

INDEPENDENT ETHICS PANEL

28 APRIL 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)

1 WELCOME AND APOLOGIES

The Chair welcomed everyone to the meeting.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

The Chair asked M Roberts if he could provide an update on the deaths which had taken place the previous week.

M Roberts confirmed that PC Matt Lannie died on duty on Tuesday 21 April 2020 whilst responding to reports of a car which failed to stop. ACC Lauren Poultney is Gold Commander. Support is being provided to both family and colleagues.

M Roberts highlighted that this is the risk officers take to look after the public.

The Independent Office for Police Conduct (IOPC) have begun an independent investigation following a death in police custody in Shepcote Lane Custody Suite on Wednesday 22 April 2020. M Roberts confirmed that officers reacted quickly. The IOPC did not attend the scene as a result of the Covid-19 pandemic. This does raise concerns about how the independence of the investigation can be demonstrated.

The Chair asked M Roberts to convey the Panel's condolences to those involved.

The Commissioner confirmed that he was being as supportive to the police as possible in these matters.

The decision to investigate the death in custody remotely is a matter for the IOPC. M Roberts confirmed that the Force has raised concerns with the IOPC.

The Commissioner confirmed that he would be sending a letter to the IOPC which would complement a letter sent by the Chief Constable expressing concern around the remote investigation.

The Chair invited the Panel to observe a two minutes silence at 11am. The first minute's silence was for key workers who have died during the pandemic, and the second minute is for PC Matt Lannie.

3 MINUTES OF LAST MEETING HELD ON 25 FEBRUARY 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
201	The six monthly review of complaints trends should include complaints dealt with by the IOPC. 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.
202	S Baldwin's report be updated and brought to the next meeting of the Panel. 21/04/2020 – On agenda for 28 April meeting. DISCHARGED
203	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. 21/04/2020 – Hate Crime report to be presented at the meeting on 30 June 2020. Ongoing
204	The Force hate crime report should include the impact (if any) of the High Court Judgement against Humberside police. 21/04/2020 – as above
205	A Macaskill to provide M Ismail with information on the third party reporting at Sheffield Hallam University 28/04/2020 – A Macaskill confirmed she had send the information but received a bounced back. If this continues A Macaskill will send to the OPCC for them to send.
206	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. 28/04/2020 – M Roberts confirmed that members of the scrutiny panels would need to be vetted to be able to view Body Worn Video footage. M Lewis enquired if members of the panels could be vetted. M Roberts

	highlighted that this would depend on the number of people to be vetted and the capacity of the vetting unit who are busy with new recruits. It was agreed that M Lewis would contact CI Foster to establish whether scrutiny panel members are vetted and if not how many people are on the panels. Action to be discharged and new action added.
207	M Roberts would circulate Chief Inspector Foster’s response to M Lewis’ questions on disproportionality. 22/04/2020 – Sent. DISCHARGED
208	A Macaskill and P Bradley would share their experience of self-assessments with the Panel. 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.
209	The OPCC would arrange a separate meeting for members of the Panel to discuss a self-assessment. 21/04/2020 – on hold due to Covid-19 work

M Lewis referred to item 6 (Complaints Reform) which referred to PSD having its first IOPC oversight meeting under the new arrangements, on 26 February. He enquired if this had taken place and if there was anything of significance to report. D Mahmood confirmed the meeting did take place and there were no issues arising from the meeting.

M Lewis referred to item 7 (Equality, Diversity and Inclusion) and enquired if there had been any follow up on the study undertaken by the nuclear industry around the wording of recruitment literature. M Roberts confirmed he was happy to look at this. A Macaskill agreed to provide M Roberts with further information. This may be relevant to promotions (e.g BME/VME candidates to the rank of sergeant). A Macaskill highlighted that focus groups with BME and female officers may be required to review the existing literature.

IT WAS AGREED THAT:

- **A Macaskill would provide M Roberts further information on the nuclear industry study around the wording of recruitment literature**

5 CHAIR’S REPORT

The Chair provided an update on his meeting with the other ethics panel chairs which had taken place on the 26 February 2020.

