

## INDEPENDENT ETHICS PANEL

Friday 2 October 2015, commencing at 9am

South Yorkshire Police HQ, Carbrook Hall Road, Carbrook, S9 2EG

PRESENT: A Lockley (Chair)  
L Christon, Member  
M Lewis, Member  
A Macaskill, Member  
S Hemsley, SYP  
S Mellors, SYP  
A Holt, SYP  
E Redfearn, OPCC  
J Renwick, OPCC

GUESTS: G Bulmer, SYP  
R Odell, SYP

APOLOGIES: S Parkin, OPCC  
M Ismail, Member  
A Fletcher, SYP

### 1 WELCOME AND APOLOGIES

The Chair welcomed everyone to the October meeting of the Independent Ethics Panel.

There were no declarations of interest.

### 2 MINUTES OF THE MEETING HELD ON 2 JULY 2015

The minutes were accepted as an accurate record.

### 3 MATTERS ARISING / ACTION SCHEDULE

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

**Reference 25** – Ongoing, OPCC Senior Management Team progressing with Information Security Policy development.

**Reference 27** – On today's Agenda.

**Reference 31** – Ongoing, visit to be arranged once building work is complete.

**Reference 33** - DCC Holt updated Members that the College of Policing were close to finalising a revised model Policy for the police service which would be reviewed by the Independent Police Complaints Commission. South Yorkshire Police will be one of the first forces to pilot this Policy, but it is not anticipated to be at piloting

stage until Christmas 2015. A short discussion followed regarding the impact the delay may have on the Drew Review, the outcome of any disciplinary action and the appeals process.

**Reference 34** - HR service refreshing the People Strategy/Action Plan, this will be presented at a future meeting.

**Reference 35** - Policing South Yorkshire in 2020, shorter version to be emailed to Panel Members.

**Reference 38** - Complete.

**Reference 39** - Ongoing, T Goodhill to be invited to a future meeting.

**Reference 40** – To be add to the work programme for the January meeting.

**Reference 41** - Ongoing.

4 WORK PROGRAMME

The Panel discussed the work programme schedule.

The Drew Review has been added to today's meeting and is to be included on the work programme for the January 2016 meeting.

People in Custody with Mental Disabilities and Health Issues to be presented at the January 2016 meeting, which will align to a piece of work by the College of Policing.

Members indicated that they would welcome a visit to the newly built Custody Suite, with a view to this being arranged for January.

The Panel's first Annual Report should cover the period to March 2016.

The Chair informed Members that the Independent Ethics Panel will be holding its first anniversary meeting on the 12 January. The Police and Crime Commissioner and Chief Constable have been invited to attend the meeting.

The Chair confirmed that it has been agreed to increase the number of Independent Ethics Panel meetings to five a year.

**It was agreed:**

- a) Five meetings to be arranged for 2016**
- b) Work plan to be updated to include the Drew Review, People in Custody with Mental Disabilities and Health Issues and the Panel's Annual Report**
- c) Visit to the new Custody Suite be arranged for January 2016.**

5 CHAIR'S REPORT

The Chair provided a verbal update to the Panel. He confirmed that the newly appointed Deputy Chief Constable Dawn Copley will be commencing her appointment on the 19 October. Both the Chair and L Christon had been involved in the interview process, focussing on ethical issues.

The Chair had also attended an NPCC meeting on Police Ethics at the invitation of ACC Byrne. CC Jacqui Cheer, Cleveland Police, who leads for NPCC on Ethics and Integrity, was in the chair, and a number of others across the UK attended to discuss progress on the Code of Ethics and the setting up of a national liaison group. The group was to meet again in January 2016.

6 DREW REVIEW UPDATE

The Chair updated the Panel on Professor John Drew's independent review which was launched on the 30 September 2015. He explained that he has been asked by Professor Drew to act as advisor to the review and asked Members of the Panel if they would support Professor Drew in the taking of testimonies from individuals who come forward to give evidence.

E Redfearn outlined that the request is in keeping with the terms of reference of the Panel.

This led to a discussion regarding the role of the Panel, issues of support for vulnerable witnesses, the likely level of demand and the need to be clear concerning parameters of the role.

7 POLICING PROTESTS

The Panel received a briefing from Chief Superintendent R Odell in relation to the Policing of Protests in South Yorkshire and in particular Rotherham. There is concern that the protests are having a disproportionate impact on the Rotherham community.

R Odell gave an overview of decisions made and actions taken by South Yorkshire Police. Since October 2012, there have been 20 protests within the county and 14 specifically in Rotherham. The estimated payments to outside forces for policing these operations is around £4m.

