

INDEPENDENT ETHICS PANEL

12 JUNE 2018

PRESENT: A Lockley (Chair)
M Lewis, Member
Prof A Macaskill, Member
Supt S Poolman, SYP
Insp I Proffitt, SYP
S Parkin, OPCC
E Redfearn, OPCC
[REDACTED]
F Topliss, OPCC
K Wright, OPCC

APOLOGIES: S Hemsley, S Mellors, L Christon, M Ismail, M Roberts and
A Fletcher

1 WELCOME AND APOLOGIES

The Chair welcomed everyone to the meeting. Introductions were made.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES OF MEETING HELD ON 10 APRIL 2018

The minutes of the last meeting were accepted as an accurate record.

4 MATTERS ARISING

The Panel gave consideration to matters arising from the previous meeting and the following specific actions:-

- | | |
|---------------|--|
| Reference 117 | Prof A Macaskill and A Leverton have had an email exchange. A Macaskill confirmed that a paper is being prepared in relation to research projects. |
| Reference 118 | Student Officer Retention/Attrition rates for the 2017 cohort to be presented at the November meeting. |
| Reference 121 | IEP Annual Report – on agenda. |
| Reference 123 | Agreed further interviews to be arranged. |

5 WORK PROGRAMME

S Parkin informed the panel that the new style work programme is in its early stages and will be discussed at an agenda setting meeting. The aim is to align the work programme to the Public Accountability Board (PAB) work programme.

6 HATE CRIME UPDATE (COMMISSIONED WORK)

Superintendent S Poolman, SYP Hate Crime Lead, presented a comprehensive update report. Hate crime is a subject which the Police and Crime Commissioner (PCC) has asked the IEP to consider in detail.

Key points were:-

National picture

Police forces provided weekly data on hate crime to the National Community Tensions Team; but there had been no longer-term national view on hate crime since March 2017, which made it difficult to get an understanding of the national picture. The Panel decided to ask the PCC to support representations to re-instate reporting on the longer-term picture.

Home Office data showed a 29% increase in reported hate crime nationally in 2016/7, when compared to 2015/16. This increase was attributed to:

- Victims being more confident to report
- Improved police recording and
- The Brexit vote in June 2016 and its aftermath.

Recorded Hate Crime in SYP

SYP had seen increased reporting of hate crime in line with the national picture. The last three years had seen particularly large increases year on year, with an increase of 29% in 2015/16, 62% in 2016/17 and a 36% increase in 2017/18 to 2168 incidents.

Hate crime reporting did slow down from October 2017 through to February 2018 (returning to 2016/17 levels) but a further increase was seen in March 2018. The Panel will wait to see if the March increase is maintained.

Recording Breakdown

Racial crimes continued to account for the majority of hate crime across the force (75%). Its proportion, however, had reduced by 3% over the last few years, as a result of increases in reporting from the other stands.

Religion/Faith-related crimes had increased 110% year-on-year, the majority of which were targeting Islam. The increase could be linked to the increased recording during 2017 as well as training being given to staff in accurate identification and recording.

Disability-related hate crimes had increased by 67%, those relating to sexual orientation by 56% and to gender identity by 97%. Although these together made up only 22% of all reports, SYP recorded more Transgender/Gender Identity and Disability-related hate crime than similar forces. This may reflect the engagement

work undertaken by SYP, to raise awareness and build confidence, but the Panel **agreed** to continue to scrutinise the figures.

Hate Crime Offending

The vast majority of hate crime was verbal abuse by strangers, with the most frequent crimes recorded being public order offences.

The proportion of public order offences continued to rise, from 49% last year to 52% currently, with stalking and harassment increasing from 14% to 15%. Public order offences were generally 'one-off', whereas harassment cases were generally repeated offences.

Racial and religious hate crime made up a significantly higher percentage of public order offences, whereas transgender had the highest proportion of stalking / harassment (sexual orientation, disability and religion also had higher proportions of stalking/harassment). Disability-related hate crime had the highest proportion of criminal damage and arson. This was an area of particular concern.

Satisfaction (2017-18)

There had been an improvement in victim satisfaction on last year in Rotherham and Barnsley, with a slight drop in Sheffield and a more significant one in Doncaster. Doncaster district was aware of this and had some direct engagement with victims planned.

Outcomes (2017-18)

Key findings:

- No suspect had been identified in 41% of offences.
- In 2017/18, 7% were prosecuted, 1% were cautioned and 3% received a restorative or community justice disposal. This compared to previous year figures of 13%, 1% and 4% respectively. This pattern was consistent with outcome rates across all crime in South Yorkshire.
- 34% of victims did not support police action, as compared with 21% in the previous period. This decrease may be accounted for, in part, by the fact that more minor incidents were now being reported as crimes. The Panel's view was that this decrease did not of itself indicate that victims did not have confidence in the police.

'Punish a Muslim Day'

In March 2018, numerous letters were sent to individuals, mosques and schools nationwide purporting to publicise a 'Punish a Muslim Day' on 3 April. There was a national response which included guidance and support for communities through social media.

Locally, SYP engaged with community groups, mosques, schools and local Independent Advisory Groups to offer re-assurance and was one of the first forces to issue a press statement on Sunday 11 March and link in with Tell Mama. On the 3 April SYP put reassurance patrols in place at key locations throughout South Yorkshire and the PCC joined ACC Forber in meeting with the Council of Mosques.

