



Cleveland Police Ethics Committee

Minutes

Date: Tuesday 19th November

Time: 17:00

Venue: Cleveland Rooms 1&2, CSH, Cliffland Way, TS8 9GL

Attendees:

| Name | Role |
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| Dave Smith | Committee Chair |
| Richard Smith | Committee Vice Chair |
| Abbas Momtazi | Committee Member |
| Khan Hanif | Committee Member |
| Georgina Fletcher | Committee Member |
| Craig Marshall | Committee Member |
| Tresor Bukasa | Committee Member |
| Supt. Sharon Cooney | Cleveland Police |
| Liz Byrne | Acting Assistant Chief Executive – Cleveland OPCC |
| Charlotte Rumins | Minute Taker – Cleveland OPCC |

Apologies:

| Name | Role |
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| Stuart Green | Committee Member |
| Cristiana Emsley | Director of Standards & Ethics – Cleveland Police |

| No. | Discussed | Outcome/Decision/ Attachment |
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| 1 | Introduction and Apologies Dave Smith opened the meeting with a round of introductions; apologies for absence were received from Stuart Green and Cristiana Emsley. | |
| 2 | Declarations of Conflicts of Interest (if any) No conflicts of interest were declared. | |

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| <p>3</p> | <p>Stop and Search Panel</p> <p>Sharon Cooney attended and provided a briefing on the Stop and Search panel. It was noted that the scrutiny panels (youth and BAME scrutiny panels) are currently being set up and the first meeting was held on 14th October 2019. Individual case studies are discussed within the stop and search scrutiny panel and an example case study was shared with the group.</p> <p>Members shared their views on the action taken by the officer and it was felt that the action was appropriate and reasonable under the circumstances outlined. It was discussed however that if the knife had not been found on the individual, the taser deployment could have been inappropriate. Overall members felt that the action taken by the officer would still be ethically sound, even if the result had been different and a knife had not been held. The officer would still have the justification for their decision making at the point of stop and search and taser deployment although the end result may have differed.</p> <p>Following the discussions AM queried whether stop and search always involved the use of a taser. SC confirmed that it does not and that the questions that the stop and search scrutiny panel would consider are whether conducting the stop and search was appropriate and whether the deployment of the taser was proportionate.</p> <p>HK and DS noted that there was little information within the report in relation to the perceived threat to the officer (e.g. distance from the individuals, attitude of the individuals). SC noted that taser deployment and stop and search would be conducted within close proximity.</p> <p>Discussions also took place in relation to the use of body worn video for scrutiny and training purposes and it was felt that the use of the footage would be unethical if the individual had been found to be innocent. DS noted that if the footage had been of the confirmed and convicted suspect his view would be different, it was noted that the GDPR regulations would remain the same regardless of the outcome. DS added that if consent had been obtained from the individual in either circumstance, the footage could potentially be used.</p> <p>TB noted that it would be useful for members to receive brief training on the issues raised to allow for an informed discussion.</p> | <p>SC to provide Brief training within February meeting re stop and search, use of force and tasers.</p> |
| <p>4</p> | <p>Minutes of the Previous Meeting</p> <p>The minutes of the previous meeting were accepted as a true record and matters arising were discussed.</p> <p>AM queried the signing of a confidentiality agreement and it was confirmed that this would take place within the next meeting of the</p> | |