Suzanne Shale, chair of the London Policing Ethics Panel, confirmed that the Panel has been asked to do a piece of work on the climate change protests. The Chair had shared the IEP’s work on the Sheffield Tree Protests with her and her attention been drawn to the work of the Greater Manchester Combined Authority Ethics Committee on fracking protests at Barton Moss.

Marion Oswald, chair of the West Midlands Police Data Ethics Committee had completed a piece of work commissioned by the Centre for Data Evaluation and Innovation around the principal uses of data analytics, with a focus on algorithmic bias. The recommendations were that standard processes need to be developed

for the empirical evaluation of algorithms within the operational context, against ethical standards and legal requirements.

The West Midlands Data Ethics Committee works with the Data Lab and they have become aware of software that could be used as a predictive tool in child abuse investigations. This may already be in use by local authorities.

A discussion had taken place about a report on ethical standards in procurement which had been produced by the Nolan Committee. The Chair suggested that this may be a matter that the Panel should be aware of. He agreed to familiarise himself with the recommendations of the report and establish if any work needs to be undertaken in this area.

A Macaskill highlighted that ethics had been considered by procurement when procuring Body Worn Video.

M Roberts confirmed that procurement is a regional resource and not just managed for South Yorkshire. It applies the 7 Nolan principles (selflessness, integrity, objectivity, accountability, openness, honesty and leadership) and has to evidence adherence to these principles. Value for Money (VfM) is also considered.

The Commissioner highlighted that it had been suggested that he should procure from local firms and only products made in this country e.g cars, but this was difficult.

P Bradley highlighted that he sat on a number of partnership board, all public boards, who are looking at trying to combine local with quality and VfM. P Bradley suggested he brief the Panel outside of the meeting.

The Greater Manchester Combined Authority Ethics Committee have concerns about the retention of DNA. It is a legal requirement to destroy fingerprints but this is not extended to DNA and there are some concerns around being able to track family members.

The Greater Manchester Committee is also looking at the trigger for investigating fraud, this should be the vulnerability of the victim and not the value of the fraud.

The Commissioner confirmed that SYP already does this under Operation Signature. . The Chair suggested S Parkin contact the officer who supports the Committee to establish if they require any further information on Operation Signature.

IT WAS AGREED THAT:

- **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 Bradley would brief the Panel on the issues being discussed by partnership boards around procurement**
- **S Parkin would contact the officer supporting the Greater Manchester Combined Authority Ethics Committee to establish if they require any information on Operation Signature**

6 EQUALITY, DIVERSITY AND INCLUSION

6a EQUALITY, DIVERSITY AND INCLUSION UPDATE

Inspector S Mellors, SYP's Equality, Diversity & Inclusion Lead, presented a Diversity, Equality & Inclusion Update and highlighted the following points.

The workforce has grown across all four sections officers, staff, specials and volunteers - for the first time in several years.

Amongst police staff, increasing numbers have brought further rises in the proportions of female employees and a marked move of BME/VME staff into higher pay grades.

The proportion of females among police officers has reached a new high of 34.2% (+0.4%). Females occupy not less than 20% of positions in every rank category and the trend is of a steady rise across the range. The rank of superintendent has become an exemplar with 40% female representation.

Quarter 4 saw just one BME and 0 VME officers recruited, where previous quarters have seen an average of 4 and 3. The Panel queried whether there are any reason for this. S Mellors suggested that explanatory factors could include practicalities of the present health crisis, the departure of the positive outreach lead in December 2019 and effects of the HR review. M Roberts confirmed that S Mellors had raised the departure of the positive outreach lead with him and he would be looking into this.

The trend of under-representation at the sergeant rank has become more acute with the promotion of several BME sergeants to inspector in 2019. The same did not occur in PC to sergeant selection. As a result, the promoted BME and VME officers have left behind a scarcity.

P Bradley confirmed that the figures in the report are very helpful. He suggested improving mentoring may assist.

M Lewis enquired if the blockage at sergeant level was peculiar to SYP or other forces as well. S Mellors highlighted that some forces have in the past encouraged PC's to apply for promotion by supporting them with their studying, providing a lump sum or offering a discount for cramming courses.

