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# POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE

## POLICE AND CRIME PANEL

Report of	OFFICE OF POLICE AND CRIME COMMISSIONER
Subject	ETHICS, INTEGRITY AND COMPLAINTS COMMITTEE – ANNUAL REPORT SEPTEMBER 2017 TO SEPTEMBER 2018
Date	FRIDAY 1 FEBRUARY 2019 – 10:00 a.m.
Author	ANGELA PERRY, EXECUTIVE DIRECTOR

### Purpose of Report

1. The purpose of this report is to inform the Panel of the work of the Ethics, Integrity and Complaints Committee for the period September 2017 to September 2018.

### Recommendation

2. It is recommended that members comment on the contents of the report.

### Background

3. The Ethics, Integrity and Complaints Committee were convened in September 2015 in response to the heightened focus on the integrity of police officers and police forces. In 2011 HMIC published their inspection report '*Without Fear of Favour*' and in December 2012 the follow up report entitled '*Revising Police Relationships: A progress report*'. This second report identified that whilst nationally progress had been made there was still more needing to be done. The annual HMIC inspection report on Police Effectiveness, Efficiency and Legitimacy (PEEL) incorporates integrity within forces as part of the 'legitimacy' pillar of the inspection programme.
4. In addition to the transparency and accountability of decision making being under greater scrutiny there has been a growing vulnerability for senior officers regarding the challenges that policing in austerity brings coupled with the opportunity to demonstrate value based, ethical decision making around operationally complex issues.

### Ethics, Integrity and Complaints Committee

6. The Committee undertakes an advisory role and is not a decision making body. It provides a forum for debate on complex operational or personnel issues with a view to defensible decision making. In delivering their remit, the Committee considers both broad thematic issues as well as practical day-to-day matters and on occasion will examine current as well as historic matters. In certain circumstances, the Committee will advise on live operations or

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events or examine the application of the national decision making model. The Committee discuss and provide advice about ethical issues and do not just scrutinise the application of policy and procedure.

7. The Committee provides a transparent independent forum that monitors and encourages constructive challenge over the way complaints and integrity and ethics issues are handled by the Force and overseen by the PCC. It assists Leicestershire Police to maintain clear ethical standards and achieve the highest levels of integrity and professional standards of service delivery.
8. The aim of the Ethics, Integrity and Complaints Committee is to contribute to developing trust and confidence by:-
  - (a) bridging the gap between academic debate on ethics and operational decision making;
  - (b) influencing changes in force policy;
  - (c) enhancing the debate and development of police policies and practices;
  - (d) anticipating and understanding future ethical challenges that the service will face and influencing any response by the police.
  - (e) Articulating and promoting the influence of professional ethics in all aspects of policing.
9. The work of the Committee focuses on the following three areas:-

#### Ethics

10. The launch of the Code of Ethics by the College of Policing in July 2014 set out the principles and standards of behaviour to promote, reinforce and support the highest standards from all those working within the police service. The principles of the Code are integral to the delivery of policing and are a part of growing police professionalism leading to increased public confidence. Professional ethics is broader than integrity alone and incorporates the requirement for individuals to give an account of their judgement, acts and omissions. The Committee facilitates public scrutiny in this area and by publicising their work assists to build and maintain trust and public confidence.

#### Integrity

11. Integrity is pivotal to public trust and confidence and oversight of how this is embedded within the Force requires independence and transparency for the police to have 'legitimacy' with the public it serves. Integrity in policing is about ensuring that the people who work for the police uphold public confidence. It is about how well the police make decisions, deal with situations and treat people day in and day out. If the public don't trust the police to be fair and act with integrity and in their best interests it is unlikely that they will be inclined to assist the police.

#### Complaints

12. The Police and Crime Commissioner has a duty to hold the Chief Constable to account on how effectively he discharges his responsibility for responding to complaints and misconduct allegations made against the Force. The Ethics, Integrity and Complaints Committee provide a robust, independent and transparent approach to the oversight of complaints and misconduct matters.

