

## INDEPENDENT ETHICS PANEL

25 FEBRUARY 2020

PRESENT: A Lockley (Chair)  
M Lewis (Member)  
Prof A Macaskill (Member)  
Very Revd P Bradley (Member)  
J Wheatley (Member)  
DCC M Roberts (SYP)  
A/Chief Insp R Hammond (SYP)  
Insp S Mellors (SYP)  
ACC T Forber (SYP)  
Insp J Hunt (SYP)  
E Redfearn (OPCC)  
K Wright (OPCC)  
S Baldwin (OPCC)  
S Parkin (OPCC)

APOLOGIES: Imam M Ismail (Member)  
F Topliss (OPCC)

### 1 WELCOME AND APOLOGIES

The Chair welcomed everyone to the meeting.

### 2 DECLARATIONS OF INTEREST

There were no declarations of interest.

### 3 SERIOUS VIOLENT CRIME TASK FORCE - PRESENTATION

ACC T Forber and Inspector Joe Hunt gave a presentation on the Serious Violent Crime Task Force.

T Forber highlighted that the Serious Violence Crime Task Force is funded from Home Office 'surge' funding provided to forces worst affected by serious violence. The Task Force has a core of officers and encourages strong local ownership of issues. There is a focus on a visible police presence in crime hotspots, particularly those where young males are at risk of becoming victims. Activity is targeted and intelligence led.

A discussion took place around stop and search. A Lockley highlighted the positive outcomes which are in line with the rest of the Force. J Hunt confirmed that the Task Force contribute 14% of the Force's stop and searches.

Mapped stop and search data showed that stop and searches had taken place in the areas of South Yorkshire that have the most serious violence. M Lewis enquired about the accuracy of the location data. J Hunt confirmed information is

recorded contemporaneously and has to be reported to the Home Office. T Forber confirmed that he had confidence in the information produced by the Task Force.

J Hunt commented that the Task Force had not found as many weapons as he would have anticipated. M Roberts highlighted that 'found items' are not the only positive outcome; deterrence and breaking the culture are also positives.

A Macaskill suggested that in future success may be measured by a reduced number of weapons seized.

M Lewis highlighted how far the Force has come in relation to stop and search.

Funding for the Task Force after 31 March 2020 had not yet been confirmed.

The Chair thanked Messrs Forber and Hunt for their interesting and informative presentation.

4 MINUTES OF LAST MEETING HELD ON 5 NOVEMBER 2019

The minutes of the last meeting were agreed as an accurate record, subject to any unfamiliar abbreviations being removed.

M Roberts informed the Panel that he had asked the Force's Innovation Team to provide A Macaskill with a copy of a paper on the management of information around robotics for comment.

A Macaskill confirmed that she had provided Lara McDonald at the Centre for Data Ethics and Innovation with a copy of the Digital Policing report ahead of meeting with Ms McDonald the following week. She informed the Panel that the work the Centre is undertaking is going more slowly than anticipated.

J Grace and the West Midlands Police Ethics Committee also have copies of the Digital Policing report.

5 MATTERS ARISING

151	Issues connected with Cyber-Crime could be kept under review. <b>21/1/2020 – this is reported into PAB. DISCHARGED</b>
154	Consideration should be given to whether an officer or member should attend the Police Ethics Network conference on Digital Policing. <b>21/1/2020 – no further information available. DISCHARGED</b>
167	M Lewis to liaise with F Topliss about the possibility of incorporating stop and search into the new YOYO project and the funding bid for the Violence Reduction Unit. 12/2/2020 – The YOYO project is now being delivered in a different way. It will no longer be delivered through Bauer Media in schools but by the community sports trust as part of the Premier League Kicks programme, which is primarily focussed on diversionary activities. Some classroom based sessions will be included and if appropriate stop and search may be incorporated. <b>25/2/2020 – DISCHARGED</b>
177	A Macaskill would offer suggestions to the Force about the current processes

