

Minutes of a meeting of the Ethics, Integrity and Complaints Committee
Held at Police Headquarters, Enderby
on 10:00am on Friday 13 December 2019

Present

Members:

Mrs Karen Chouhan (Chair)
Ms Linda James
Dr Steven Cammiss
Ms Lynne Richards

Officers:

Mr Rob Nixon, Deputy Chief Constable
Mr Chris Kealey, Head of Strategic Communications and Engagement
Mr Steve Durrant, Detective Chief Insp
Mrs Angela Perry, Executive Director, OPCC
Mrs Victoria Charlton, Relationships & Change Manager, OPCC
Ms Sallie Blair, Communications Advisor, OPCC
Ms Abbey Dearden, Business Staff Officer, OPCC

35/19. Apologies

Apologies were received from Mr Mark Peel, Ms Lois Dugmore, Prof Cillian Ryan and Mr Richard Ward.

36/19. Urgent Business

There were no items of urgent business.

37/19. Declarations of Interest

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

No such declarations were made.

38/19. Minutes of the meeting held on 20 September 2019 and Action Log

The minutes of the meeting held on 20 September 2019 were discussed and confirmed as an accurate record with the following amendments:

- Change the date on the minutes from 20 June 2019 to 20 September 2019

31/19. Forward Work plan 2020

Item (c) members to undertake dip sampling of closed, redacted, grievance and misconduct cases. Clarification provided by the Deputy Chief Constable that these cases are to be put forward by Professional Standards for selection by the Chair, being the same process for selecting complaints files.

33/19. Police Promotion Selection Processes

Item (b): Chair informed that the Committee would like the Force to bring back their 'vision' for diversity and equal opportunities for members to comment on. The Committee believed

this would be better if Force lead as they are currently in the process of recruiting and would like to know that the Force strategy is clear before the recruitment commences.

In relation to the action log the following was agreed:-

- 24/19 Election of Chair: actioned and complete
- 25/19 Election of Deputy Chair: actioned and complete
- 30/19 Schedule of Meeting Dates: actioned and complete
- 31/19 Dip sampling of redacted grievance and misconduct cases to commence when members next visit PSD to review complaints files
- 31/19 Chair to meet with Executive Director regarding the work plan: actioned and complete
- 31/19 Stop and Search: outstanding, invite to be sent when next on the agenda
- 32/19 Fraud: actioned and complete
- 33/19 Force to provide their vision for members comments to the next meeting
- 33/19 Chair to meet with Dr Peel regarding feedback to the force: outstanding

The Committee agreed:

- a. The Force to provide their vision on recruitment/diversity and representation to the next meeting on 20 March 2020

39/19. Committee's Timeline for the Annual Report

The Committee received a report from the Executive Director for members' approval of a timeline for the Annual Report. A copy of the report marked paper 'A' is filed with the minutes.

The Committee agreed:

- a. The Annual Report for the current year covers the timescales of 1 September 2018 to 31 March 2020; and
- b. In future, Annual Reports cover the period 1 April to 31 March each year

40/19. Fraud

The Committee received a report from the Deputy Chief Constable updating members on the national and local approach to investigating fraud. A copy of the report marked paper "B" is filed with the minutes.

The Chair requested:

- Report template to be revised to include ethical dilemmas at the beginning of each report before submission to the Committee
- Due to the lateness of the papers being provided to members, it was agreed to defer this item to the next meeting

The Deputy Chief Constable invited the panel to share their perspective on the paper ahead of the next meeting. It was agreed that the committee members would email the Chair sharing their views ahead of the meeting. The Chair will forward responses to the Executive Director who will pass onto the Force.

The Committee agreed:

- a. Consider the paper at the March 2020 meeting
- b. The paper to cover the ethical dilemmas faced in investigating fraud
- c. The paper to include the definition of vulnerability within the context of fraud
- d. Member to forward their comments on the paper to the Executive Director who will share with the Deputy Chief Constable

41/19. Cyber Crime

The Committee received a presentation on Cybercrime from the Deputy Chief Constable. A copy of the presentation marked paper "C" is filed with the minutes.