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### Membership

13. The Committee comprises 7 members all appointed to the role through an open recruitment process. Appointments to the Committee are for 4 year terms with a maximum tenure of 8 years. More information on the current membership of the Committee, together with equality information on the membership, is included at Appendix 'A'. Members receive an annual allowance for undertaking the role.

### Working Arrangements

14. The Committee meet in public on a quarterly basis. Dates of all meetings together with agendas, reports and minutes are published on the PCC's website. Media releases are prepared prior to the meeting to inform the public of what will be discussed and immediately following with the outcome of those discussions. Outside of formal meetings members of the Committee undertake dip sampling of complaint files and other areas of work as identified.

### Work Undertaken September 2017 – September 2018

15. Members have addressed a range of issues throughout the year which are summarised as follows:-

#### Recruitment, retention and progression of the workforce

The Committee considered the positive action work being undertaken by the Force in relation to the recruitment, retention and progression of under-represented groups within Leicestershire Police. The positive action work has the aim of increasing the diversity of officers and staff to be more reflective of the local community.

Members of the Committee had previously supported the use of utilising Section 159 to the Equality Act 2010 to take positive action to increase the diversity of the workforce. The Committee was informed that the Positive Action Strategy and Delivery Plan had been implemented and since May 2017, three recruitment campaigns had been launched.

Members were encouraged to see that each recruitment campaign had been undertaken with lessons learnt from previous campaigns which had seen an increase in BME numbers and praised the Force for the approach taken to increase representation.

#### PREVENT and Counter-Terrorism

Members considered information on how the police addressed the PREVENT agenda and counter terrorism. They heard that there was no evidence to suggest that PREVENT impacted on the day to day relations between the police and the public. However there were issues with trust and confidence in the strategy nationally, that was also felt locally, particularly in Muslim communities. Members noted that there were no statistics to evidence that the PREVENT strategy had an impact on recruitment but it was recognised that misconceptions were regularly challenged.

The Committee were pleased to hear that the Force had in place Independent Advisory Groups (IAG) for Race, Disability and Lesbian, Gay, Bi-sexual, Transgender community and that a Religion and Belief IAG was about to be formed. Members were also encouraged to hear that the Prevent Steering

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Group, led by the City Council, met quarterly and all key partners were represented. This group allowed for good practice and initiatives to be shared amongst agencies.

The Committee were also pleased to hear that a PREVENT Community Forum was in place which was an open event which attracted an audience almost entirely drawn from the Muslim community. It was attended by the Chief Constable and the meeting discussed the strategy as well as addressing community concerns.

Members expressed their support for the arrangements in place.

### Op Darwin Update

Op Darwin related to the name of Leicestershire Police change programme which was introduced in 2015 at the time the force was going through a radical reconfiguration with an emphasis placed on centralisation. Members were informed that the force was now moving forward into Blueprint 2025, in line with the national policing vision. The first workstream being addressed focussed on people, which included looking at revenue costs, upskilling staff, alternative entry routes into the police service and how volunteering utilisation could be optimised. Following this the second workstream addressed technology and the use of providing an on-line service to the public.

Members were pleased to hear that external consultation had been undertaken to ascertain the public's appetite for the changes with the result being that 79% of the public responded positively for this approach.

### Stop and Search Update

During the year the Committee continued to maintain oversight of stop and search and received data for the recording year 2017/18.

The Committee were interested to hear that consideration was being given to the use of body worn video by covert officers.

The Committee supported the proportionate use of stop and search in areas which faced a significant threat from knife crime, drugs supply and serious violence and of the force seeking to increase positive outcomes and building confidence that stop and search was safeguarding local communities.

