

Minutes of a meeting of the Ethics, Integrity and Complaints Committee
Held via Microsoft Teams on 2.00 pm on Friday 18 June 2021

Present

Members:

Mrs Karen Chouhan (Chair)
Dr Steven Cammiss
Ms Lynne Richards
Ms Lois Dugmore
Ms Gail Pringle
Dr Mark Peel
Ms Linda James

Officers:

Mr Rob Nixon, Deputy Chief Constable, Leicestershire Police
Mrs Angela Perry, Executive Director, OPCC
Ms Sallie Blair, Communications Advisor, OPCC
Miss Abbey Dearden, Business Staff Officer, OPCC
Mr Rupert Matthews, Police and Crime Commissioner for Leicester, Leicestershire & Rutland
Ms Shirley Duffield, Volunteer Chaplain
Mr Mick Gamble

9/21. Apologies

Apologies were received from Mr Chris Kealey (*Head of Strategic Communications and Engagement, Leicestershire Police*) and Mr Rich Ward (*Superintendent, Leicestershire Police*).

10/21. Urgent Business

There were no items of urgent business.

11/21. Declarations of Interest

The Chair invited attendees to make any Declarations of Interest regarding any of the agenda items.

No declarations were made.

12/21. Minutes of the meeting held on 26 March 2021 and Action Log

The minutes of the meeting held on 26 March 2021 were discussed and confirmed as an accurate record.

The following rolling actions updates were provided:-

- Number 6 – Dip Sampling: Executive Director explained that the Unison Chair is off on a period of sickness which has delayed the conversation taking place, but agreed to pick this up when the Chair is back working.
- Number 8 – Stop and Search: Iris Lightfoote to be invited to meetings where stop and search is on the agenda.
- Number 20 – Social Media: DCC Nixon explained he has since had a conversation with ACC Debenham and queried if reports could include the equality impact assessment and what this means. The Chair explained where a report has an equality impact implication, usually the cover report there says there are no equality implications, which is not sufficient as there is always an impact.

- Number 22 – Hate Crime: DCC Nixon discussed a lot of work has been carried out and the strategy has been updated. There is now a multi-agency group which is focusing on hate crime and mapping which will be linked into the PCP. It was agreed to share the Hate Crime Strategy with the minutes of this meeting.
- Number 30 – Stop & Search: DCC Nixon agreed to share the project scope around DMU and welcomes committee members to provide feedback.
- Number 31 – Stop & Search: Going forward it has been agreed there will be a performance tracker and a KPI of where BWV is used.
- Number 32 – Stop & Search: DCC discussed that the Force is doing a lot more physical role plays and are looking to bring in community members to be role actors.
- Number 38 – Complaints Reviews: Executive Director highlighted she has had a discussion with Mick Gamble and have arrange to meet in the next couple of weeks.

13/21. Stop and Search Update Report Q4 2020/21

The Committee received a report from the Chief Constable outlining the Stop and Search Update Report Q4 2020/21. A copy of the report marked paper 'A' is filed with the minutes.

Ms Richards highlighted concerns around the disproportionality information and explained it would be helpful if the format of the narratives was the same throughout.

Ms Pringle explained the statistics around the disproportionality is not improving and continuing to be the same – evidence of racial bias. Ms Pringle also discussed an interest in accessing age and gender profiles as well as the statistics within the report.

Dr Peel highlighted one ethical question within the report “how to target the proportionate use of intelligence lead stop and search and reduce serious harm” and questioned if this is the key question as the statistics have not changed over the course of the last 5-year period.

The Chair also asked for clarity on the ethical questions, in particular point 6 and the areas of police focus, and why would there be a police focus; understand the reasons. Also suggested if the Committee could see more data around all stops and what different powers are used.

DCC Nixon discussed with the Committee that stop search is a very useful and operational tool, however ethically there is an absolute recognition that this power has to be used responsibly. A long discussion took place around the requirement for stop and search and Dr Cammiss explained the importance to be able to distinguish between intelligence – intelligence intensive policing and information policing.

The Chair agreed to close the agenda item and suggested it would be useful to have a subgroup looking at this work and to invite a couple of members of the EICC. DCC Nixon agreed with the Chairs comments and explained there are currently two pieces of research taking place and would value inputs.