The impact of these letters, and further letters received since, continued to cause anxiety and fear amongst Muslim communities.

The Panel were reassured that the Force had acted to reassure local communities and suggested it could be helpful for S Poolman to meet with Imam Mohammed Ismail, who was unable to attend this meeting of the Independent Ethics Panel.

Delivery against the Hate Crime Strategy 2016-19

Delivery of the Strategy was being progressed and monitored through an action plan, updated quarterly following meetings of the Force's Hate Crime Working Group.

The Panel congratulated S Poolman on an impressive report. A discussion took place around making the information more widely available.

The Panel **agreed** that it was able to reassure the PCC of the good work taking place by SYP around hate crime.

7 CHAIR'S REPORT

The Chair informed the Panel that he is meeting with the Chair of the Metropolitan Police Audit and Risk Committee (at her request) to talk about the 'Positive Culture Project' and will report back to a future meeting.

8 CODE OF ETHICS UPDATE BY EXCEPTION

The Panel received a written update report from Superintendent S Hemsley. The report highlighted the recent work of the Force's Internal Ethics Committee and the two submissions which the committee discussed.

Insp I Proffitt discussed both points with the panel. The first concerned the legal implications and potential conflicts of interest associated with alerts for first-aid-trained volunteers to attend medical incidents requiring CPR support.

Secondly, in relation to Stop and Search, the concern reflected the national picture, with low numbers of stops and searches carried out. The guidance from the College of Policing has been addressed and the South Yorkshire scheme guidance is on the intranet site. The Chair confirmed that the panel had previously supported the SYP guidance, which was designed to give some confidence to police officers when conducting stop and search.

A Macaskill said that the Stop and Search Scrutiny Panel which she attended was very well thought through and the level of detail meticulous, simple but effective and a real positive experience.

M Lewis queried search powers in relation to premises. I Proffitt explained that the power applies to an individual in a public place. A search of a residential address would require a magistrate's warrant.

9 USE OF FORCE IN CUSTODY

The Panel received a report on the use of force within SYP Custody Suites, from DCC M Roberts. The purpose of the report was to provide additional information requested at the last meeting, when the Panel had considered a joint letter to all

Chief Constables from the Chief Inspectors of Prisons and of Constabulary/Fire and Rescue Service on the use of force in custody suites.

The letter highlighted the Chief Inspectors' concerns on a number of issues. The letter was not particular to SYP, but the PCC had asked the Panel to review the position in South Yorkshire. The Panel had a number of queries before assurance could be provided to the PCC.

The report received today covered the following three outstanding areas:

- the nature of the force used;
- the length of time for which physical restraints were applied i.e. whether there were any incidents or near misses of positional asphyxia and
- whether the Force was satisfied reports were adequate.

Following confirmation that the information received related only to use of force in custody suites and not outside of the custody area the Panel **agreed** that it was able to provide assurance to the PCC that in South Yorkshire, the concerns raised by the Chief Inspectors did not apply.

It was also **agreed** that the Panel would continue to monitor SYP's use of force, including the use of force in custody, bi-annually.

10 SUPPORTING A POSITIVE CULTURE PROJECT UPDATE

K Wright provided an update on the Supporting a Positive Culture Project. In the light of previous discussions by the Panel, the project's focus would be on the following five themes on which the Force had scored lowest in the Durham University staff survey:

1. Procedural Justice
2. Perceived organisational support
3. Organisational pride
4. Vision clarity
5. Resource availability

As far as possible, links would be made to the following three enablers: communication; wellbeing (individual and organisational); and the Force being a "learning organisation".

The Panel noted that Prof A Macaskill and K Wright were meeting with J Jackson; the Head of HR later in the week, and that M Lewis was in the process of conducting a number of interviews with Detective Inspectors.

A discussion took place around the most appropriate way to conduct interviews with police constables and how many to interview. It was agreed that initially focus groups would be the most efficient way, with follow-up individual interviews if required. It was agreed that there should be officers from neighbourhood, response and general CID teams.

The Panel also approved the draft outline for its report.

It was agreed:

K Wright to work with S Hemsley to identify Focus Groups and appropriate dates.

I Proffitt to liaise with M Lewis and progress further interviews as required.

11 ANNUAL REPORT

The Chair informed the Panel that S Parkin had provided him with a review of work undertaken during 2017.

The Chair would draft the IEP's Annual Report and circulate the draft for comment to members. It was hoped that it could be presented at the PAB meeting on 28 June 2018.

12 SECTION 60 OF THE CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994 - RESTRICTED

The Panel received an update in relation to the use of powers under Section 60 of the Criminal Justice and Public Order Act 1994.

13 IEP EXCEPTION REPORT

The Chair confirmed the following items for the next Exception Report to be presented at PAB on the 28 June 2018:-

- Hate Crime
- Use of force in Custody Suites
- Supporting a Positive Culture Project

14 DATE AND TIME OF NEXT MEETING

The next meeting of the Independent Ethics Panel will be held on 11 September 2018 at 10am, at the Office of the Police and Crime Commissioner, Carbrook Hall Road, Sheffield, S9 2EH.

CHAIR