P Bradley confirmed that he had asked, if appropriate, to attend the regular meeting the Chief Constable has with BME/VME officers and he may be able to obtain a view from the officers who attend.

M Roberts agreed to establish if this is a problem which is unique to SYP.

The PCC said that he suspected that this is a complex issues with no easy solution. Some forces had used positive discrimination and this has not always worked well.

P Bradley thanked M Lewis for the suggestion and confirmed that this was well worth exploring. He confirmed he was happy to look into this and report back at the next meeting.

A Macaskill reminded the Panel of the focus groups that had been undertaken some 18 months ago, in which the promotion from PC to sergeant had a negative perception. Concerns had been expressed around how the role had changed, additional paperwork and acting sergeants not being able to cope.

S Mellors highlighted that he was a member of a regional group and he was happy to contact them to establish if other forces were facing the same issues.

The PCC agreed to ask staff in his office to contact the APCC to establish whether there is any good practice from which SYP might learn.

M Lewis highlighted the number of police leavers and suggested it would be useful to understand the profile of leavers in the future. S Mellors confirmed that this information is monitored and the reasons tend not to change. The main reasons are first, that officers have completed their pensionable service and are able to retire and secondly, officers leave to join another force.

M Roberts confirmed that the Force also benefits from transferees.

IT WAS AGREED THAT:

- **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**
- **M Roberts / S Mellors to establish whether other forces have BME/VME under-representation at the rank of sergeant**
- **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 Bradley would provide an update on his findings on the BME/VME under-representation at the rank of sergeant at the next meeting**

6b EQUALITY, DIVERSITY AND INCLUSION - IEP LEADS

Discussed under agenda item 6a.

7 HATE CRIME

7a HATE CRIME - IEP LEADS

The Chair confirmed that S Poolman, the Force Hate Crime lead, had not been able to provide the latest hate crime figures due to the timing of the meeting. A report will be provided at the next meeting.

M Ismail and P Bradley, the IEP's Lead Members for Hate Crime, provided an update.

S Baldwin reminded members that the hate crime report submitted for consideration at the IEP meeting in February 2020 had been deferred until today's meeting. Much has changed as a result of the emergency situation created by Covid-19, but hate crime data will continue to be monitored as business as usual and also as part of a range of performance indicators used to monitor progress against the Police and Crime Plan.

S Baldwin confirmed that she had spoken to two of the four Hate Crime Co-ordinators in the last few days and they have confirmed there has been no increase in the number of hate crime and hate incidents reported but this continues to be monitored on a daily basis.

P Bradley informed the Panel that he had reported a hate crime himself and this had been an interesting experience. The response was positive and useful.

S Baldwin highlighted that the report was quite detailed but they had wanted to show the amount of work taking place in Force.

M Ismail informed the Panel that he had visited the Hate Crime Co-ordinators in Barnsley and Sheffield.

The Barnsley co-ordinator was very well organised and follows up each incident. Third party reporting was well organised and had good connections.

Sheffield is a much bigger area. Hate crime is co-ordinated by the police and local authority and is based within the Community Safety Department. The co-ordinator works on her own and this is a big task. Third party reporting is not functioning properly and training is required.

S Baldwin confirmed that the Hate Crime Co-ordinator has a plan for training.

Across South Yorkshire the use of third party reporting centres is low, but they are a valuable resource. To keep them live there needs to be a commitment from the third party reporting centres and the local authorities.

It was agreed that this was not something the Panel can influence.

P Bradley confirmed he had much the same experience. Doncaster was demonstrably engaged and understood the profile.

P Bradley suggested that a force wide scrutiny panel could be beneficial.

The OPCC is organising for him to go and see the arrest and detention process.

The Commissioner asked M Ismail if it was common practice for mosques to keep a record of any hate crime they were aware of. M Ismail did not think this was the case.