### Transparency – Compliance with the Publication Scheme of Information

The Freedom of Information Act (FOI) 2000 introduced 'publication schemes' which is a mandatory requirement for local authorities to proactively publish certain information. The aim of such schemes is to reduce demand of FOI requests for local authorities. Members considered the Force compliance with the Publication Scheme of Information. Members commented that the Leicestershire Police website could be more "user friendly" with a frequently asked section and a Freedom of Information section. It was explained that a new Force website was being developed which would address these issues.

### Gifts and Gratuities Registers

Members inspected the gifts and gratuities register for both the Force and the Office of Police and Crime Commissioner. The Committee were satisfied with the items recorded but requested a column be added to show approximate

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value for each item, whether accepted or not. This is now in place for both registers.

### Consideration of Force Policies

- Notifiable Association Procedure and the Vetting Policy

The Notifiable Association Procedure refers to inappropriate associations that could have a detrimental effect not only on the individual member of staff but also on the overall integrity, operational effectiveness and reputation of the police.

The wording of the policy was praised for the clarity it provided to employees.

- The Vetting Policy was considered and it was noted that this was in accordance with the National Vetting Policy.

### Police Approach to Hate Crime and Terror Attacks

The Committee discussed the Force approach to addressing hate crime and the action that would be taken in the case of a terror attack. The definitions of both were discussed. Hate crime was noted as being an offender who demonstrated hostility towards an individual based on one or more of the protected characteristics in legislation. The definition of terror attacks was recognised as being a complex issue but which in part stemmed from an ideology. Members were supportive of the Force approach.

### Child Sexual Exploitation

Members received information about the police and multi-agency response to Child Sexual Exploitation across the force area and the approach which is being taken. Members commented that it was harder for ethnic minorities to come forward based on cultural needs and therefore greater training with staff around cultural difference was required with less victim blaming. The force confirmed that such training was already in place and training videos were being produced to address the issue of children being subject to child sexual exploitation and rape within a domestic setting.

### Dip Sampling of Complaint Files

Between September 2017 and September 2018 the Committee inspected 76 complaint files, 16 misconduct files and viewed 29 non-referral decisions, the latter referring to where the Force has taken the decision not to refer the matter to the Independent Office of Police Conduct (IPOC).

- Non-Referral Register

Of the 29 non-referral decisions examined members were satisfied with the rationale for a referral not being made in each case.

- Complaint Files

Of the 76 complaint file cases examined an example of the comments made by members are as follows:-

*“Management Action appropriate”*

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*“Fundamentally repetitious of original complaint which established police responded correctly to each incident”.*

*“Police call taker did an excellent job and I consider the complaint to be largely vexatious”*

*“Challenging and volatile situation – outcome appropriate”.*

*“I find the investigation to be very thorough and am pleased that the officer initiated a multi-agency discussion as clearly the complainant had health issues”.*

Other comments raised minor concerns as follows:-

*Error made by digital forensic unit (DFU) in locating a device resulted in delay in it being examined.*

Force response was that the DFU have now amended their processes to prevent a reoccurrence.

*Concerns regarding a number of omissions of duty in the custody process but the words of advice and learning for these were a proportionate response.*

Generally there were no substantial concerns over the way complaints were dealt with by Leicestershire Police.

- Misconduct Cases

Regarding the 16 misconduct case files examined members were generally happy with the investigation and outcome of the cases viewed. In one case members identified an issue with the CCTV at Keyham Lane police station which did not record accurate date and times and therefore could not assist an investigation. The force responded that there was an apparent system error which had since been rectified.

In another case a courier employed by the police was caught speeding on more than one occasion. Members felt that speeding matters should be dealt with through management action as this would be proportionate and in line with the evidence presented in this case.

Overall, members were happy with the investigation and outcome of the misconduct files examined.

### Ethical Dilemmas

16. At each Committee meeting members receive a number of ethical dilemmas from the Force across a range of subjects. Throughout the year members have considered a number of ethical dilemmas. These are summarised below:-

#### Criminalisation of Children/Crime Recording

The Committee were invited to consider what could be done when Leicestershire Police receive reports of crime where:-

- The suspects are children.

