

INDEPENDENT ETHICS PANEL

30 JUNE 2020

PRESENT: A Lockley (Chair)
Prof A Macaskill (Member)
Imam M Ismail (Member)
M Lewis (Member)
Very Revd P Bradley (Member)
J Wheatley (Member)
DCC M Roberts (SYP)
Insp S Mellors (SYP)
Temp Supt D Mahmood (SYP)
A Fletcher (SYP)
E Redfearn (OPCC)
S Parkin (OPCC)
F Topliss (OPCC)
K Wright (OPCC)
S Baldwin (OPCC)
Dr A Billings (PCC)
L Dudley (OPCC)
Ch Supt S Poolman (SYP)
Supt S Wanless (SYP)

1 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES OF LAST MEETING HELD ON 28 APRIL 2020

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

4 MATTERS ARISING

177	A Macaskill would offer suggestions to the Force about the current processes for assessment of recruits. 25/02/2020 – Ongoing 18/03/2020 – Meeting arranged with HR for 19 March 2020. The meeting was cancelled due to the Covid-19 pandemic and will be rearranged once things are back to normal 23/06/20 - The Force have changed their assessment in line with College of Policing advice due to Covid-19 and have developed an online assessment including a situational judgement test. Meeting no longer required. DISCHARGED
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INDEPENDENT ETHICS PANEL
30/06/20

201	<p>The six monthly review of complaints trends should include complaints dealt with by the IOPC.</p> <p>01/05/2020 – D Mahmood highlighted that the IOPC had confirmed that data for quarter 4 would not now be collected until the end of May. The IOPC has also confirmed that the data collection for quarter 1 2020/21 will not take place. Instead, they will collect data for both quarters 1 and 2 in October 2020.</p>
202	<p>S Baldwin's report be updated and brought to the next meeting of the Panel.</p> <p>21/04/2020 – On agenda for 28 April meeting. DISCHARGED</p>
203	<p>The Force hate crime report, due at 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.</p> <p>21/04/2020 – Hate Crime report to be presented at the meeting on 30 June 2020. Ongoing</p> <p>16/06/2020 - On agenda for the June meeting. DISCHARGED</p>
204	<p>The Force hate crime report should include the impact (if any) of the High Court Judgement against Humberside police.</p> <p>21/04/2020 – as above</p> <p>16/06/2020 – Included in report for the June meeting. DISCHARGED</p>
205	<p>A Macaskill to provide M Ismail with information on the third party reporting at Sheffield Hallam University</p> <p>16/06/2020 – Complete. DISCHARGED</p>
208	<p>A Macaskill and P Bradley would share their experience of self-assessments with the Panel.</p> <p>21/04/2020 – on hold due to Covid-19 work. The Chair thanked A Macaskill and P Bradley for the work they had undertaken on this.</p> <p>30/06/2020 – To be discussed at the June meeting. DISCHARGED</p>
209	<p>The OPCC would arrange a separate meeting for members of the Panel to discuss a self-assessment.</p> <p>21/04/2020 – on hold due to Covid-19 work</p> <p>30/06/2020 – To be discussed at the June meeting. DISCHARGED</p>
210	<p>A Macaskill would provide M Roberts further information on the nuclear industry study around the wording of recruitment literature.</p> <p>19/06/2020 – Information provided. DISCHARGED</p>
211	<p>The Chair would familiarise himself with the recommendations of the Nolan Committee report on ethical standards in procurement and establish if any work needs to be undertaken by the Panel in this area</p> <p>30/06/2020 – It was agreed that this needed to be considered in line with Value for Money. ER confirmed that the PCC's S151 officer was reviewing the Value for Money Strategy and this would be picked up as part of that work. DISCHARGED</p>
212	<p>P Bradley would brief the Panel on the issues being discussed by partnership boards around procurement</p> <p>30/06/2020 – Linked to above. DISCHARGED</p>
213	<p>S Parkin would contact the officer supporting the Greater Manchester Combined Authority Ethics Committee to establish if they require any information on Operation Signature</p> <p>16/06/2020 - Greater Manchester Combined Authority Ethics Committee are aware of Operation Signature and have spoken to colleagues about this. GMP's Cyber and Economic Crime Awareness Service has won a national award. DISCHARGED</p>