8 STOP AND SEARCH

8a FORCE STATISTICS UPDATE REPORT - FOR INFORMATION

M Roberts presented a number of graphs and tables showing stop and search statistics on behalf of the Force. He drew attention to a trend analysis of positive outcomes, which showed that despite the huge increase in stops and searches since 2018, the proportion of positive outcomes had stayed within a range of 20-25%. Many of these involved drugs and weapons and he confirmed that officers feel more confident to undertake stop and searches. The Violence Reduction Task Force targets individuals, which has contributed to the proportion of positive outcomes. The Chair asked if there was any particular reason for the high number

of stop and searches and low number of positive outcomes in January 2020. M Roberts suggested this may be in response to a violent incident but would need to go back and look.

A discussion took place around searches of BME individuals.

The Commissioner highlighted how controversial stop and searches were six years ago. Communities are now asking for stop and searches to be undertaken. The 2011 census figures are not the right population statistics for comparison with current proportions of ethnic groups.

The Commissioner highlighted the work which M Lewis had undertaken in relation to Sheffield schools statistics, and agreed that those are the comparisons that need to be made. The Chair enquired if the equivalent statistics could be obtained for the rest of South Yorkshire. The Commissioner invited the Chair to write to him formally requesting if this information could be obtained and this would be followed up.

M Ismail expressed concerns around the number of BME people being stopped and searched.

M Lewis highlighted that local scrutiny panels review a sample of all stop and searches. The Chair suggested that if M Ismail had any particular examples he could invite M Lewis to refer it to the local stop and search panel for review.

M Lewis confirmed that if someone was unhappy that they had been stopped and searched the correct process would be to make a complaint. However, if M Lewis was alerted of any dissatisfaction he could raise this with Chief Inspector Foster.

M Roberts highlighted that complaints data for stop and search is remarkably low and the Force can only address issues if they are aware of them. He pointed out how useful the stop and search scrutiny panels are.

8b STOP AND SEARCH - IEP LEADS

M Lewis, the IEP's Lead Member for Stop and Search, provided a verbal update.

M Lewis thanked M Roberts for the statistics which confirmed what he had heard and seen himself.

M Lewis confirmed that all practical activity around stop and search had stopped as a result of the pandemic. However, he had taken part in a telephone interview with Home Office researchers on the use of section 60 powers.

M Lewis highlighted that one of the key issues for the Force had been to restore confidence in officers in using stop and search. The numbers reflect that confidence is restored and stop and search are being undertaken appropriately.

9 COVID-19 – IEP PROJECT WORK

The Chair presented two papers. The first was the scoping document which the Panel had agreed on April 14. The second was an update paper which had been circulated yesterday.

The Chair thanked members for agreeing to be responsible for areas of interest as proposed by him and added that P Bradley would also pick up diversity, equality and inclusion.

The Chair invited J Wheatley to provide an update on the work she had been undertaking with the voluntary sector about the policing of vulnerable groups during the crisis she confirmed she had managed to obtain feedback from Sheffield and Rotherham but was still awaiting a response from Doncaster and Barnsley. She thought this was an indication of how busy and stretched people working within the Voluntary Community Sector (VCS) are.

J Wheatley highlighted that the information she has gathered to date is anecdotal but generally people / communities are supportive of the policing approach. Information obtained appears to show that people think the police should be imposing the restrictions more strictly on some groups of people. There also appears to be a lot of local checking of other people and often rumours and suspicion of others in communities increased on social media so people are worried to go out even for legitimate means in case someone reports them.

J Wheatley highlighted the differences in deprivation and inequality. It is much easier to adhere to lockdown if you live in adequate housing and have access to a garden than if you live in cramped and unsuitable housing where your only access to outside space is to sit on the street, a situation which many Roma families in communities – among others – were facing.

There has been a massive increase in demand for foodbanks. J Wheatley confirmed she had heard unconfirmed reports of attempted break-ins at foodbanks.

In relation to domestic violence, calls to a wide range of organisations not just refuges, have increased.

J Wheatley commented on the additional funding the Commissioner had made available to refuges but highlighted the number of smaller groups which also need support. The Commissioner agreed to look at this outside of the meeting.

Calls to mental health support groups and advice centres are have also increased dramatically.

There has been an increase in the number of people wanting to volunteer and discussions are taking place to establish how to harness this going forward. If the VCS can retain 10-20% of volunteers this will make a massive impact.

Overall, J Wheatley's assessment was that the local response has been exceptional with organisations reporting excellent working relationships with the police and all partners.