The Committee AGREED to note the contents of the report.

14/21. Reverse Mentoring Pilot Scheme

The Committee received a report from the Chief Constable outlining how a reverse mentoring pilot scheme has been delivered to support Leicestershire Police in becoming a more inclusive organisation and also outlines the findings following an interim review after 6 months of operation and the intended next steps. A copy of the report marked paper “B” is filed with the minutes.

The Committee commended DCC Nixon on the programme and project and were happy to hear that the pilot scheme is extending. Ms Pringle expressed interest that once the pilot has been extended, who from senior leadership roles got involved and their commitment.

DCC explained that throughout the pilot the levels where they pitched were to Chief Inspector and Superintendent level.

Ms Richards explained the scheme is a great way to engage younger/newer recruits within a large organisation, and was really encouraged by the result that 86% of participants felt the pilot had been meaningful.

Ms Dugmore stated it would be useful to see more within the statistics as it's small group (20 people taking part). In particular the 14% who did not find the pilot meaningful, why did they not.

The Chair also highlighted concerns around the ethics of using reverse mentors of a lower grade and what they gain out of this scheme. DCC Nixon explained those individuals which have volunteered to be a mentor are often from a junior rank and they gain a relationship with a senior leader.

The Committee agreed with regards to question two that there is a need for support sessions.

15/21. Team Leicestershire Academy

The Committee received a report from the Chief Constable providing an update on the development and implementation of the Careers and Academy Strategy and associated operating model. A copy of the report marked paper "C" is filed with the minutes.

Ms Richards questioned the strategy which highlighted the vast majority of learning doesn't take place by structured training but through workplace experience and wondered if there were any consideration of the policy moving more towards people working alone and whether this would be reversed. DCC Nixon explained that the Force will not be scaling down their face to face training and that the developmental training is on the job – learning through experience.

The Committee AGREED to note the contents of the report.

16/21. Dip Sampling of Complaints/Grievances and Misconduct Files - Results

The Committee received a report from the Mr Gamble for members' discussion on the findings from the dip sampling of complaints files. A copy of the report marked paper 'D' is filed with the minutes.

The following additional feedback was provided to members:-

CO/00189/20 This relates to a gentleman who was searched whilst in custody and the search involved searching around the waistband, of which the individual did not respond particularly well to this and there was a moment of discord in the suite with abuse language and comments made towards the officers, the whole incident is captured on CCTV. The individual felt the search was inappropriate and unnecessary however the CCTV shows that is very much not the case. Mr Gamble confirms that he is satisfied that the search was conducted under the correct powers and appropriately with no case to answer for misconduct or any performance issues for the officers involved.

CO/00295/20 Confirmed that there was a follow-up on the safeguarding point raised.

CM45/20 This relates to an officer who was involved in an off-duty incident, and then returned to look at the system on several occasions. The individual had looked at the system to decide whether or not they would need to prepare a statement and to look in relation to the outcome of it – this has been

interpreted as legitimate policing purpose.

CO/00133/20 This relates to a case where stock check has taken place and there has been a challenging conversation between the officer who has conducted the stock check and the driver of the vehicle – poor communication from the officer. The reasoning for RPRP rather than misconduct was due to policy changes. There was no evidence that records had been accessed. This complaint did not reach the threshold to go to misconduct and officer was given words of advice.

CO/00230/20 This is still subject to appeal and the individual has appealed the outcome of the investigation to the IOPC.

It was AGREED to note the contents of the report.

17/21. Ethical Dilemma

The Committee received a report from the Deputy Chief Constable for members' consideration of an ethical scenario. A copy of the report marked paper 'E' is filed with the minutes.

The following scenario were discussed by the Committee:-

"Vigils and Gatherings"

In March 2021 Sarah Everard was tragically killed and a police officer in the Metropolitan Police Service was arrested and charged with her kidnap and murder. The circumstances of the incident prompted national concern around female safety and policing. Sarah's death led to a proposed vigil on Clapham Common. The MPS discouraged the gathering, as did the Home Office, NPCC and Minister for Policing due to the Covid-19 pandemic and national lockdown that was in place. Specifically, The Health Protection (Coronavirus Restrictions) Regulations 2020 restricted gatherings in public of more than two people. There are defined exceptions in the restriction, but none allowed for public protest or vigils.

