



JOINT INDEPENDENT ETHICS COMMITTEE

Minutes of the meeting held on 20th May 2024

PRESENT

Dr Gill Strachan (Chair)

Mrs Tricia Whiteside

Ms Victoria Blakeman

Mr Khalid Ibrahim

Dr Julie Cook

Dr Ade Oladapo

Mr Mark Hindle

Dr Camilla De Camargo

IN ATTENDANCE

Mrs G Routledge

Lancashire Constabulary

Ms Shelby Williams (for Item 4)

Lancashire Constabulary

PS Weronika Wallis (for Items 7 and 8)

Lancashire Constabulary

Mrs Carol Benton

OPCC

Dr Strachan welcomed everyone to the first formal meeting of the JIEC.

Apologies for Absence

Apologies were received from Debbie Storr, Dr Janet Howe and Angela Harrison.

Code Of Ethics Implementation Update

Members were given an update on the progress made in force regarding implementation of the new Code of Ethics. Members were reminded that a Code of Ethics was not new in policing and this was a revision and relaunch of the new code. Following stakeholder engagement with key Departments a set up piece of work had been completed for the launch. The actions generated included a review of policies to identify what needs to change, and, linking to the refreshed College of Policing Competency and Values Framework which have been revised to take account of the changes to the Code of Ethics. A key focus has been communication with people, with senior leaders receiving inputs to ensure they understand the changes made and can act as role models, and it is included in PDRs.

Members suggested the force needs to ask what needs to change for people's behaviours to change.

A productive meeting had taken place with members of the JIEC to discuss the way forward and the next stage will be to produce scenarios to share with staff, identifying staff behaviours, explaining how the public perceived it and what needs to happen as a result.

It was agreed the JIEC could help with public perception and a general discussion took place regarding social media and the challenges it brings, and around Artificial Intelligence (AI). It was agreed there is a need to celebrate successes too.

A discussion took place about how the JIEC can get involved in the embedding of the new Code of Ethics in the absence of any formal scheduled meetings as in other areas, such as Custody. It was agreed there was a wish from both sides to work together and once the new force Lead is identified they will make contact to progress this.

Action 1/24: That JIEC members be given the opportunity to feedback on the scenarios once drafted.

Action 2/24: That at the next meeting a presentation/briefing be given regarding Automation and activity in the force to date to brief the Committee on the current position and seek views.

Member Updates from other Thematic Areas:

1. Stop and Search and Use of Force Panel

Members who had attended the Stop and Search and Use of Force Panel reported that they had found the meeting interesting and they felt the force were being honest and transparent, with the officers attending being very knowledgeable. There is a clear link between the cases viewed and the Code of Ethics and they had seen both good and less good examples. The feedback

loop was discussed, how feedback identified for officers was recorded on PDRs and supervisors made aware to ensure there was learning. One member felt there was a discrepancy in how people were treated in different areas of the County but it was acknowledged that demand and intelligence likely contributed to that. It was important to understand the build up to the cases reviewed, what had happened and what does good look like?

It was acknowledged that a strong Chair was required for the Panel to ensure it kept to time to get through the business and that discussions were controlled with all members having their say and not just a few members dominating it.

2. Custody Detention Scrutiny Panel

One member reported they had found this panel informative, transparent and that it gave a good insight although they would like to visit a custody suite to improve their understanding. They recognised it as a difficult work environment, with high volume and where people are vulnerable so the Code of Ethics is key. How the Code is embedded into Custody they believed would be a good case study on it's own.

Another member reported they had been impressed with how well organised and considerate the processes they had seen so far had been, considering the demand and resources available. They felt it was only minor issues members had identified from the cases reviewed but that they were listened to.

It was confirmed that the OPCC Independent Custody Visitor (ICV) Scheme was focussed on the welfare of detainees and provided feedback to the force.

A discussion took place about anti-rip suits and the HMIC concern that the force was using them too much.

Action 3/24: Arrangements to be made for custody panel members to visit a custody suite if they felt it would be helpful to them.

3. PSD Sub-Committee

It was confirmed that the PSD Training for those who had expressed a preference for PSD as a thematic area would take place on 3 June at County Hall and that a date had been requested for the first meeting to be held as soon as possible after that.

There was space available if other members wished to attend.

Action 4/24: Mark to be invited to the PSD Training.

4. Valuing Difference and Inclusion

Members were advised that the new Chief Constable was in the process of re-shaping the structure of the DEI Board. The next meeting is expected to be held early August and members of the JIEC will be invited to it.

Development of OPCC Confidence Web-Page

As part of their transparency and scrutiny framework the OPCC planned to set up a web-page to publish information that they feel will improve public confidence in policing. Members views were sought on what they thought might be included on such a page, both in terms of data and personal reflections/experiences as members of this committee. Members were asked to consider this and either submit their views, or it could be discussed at a future meeting.

It was suggested the scope be narrowed to what would members of this Committee want to reflect on as an Ethics Committee that might impact on public confidence?