A discussion took place around homelessness. J Wheatley confirmed she would ask around about this. P Bradley highlighted that through his work with the Archer Project in Sheffield, he was aware that homeless people were finding it hard to understand what is happening. A lot of people are in a stable setting with very few people sleeping rough. However, a lot of organisations have withdrawn and the impact of future provision is being considered.

Commentary about the police's approach to rough sleepers has been positive.

F Topliss commented that J Wheatley's findings are reflected in the feedback she has received about the police, which has been very positive.

M Ismail highlighted the positive police engagement undertaken prior to Ramadan. All mosques had been contacted and awareness of the lockdown had been raised. In one area a public awareness video message had been prepared. M Ismail confirmed that mosques are adhering to the lockdown and he had not been informed of any concerns.

M Lewis raised concern that whilst he knew what was going on in his local area he had limited knowledge of what is going on in other areas.

The Chair asked if there was a standard approach across the Force. M Roberts confirmed that there is but officers in local neighbourhoods have their own initiatives. The willingness of the Force is evident but members expressed concern around communities not knowing how to contact the police. J Wheatley confirmed that community groups are engaging with the police, although there may be some discrepancies.

A Macaskill confirmed that an element of the work of the Panel would be a retrospective view where issues and lessons to be learnt will be identified.

D Mahmood provided the latest dissatisfaction figures relating to Covid-19. Figures remain stable with all the dissatisfaction received being low level. There had been no complaints in relation to police enforcement action.

The Chair invited E Redfearn to say what information on what assistance can be offered to members so that the Panel can carry out the agreed Covid-19 project.

E Redfearn confirmed that D Mahmood, R Hammond, S Parkin and herself are having fortnightly meetings in relation to correspondence and complaints and any relevant information will be fed back to the Chair.

F Topliss will continue to provide the media and social media briefings.

Members have access to the SYP Backup Buddy app.

The Force also sends out Force-wide emails some of which may be of relevance to the work the Panel is undertaking. M Roberts expressed concern around the sensitivity of some of the information and the ability of his staff to assist with this. Following discussion, it was agreed that Panel members would continue to monitor the publicly available information, including Backup Buddy app. OPCC staff would monitor the Forcewide messages and any information which is thought to be of

relevance to the work of the Panel would be discussed with DCC Roberts' staff officer with a view to sharing with the Panel.

K Wright and S Baldwin are supporting the Commissioner in relation to performance against the Police and Crime Plan and a Covid-19 dashboard has been developed. They will continue to support M Lewis, M Ismail and P Bradley in their link member roles.

A discussion took place around how the Panel may informally report into the Commissioner and Chief Constable. M Buttery has suggested that the Chair could dial into the Commissioner's meeting with the Chief Constable. The frequency would need to be determined. E Redfearn agreed to take this forward.

It was acknowledged that any written reports would probably be produced after the event. However, should any matters of concern be identified these should be reported orally at the time.

M Roberts confirmed that a Strategic Recovery Group was currently being established to start looking at how everything is going to be returned to normal. This would involve working with the four Local Resilience Forums.

M Lewis confirmed that he is currently working out how he can contribute to the area of interest assigned to him – future scoping - and agreed to start putting down his initial thoughts next week.

Any outstanding actions would be reviewed at a later date.

IT WAS AGREED THAT:

- **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**
- **The OPCC would monitor the Force daily Covid-19 briefing that may be relevant to the work of the Panel**
- **E Redfearn to consider how the Chair will informally report the Panel's findings to the Commissioner and Chief Constable**

10 WORK PROGRAMME

The work programme was noted.

11 IEP EXCEPTION REPORT

The Chair confirmed that he would be reporting by exception to PAB in May on progress made with equality, diversity and inclusion, stop and search and Covid-19.

12 EXTERNAL COMMUNICATION

None.

13 ANY OTHER BUSINESS - TO BE ADVISED AT THE BEGINING OF THE MEETING

None.

14 DATE AND TIME OF NEXT MEETING

30 June 2020, Carbrook House, Carbrook Hall Road, Sheffield S9 2EH at 10am.

CHAIR