



**Police & Crime Commissioner for Cleveland**  
**Cleveland Community Safety Hub**  
**1 Cliffland Way**  
**Middlesbrough**  
**TS8 9GL**

Email: [pcc@cleveland.pnn.police.uk](mailto:pcc@cleveland.pnn.police.uk)  
Website: <http://www.cleveland.pcc.police.uk>

## **Cleveland Independent External Ethics Committee**

### **Minutes**

**Date:** Tuesday 10 August 2021

**Time:** 16:00

**Venue:** Community Safety Hub

#### **Attendees:**

<b>Name</b>	<b>Role</b>
Dave Smith	Committee Chair
Richard Smith	Committee Vice Chair
Craig Marshall	Committee Member
Tresor Bukasa	Committee Member
Kim Stewart	Committee Member
Stuart Green	Committee Member
Ian Arundale	Deputy Chief Constable – Cleveland Police
John Dodsworth	Inspector, DSE – Cleveland Police
John Tapper	Temporary Chief Inspector, Project Adder – Cleveland Police
Steve Bell	Inspector, DSE – Cleveland Police
Rachelle Kipling	Assistant Chief Executive – Cleveland OPCC
Jenni Salkeld	EDI Manager – Cleveland OPCC
Isaac Holmes	EDI Officer – Cleveland OPCC (Minutes)

#### **Apologies:**

<b>Name</b>	<b>Role</b>
Craig Wright	Committee Member
Georgina Fletcher	Committee Member

<b>No.</b>	<b>Discussed</b>	<b>Outcome/Decision/ Attachment</b>
<b>1</b>	<b>Welcome &amp; Introduction</b>  DS reminded those members joining online to keep microphones muted when not speaking, use the 'raise hand' and chat functions, and to challenge the use of acronyms.	
<b>2</b>	<b>Apologies for Absence</b>	

	<p>Apologies for absence were received from Craig Wright and Georgina Fletcher.</p> <p>The Committee was informed that Lauren Blair has withdrawn from the Committee as she has returned to the United States.</p>	
<b>3</b>	<p><b>Declarations of Conflicts of Interest</b></p> <p>DS declared his interest as being a member of the Internal Ethics and Standards Board. No other conflicts of interest were raised.</p> <p>It was noted that all external lay members have signed a confidentiality agreement and the matters discussed within this meeting are protected by that agreement.</p>	
<b>4</b>	<p><b>Independent External Ethics Committee Development</b></p> <p><b>Chief Constable Recruitment</b></p> <p>DS raised the issue of Chief Constable Richard Lewis leaving the Force and requested information about the recruitment process from Rachelle Kipling. RK responded that the OPCC is pulling together a recruitment pack to be distributed across country to draw suitable candidates and that the PCC is committed to finding the right person. RK said that there has already been quite a lot of interest in the position. The PCC is hoping to appoint a new Chief Constable by Christmas and the intention is for CC Lewis to remain in the role until the new CC starts.</p> <p>DCC Ian Arundale added that the maximum notice period is six months, but the actual period served will depend on circumstances. The Executive team are working with the PCC to establish what is and isn't negotiable with a new CC to ensure ongoing work is seen through and not changed for the sake of change. IA also mentioned that the Executive Team is already depleted, and some members are on temporary contracts. RK noted that it is very important to maintain the confidence of the workforce.</p> <p>CM said he was impressed with RL as Chief Constable. DS said he recognised the fragility of the situation and stressed the importance of continuity.</p> <p><b>Police &amp; Crime Plan Update</b></p> <p>RK showed the Committee a presentation providing an overview of the draft Police &amp; Crime Plan which is out for consultation with the public. She noted that this is more performance focussed than previous Police &amp; Crime Plans and that it covers the remaining term of the PCC (3 years). RK then invited questions about the presentation.</p> <p>KS asked what 'Hartlepool Custody' is. IA replied that this is a custody suite where suspects are taken when arrested. He added that the reopening was not necessarily a decision for the PCC as it could be argued it is an operational decision. CM asked when it closed, to which</p>	

JD replied he believed it was around 2014. DS and SG noted that Durham Constabulary is currently planning changes to its custody resources.

CM asked if there was not already a Cybercrime Unit. JD responded that there is, in addition to a regional Cybercrime Unit at NERSOU. SB added that this is funded and partially tasked nationally, and that Cleveland Police are hopeful of gaining additional funding to expand capabilities.

DS asked whether the responsibility for victim services sat with the PCC or Cleveland Police. RK replied that the PCC gets an annual grant for victim provision, and this is used to commission services. IA added that this involves some consultation with the Force.

IA asked JT to explain County Lines to the lay members. JT explained this is a drug dealing network model. It originates from larger cities, realising there is an untapped market in towns and rural areas. The networks run central telephone numbers with often vulnerable people including children dealing the drugs. This can involve taking over the home of a vulnerable person to use as base. There can sometimes be an international element to these networks. Some lines are estimated to be worth around £10,000 per week.