The common theme by the protest groups is the handling of CSE cases within South Yorkshire.

South Yorkshire Police have taken reasonable steps to facilitate the right to freedom of assembly and protect participants in peaceful demonstrations. When a right wing protest group declare their intention to protest, there is a reaction from the community against this and some form of counter protest is set up and the Police are left with the facilitation of the right to protest between two opposing groups. Sites of the protests and assembly have been of keen interest to both parties.

The police have no power to ban a march or an assembly, but can impose conditions (eg on the route) and can apply to the local authority for the banning of a march if the Home Secretary also consents.

The force liaises with the local authority and protest group leaders as part of the planning process, anticipating the challenges, and considers the ethical issues presented, albeit within the constraints of the existing legislation.

The Home Secretary has commissioned work to consider whether the current police powers remain appropriate. Consultation is taking place with all forces and local authorities and is due to conclude in early November.

A discussion followed regarding whether continued protest activity is legitimate in terms of the right to protest and the dilemma which the police have in trying to meet the wishes of the protestors, whilst at the same time considering the impact on the local community, not just on the day of the protest, but subsequently.

The Panel considered ways of balancing competing interests and it was agreed that a paper should be prepared for the Home Secretary's consultation on behalf of the Panel supporting a change in legislation. This might also be useful for South Yorkshire Police.

The Chair thanked R Odell and DCC Holt for the informative briefing.

**It was agreed:**

**The Chair to prepare a report on behalf of the Panel for submission to the Home Secretary.**

**8 COMPLAINTS - TREND ANALYSIS OVERVIEW**

The Panel agreed to defer this item to the next meeting where a full report, including the improvements requested by the Panel at its meeting on 11 March 2015, is required.

**9 SURVEILLANCE - PRESENTATION**

Members received a presentation from Detective Inspector G Bulmer on Surveillance, providing an overview of:-

- What is surveillance
  - Direct surveillance
  - Intrusive surveillance
- Directed surveillance - Authorisation steps
- Intrusive surveillance – Property interference
- Private and Confidential information
- Collateral intrusion
- Training
- Other methods of surveillance

A discussion followed regarding ethical dilemmas and scenarios.

The Chair thanked G Bulmer for the informative presentation.

10 VULNERABILITY REPORT

The Panel were provided for its information with the Protecting Vulnerable People report, which had been presented at the Governance and Assurance Board (GAB) on the 15 September 2015. The report provides an update on the Force's current position in respect of Protecting Vulnerable People (PVP) and in particular Child Sexual Exploitation (CSE).

11 CODE OF ETHICS - SYP PROGRESS UPDATE

Superintendent S Hemsley provided a verbal update to the Panel in relation to the activity underway to embed the Code of Ethics across the workforce within the Force.

Panel members discussed the training of peer to peer champions within the force, which most members of the Panel had attended. The training posed a series of day to day ethical dilemmas for consideration. The opportunity for mixed groups was considered along with increasing number of volunteers to roll out to the whole workforce.

Members stated they were impressed with the responses of attendees to the training, and had offered comments for an even more successful programme.

A query was raised about the different scenarios used for senior officer training and whether more stretching examples could have been used, but the Panel was assured that nonetheless senior officers had had a useful discussion.

**It was agreed:**

**A Macaskill be invited to a future training event.**

12 TERMS OF REFERENCE REVIEW

The Chair requested that Members email any comments to him regarding the review of the Terms of Reference.

13 POLICE AND CRIME PANEL REFRESH

E Redfearn informed the Panel that work is underway to progress the Police and Plan Refresh.

14 IEP EXCEPTION REPORTING TO THE GOVERNANCE AND ASSURANCE BOARD

The Panel discussed exception reporting to the GAB and what level of assurance they can give the Commissioner on ethical matters within the Force.

Members agreed that the Force plans well for protests, anticipating the challenges and considering the ethical issues presented, albeit within the constraints of the existing legislation.

Surveillance is very well regulated but given the covert nature of surveillance it is difficult for Members to offer a clear view on the level of assurance.

The Panel can give assurance that generally good progress is being made in embedding the Code of Ethics and the methods being used to embed are generally effective.

In the absence of the requested trends analysis of complaints against the Force, the Panel is at this time unable to provide GAB with a level of assurance.

15 ANY OTHER BUSINESS

There were no other matters of business.

16 DATE AND TIME OF NEXT MEETING

12 January 2016, 9.30am, to be held at South Yorkshire Police HQ, 5 Carbrook Hall Road, Carbrook House, Sheffield, S9 2EG.

CHAIR