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- The common sense approach may be to take no further action.
- The Home Office counting rules require that a crime report be completed with the child recorded as a suspect.

Legislation / Guidance

Home Office Counting Rules for Recorded Crime state:-

“Where a child who is under the age of criminal responsibility commits a crime, the crime must be recorded .....

Hypothetical circumstances for consideration

- A parent calls the police and reports that her 8 year old son was in the playground at school when another 8 year old threw a stone at him. The stone hit her son on his bare arm, causing redness at the time, which was seen by a teacher. The redness went away within an hour. The mother felt the school should exclude the boy who threw the stone but the school refused. The mother wanted the police to intervene and take the strongest possible course of action
- A 14 year old girl is in a relationship with a 15 year old boy. The girl's parents did not approve of the relationship. The girl's parents found a photograph on her phone of her own naked breasts, and see in the sent messages section that she sent it to her 15 year old boyfriend.

In both examples above, it was assumed that there are no apparent wider safeguarding issues, and none of the children involved had any previous contact with the police.

A number of other scenarios were presented to the Committee where the Home Office Crime Recording Rules would impact on the lives of young people. The Committee were asked for their views on the circumstances of each case.

If recorded officially as a crime, the Committee were asked how might this affect those individuals in the future particularly if they are asked if they have ever been in trouble with the police in the course of college applications or job interviews.

*Members commented that young children are not always aware of committing an offence and such acts cause them to get a criminal record. This was felt to be harsh unless there was a pattern in the behaviour. It was also recognised that young people are sometimes sexually curious and such cases should not be recorded as a crime as it could be dealt with in a different manner such as a discussion.*

*The Committee discussed the fact that to follow the crime integrity recording rules could in some cases affect a child's education and career opportunities and that criminalising children from a young age for minor crime was not in their best interest.*

*The Ethics Committee agreed that the criminalisation of children could be avoided and approached in a different way. As a result of their discussions the Committee issued a statement on crime recording involving children which is attached at Appendix 'B' to the report.*

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### Community Speed Enforcement

Road Safety Camera Schemes are well established and published evidence corroborates that they contribute to improving road safety. Leicester, Leicestershire and Rutland have an established Road Safety Camera Partnership that operates effectively. It is a self-funding entity as income is generated through the provision of Driver Education Programmes. Its primary purpose is to reduce death and injury on the roads.

Leicestershire Police provide the enforcement resource on behalf of the Road Safety Partnership. This includes the deployment of the mobile Camera vans, and the management of the static cameras (that identify offences around speed and non-compliance with traffic signals). Leicestershire Police also provide enforcement resource for those cases that lead to prosecution and Leicestershire County Council provide the resource for the delivery of respective Driver Education Programmes.

In March 2017, Leicestershire County Council agreed proposals for the introduction of a 12 month pilot across seven locations within the County. The proposal was for average speed cameras at those locations. These cameras were different from the existing cameras within the Partnership in that they measure the average speed of a vehicle over a distance.

The sites chosen for the pilot were sites that would not meet the Department for Transport recommended thresholds for camera locations. County Council enquiries with the Department for Transport confirmed that their guidelines were recommendations only and that there was no reason in law why the pilot at these sites should not be implemented.

The ethical dilemma poised was 'should Leicestershire Police support this pilot (through enforcement activity for those motorists that exceed the speed limit) with the risk that the public may perceive that offending motorists are being unnecessarily penalised, and that Leicestershire Police are using offending motorists in support of income generation activity (as many offending drivers will be eligible for Driver Awareness Courses).

Members were asked to consider support or otherwise for proposals made by Leicestershire County Council for piloting the extended use of Road Safety cameras within seven sites within the County. The proposed extension is for average speed camera sites within the pilot areas.