214	<p>P Bradley would attend the Chief Constable's meeting with BME/VME officers to establish any blockages for BME/VME officers applying for promotion from PC to sergeant level</p> <p>16/06/20 – P Bradley has attended the Diversity, Confidence & Equality board meeting chaired by the Chief (14th May 2020) and following this met with Jo Jackson (Head of People and Organisational development).</p> <p>DISCHARGED</p>
215	<p>M Roberts / S Mellors to establish whether other forces have BME/VME under-representation at the rank of sergeant</p> <p>30/06/2020 – Covered in P Bradley's report. DISCHARGED</p>
216	<p>The OPCC would contact the APCC to establish if there is any good practice around the promotion of BME/VME officers from PC to sergeant</p> <p>30/06/2020 – Covered in P Bradley's report. DISCHARGED</p>
217	<p>P Bradley would provide an update on his findings on the BME/VME under-representation at the rank of sergeant at the next meeting</p> <p>30/06/2020 – Covered in P Bradley's report. DISCHARGED</p>
218	<p>The Commissioner would consider if any additional funding could be made available to smaller groups who are struggling as a result of the Covid-19 pandemic</p> <p>16/06/2020 - The Commissioner has re focused his Community Grant Scheme on projects that focus on at least one of the following:</p> <ul style="list-style-type: none"> • Help for victims of domestic and/or sexual abuse • Help for young people at increased risks of abuse, poverty or offending as a result of school closures • Assist with community cohesion, prevent crime and ASB and reduce demands on our emergency services' <p>DISCHARGED</p>
219	<p>The OPCC would monitor the Force daily Covid-19 briefing that may be relevant to the work of the Panel</p> <p>16/06/2020 - Force daily Covid-19 briefings are being monitored and reports sent to IEP members. DISCHARGED</p>
220	<p>E Redfearn to consider how the Chair will informally report the Panel's findings to the Commissioner and Chief Constable.</p> <p>30/06/2020 - Complete. DISCHARGED</p>

5 CHAIR'S REPORT

The Chair informed the Panel that he had accepted membership of the National Police Chiefs Council's (NPCC) Covid-19 Ethics Committee.

5a DISCRIMINATION AND DISPROPORTIONALITY - ADDITIONAL ITEM

An additional paper prepared by the Commissioner had been circulated ahead of the meeting. He proposed that the Panel focusses on countering unconscious bias, obtaining more accurate population statistics against which to calculate disproportionality, and measures to improve diversity in the Force.

A motion circulated to Sheffield TUC members, provided by M Lewis, had also been sent ahead of the meeting. The Commissioner confirmed that he had spoken to local and regional TUC representatives and they had disowned the motion.

The Commissioner made reference to the death of George Floyd and the impact this was having on what was happening locally, nationally and internationally. He confirmed that he was aware that the Panel had been working on these issues for some time but would like to develop some narrative around this.

The Commissioner confirmed that he did not think the problem for the Force is overt or deliberate racism. If an officer is overtly or deliberately racist this will be dealt with as a disciplinary matter and this will be a small minority. The concern is whether the Force has unconscious bias.

The Commissioner commented that he was unhappy with the lack of clarity around the term BAME.

Reference was made to the Commissioner's stop and search discussions with the Somali community. Mothers want their sons to be stopped and searched but the sons do not.

The Commissioner confirmed that he would like to capture the experience of BAME officers/staff.

The Commissioner referred to the current disproportionality figures, calculated by reference to the 2011 Census data. He highlighted other areas of disproportionality which should be referenced including gender, social class, age and where people live. Disproportionality needs to be compared as a whole. A different set of figures is required.

The Commissioner acknowledged that ethnic disproportionality may not be as bad as is perceived. Diversity may be a different matter.

The Commissioner commented that positive action should counter balance unconscious bias. This information will help combat the narrative.

The Panel thanked the Commissioner for a useful summary.

The Chair enquired if the Commissioner had any intention of revisiting the countywide BME IAG. The Commissioner acknowledged that it was difficult to get people who reflect communities and that there are other ways of obtaining information.

A Macaskill shared details of a project which has been taking place at Sheffield Hallam University to address under-representation of staff and students. Mandatory unconscious bias training takes place every two years. Reminders are sent out before interviews, progress panels, discussions with students and everyday work undertaken by the university. She commented that this was worth doing and was thought-provoking.

M Roberts confirmed that the Force has unconscious bias training.

D Mahmood highlighted that the IOPC have guidelines to help spot discrimination whilst undertaking investigations. Any investigations involving unconscious bias

are sent to S Mellors to review to ensure the Force has done everything it should have.

M Roberts was not aware of many complaints about discrimination. He acknowledged that it is right to ask questions about unconscious bias. It also needs to be understood why someone perceives that they have been arrested because they are black.

