can be filled at any meeting of the Panel and will be effective until the next annual meeting of the Panel.
- 3.4 In the absence of both Chairman and Vice-Chairman, a Chairman for a single meeting will be appointed by a simple majority of votes.

Decision-making

- 3.5 All decisions will be made by a simple majority of votes of Panel members present, unless otherwise specified by statute. The Chairman of the meeting will have a second or casting vote. All other Panel members will have one vote. Voting will be by a show of hands.
- 3.6 Any member can ask for the way in which they voted to be recorded in the minutes.
- 3.7 A recorded vote shall be undertaken if requested by three Panel members.
- 3.8 Any member can make a proposition or propose an amendment to a proposed resolution if backed by a seconder. Votes will be taken if consensus is not reached.
- 3.9 A meeting or debate can be adjourned at the request of the Chairman, including an adjournment of the meeting if the required quorum is not present (see paragraph 3.12 below).
- 3.10 The validity of a decision will not be affected by any vacancy in the Panel membership, provided that the quorum has been met.
- 3.11 The Panel will not usually review any decision it has taken during the six months following such a decision.

Committee Procedures

- 3.12 The quorum for the meetings of the Panel is half of the current number of members.

- 3.13 At the annual meeting in June, the first item of business will be the appointment of Chairman. The second item of business will be the appointment of Vice-Chairman. Items will then follow the pattern for ordinary meetings set out below.
- 3.14 At ordinary meetings of the Panel, the first item of business will usually be declarations of interests.
- 3.15 The second item of business at ordinary meetings of the Panel will be the approval of minutes, to be signed by the Chairman. No discussion will take place about the minutes other than on their accuracy.
- 3.16 An item for urgent matters will appear on each agenda. Urgent matters will be taken at the discretion of the Chairman when it appears that a matter is so urgent that it cannot wait until the next meeting of the Panel.
- 3.17 The Panel will hold an annual public meeting to scrutinise the Commissioner's annual report.
- 3.18 Written questions from the public can be submitted no later than seven days prior to the published date of the annual or any ordinary public meeting, for which the Commissioner will be invited to provide a written response by noon on the day before the meeting, which will be circulated to Panel members and the questioner.
- 3.19 A special meeting of the Panel can be convened at the request of the Chairman or on the request of one third of the members of the Panel, providing that proper notice can then be given. One use of this provision may be a confirmation hearing for a proposed appointment by the Police and Crime Commissioner.
- 3.20 Panel business will be indicated on the agenda, but the order of business can be varied at the Chairman's discretion.
- 3.21 The host authority will work with the Chairman in advance of meetings to identify items for the agenda and in setting the order of the business, including issues of confidentiality.
- 3.22 Any member may give notice of an item to be included on the agenda provided it is relevant to the business of the Panel, is agreed by the Chairman and is no less than seven working days in advance of the meeting.

Conduct of Meetings

- 3.23 On each item, the Chairman will invite members to speak in turn.
- 3.24 Any member speaking will be silent at the request of the Chairman.
- 3.25 Following a warning from the Chairman to a member about disruptive behaviour, the Chairman may ask the Panel to agree that the member no longer be heard if the behaviour continues.

- 3.26 The Chairman may order the removal of disruptive members of the public from a meeting, or clear the public gallery to enable Panel business to continue.
- 3.27 All mobile phones and other communication devices must not disrupt Panel meetings.
- 3.28 No visual or sound recording may be taken without the permission of the Chairman in advance of the meeting.

Sub-Committees and Working Groups

- 3.29 The Panel is empowered to establish sub-committees to fulfil any of its functions except those that by law may not be delegated. Sub-committees may not co-opt members.
- 3.30 The Panel is empowered to establish time-limited informal working groups that can undertake proactive work on the initiative of the Panel, or at the request of the Police and Crime Commissioner, with the agreement of the Panel. The working groups will be flexible and informal, but must report back to a formal, public meeting of the Panel.
- 3.31 Any sub-committee or working group established will have the discretion to appoint its own chairman.

Relationship with the Police and Crime Commissioner

- 3.32 The Panel will hold the elected Police and Crime Commissioner to account and will seek to work in a constructive manner with the post-holder.
- 3.33 The Police and Crime Commissioner will have a standing invitation to attend all meetings of the Panel. The Commissioner's staff will also be invited to attend appropriate meetings of the Panel, at the discretion of the Commissioner. The Panel may, however, require the Commissioner to attend for specific items.
- 3.34 The Police and Crime Commissioner may invite the Panel to undertake scrutiny of any issue within his or her remit, but it will be for the Panel to decide whether it will accept any such request.
- 3.35 The Panel may require certain reports from the Police and Crime Commissioner in accordance with statute, but may also request other reports from the Commissioner that it considers necessary in order to effectively undertake its business. As far as is practicable, the Commissioner will be given at least three weeks' notice, but a report may be requested at shorter notice in cases of urgency.
- 3.36 In the event of the Panel receiving a complaint about the conduct of the Police and Crime Commissioner, the issue will be examined by the proper officer of the host authority to establish that the complaint falls within the remit of the Panel. The Panel will establish a sub-committee to consider the complaint and to determine whether and through what mechanism the complaint should be investigated.