It was noted that nationally there was no agreed definition of Cybercrime.

The Deputy Chief Constable went on to inform:

- How Leicestershire Police deal with Cybercrime (staffing)
- The structure which Leicestershire Police use (4 P's: Pursue, Protect, Prevent and Prepare)
- Leicestershire Police deal with 5 offences a week from Action Fraud
- Training of staff
- Examples of cybercrime

Members questioned the prevent-side of cybercrime with youth culture at present and the enticement over social media platforms. The question was then asked if Leicestershire Police had any preventative measures in terms of enticement over the social media platforms. The Deputy Chief Constable stated that they take a generic prevention approach. Including information on how to behave on social media, engaging with schools and working with prevent officers who provide some key messages.

Members were informed that at least 90% of cybercrime was preventable, but that came with dilemmas of resource to tackle the issue. It was also recognised that it was difficult for the police to address this when the law had not yet caught up with technology (Article 8 rights and The Computer Misuse Act). It was noted that the Force do not proactively can access social media platforms but wait for matters to be reported to them.

The Committee agreed:

- a. a further report to cover the points raised by members; and
- b. this paper to be brought back to the next meeting in March 2020.

42/19. People Zones

The Committee received a report from the OPCC Relationships & Change Manager on the development of People Zones initiative. A copy of the report marked paper "D" is filed with the minutes.

A discussion then took place which highlighted the following:

- That People Zones moving forward would focus on engaging and on-boarding the local community
- The important aspect of People Zones was about whether there was change and whether requests for change were addressed
- Comments were made that members felt the report concentrated on the success of the model and not of outcomes for the people.

- The initiative was about reducing demand and increased community resilience.
- Recognition that the initiative needed to be community led.

The committee agreed to receive a further update report in 6 months' time

43/19. Ethical Scenarios

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

The following scenario was discussed by the Committee:-

Appendix B – Police Custody – Mental Health

A male is arrested lawfully and taken into police custody. It became very apparent that he was not well and was assessed by a mental health custody nurse. He was deemed as unfit to detain in police custody due to his mental health.

Contact was made with the place of safety unit and the mental health team, however there were no beds available. It was another 13 hours before a bed became available so he remained in custody for this whole duration.

Legally he should have been released as there is no power to detain him. Is this ethical? He is a danger to the public and a risk to himself. Should he have been taken to another place of safety?

Whose responsibility does he become at the point he is no longer a prisoner and requires mental health intervention?

Members asked if it was ethical and legal to put someone known with a Mental Health condition in this environment. The Deputy Chief Constable confirmed that it was not illegal but in contrast, it was also not ethical. He added that ideally such individuals should be taken to a place of safety.

It was AGREED to note the contents of the report.

44/19. Dip Sampling of Complaint Files 01:01

The Committee received a report from the Deputy Chief Constable for members' discussion on the findings from the dip sampling of complaints files. A copy of the report marked paper "F" is filed with the minutes.

The Detective Chief Insp provided the additional feedback on files examined by members:-

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| CM19/19
MI/007/19 | Noted that the behaviour was unacceptable. Management action had been taken, in the form of a professional discussion as this was felt more appropriate. The officer was subsequently banned from driving for 18 months. |
| CO/00506/17 | Still awaiting a response from the Head of Criminal Justice regarding the Organisational Learning database. Once received this would be forwarded to members. |
| CO/00468/17 | Noted that the individual had been advised to record and store the information. Questions arose relating to if it was a lawful arrest. Agreed that it was a lawful arrest and the complaint was not upheld. |

CO/00482/17 It was discussed that misconduct felt more appropriate rather than gross misconduct. Believed that this should satisfy public confidence.

CO/00455/18 Noted. Detective Chief Insp to seek clarification on the temporary promotion referred to.

It was AGREED to note the contents of the report.

Chair

Friday 13 December 2019

10:00 – 11:30