On the 13th March the gathering went ahead against the requests of the bodies outlined above and it was attended by a significant number of people who were in close proximity to each other. The MPS provided a policing response to the gathering that led to arrests and the dispersal of attendees, at times through the use of physical force. The policing response was widely condemned as excessive and inappropriate.

Other force, such as Sussex Police, have also had to manage a policing response to gatherings in the name of Sarah and their responses have also faced criticism for being "too heavy handed".

The right to gather to pay respects or to raise political awareness of rights are fundamental actions of a democratic society that are normally supported positively by the police and partner agencies. However, under the exceptional national lockdown and statutory requirements they are not permitted and the police are left with the challenge of protecting public health through the use of legal powers in extremely emotive circumstances.

What are the committee's views on such gatherings taking place?

Should gatherings like this be dispersed and if so is the use of force appropriate?

What considerations should Leicestershire Police have if similar events are planned/occur in our force area?"

Members felt that the gatherings would happen whether people wanted them to or not because when people feel very strongly about something, they will happen. Members reflected this scenario to the Black Lives Matter demonstrations, and felt that this was not handled very well by the Met, but fully understand it is not always possible to have liaison with the organiser but there are different ways of looking at physical spacing without the heavy handedness which occurred in London. Members expressed strong views that if events are planned in Leicestershire the importance of liaising with the organisers as much as possible, sympathise with that's going on and not to issue advise that the Met did "please stay off the street 'women'".

18/21. Covid-19 Update

The Committee agreed to address this item at the next meeting.

Chair

Friday 26 March 2021

2:00 – 3:36 p.m.

OFFICE OF POLICE AND CRIME COMMISSIONER
ETHICS, INTEGRITY AND COMPLAINTS COMMITTEE

ROLLING ACTION SHEET

ACTION NO.	Meeting Date	Minute No.	Paper	Action	Person Responsible	Target Date	Update
6	20.9.19	31/19	B	<u>Dip sampling</u> Members to dip sample redacted grievance and misconduct cases at the same time as dip sampling complaint files. Cases for grievances/misconduct to be provided by PSD.	Supt. Ward PSD	March 2020	13/12/19 – will commence when members next visit PSD to review complaints files 18/9/20 – dip sampling session which was planned has been cancelled - looking to put arrangements in place before the next meeting (depending on COVID-19). Rob Nixon informed members that Unison are not supportive of members dip sampling grievances files due to the confidential nature. Angela agreed to look into this further and provide an update to members at the next meeting. 18/12/20 – Executive Director confirmed that she had not yet had a discussion with UNISON but would do so before the next meeting on 26/3/21 18/6/21 – Executive Director explained that the Unison Chair is off on a period of sickness which has delayed the conversation taking place, but agreed to pick this up when the Chair is back working.
8	20.9.19	31/19	B	<u>Stop and Search</u> A member of the Cohesive Powers Group be invited to attend the	Executive Director	TBC	13/12/19 – outstanding, invite to be sent when next on the agenda. 18/9/20 – outstanding.

				Committee meeting when Stop and Search is being considered. Include on forward work plan.			<p>15/12/20 – invited Iris Lightfoote (TREC) and Chair of the Cohersive Powers Scrutiny Group</p> <p>18/12/20 – Iris attended meeting 26/3/21 – Email Iris with link to meeting recording and ask her if she has any feedback</p> <p>11/6/21 – Iris emailed to ask if she would like to attend meeting on 18/6/21</p> <p>18/6/21 – Agreed to invite Iris Lightfoote to meetings where stop and search is on the agenda</p>
20	19.06.20	6/20	B	<p><u>Social Media</u> Equality Impact Assessment section within the report was missing. Committee would like to know if one had been carried out.</p>	DCC Nixon		<p>18/9/20 – outstanding. DCC Nixon agreed to follow up with ACC Debenham.</p> <p>18/12/20 – agreed to transfer ownership of action to DCC Nixon</p> <p>18/6/21 DCC Nixon explained he has since had a conversation with ACC Debenham and queried what is being asked. The Chair explained that going forward, within the cover report the Equality Impact should be completed as there is always an impact.</p>
22	19.06.20	9/20	E	<p><u>Hate Crime</u> Service Specification to be shared with the committee</p>	DCC Nixon		<p>18/09/20 – outstanding</p> <p>18/12/20 – agreed to transfer ownership of action to DCC Nixon</p> <p>18/6/21 DCC Nixon agreed to share the new Hate Crime Strategy with members</p>

