

**Minutes of a meeting of the Ethics, Integrity and Complaints Committee**  
**Held via Microsoft Teams on 10:00am on Friday 18 December 2020**

**Present**

Members:

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

Officers:

Mrs Angela Perry, Executive Director, OPCC  
Ms Dani Nuttall, Communications Advisor, OPCC  
Miss Teresa Wilcox, Business Staff Officer, OPCC  
Mr Chris Kealey, Head of Strategic Communications and Engagement, Leicestershire Police  
Rob Nixon, Deputy Chief Constable, Leicestershire Police  
Rich Ward, Superintendent, Leicestershire Police

*The Chair welcomed Iris Lightfoote from TREC and also the Chair of the Cohersive Powers Scrutiny Group to the meeting. Iris had been invited to attend to listen to Paper A, Stop and Search.*

**30/20. Apologies**

No apologies were received.

**31/20. Urgent Business**

There were no items of urgent business.

**32/20. Declarations of Interest**

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

No such declarations were made.

**33/20. Minutes of the meeting held on 18 September 2020 and Action Log**

The minutes of the meeting held on 18 September 2020 were discussed and confirmed as accurate, with the following two amendments:-

19/20 should read minutes from meeting held on 19 June 2020 and not 13 December as stated.

**34/20. Stop and Search Annual Report 2019/20**

The Committee received a report from the Chief Constable providing an overview of stop and search activity in Leicester, Leicestershire and Rutland, along with the governance processes applied. A copy of the report marked paper 'A' is filed with the minutes.

The DCC informed that Iris Lightfoote was experiencing IT issues so was unable to provide her views.

The Committee made the following comments:-

- There were areas where the presentation of data was very variable with some of it being very difficult to read so not very useful. There was very little comparison data and some of the bar charts in the report were felt to be meaningless particularly as the print was so small to read. Members felt that the data at the back of the report showing positive outcomes would be better placed at the front. The report also lacked an age profile which would be useful.
- Members noted that 65% of stop and searches did not result in a positive outcome leading to the perception that this was not an effective tool.
- Whilst dip sampling, members had been concerned that some officers had not switched on their body worn video whilst searching and questioned if there was any extra scrutiny on these occasions.
- Members commented on the proportionality claim around the level of local knife crime (page 14 in the report) which stated that a black person was 5.3 times more likely to be an offender of knife crime. They would like the figure of 5.3 to be backed up with some data as they felt this could be classed as discrimination.
- Members felt that disproportionality for drugs searches (Table 3, page 15) in the report was an alarming figure which they noted was above the national average. They were surprised that this figure was not made more of in the data which was a cause for concern. The Committee acknowledged that the disproportionality was not evidence of racism.
- Members stated that the data showed that white individuals were more likely to receive a local resolution than black individuals who were more likely to be arrested. This could lead to the perception that coercive powers were being used disproportionately on the black population and the Force needed to be sure they could defend these figures. It was suggested that analysis from an external agency could be beneficial.

The DCC said he was grateful for Panel comments and explained that discussions were in place with De Montfort University (DMU) to analyse the data. He added that DMU analysts would be given access to every piece of data around stop and search particularly around disproportionality and geography. He explained that DMU thought the presentation and interpretation of data could be different and they wanted to commence capturing incident triggers as they thought the Force were failing to put context around what leads to a stop/search and how many people were involved in one incident. The DCC said the Force wanted to be transparent and invited Members to forward their thoughts and ideas so that he could feed them into the project.

Body Worn Video (BWV) was discussed and the DCC explained that there was an expectation that all officers would switch on their videos when dealing with an incident although occasionally, this would not happen due to practicalities or when the officer got caught up in the moment of the incident. The Head of Professional Standards explained that when Professional Standards Department dealt with complaints arising from stop and search and discovered that there was no BWV, CCTV would be viewed. The DCC explained that due to the rules governing the Management of Police Information, if there was evidential value footage would be kept for 6 years, however if this was not the case, and due to storage capacity, in many cases this may only be for 12 months.

The Head of Professional Standards stated that further work would be undertaken on the amount of stop and searches where no BWV was available and report back to the Committee.

The Committee AGREED to note the contents of the report and ADVISED that senior officers should give direction that BWV should be switched on for all stop and searches rather than it being an expectation only that officers will do so.