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	for assessment of recruits. <b>25/2/2020 – Ongoing</b>
183	F Topliss would consider external communications for use of force, new members of the Panel and the IEP's Annual Report 12/2/2020 – Now members have been in post some time the time for media release has passed. <b>25/2/2020 – DISCHARGED</b>
184	F Topliss would consider incorporating Stop and Search into the Communications Strategy for the Violence Reduction Unit 12/2/2020 – No further action needed <b>25/2/2020 – DISCHARGED</b>
187	S Poolman would provide more detail on what further work is required on the South Yorkshire current perceived religion demographic. <b>20/1/2020 – Information received and to be included in IEP lead report. DISCHARGED</b>
188	S Poolman to provide M Ismail with a list of all the active third party reporting centres. <b>20/1/2020 – Information received and to be included in IEP lead report. DISCHARGED</b>
189	M Roberts to establish if there is any information on the perpetrators of hate crime. <b>20/1/2020 – Information received and to be included in IEP lead report. DISCHARGED</b>
190	The Force would contact J Grace. <b>20/1/2020 – Complete. DISCHARGED</b>
191	The Panel would hold a separate meeting to consider the digital policing report. <b>16/1/2020 - The meeting took place on the 19 December 2019. DISCHARGED</b>
192	The final report would be presented to PAB in January 2020. <b>16/1/2020 – Complete. DISCHARGED</b>
193	A Macaskill and K Wright would meet with the Force's Internal Ethics Committee. <b>16/1/2020 – The meeting took place on the 19 December 2019. A Macaskill confirmed this had been useful. DISCHARGED</b>
194	D Barraclough would share the next assessment report on unconscious bias with the Panel. <b>18/2/2020 - R Hammond to attend the meeting on 25 February, on behalf of D Mahmood and will talk through the findings and the main themes of the recent PSD audit discrimination cases and answer any questions that the Panel have. DISCHARGED</b>
195	The ethical questions should be considered by SYP when adopting a new piece of technology. <b>21/1/20 - A Fletcher to send questions to S Verrall, R Odell, J Osborne and J Bland. Also pass to T Forber to take to Regional ACC's meeting. Complete. DISCHARGED</b>
196	Openness and transparency should be included in the preamble of the documents, as should the need to use current data and to use it appropriately. <b>16/1/2020 – Complete. DISCHARGED</b>
197	MOPI be referenced in the report, as should data retention and storage. <b>16/1/2020 – Complete. DISCHARGED</b>

198	Proportionality should not be separately listed as an ethical consideration. <b>16/1/2020 – Complete. DISCHARGED</b>
199	E Redfearn to discuss transparency in the PCC’s assurance arrangements with M Buttery. <b>18/1/20 - This related to the Digital Policing ethical considerations which have now been published. DISCHARGED</b>
200	The ethical checklist be reviewed in June 2020. <b>16/1/2020 - On the work programme for 30 June 2020 meeting. DISCHARGED</b>

**Action 194**

R Hammond, provided an update on the latest review of all police complaints made to SYP, which allege some form of discrimination, carried out by Insp Mellors.

- 22 files were reviewed.
- The first review (2014-16) examined a body of cases, most of which were concerned with ethnicity-based discrimination. In the most recent annual review (the cases from 2018) this had changed. As many of the cases were about disability as were about ethnicity.
- Some findings from the early reviews, identifying such as poor data capture and inadequate awareness of the IPCC guidance, had been addressed and fixed.
- Disability is non visible - officers need to probe more, training is being planned to address this.
- There was an increasing presence of discrimination complaints from people disclosing a disability, especially around mental ill-health.
- Limited expertise in disability and mental health conditions means some Investigating Officers shy away from probing relevant prejudices.
- In relation to gender, 45% of complaints made by males were dealt with by local resolution. Local Resolution, under the new police regulations, has ceased to exist as an intervention. Instead the regulations refer to a raft of different types of intervention any of which is justifiable on the grounds of ‘being the most reasonable and proportionate in the circumstances’. For example, in cases where a complaint is received from someone who has demonstrated themselves to be vexatious or a persistent time-waster, it may be reasonable and proportionate to choose not to investigate their complaint.

**6 COMPLAINTS REFORM**

R Hammond, and E Redfearn, together with J Wheatley, who is the IEP’s lead member on complaints, provided an update on the reforms in the handling of complaints.

The Police Integrity Regulations 2020 commenced on 1 February 2020.

The only issue encountered so far has been in relation to the IT system which required an upgrade, but this has now been completed.

SYP is currently recruiting a Detective Inspector and two members of police staff to strengthen the capacity of PSD. E Redfearn informed the Panel that a member of SYP staff has been seconded to assist with the PCC's new powers to carry out reviews. No matters for review have been received at the current time.

R Hammond reported his initial impression that the new system will enable PSD to deal with complaints more quickly – dealt with by the Department rather than having to be sent to Districts.

PSD have dealt with one conduct matter under the new Regulations where the officer has been found to be requiring improvement. The officer will now be able to reflect on this with their line manager. Under the old Regulations this may have fallen into misconduct.