M Lewis welcomed the Commissioner's paper and acknowledged there was a degree of urgency to progressing this work. He suggested the Panel needed to move from input to what actually happens. He highlighted the difficulty in listening to the right people. The right people are people who do not want to talk.

M Ismail confirmed the need to bring in young people to obtain their views.

A discussion took place around the tone of the media and the risk of misrepresentation of what is happening outside London. The Panel acknowledged that a more positive picture needs to be provided.

A Macaskill commented that it was very easy to be seen to be defensive.

The Chair suggested that the correct messages are not getting to the voices that matter; hence the prevalence of more negative views.

M Roberts observed that an inaccurate narrative can be incredibly dangerous and that care needs to be taken around where the conversation is started. He suggested that the Panel engage and consult with all staff associations to take views. People seem to think the UK has more issues than it actually has.

M Roberts referred to the Sheffield TUC motion and commented that as a serving police officer he found the motion to be grossly offensive. He recalled the impact of Chief Constables declaring that police forces were institutionally racist following the Macpherson report.

He informed the Panel that since the murder of George Floyd five weeks ago, 81 officers have been assaulted. This is a 56% increase since last year. A Macaskill suggested that the statistics be published so that people have a better understanding.

The Panel acknowledged the good work the Force does and highlighted that more needs to be done to promote this.

The Chair acknowledged the measures being taken in the Force generally, and by the Professional Standards Department in particular, in relation to unconscious bias. He confirmed that the Panel is aware of media coverage, and that people make assumptions about the behaviour of the police which the Panel knows from experience not to represent the full picture.

The Chair acknowledged the actions proposed by the Commissioner and commented that it remained key to identify voices to capture the experiences of BME communities.

The Commissioner highlighted his meeting with Black representatives from Sheffield and commented that it would be good to capture what BME staff have to say.

It was agreed that:

- **The Panel would consult and engage with the staff associations**
- **The Panel would capture what BME staff have to say**
- **The Panel and OPCC staff would progress the actions in the Commissioner's paper**

6 HATE CRIME

Chief Superintendent S Poolman, SYP's Hate Crime Lead, presented an update on hate crime in the financial year 2019/20. In view of recent events,

P Bradley highlighted that between April 2019 and March 2020, hate crime has increased by 7% and non-crime by 14% and suggested this needed some reflection. S Poolman suggested that the increase is attributable to a consistently higher number of reports between August 2019 and March 2020 when compared to the previous year – the same period as Brexit negotiations, the UK's exit from the EU and the pandemic. S Poolman confirmed that the Force usually sees a reduction in hate crime in Q4, but this year, there had been spikes in reports in both Doncaster and Rotherham in January 2020. Sheffield had seen a 27% increase in Q4, largely attributable to a spike in race hate crimes in March. More recent figures showed that this had reappeared in May.

P Bradley noted that sexual orientation hate crime has seen a 25% increase on the previous period and now accounts for 17% of reported hate crime, which is higher than the national average of 14%. S Poolman confirmed that the Force has increased engagement with the LGBT+ communities.

The Panel noted a 39% increase over the previous period for disability-related hate crime which accounted for 11% of reported hate crime - again higher than the national average of 8%. S Poolman regarded the increase as positive. She highlighted that victims tend to have learning disabilities and do not always realise they are a victim of hate crime. The Force has been undertaking work with carers.

M Ismail queried a 25% reduction in religion/faith-related crime. S Poolman confirmed that dip-sampling regularly takes place to ensure that the 'religion' aggravating factor is not missed. In 74% of cases, the perceived religion is Muslim. Further engagement is taking place with religious establishments to ensure that religious hate crime is reported and accurately recorded and to encourage them to sign up as a third party reporting centre. South Yorkshire was below the average of its Most Similar Forces (MSF) for racially/religiously aggravated offences during 2019.

M Lewis asked if other forces scrutinise their data in as much detail. S Poolman confirmed that the Force is in a strong position because of the amount of data available. M Roberts confirmed that S Poolman does more on this than her counterparts in other forces.

A discussion took place around whether there was any way of establishing if BME communities had confidence in reporting crimes to SYP. S Poolman confirmed that the Force is intending to undertake further engagement work and will be asking people whether, if they were a repeat victim, they would report it.

The Chair highlighted the encouraging 25% increase in hate crime victim satisfaction – stated in the report to have followed improvements in victim contact.

The Chair referred to the difficulty in trying to explain the low success rate of hate crime investigations. SYP continues to record a large number of cases (32%) where the suspect has not been identified, and a further 25% where the suspect has been identified but the victim does not support pursuing the matter. Action had been possible in only 14% of cases. S Poolman commented that public order offences feature in 45% of offending. Unless CCTV is available it is unlikely that a suspect will be identified.