*Members felt that the community would think that this would be money making exercise however in some areas i.e villages and rural areas visible policing was low and this could be a way to reduce crime.*

*Members also felt that there was not enough communication around why a local community want this to take place. People would need to understand the good reason behind this and so a message should go to the public as to why this is happening and where the money is going.*

*The Committee agreed to support the Force in supporting Leicestershire County Council in this approach.*



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**Police Funding**

The Committee were asked to consider a number of ethical questions on making changes that are ethically sound based on the difficult financial circumstances the force faces.

Background was provided on the unprecedented changes in funding, increasing demand and new and emerging crimes that are putting significant pressure on resources. Nationally 41 of the 43 forces had reduced officer numbers.

Demand is also increasing. Both locally and nationally there have been increases in reported crime increases in historic crime related to sexual offences and child sexual exploitation, new and emerging crimes like online fraud and increases in violent crimes (knife crime) and an increase in murders and reported rapes and other sexual offences. Partner agencies are also facing significant budget cuts, in many cases more severe than those in policing.

The over-arching impact of the reduction in police resources, increasing demands and reduced partner service offer means that the force may well have to reduce or significantly alter its service offer to the public.

The following questions were put to the Committee for their view:-

- **Non attendance.** Is it ethically acceptable to not attend low risk, low harm, high volume crimes that are unlikely to lead to any form of positive judicial outcome?

*The Committee noted that if the opening wording of the example was: 'Is it ever ethically acceptable not to attend,' then the answer would be affirmative. The Committee felt that, however desirable attendance might be, there were circumstances where it was ethically appropriate for police to not attend a crime scene given constraints on resources, and the examples cited could meet that criteria.*

- **Charging.** Is it ethically acceptable to charge businesses/households/parishes for services above or beyond what the force can afford to offer to all? Examples are crime prevention advice and policing public events.

*The majority of the Committee felt it was ethically acceptable to charge businesses / households / parishes for services above or beyond what the Force can afford to offer, particularly in relation, say, to the policing of public events. They felt there should be a fixed cost and funds to be used elsewhere. However, one Committee member noted that there could not be any perception of a cost to access justice and nor any suggestion that should be able to buy policing.*

- **Safeguarding.** Is it ethically acceptable for the police to reduce its role in safeguarding some vulnerable people based on other partners reducing their roles in the safeguarding arena?

*The Committee felt it should not be the case that the police were the service of last resource when partners reduced their services to some vulnerable people and suggested that it could be ethically appropriate*

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*to reduce their roles. The Committee felt that such decisions should be made at a partnership level and involve joint responsibility for the ethical choices made as a consequence of political decisions about budgets.*

- Non-emergency calls. Is it ethically acceptable for the force to only offer a phone service for non-emergency calls from 8am to 10pm providing that an online reporting process is in place for out of hours reporting?

*The Committee felt that it was ethically acceptable for the Force to only offer a phone service for non-emergency calls from 8am to 10pm providing that an online reporting process was in place for out of hours reporting.*

- Welfare checks. Is it ethically acceptable to refuse to do welfare checks when another agency may be responsible for the overall wellbeing of the person?

*The Committee felt that they did not have enough information regarding other organisations carrying out welfare checks in the example to take a judgement.*

- Breach of the peace. Is it ethically acceptable to refuse to attend potential breach of the peace requests when a family member could assist in supporting?

*The Committee felt that this was the core duty of the police.*

- Social media. Is it ethically acceptable to not investigate harassment on social media when advising victims to delete or block access to accounts may suffice as suitable means to prevent occurrences?

*The Committee discussed not investigating harassment on social media when a victim has been advised to delete or block access to accounts. They felt there was an element of difficulty considering that a victim might have failed to protect themselves in the first instance and that this is not the responsibility of the police.*

### **Police Transportation for Vulnerable People**

The Ethics Committee were asked to consider the Force position in respect of a person needing transport to the psychiatric inpatient unit and is clearly mentally unwell. The ambulance have no ETA. What is in the patient's best interest v safeguarding the organisation?