R Hammond highlighted that the Force was moving towards organisational learning. PSD is working with the Force's Governance Unit to develop an organisation learning tracker. This is not just for PSD.

PSD has its first Independent Office of Police Conduct (IOPC) oversight meeting under the new arrangements, on 26 February.

J Wheatley highlighted the uncertainty which had existed around when/if the reforms would come in. Initial concerns around resources had been resolved. R Hammond confirmed that some of the fears initially envisioned by PSD, had not manifested themselves.

J Wheatley confirmed that she is still planning to attend a PSD Champions meeting (one had been cancelled) and dip-sample some complaints now the reforms have been introduced.

A Lockley raised the recent high-profile incident in Barnsley, following a football derby. M Roberts confirmed that the Force had referred itself to the IOPC, as is mandatory in circumstances of serious injury.

A discussion took place around the impact of social media. P Bradley highlighted the ethical use of social media by SYP and the ability to lose control of stories if an immediate response is not posted. M Roberts confirmed that there had been a communication on the day but the Force was limited around what it could say.

A Macaskill highlighted that the Force needs to ensure it is not being defensive.

M Lewis expressed concern about the negative narrative with Sheffield Wednesday Football Club. M Roberts confirmed that the SYP is alive to this. M Roberts commented that he hoped fans would recognise that in its recent actions, SYP had put public safety first.

The Panel asked that its six monthly review of complaints trends should in future include those complaints which are dealt with by the IOPC.

**IT WAS AGREED THAT:**

- **The six monthly review of complaints trends should include a report on complaints dealt with by the IOPC**

7 EQUALITY, DIVERSITY AND INCLUSION REPORT

S Mellors presented the Equality, Diversity and Inclusion Update and highlighted the following points.

The last quarter of 2019 saw a rise in the workforce total across all sections, except Specials, for whom recruitment has had to be put on hold.

Among police officers, the proportion of females has climbed (+0.4%) to a new high of 33.8% which is above the national police proportion of 30.4%. The proportion of BME officers, however, remains steady at 4.9%. The Force still has some way to travel to match both the proportion of BME residents in South Yorkshire (11.9%) and the police service nationally (6.9%).

The Panel expressed concern about the apparent dearth of BME/VME officers at sergeant rank. S Mellors confirmed that plans were in place to address this, including offering free taster sessions. The Chair highlighted that last time this had been reported the new criteria had been thought to be a barrier and there was a perception that there was more responsibility. S Mellors confirmed that officers are still getting used to the new framework.

M Lewis referred to the focus groups L Christon and himself had undertaken where officers had fed back that the requirement to move if you got promoted is disruptive. M Roberts confirmed this is still a requirement, although the Force tries not to penalise people on promotion. Officers had also mentioned the lack of training around managing people. S Mellors confirmed that the Force is currently considering a number of rewards to encourage officers to take on managerial roles.

P Bradley commented that this did not impact on ethnicity. S Mellors confirmed that when a small number of BME officers become sergeants this has a big impact. The Panel noted that the proportion of BME officers is at its highest at the rank of Inspector (6.3%), there are no BME officers at the rank of Chief Inspector and only one officer at Superintendent rank.

A Macaskill referred to a study undertaken by the nuclear industry to encourage female employees to apply for promotion. Recruitment literature had been reviewed and it had been identified that there was a gender bias around how the information had been written. Once these had been rewritten there had been an increase in the number of applications and it had been found that female applicants were better qualified than their male counterparts.

S Mellors highlighted the dropout/withdrawal rate (30%) during the recruitment campaign which began in January 2017. The Panel enquired if this was because of the length of time it takes to recruit. M Roberts highlighted that the Force was tied into the national process so was unable to influence the time it takes to recruit. He also highlighted that a lot of forces are recruiting and also have a high attrition rate.

7a EQUALITY, DIVERSITY AND INCLUSION ORAL UPDATE FROM LINK MEMBERS

P Bradley confirmed he was meeting with S Mellors tomorrow and would consider some of the other aspects of the report at that meeting. He highlighted that he was interested in the mental health aspect of recruitment and retention. M Roberts highlighted the work SYP had done around health and wellbeing but acknowledged it was right to look at this.

P Bradley confirmed that the report presented under the previous item, was very useful and gave an element of reassurance.

A discussion took place around information about BAME. It was agreed that this term was too broad and did not give you information about local communities. S Mellors agreed to look at whether the Home Office returns provided more details.

## 8 HATE CRIME

A report had been prepared by S Baldwin, setting out activity carried out by the Panel's Link Members since the last meeting. A short Force update on specific aspects, was appended. Because of shortage of time, the Chair agreed to defer this item until the next meeting, when a full report from the Force was expected.