Action 5/24: Ongoing, to be discussed further and/or members to send their views to Carol.

Ethical Dilemma from the Tactical Ethics Committee (TEC):

Should officers/staff who are under investigation for misconduct be eligible to sit on the Tactical Ethics Committee?

The Chair and Vice-Chair of the TEC were recently reviewing its Terms of Reference before trying to attract new members. In doing so the dilemma posed had been raised and the Chair of the TEC was interested in members views.

It was confirmed that a decision was made as part of the misconduct process as to whether the individual was to continue in their role alongside the investigation, be moved to alternative duties or be suspended. If they continue in the role they remain on full pay and conditions.

A lengthy debate ensued, with different views voiced. All agreed that if the individual was suspended then it followed that they would be unable to attend TEC meetings during the period of the suspension. The issue was when they either remained in their substantive role or were moved to alternative duties. Some felt the issue should align with other force policies/procedures, so if they were allowed to continue in their role then they should also be allowed to attend the TEC meetings, and indeed it was important for all views and voices to be heard, and those who had breached the Code of Ethics could still add value. Some felt the nature of the alleged misconduct might determine whether or not it was appropriate. Some felt they should be allowed to remain a member until it was clear they could no longer do so.

It was recognised that some allegations are untrue which brings additional stress for individuals subject to them, and there was a need not to censor those not yet found guilty of misconduct. Sitting on the TEC could assist in the wellbeing of officers under investigation, which can take some time to complete.

Members debated what would the views of the public be if they knew an individual had allegedly breached the Code of Ethics but was then allowed to remain an active member of the TEC? The difficulties of balancing looking after the individual under investigation but not yet found guilty of anything with the public perception was acknowledged.

It was agreed there was a need to consider new members applying and those already a member who then found themselves subject to proceedings. If they then stood down they would have to disclose why they were doing so? Or should the Chair be informed of the investigation routinely with the individuals consent?

It was suggested that one option was maybe to amend the Terms of Reference for the TEC to state those officers under suspension either could not be appointed or should step down until the investigation was finalised. The TEC isn't a decision making forum, but advisory to inform opinions and decisions. It was acknowledged that the expectations on those working for the police are higher than those for the general public. What about those who were found guilty of gross misconduct but not dismissed, i.e. given a final written warning?

Members recognised the wide range of considerations, as articulated, and the difficulty of achieving a consensus view.

Action 6/24: That the Chair of the TEC speaks to the Deputy Chief Constable (DCC) to ascertain whether or not this could be a consideration, either by the decision maker in PSD who determines there is a case to answer and initiates the investigation, or at the point of suspension?

Action 7/24: That the Chair of the TEC considers the issue of pre-consent for members informing the Chair of the TEC about any misconduct proceedings.

Action 8/24: That the Chair of the TEC considers amending the Terms of Reference of the TEC to state those officers under suspension either could not be appointed or should step down until any misconduct investigation was finalised.

Update from Tactical Ethics Committee

The TEC had recently considered the Angiolini Inquiry Recommendations and their impact nationally and in Lancashire. It was not intended to discuss all the recommendations, just selected ones, including the one which changed the way that indecent exposure offending is dealt with, changing some of the internal culture to

encourage reporting of inappropriate behaviour and placing an obligation upon officers to report behaviours.

The main debate focussed on the issue of undertaking mandatory home visits for all police officer applicants. It was noted that deciding to join the police is a personal matter, confidential and some applicants may choose not inform family and friends.

Would the home visits apply to all applicants or be targeted, this was considered critical due to the level of resource and specialist training required to deliver on it. Members felt there needed to be strict terms of reference which must be adhered to, there was a need to ensure no bias and it was felt the proposal presented an element of risk.

The reasons that might be behind the recommendation were discussed, and there was agreement that potentially better quality information and assessments could be made during a home visit, if done correctly. It would inform around suitability, perhaps identify infiltration attempts and identify applicants whose lifestyle are perhaps inconsistent with their job/income.

The TEC had also discussed the reporting of inappropriate behaviour and felt there was benefit in doing a campaign to promote the good work of PSD and dispel myths, and it had been suggested it be called 'The Call it Out Campaign'.

Members were told there was a new operating model in force and the newly created workforce investigations teams on response teams will hopefully free up some of the Response Sergeant's time so they can focus more on behaviours and identify any thing inappropriate at an earlier stage.

It was confirmed that the TEC were looking into divisions holding ethical discussions.

There had been 2 actions from the TEC, first relating to a wider discussion regarding raising PSD's profile and secondly relating to the need to plan to progress the recommendations, for which a working group had now been established.

Any Other Business

There were no items of any other business.

Before closing the meeting, members reflected on the meeting and how it had gone. It was agreed it had been productive and informative with interesting debates, but there was a need to understand if, and how, their discussions/advice will influence policy and/or decisions going forward.

Date of Next Meeting

The next meeting will be held at 9.30 am on Monday 24th June 2024, at County Hall, Preston.