The existing Mental Health Act Code of Practice states police vehicles should only be used when it is the most appropriate method of transport.

It is always preferable to transport someone by ambulance. However, when there are identified risks, then measures may need to be taken to ensure the safety of the person, ambulance staff, healthcare professionals and police officers. The safety of staff always needs to be a consideration in these circumstances.

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The question was posed 'does the committee support officers in the transportation of mentally unwell patients when there is no ambulance as this ensures the patient arrives at the required destination in a timely manner however this carries any organisational risk if the person becomes physically unwell.

*The Committee welcomed the report and appreciated the appropriateness of a discussion around handling vulnerable members of the public. The Committee stressed that situations such as this should not be escalated although taking them to a place of safety was in their best interest. The Committee considered what could go wrong and asked how often such scenarios happened and recommended that a discussion between partners would be worthwhile.*

### **Police Response to External Demand**

The Ethics Committee were invited to discuss implications for both the public and partner agencies of Leicestershire Police changing how it receives and responds to external demand.

The Committee heard that whilst it has become the norm across the majority of the private sector and large sections of the public sector to administer services online, the police are still predominantly a telephone based business. Due to their 24/7 presence, the police now respond to a growing amount of demand from partner organisations and it is likely that if left unchecked that this will increase as further austerity cuts cause some frontline services to shrink.

Leicestershire Police is exploring ways of delivering services online. This may involve measures intended to change customer behaviour by requiring certain types of demand to be transacted online. This may also include an expectation that the customer is required to attend a service centre (located at local police stations), rather than a police officer or staff colleague attending their home address. It is not envisaged that the method by which police attendance at emergency incidents or those involving the vulnerable will change.

This approach may also involve Leicestershire Police directing demand to the most appropriate partner agency where it falls outside of the scope of their services – but may have previously through local custom and practice been accepted over time as a task that the police are prepared to complete.

This change will enable the redeployment of valuable resources to mitigate the threat in new and emerging areas of criminality, such as cyber, fraud and human trafficking and modern slavery and enhance frontline services in neighbourhoods.

*The Committee welcomed the report and discussed ways in which Leicestershire Police were exploring different methods of administering services online.*

*The Committee considered the approach being taken and understood that the change programme would enable the redeployment of valuable resources. They were supportive of this approach.*

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### Police Procedures – Grievance Case

The Committee considered a grievance case raised by an officer. The circumstances were that 3 Police Constables were identified to move from one station to another. Due to the skills match required in the neighbouring station, there were potentially 4 officers who could be transferred. The three people chosen were 2 males and 1 female. There had been several meetings over 2 months and the decision was made by the Superintendent and Chief Inspector. None of the officers who were chosen had been informed of their transfer.

The day before they are told they would be transferred, the female officer submitted grievance about sexual harassment. The person she was complaining about was the male officer who had not been chosen to transfer stations, but he had the appropriate skills and could be transferred. In the grievance the female officer asked for the male officer to be transferred stating that she wished to stay in the station she was based at as she liked the work.

*The Committee discussed the circumstances and the dilemmas arising. Whilst the Committee did question if this could be harassment they nevertheless recommended that the grievance should be investigated.*

### Freedom of Information

The FOI law came into force in 2005. Since its introduction Leicestershire Police have had only 10,000 requests. This is increasing over 20% every year. This has equated to 80,000 operational staff hours and 3333 days spent dealing with FOI requests. 75% of requests are from journalists and academics. Only a small proportion are from the public themselves. We have to provide this information by law but should the police be charging for this information? Is it used just for negative judgements of the Police as positive new stories/ statistics are not readily requested.