DS noted that the PCC had pledged not to continue funding for the drug treatment programme that had launched recently. He queried whether this represented a conflict given the draft Plan mentions tackling drug-related crime. RK replied that the PCC was clear that this should be funded by health services as this is where the primary benefits lay. Funding has been secured through public health services up until March 2022.

CM asked about current drone capability. JD replied that most districts have trained pilots. Drones are used for planned operations such as football matches as they are far cheaper to use than helicopters. There are also drones on call for spontaneous events. CM noted that he saw a demonstration of drone use at Durham Constabulary and was very impressed. JD noted that there are a number of ethical considerations with drone use. DS agreed and also raised legal implications. DS added that if drone use is to be expanded this should be referred to the IEC.

CM noted parts of the plan relating to the criminal justice system and mentioned that he did not realise this was within the remit of the PCC. RK replied that nationally some PCCs Chair criminal justice partnerships, and this is something that will be explored in the upcoming Police & Crime Commissioner consultation. CM expressed interest in this as he feels the criminal justice system is much too slow. RK added that it is like the consultation will also see responsibility for Fire Services come within the remit of the PCC across the country.

DS asked for the presentation to be sent out with minutes, and for a

question to be added to the survey to see if lay members would like to explore any of aspects of the plan on an ethical basis.

### **Gifts & Gratuities Update**

JD provided an update on the Gifts & Gratuities Policy. He referenced an incident in which a team was gifted bottles of wine by a family in respect of a serious incident. The impacts of the rejection of the gift on family members and community relations were considered. Based on this incident, the policy has been updated to state that there may be extenuating circumstances where DSE are able to grant an exemption. The Policy has been submitted to the Idea Drop platform for workforce consultation, with no concerns being raised by staff.

### **Development Work**

IH provided an update on the IEC Development Action Plan, with focus on progress with setting up the Youth Commission Ethics Group. DS noted that this was very important to ensure youth voices are heard. He said that the IEC has struggled to retain young people, and a separate group will allow for more meaningful engagement.

JS said that she proposes a couple of joint development sessions with the Strategic Independent Advisory Group where members will be briefed on a number of policing topics with the opportunity to ask questions. JS asked if lay members would be happy to do this on a weekday evening in October. All members responded that they would. CM mentioned that he would be keen for Domestic Abuse to also be covered as he has done work in this area as a religious minister. KS expressed an interest in learning more about restorative justice. JS requested these subjects be added to the development list. DS explained that although IEC members are not expected to be experts on policing matters, it is common that extensive information needs to be provided at meetings which can disrupt the flow and limit discussion.

### **Member & Vice-Chair Recruitment**

DS informed the group that due to two members recently leaving the Committee, the intention is to go back out for member recruitment. IH mentioned that this is due to start through social media advertising and community contacts next week.

DS informed the group that RS has decided to step down as Vice-Chair with immediate effect, although he will stay IEC member for another year and will continue work around misconduct. RS mentioned that he has thoroughly enjoyed serving as Vice-Chair and is only stepping down due to heightened work commitments. IA expressed his thanks to RS for his work on DSE matters and that he is keen to continue that work over the next year.

DS explained that the Vice-Chair acts as stand in for Chair when Chair unavailable, but also as a sort of 'sounding board' to discuss

	<p>Committee matters. DS added that one person has expressed interest anonymously through a previous survey, so he is hopeful that someone will want to take over the reins. IH noted this opportunity will be conveyed to members who could not attend the meeting via email.</p>	
<p><b>5</b></p>	<p><b>Minutes of the Previous Meeting and Matters Arising</b></p> <p>RS proposed that the minutes of the previous meeting were an accurate record; CM was the seconder to this proposal. The minutes of the meeting of 8 June 2021 were approved.</p> <p>DS asked if JD had an update regarding developments in the area of police officers and staff attending protests off-duty. JD replied that this would be provided at a subsequent meeting as it is a complex area and work is ongoing.</p>	
<p><b>6</b></p>	<p><b>Submissions</b></p> <p><b>Naloxone Trial</b></p> <p>JT summarised the dilemma and explained that Middlesbrough has particularly high levels of opioid users and drug-related deaths. He clarified that the main responsibility for treating overdoses remains with the NHS, but that police are often the first on-scene. JT explained that side-effects are relatively rare and severe side effects such as anaphylactic shock are very rare. JT added that there is no illicit market for Naloxone and its only use is reversing an overdose. If Naloxone was used, an ambulance would still be requested, and NHS response priority would not be altered on the basis of its use.</p> <p>CM asked if spotting signs of an overdose would be part of the training provided to those carrying Naloxone. JT confirmed that it would be, and that intelligence held about the individual may also be considered.</p> <p>DS asked if there were other situations in which the police fulfil a medical function. IA responded that some firearms officers are trained to deal with ballistic roles, and that other specialisms may have specific training based on likelihood of encountering particular issues. DS said it appears it would not exactly be setting a precedent, but the scale is different in terms of the numbers of officers and staff who would be eligible to carry Naloxone.</p> <p>RS asked about the NHS view on the matter. JT explained that local partners are very keen for the trial to be rolled out. RS asked for clarification that this means explicit approval of police use, to which JT replied that is does.</p> <p>DS asked if there were other examples where police would issue medication without consent not relating to policing matters. IA replied that he was not aware of any comparative examples. IA did mention that if police came across someone choking they would be expected to act.</p> <p>KS asked for information about the worst-case scenario in terms of</p>	