### **35/20. Police Special Operations**

The Committee received a report from the Chief Constable providing an overview of the current approach the force takes to manage a specific ethical dilemma relating to Specialist Policing Operations. A copy of the report marked paper "B" is filed with the minutes.

The Committee asked what additional measures were in place, particularly around ethical issues of storing covert data, taking into consideration the importance of the data being held and the value of it as it grows and whether it conflicted with legislation around GDPR. They also asked if conversations had taken place with the Information Commissioner's Office (ICO) around minimising the use of data and the accuracy of storage.

The DCC explained that there was independent scrutiny around covert operations and strict guidelines set out by the ICO who carried out regular audits. The DCC said that he was confident that current arrangements in place were robust and that the Force had been audited twice resulting in a good performance outcome.

The Committee asked how often the sharing of data was scrutinised and how was it being monitored. The DCC explained ethical issues which officers need to make were managed by the Intelligence Unit and that threat and risk versus risk of compromise of the individual were taken very seriously. He added that the approach taken was that the Force would assess vulnerability first to safeguard individuals and that there was a duty of care taken towards covert human intelligence sources.

The Committee AGREED to note the contents of the report and stated they had received assurance on how ethical dilemmas face every day were handled sensitively by officers.

### **36/20. Rural Crime**

The Committee received a report from the Chief Constable outlining how rural communities are policed, the key issues and themes arising from the policing of such communities and the associated ethical dilemmas. A copy of the report marked paper "C" is filed with the minutes.

The Committee felt that better engagement and communications with residents in rural areas was important and the DCC said that the Force were always looking at new and innovative ways to engage with rural communities.

Members commented that the Force should not invest greater resource in enhancing the confidence of rural areas potentially at the detriment of other areas of Leicester, Leicestershire and Rutland and that a balanced data driven approach should be taken within limited resources. They also felt that the Force needed to explain to the public the balance that needed to be struck in how resources were deployed.

The Head of Communications explained that a sophisticated approach was taken in addressing local priorities and that targeted social media was in place with rural communities to increase engagement with that community.

The Committee AGREED to note the contents of the report and to receive further reports to future meetings on:-

- (a) rural crime to a future meeting to cover heritage crime/farming and county lines; and
- (b) road safety which is a general concern of local communities.

### **37/20. Recording of Rape Offences**

The Committee received a report from the Chief Constable regarding the overview of the recording and deletion of rape allegations to allow for an ethical discussion. A copy of the report marked paper "D" is filed with the minutes.

The Committee asked if there was anything different with how alleged rapes were recorded in comparison to other types of alleged crime. The DCC said that rape offences were recorded as per the National Recording Crime Standards (NRCS) and that the classification of rape should not be undermined. He said that the Force had a dedicated team (called Signal) which deal with rape offences and that there was a multi-agency approach in dealing with victims. He explained that all rape offences were recorded but there were complexities of what a rape allegation was and the only time an offence would be changed to a non-rape would be when a victim informed that they had made a false allegation. The DCC said that external work was ongoing with universities to try and understand why 60% of victims of alleged rapes recorded did not want an investigation.

The Committee asked if the percentage of allegations recorded was similar across all forces. The DCC said he would anticipate that this was fairly consistent throughout the country.

The Committee acknowledged that rape and sexual assault historically had been massively underreported and they noted that this painted an inaccurate picture.

The DCC explained that there was a work programme in place and that it was important to discuss ethical issues around recording of rape incidents which officers dealt with.

The Committee acknowledged the outstanding work undertaken by officers in this area but they were concerned about the confidence of victims experiencing rape and being able to report it and get a decent result. The Committee accepted that ways of increasing confidence was being looked into. The Committee did not undermine the work carried out by officers in difficult and demanding circumstances.

The Committee AGREED to note the contents of the report.

### **38/20. Leicestershire Police Promotion Selection Processes**

The Committee received a report from the Chief Constable providing information which includes what the promotion and selection processes are, who runs them, how decisions are made, how talent is identified and the outcomes and equality data and information on external scrutiny. A copy of the report marked paper 'E' is filed with the minutes.

The Committee asked for all acronyms to be written in full in future and that they wanted to understand what progression rates for officers looked like and also what checks and balances were in place to ensure that this was an equal and fair process.