*The Committee felt that priority should be given to FOI requests from the public and that other agencies/journalists should pay a nominal fee although legally this is not currently the case. The Chairman agreed to provide a statement from the committee on the issues. (See Appendix 'C')*

### Conclusion

17. The Committee's annual report will be published shortly. Following which the Chairman of the Committee will meet jointly with the Police and Crime Commissioner and the Chief Constable to discuss the findings from their work over the past year. The final version of the annual report will include photographs and media releases will be prepared. The report will be published on the Commissioner's website and hard copies will be available. A hard copy will be provided to members of the Police and Crime Panel and copies will also be distributed to attendees at engagement events arranged by the Commissioner's office.

### Implications

- |          |   |
|----------|---|
| Finance: | The annual allowance for 7 members of the Committee, together with any perceived expenses, is contained within the OPCC budget. |
| Legal:   | There is no legal requirement to have an Ethics, Integrity and Complaints Committee in place.                                   |

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Equality Impact Assessment: The recruitment process for members of the Committee was assessed to ensure no adverse impact on any of the nine protected characteristics.

Risks and Impact: With the growing focus on ethics and integrity, and inspections of the 'legitimacy' of the police service, the Commissioner requires independent advice, support and assurance that Leicestershire Police are operating within the standards and expected.

**List of Attachments / Appendices**

Appendix 'A' – Current members of the Committee

Appendix 'B' – Statement issued by the Committee – Crime Recording

Appendix 'C' – Statement issues by the Committee – Freedom of Information requests

**Background Papers**

File PCC/2/O/2018

**Persons to Contact**

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**MEMBERSHIP**

The Committee comprises 7 members who have all been recruited from the local community. Currently the membership comprises of:-



**Dr Steven Cammiss**

Dr Steven Cammiss is a Senior Lecturer in Law at the University of Leicester. He read law at King's College London, where he also completed his LLM. He was awarded a PhD, on determining mode of trial in magistrates' courts, by Warwick University in 2005. He was previously employed as a lecturer at the University of Birmingham before moving to Leicester in 2007. He was promoted to Senior Lecturer in 2013.

His main research interests are the administration of criminal justice and law and language. He has previously undertaken empirical work with the Crown Prosecution Service and has a longstanding interest in policing and police accountability.



**Ms Karen Chouhan**

Karen Chouhan is the Leicester Organiser for the Workers' Educational Association which is a national charity providing adult education including for the poorest and most disadvantaged people in society. She is also Chair of Healthwatch Leicester City, a body which aims to champion public and patient views and interests in the Health and Social Care System.

Her background is in Further and Higher Education and she is a qualified teacher. She was previously a senior lecturer at De Montfort University for 12 years where she managed the MA in Community Education. She has also built a body of expertise and practice in youth work, community development and equalities and human rights work and has managed a national equality charity. In 2005 she was one of 7 recipients of a Joseph Rowntree Charitable Trust award called 'visionary for a just and peaceful world'.



**Ms Lois Dugmore**

Lois Dugmore is a nurse consultant for dual diagnosis and veterans with Leicestershire Partnership NHS trust. She works with the national nurse consultants group progress and all party parliamentary group on dual diagnosis.



**Ms Linda James**

Linda James Qualified Probation Officer, she has studied; Community Justice, Health Care Management, Mediation skills and Diversity and Equality Law. With over 20 years experience working with statutory, voluntary and private organisations across England she has gained knowledge and understanding of the issues communities face in both inner city and the rural areas directly from their residents. Her main area of expertise is working within all aspects of the criminal justice system and with young people/adults. She has worked alongside local Councillors and led youth groups tackling anti social behaviour, delivered national government schemes and raised money for children's charities. She is a trained programmes facilitator and has lectured at De Montfort University around issues of partnership working and ethical dilemmas. Linda James is confident with good communication skills; she has strong beliefs in fairness, equality and values diversity. She is highly self motivated to tackle issues of injustice in communities and has the skills to positively challenge others with the view of creating better outcomes for all.