The Panel requested that the reports be updated to include more information about a Force-wide Scrutiny Panel. A Macaskill provided information on the third party reporting facility at Sheffield Hallam University and agreed to send this to M Ismail.

The Panel requested information on the impact on SYP, if any, of the High Court Judgement that Humberside Police unlawfully interfered with a man's right to freedom of expression by turning up at his place of work in connection with his allegedly "transphobic" tweets.

### **IT WAS AGREED THAT:**

- **S Baldwin's report be updated and brought to the next meeting of the Panel**
- **The Force Hate Crime Report, due for the next meeting, should cover the matters contained in the short Force update presented to this meeting, including plans for a Force-wide scrutiny panel**
- **That report should include the impact (if any) of the High Court Judgement against Humberside Police**
- **A Macaskill provide M Ismail with information on the third party reporting facility at Sheffield Hallam University.**

## 9 STOP AND SEARCH

M Lewis, the IEP's Lead Member for Stop and Search, provided two written updates.

The first of these was his notes from observation of a stop and search scrutiny panel. He highlighted that the Force is considering showing the stop and search scrutiny panel Body Worn Video recording of the stop and search, and wanted to take the Panel's view on this. A Macaskill enquired if there were any issues with the current process. M Lewis confirmed that the current process worked well but the

scrutiny panel would be able to make more informed assessments if the footage was available.

Following discussion the Panel agreed that on balance, there were no fundamental ethical considerations which might delay using Body Worn Video material as part of the scrutiny process. However, the Panel advised that data protection requirements should be investigated before the proposed use of Body Worn Video footage should go ahead.

M Roberts confirmed that he would like Body Worn Video footage to be used as part of the scrutiny process providing there are no data protection issues. He agreed to speak to SYP's Data Protection Manager about this.

With support from K Wright of the OPCC, M Lewis had also prepared a briefing note on perceived disproportionality in the use of stop and search on the BME communities across the county. In a written response to a number of questions raised in the briefing note, Ch Insp C Foster, Force lead for stop and search, acknowledged that despite a recent drop in the level of disproportionality, the Force does not fully understand the drivers and as part of its research response, has commissioned Sheffield Hallam University to interrogate the relevant population data.

M Roberts agreed to circulate the written response from Ch Insp C Foster.

**IT WAS AGREED THAT:**

- **M Roberts would establish if there are any legal reasons why Body Worn Video material could not be used as part of the stop and search scrutiny process**
- **M Roberts would circulate Chief Inspector C Foster's response to M Lewis' questions on disproportionality**

10 REVIEW OF IEP - 5 YEARS ON

The Chair highlighted that Members' Terms of Office come to an end in September 2020. To assist the PCC and Chief Constable in determining the future of the Panel he suggested that the Panel undertake a self-assessment.

M Roberts suggested the Panel may want to look at the PCC's statutory functions to establish what reassurance had been provided.

P Bradley suggested the Panel itself needs to articulate where it thinks it could have done better or what had worked well or added value. The Panel should look at the outputs which have been produced. 365° assessments could also be used.

The Panel agreed that Annual Reports should also be considered.

The Chair asked A Macaskill and P Bradley to share, preferably in writing, their experience of self-assessments. They agreed to prepare a short paper.

The Chair informed the Panel that he would like this to be completed by June. It was agreed that the Panel would need to meet outside of the next meeting to discuss this in more detail.

**IT WAS AGREED THAT:**

- **A Macaskill and P Bradley would share their experience of self-assessments with the Panel**
- **The OPCC would arrange a separate meeting for members of the Panel to discuss a self-assessment.**

11 WORK PROGRAMME

The work programme was noted.

12 CHAIRS REPORT

The Chair informed the Panel that he was meeting with the other three Chairs of independent ethics panels later in the week. They had been provided with a copy of the digital policing report, and this Panel's most recent annual report.

13 IEP EXCEPTION REPORTING

The Chair confirmed that he would be reporting by exception to PAB in March on progress made with complaints reform, the Serious Violent Crime Task Force, equality, diversity & inclusion and stop and search.

14 EXTERNAL COMMUNICATION

None.

15 ANY OTHER BUSINESS (TO BE ADVISED AT THE BEGINNING OF THE MEETING)

All items discussed during the meeting.

16 DATE AND TIME OF NEXT MEETING

28 April 2020, Carbrook House, Carbrook Hall Road, Sheffield S9 2EH at 10am.

CHAIR