Other Relationships

- 3.37 The Panel will seek to avoid duplication of the work of Crime and Disorder Scrutiny Committees in its constituent authorities. The role of the Panel is to scrutinise the Commissioner and not the Responsible Authorities as defined by the Crime and Disorder Act 1998, including Surrey Police and local authorities.

SURREY POLICE AND CRIME PANEL

Forward Plan October 2012 – June 2013

This document aims to provide Police and Crime Panel Members with key milestones from October 2012 to June 2013.

Where possible, dates have been identified for Panel meetings. However, these dates may be subject to change, and the Panel may be required to hold additional ad hoc meetings, depending on activity in the Police and Crime Commissioner's office.

8 October 2012 10.30am	PCP to hold its inaugural meeting <ul style="list-style-type: none">• Election of Chair & Vice-Chair• Co-option of Independent Members	PUBLIC MEETING Ashcombe Suite, County Hall
19 October	Final list of PCC candidates to be announced	
6 November 10am – 2pm	PCP Induction – Surrey Police Authority	MEETING Mount Browne
14 November 10am – 2pm	PCP Induction – Police & Crime Panel: roles and responsibilities	MEETING County Hall
15 November	PCC election	
22 November	PCC to take office	
26 November 2pm	PCC to meet PCP Chairman and Vice-Chairman	MEETING (Chair & Vice-Chair) Mount Browne
5 December 2pm	PCC to meet PCP Members	MEETING County Hall

1 February 2013	Deadline for PCC to notify PCP of proposed precept	
8 February	Deadline for PCP to respond to PCC on proposed precept (via report)	MEETING County Hall <i>Weds 6 February?</i>
15 February	Deadline for PCC to notify PCP of revised precept <i>Subject to the PCP exercising its power of veto</i>	
22 February	Deadline for PCP to respond to PCC on revised precept (via report) <i>Subject to the PCP exercising its power of veto</i>	MEETING County Hall <i>Weds 20 February?</i>
1 March	Deadline for PCC to issue precept, and to provide a response to the PCP if required	
November – March	PCC to develop Police and Crime Plan <ul style="list-style-type: none"> • develop proposed priorities and targets with budget • consult public and victims on proposed priorities • consult Chief Constable on proposed plan • present draft plan to PCP • PCP makes recommendations to PCC on draft plan • PCC responds to recommendations 	MEETING County Hall Around early March? (depending on the PCC's approach)
31 March	Deadline for PCC to issue Police and Crime Plan	
June 2013	PCP to hold its annual meeting <ul style="list-style-type: none"> • Election of Chair and Vice-Chair • PCP to review PCC's annual report 	PUBLIC MEETING County Hall

SURREY POLICE AND CRIME PANEL

Induction Programme November 2012

Members of the Police and Crime Panel will be invited to attend two induction events in November 2012, designed to prepare the Panel for its work with the incoming Police and Crime Commissioner.

The first will be hosted by officers of the Surrey Police Authority (SPA), who will become the secretariat of the Police and Crime Commissioner from 22 November, and the second, arranged by Surrey County Council officers, will provide the opportunity for Panel Members to explore matters relating to their roles and responsibilities.

The following are indicative agendas for the two events that will remain flexible in order to allow for any developments in October and November.

Surrey Police and Crime Commissioner (Surrey Police Authority) Tuesday 6 November, Mount Browne

- | | |
|--|---------|
| • Role of the PCC
Alison Bolton, Chief Executive | 30 mins |
| • Strategy / Police & Crime Plan
Johanna Burne, Senior Policy Officer | 30 mins |
| • Collaboration / Strategic Policing Requirement
Surrey Police | 1 hour |
| • Finance Briefing
Ian Perkin, Treasurer | 1 hour |
| • Partnership Working
Sarah Haywood, Partnerships Policy Officer | 30 mins |

Police and Crime Panel: roles and responsibilities Wednesday 14 November, County Hall

- Role of the PCP
 - Public Engagement
 - Community Safety (including scrutiny arrangements)
 - Confirmation Hearings
 - Complaints
- Work Programme
- PCC-PCP Protocol
- Communications

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