The Committee felt that the process outlined in the report was commendable. They commented that the positive action taken by the Force was good and asked if the back filling of officers retiring was a problem. The DCC said that the Force had recognised a 42% churn and that there was a lot of ongoing issues with tax and pensions for officers going into retirement. As a result of this a work stream for skills and capability had been set up and a 3 to 4 year trajectory was being looked into. The Learning and Development department had been reconfigured into a Team Leicestershire Academy and a programme had been set up to look at under presented groups and where they were in terms of coming through the organisation.

The DCC concluded that on the back of the recent Black History Month celebration the Police and Crime Commissioner and Chief Constable had made a public pledge that 1 in 4 newly recruited officers would be from a BAME background.

The Committee AGREED to note the contents of the report detailing the work of the current promotion selection processes.

### **39/20. Dip Sampling of Complaint Files**

The Committee received a report from the Chief Constable presenting the findings from the dip sampling of files carried out on Tuesday 3 November 2020. A copy of the report marked paper 'F' is filed with the minutes.

The following additional feedback was provided to members:-

- CO 391/19      The Superintendent confirmed that this was in relation to a stop and search matter. Complaint was around 5 allegations, 3 around the stop and search ~~s/s~~ and, 2 around the investigation. Complainant has not engaged with the process but PSD will investigate the complaint and look for further evidence. One issue where service was not acceptable was in relation to the individual being asked to take off his jacket on a cold day. Feedback has been given to the officer.
- CO 482/18      This was a complaint relating non-compliance of Covid regulations. The PCSO was heard to say that they were not going to confront members of the public who had gathered. PSD confirmed that PCSO's did receive training around conflict management and resolution and are issued with protective equipment to deal with these situations. All officers and PCSOs have received the same briefing and training around covid. Apology has been given as the service provided was not acceptable and PCSO spoken to.
- CO 267/19      This relates to a stop check of a moped. Male previously been stopped, marker on the vehicle and officers had captured the entire incident on BWV. Complaint allegation x3 (2 withdrawn). Allegation was not upheld as officers had authority to remove the vehicle. Issue was around process of documentation which the Committee were informed was moving to an electronic system in future.

The Committee AGREED to note the contents of the report.

### **40/20. Covid-19 update**

The Committee received a verbal update from the Deputy Chief Constable regarding Covid-19 who explained the following:-

- Continuing to run Gold groups
- Business continuity plans were in place
- Couple of outbreaks primarily around the Contact Management Centre (staff being asked to isolate via the NHS track and trace)
- Frontline staff – more demand plus covid demand
- Working differently by using technology
- Christmas/New Year might be interesting but plans were in place.

**Chair**  
**Friday 18 December 2020**  
**2:00 – 3:54 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
8	20.9.19	31/19	B	<u>Stop and Search</u> A member of the Cohersive Powers Group be invited to attend the Committee meeting when Stop and Search is being considered. Include on forward work plan.	Executive Director	TBC	13/12/19 – outstanding, invite to be sent when next on the agenda.  18/9/20 – outstanding.  15/12/20 – invited Iris Lightfoote (TREC) and Chair of the Cohersive Powers Scrutiny Group  18/12/20 – Iris attended meeting

19	19.06.20	6/20	B	<u>Social Media</u> Appendix B Visuals mentioned in Appendix B - (videos shown as graphics only in the appendix) Chair would like to view at a later date.	Business Staff Officer		<i>(Suggestion: arrange for videos to be shown during one of the morning sessions)</i>  18/9/20 – outstanding.  18/12/20 – outstanding
20	19.06.20	6/20	B	<u>Social Media</u> Equality Impact Assessment section within the report was missing. Committee would like to know if one had been carried out.	DCC Nixon		18/9/20 – outstanding. DCC Nixon agreed to follow up with ACC Debenham.  18/12/20 – agreed to transfer ownership of action to DCC Nixon
22	19.06.20	9/20	E	<u>Hate Crime</u> Service Specification to be shared with the committee	DCC Nixon		18/09/20 – outstanding  18/12/20 – agreed to transfer ownership of action to DCC Nixon
30	18.12.20	34/20		<u>Stop &amp; 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
31	18.12.20	34/20		<u>Stop &amp; 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
32	18.12.20	34/20		<u>Stop &amp; 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
33	18.12.20	34/20		<u>Stop &amp; Search Annual Report 2019/20</u> BWV – how long is footage stored for and is it possible to extend the current length of storage	DCC Nixon		18/12/20 – DCC set this action