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| | <p>committee, the first meeting of the new arrangements.</p> <p>Discussions took place in relation to senior leadership within Cleveland Police and it was noted that Ian Arundale is currently the Temporary Deputy Chief Constable. T/DCC Arundale is a former Chief Constable with the current remit of predominantly dealing with the legacy issues of the force, development of ethics and complaints and discipline. It was confirmed that ACC Steve Graham is a confirmed permanent ACC with the remit of neighbourhood policing, dogs and specialist operations. It was noted that T/ACC Lisa Orchard is also now in post as Temporary Assistant Chief Constable with an investigatory background.</p> <p>LB also discussed the upcoming PCC elections, it was noted that the current PCC will not be standing for re-election and changes in the office's remit heading into the Purdah period were also noted.</p> <p>An update was provided in relation to internal membership recruitment and it was noted that an additional EDI Manager has been recruited into DSE to progress developments with internal ethics. Once in post, the EDI manager will progress the internal member recruitment.</p> <p>Training for members was discussed and it was agreed that a dedicated training session will be held.</p> | |
| <p>5</p> <p>6</p> | <p>Terms of Reference</p> <p>HMICFRS PEEL Report 2019</p> <p>The ToR and the HMICFRS PEEL Report were discussed as intrinsically linked items and it was noted that the Committee felt they should play a more proactive role in identifying issues such as those identified within the HMIC report going forward.</p> <p>DS noted that a meeting is also planned to be held in December for scrutiny panel chairs (e.g. Ethics Committee, Audit Committee, IAG etc.) to discuss what will be different for each of the Committees going forward. LB noted that the December meeting should look at what members of the committee would like to offer as well as what the Chief and the force would like from members.</p> <p>DS asked how far the Force are into developing an action plan to resolve the issues identified. LB noted that there are currently six lists of actions that have been developed but at present they are not fit for sharing with members of the committee.</p> <p>GF requested a briefing of the key ethical issues that were identified through the HMICFRS PEEL Report be provided to the committee. LB confirmed that the report would be shared with the committee, the key causes of concern are highlighted within the report and the recommendations are described in detail. It was felt that sharing the report would be more appropriate than attempting to summarise the findings. LB requested that any questions be sent through in</p> | <p>CR to circulate HMICFRS PEEL Report to members.</p> <p>Members questions to be sent in writing to LB following receipt of the report.</p> |

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| | <p>writing following receipt of the report.</p> <p>TB queried whether more resources are required to undertake the actions within the plans. LB noted that improvements can't be made at the same time as operating as 'business as usual'. A list has been produced by CC Lewis for the required recruitment level to operate both at business as usual and to improve the force overall.</p> <p>RS noted that the failings identified within the HMICFRS report are majorly operational issues and stated that the committee must continue not to be involved in operational issues. LB confirmed that the committee don't need to be involved in operational matters but that the force do need to make better use of the committee to receive their opinions on ethical issues. DS added that although the committee will not be involved in operational issues, it may be up to the committee to consider what the ethical issues stemming from the operational matter are.</p> <p>AM noted that going forward consideration needs to be given as to whether the force show respect for the committee and for external opinion in general. RS noted that the confidentiality agreement that will be implemented going forward will partly address the issue as it will allow for more sensitive submissions to be brought to the committee for discussion.</p> <p>DS noted that there is the possibility to offer Chief Officers the use of individual members of the committee as a sounding board for ethical issues that may not be appropriate to be brought for discussion within a whole committee meeting.</p> <p>AM noted that the committee is based on individuals and noted that attendance at the committee should be considered as a factor for consideration in relation to respect for the committee. Commitment is required from members to attend meetings of the committee.</p> <p>Discussions are to take place within the February meeting in relation to the frequency of meetings going forward.</p> | <p>LB to discuss the potential offers of support with CC Lewis and feedback to be provided to the committee.</p> |
| <p>7</p> | <p>Committee Membership</p> <p>LB queried who the committee feel needs to attend from a Force perspective at senior level. It was confirmed that Cristiana Emsley would attend the committee going forward but consideration should be made as to whether the committee feel senior officer attendance would be required. Internal membership will also be confirmed once the EDI Managers are in post.</p> <p>Discussions took place in relation to recruitment and it was noted that it has continually been a problem. HK suggested recruiting through the Citizens Advice Bureaux and GF suggested advertising for recruitment on the VONNE website and queried whether the local authority has a volunteering bureaux and suggested recruiting through that channel.</p> | |

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| 8 | Process for Agenda Setting This item was deferred to the next meeting. | |
| 9 | Submissions Times Article – ‘Volunteer Constables to be Armed with Tasers’ This item was deferred to the next meeting. | |
| 10 | Any Other Business No items were raised under any other business. | |
| 11 | Time and Date of Next Meeting The next meeting of the Cleveland Police Ethics Committee will be held on Tuesday 18 th February 2019 – 17:00, Cleveland Rooms 1&2, Cleveland Community Safety Hub. | |