30	18.12.20	34/20		<u>Stop & Search Annual Report 2019/20</u> Members to forward their views around data and presentation on the Annual Report to the DCC so that he can share them with the DMU project group.	DCC Nixon and EICC members		18/12/20 – DCC set this action 18.6.21 – DCC agreed to share the project scope around DMU and welcomes committee members to provide feedback
31	18.12.20	34/20		<u>Stop & Search Annual Report 2019/20</u> Track trend line of stop/searches – when BWV worn and when not worn.	DCC Nixon		18/12/20 – DCC set this action 18.6.21 – Going forward it has been agreed there will be a performance tracker and a KPI of where BWV is used
32	18.12.20	34/20		<u>Stop & Search Annual Report 2019/20</u> New Officers – how are they being taught to carry out stop/searches?	DCC Nixon		18/12/20 – DCC set this action 18.6.21 – DCC discussed that the Force is doing a lot more physical role plays and are looking to bring in community members to be role actors.
34	18.12.20	34/20		<u>Stop & Search Annual Report 2019/20</u> In relation to the proportionality claim around the level of local knife crime which stated that a black person was 5.3 times more likely to be an offender of knife crime members requested the statistics behind this claim to see if they were robust.	DCC Nixon		
35	18.12.20	34/20		<u>Stop & Search Annual Report 2019/20</u> Contact Iris Lightfoote (who had technical issues and missed this section of the meeting) with a link to the recording of this meeting and ask if she has any feedback which she would like sharing with the Committee	Business Staff Officer		18.6.21 – Actioned.
36	26.3.21	-	-	<u>Distribution of agendas</u>	Business Staff Officer		18.6.21 – Actioned.

				Contact members and ask whether they prefer to receive agenda bundle electronically or printed/posted.			
38	26.3.21	5/21	A	<p><u>Impact of Covid-19 on the delivery of operational policing and ethical issues raised</u></p> <p>Members were dissatisfied with some recent feedback received in relation one of the Covid-19 enforcement stop and search BWV's that was recently viewed. They felt that the response was disappointing and seemed to miss the point of the issue raised which was; although the stop and search was lawful, was it ethical?</p> <p><i>(details of BWV: s/s took place because individual was not co-operating. Officer then said okay not co-operating so therefore going to engage in coersive powers. Non compliant results in coersive powers – was this ethical?).</i></p>	DCC Nixon		18.6.21 – DCC Nixon explained he wasn't present at the last meeting and will pick this up outside of the meeting.
37	26.3.21	6/21	B	<p><u>Mental Health</u></p> <p><i>Snap-shot of triage car (Jan 2021)</i></p> <p><i>Incidents triaged (774) Deployments (58):</i> Members requested data regarding deployments so that they understand better the difference between triaged incidents and deployments and how the decision making process works around deployment.</p>	DCC Nixon		18.6.21 – DCC Nixon explained he wasn't present at the last meeting and will pick this up outside of the meeting.
38	26.3.21	7/21	C	<p><u>Complaint Reviews</u></p> <p>Members suggested that the wording used in correspondence to those requesting a review should be clear</p>	Executive Director		18.6.21 - Executive Director highlighted she has had a discussion with Mick Gamble and have arrange to meet in the next couple of weeks.

				that the PCC was an independent office and not part of the police force. The Executive Director informed that the wording currently used would be reviewed to ensure this point was clearly made.			
39	18.6.21	13/21	A	<u>Stop and Search Update Report Q4</u> Members requested to take this item forward in the form of a sub-group.	DCC Nixon		