The Force has, in the last couple of months, taken a different approach by trying to increase out-of-court disposals. This should result in a reduction in the number of victims who do not want to support action.

The Panel congratulated S Poolman on her promotion to Chief Superintendent and becoming the permanent District Commander in Barnsley and thanked her for the helpful and detailed reports over the last four years.

7 USE OF FORCE

Superintendent Wanless, SYP's Use of Force Lead, presented a report containing statistical information on Use of Force for the period 1 September 2019 to 31 March 2020 (Qs 3 & 4). The total number of reports submitted by officers for this period was 3542 for 2012 people.

The Chair highlighted that a significantly lower number of reports had been submitted in Rotherham, than in other boroughs. This is well under half of the next lowest borough - Barnsley. S Wanless confirmed that the Force is looking into this.

12% of reports of use of force were in relation to BAME subjects, which is similar to the proportion of BAME citizens in SY at the last census. S Wanless highlighted the out-of-date census data and confirmed that the Force is working with partners to try and obtain more accurate data. The use of force reports in relation to BAME subjects fluctuated, but would be looked at if the figures varied significantly.

M Lewis highlighted that 62% of the reports were of force used against the 18-35 age group and confirmed that this data aligned with stop and search data.

A Macaskill commented that the universities recruit far more international students than 10 years ago. M Ismail concurred with this.

P Bradley highlighted the number of injuries during police contact. He asked for a better understanding of why this should be and if anything could be done to reduce them. Any puncture to the skin, including a dog bite, counts as a severe injury. S Wanless confirmed that officers may record a severe injury even if they have not

caused it. For example if someone puts their hand through a window and an officer then arrests them, some officers will record this as a severe injury. The Force is trying to address this through training. Officers do not usually cause the situation where injury occurs but they do have to deal with it. A Macaskill acknowledged this was a concern.

M Roberts informed the Panel that if a member of the public dies or suffers a serious injury during contact with the police this is a mandatory referral to the IOPC.

M Roberts highlighted that 14 officers had also suffered a severe injury.

M Lewis enquired if there was any information on injuries following the use of Tasers. This information is not recorded on a use of force form. The Panel confirmed that it would be useful to have this information. This is a public concern and people may believe the situation to be worse than it actually is.

S Wanless confirmed that the Force does have statistics for the use of Tasers and agreed to present this information.

M Roberts highlighted that officers are trained in escalation and Taser is only used when there is a serious risk. Incapacitation of the subject usually occurs if there are unforeseen or underlying issues.

The Panel suggested that the low use of Tasers should be published. S Wanless confirmed that quarterly data is available on SYP's website. The use of Tasers makes up 2.4% of the use of force reports.

The Chair reminded the Panel that originally the IEP had been going to have a 'use of force' lead and suggested an IEP lead be appointed.

The Chair thanked S Wanless for his report and contribution to the meeting.

It was agreed that:

- **The IEP would appoint a use of force lead**

8 FOR NOTING - QUESTIONS ABOUT DATA RETENTION ISSUES IN THE PANEL'S REPORT ON DIGITAL POLICING

The Chair reported that a question had been received from the South Yorkshire Police and Crime Panel ('PCP'). A response had been provided by A Macaskill. She thanked K Wright for his help with this, and commented that the information had been available in the original report.

9 COVID-19 DRAFT REPORT

The Chair confirmed that he was still working on the report and would be sent to members for comment as soon as possible.

He thanked members for their useful contributions.

10 EQUALITY, DIVERSITY AND INCLUSION UPDATE - IEP LEADS

P Bradley, the IEP's lead member for non-race/religion related hate crime and equality, diversity and inclusion, provided an update on the action he had undertaken since the last meeting, and on the considerable work the Force was doing in this area.

He stated that although diversity is good, the Force now needs to look at how this can be moved forward towards inclusion. It is helpful in hierarchal organisations to bring in other voices. He acknowledged the difficulty in finding ways to assess the extent of inclusion. S Mellors suggested that one way of assessing this is to look at whether broad communities take up the policing service available to them.

The Chair suggested that measures should be identified. P Bradley agreed to work with colleagues to develop some proposals.

M Lewis highlighted the focus groups and interviews which he and A Macaskill had undertaken with police officers and staff in 2018 and suggested that this may provide some qualitative information.

A Macaskill confirmed the report was very interesting. She highlighted the importance of valuing the workforce. Some officers feel there is pressure to get promoted and that if they do not want to move, they felt less valued.