reactions to the drug. JT responded that it can have an impact on heart rhythm. KS asked if this was a permanent or temporary effect to which JT replied that he could not say for certain. IA said that nothing can truly be 'safe' but rather 'low risk'. IA added that people likely to be given Naloxone are far more likely to have underlying conditions that would contribute towards death. IA also mentioned that the burden of proof in coroners' proceedings has changed from criminal burden to civil burden.

TB asked about how consent would be dealt with in training. JT replied that the general scenario is an unresponsive person. There would therefore be no opportunity for express consent, but there would be implied consent as the drug is administered to save life.

SB asked if there had been any IOPCC investigations relating to Naloxone, to which JT replied that he was not aware of any.

CM said that if police came across someone drowning, they would be expected to act. IA explained that some police cars are equipped with throw lines for this purpose, which although not the same as Naloxone use, is an example of equipment carried for non-policing related preservation of life.

DS summarised that no substantive ethical issues had been raised in relation to the roll-out. DS noted that it does indicate a change in policing responsibilities, particularly in regard to administering medication, which could have conduct and legal implications. DS said that these issues are trumped by the importance of saving lives, and that as health specialists have supported the proposal, there is no ethical reason not to proceed with the trial.

### **Whistleblowing Policy**

SB provided an overview of the policy.

DS stated that it is one of the organisation's most important policies and that he was pleased it had been put to the Committee. DS queried the stage the policy was at. SB replied that it has two weeks of consultation left.

DS asked for clarification of the difference between whistleblowing and a grievance. SB replied that whistleblowing isn't a personal issue. CM posited that it could be both a personal and wider issue to which SB agreed that could be the case. IA stated that in law, whistleblowing must be a matter of public interest. IA continued that although grievance issues may be very serious to an individual, they are usual of limited public interest.

TB queried whether whistleblowing ability could be limited by confidentiality documents signed in the process of employment. IA replied that if of genuine public interest this shouldn't be the case. IA provided an example of a GCHQ officer convicted on such a charge who then had the conviction overturned on appeal due to their

<p>actions being in the public interest. This provides the basis for case law on this matter.</p> <p>DS asked if the process was the same regardless of seniority. IA replied this would be the case other than for the Chief Constable, who would be expected to escalate to the PCC.</p> <p>DS said there was nothing in the document of particular concern, but that there were some related issues. DS queried the situation that could arise where employees are in a relationship and become privy to information about unethical practice disclosed by their partner. DS explained that this could lead to fear of disclosure if a partner is worried about the effect that raising the issue could have on their personal life. IA explained that this matter was being reviewed by an operational lead, and that they would look at what someone is obliged to do in law and what is discretionary. IA explained this work is in progress and can be brought to a future meeting. DS noted that he would want to see the outcome of that work contained within the whistleblowing policy itself.</p> <p>CM said that this scenario wouldn't just be limited to intimate relationships, but also general family ties. CM said he saw no reason that the policy should not be followed in such a situation. DS replied that he agreed, but that in practice fear of consequences may stop people disclosing information. DS added that it is important that all staff feel confident in doing so.</p> <p>DS requested the subject of disclosing unethical practice or behaviour be brought back to the Committee once the work has been progressed.</p> <p>DS queried some ambiguous wording in the policy around meetings being arranged. SB clarified this was in relation to whether or not the issue counts as whistleblowing. DS requested this be clarified in the policy.</p> <p>JD asked how we can ensure the information is kept anonymous. SB replied that the information is stored on a secure system to which there is minimal access and high security levels.</p> <p>IA raised that it is important to ensure the policy is used appropriately.</p> <p>DS summarised that there were no significant ethical issues with the policy, but that the topic of relationships and disclosure should be brought to a future meeting.</p>	
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<b>7</b>	<b>Any Other Business</b>  DS asked about the Monitoring Report due for October. JS replied that they are clarifying requirements around this as there is some ambiguity. DS asked that details be shared with the Committee. JS responded that she would look into what can be shared.  DS read through the list of deferred items and said that it has been decided that CM's submission on non-crime hate incidents should be brought to the next meeting regardless of whether or not a verdict has been issued in the related legal case.  The next Committee meeting date was confirmed as Tuesday 5 <sup>th</sup> October 2021.	
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