The Panel agreed exit interviews are important in relation to the culture and perception of an organisation and agreed that P Bradley should undertake further work around this.

J Wheatley enquired if staff surveys are undertaken. M Roberts confirmed staff surveys are undertaken and the last staff survey showed significant improvements.

P Bradley acknowledged that the Force's ambition around BME recruitment was no doubt high, but it is unacceptable that the Force does not represent the wider population. M Roberts confirmed that the Force did have aspirations but these have to be realistic. He believed that SYP was no different from any other force.

The Commissioner's view was that there are lots of issues around the measurement of diversity particularly if it is sought to have a match in all categories. Some categories may be more important than others and a focus on one may miss another. What is reasonable in all the circumstances? How many officers come from the communities they serve?

It was agreed that:

- **P Bradley work with police colleagues to develop some inclusion measures**
- **P Bradley should undertake further work around exit interviews**

11 STOP AND SEARCH UPDATE - IEP LEAD

The Chair reported that a question that had been received from the PCP, and a response had been provided by M Lewis.

M Lewis, the IEP's lead member for Stop and Search, gave an oral update.

There has been a 40% increase in the number of stop and searches during April and May. These were primarily in relation to drugs offences and offensive weapons. Positive outcomes remain stable at around 20%, despite the substantial increase.

Disproportionality continues to be a concern but, as previously mentioned, current statistics for ethnicity are being compared with the historic statistics for ethnicity in the Census of 2011.

The Force Stop and Search Scrutiny Panels had been suspended during the Covid-19 pandemic. Once the panels are re-established the effectiveness of the panels will be reviewed. M Lewis reiterated the blockage in relation to Body Worn Video being shown at the panel meetings as a result of members not being vetted.

M Lewis suggested the IEP could form a sub-group to act as a Stop and Search Scrutiny Panel. Following discussion the Panel agree to offer to act as a Stop and Search Scrutiny Panel on a temporary basis.

M Lewis highlighted that there has been no use of the enhanced stop and search powers available to the police under s60 Criminal Justice and Public Order Act 1994 in the last 4 months. The Panel acknowledged that this is a power used more sparingly in South Yorkshire than in some other forces.

It was agreed that:

- **The Panel would offer to act as a Stop and Search Scrutiny Panel on a temporary basis**

12 WORK PROGRAMME - PANEL REVIEW OF FIRST 5 YEARS

The work programme was noted.

The Chair presented a one page summary which outlined a proposed approach and timetable for completion of a report on a review of the first 5 years of the Panel.

The Panel agreed that a meeting was required to discuss the main themes.

A discussion took place in relation to the timescales with members requesting the first part of the process take place sometime in August. The Chair agreed to consult the OPCC on the timings.

The Chair informed the Panel that he had already obtained views from M Roberts and he did not think a more formal approach to the SCT was required, but he invited members' views on who should be consultees.

S Mellors confirmed that he saw himself as a resource and did not feel he needed to input.

P Bradley enquired about the availability of minutes from previous years. These are on the website.

E Redfearn commented that it was difficult to know what the end product may be. She referred to when and why the Panel had been established and suggested it may be useful to reflect on this, how the Panel has made a difference and where the Panel think work should continue in the future. E Redfearn confirmed she was happy to provide some information.

The Commissioner suggested that it would be interesting to capture what has happened.

A Macaskill suggested that the Panel look at what it sees as the functions of the work and what lessons need to be learnt rather than focus on the history. The document should be concise.

M Lewis highlighted that officers had been very generous with their time and should be invited to comment on the benefits received from the Panel's work. A Macaskill disagreed, as this would not allow accurate evaluation only anonymous feedback would do that.

The Chair agreed to progress this.

It was agreed that:

- **The Chair consult the OPCC on the timescales for the review of the last 5 years**
- **E Redfearn to input into the review**
- **The Chair would progress this piece of work**

13 I EP EXCEPTION REPORT

The Chair confirmed that he would be reporting by exception to PAB in July on progress made with discrimination and disproportionality, equality, diversity and inclusion, hate crime, use of force and stop and search.

14 EXTERNAL COMMUNICATIONS

None.

15 ANY OTHER BUSINESS - TO BE NOTIFIED IN ADVANCE OF THE MEETING

None.

16 DATE AND TIME OF NEXT MEETING - 29 SEPTEMBER 2020 AT 10AM

29 September 2020, Carbrook House, Carbrook Hall Road, Sheffield S9 2EH at 10am.

CHAIR