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**Dr Mark Peel**

Born and brought up in Leicester, Mark Peel attended Dovelands and Gateway Schools, before leaving the County to go to University in Newcastle and Oxford, before returning home to the City in 1985. Dr Peel subsequently embarked on an academic career, and is presently employed locally at University of Leicester, combining this work with independent national research and consultancy in the area of child care, protection and issues of complex ethical professional practice



**Ms Lynne Richards**  
*Deputy Chair*

Lynne Richards is the Head of Fundraising at the National Forest Company, where she works with business leaders, partner organisations and members of the public to support The National Forest, a new forest being created for the nation across 200 square miles of north-west Leicestershire, south Derbyshire, and Staffordshire.

With over 20 years experience in the private, public and charity sectors she previously worked as the Director of the Brighton & Hove Business Community Partnership (part of BiTC), and as a senior manager at Brighton Dome & Festival, before moving to Leicestershire in 2008 to join the team leading the creation of the forest.

She is a strategic thinker and skilled negotiator, and has a range of knowledge across applied ethics and policy, finance, commerce and business/community partnerships. She takes a keen interest in sustainable economic growth and in her spare time enjoys the arts and exploring different parts of the country.





**Prof Cillian Ryan**  
***Chair***

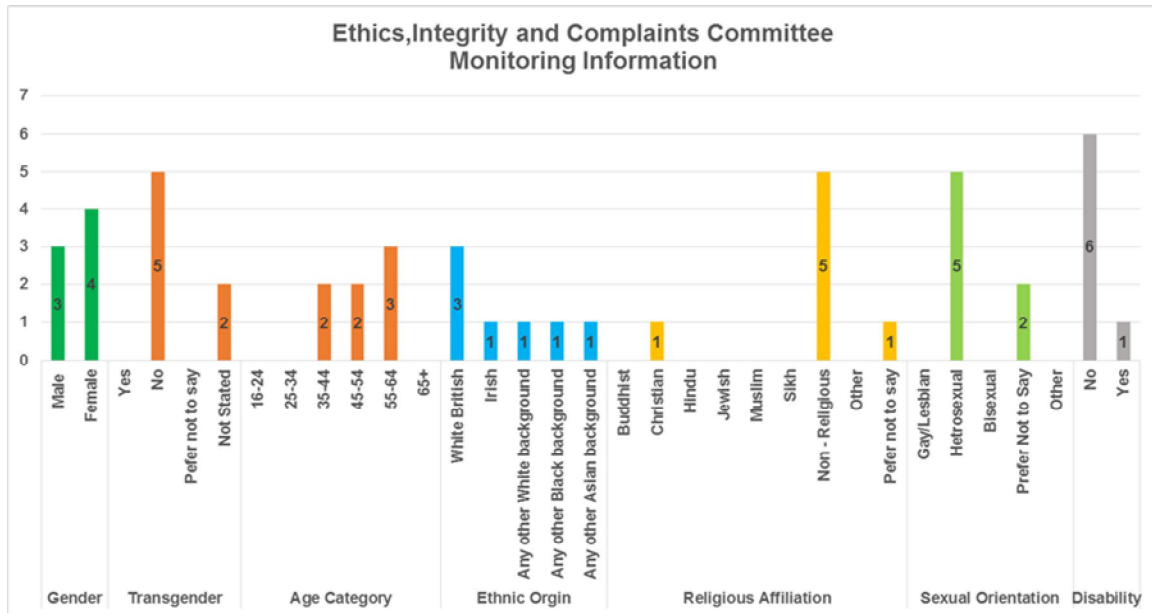
Professor Cillian Ryan FRSA is Pro Vice-Chancellor and Dean of the Faculty of Business and Law at De Montfort University (DMU). Prior to that he was Dean of Liberal Arts and Sciences at the University of Birmingham, and previously Head of the European Research Institute. Originally from Dublin, Ireland, Cillian is an economist, graduating with a BA and MA in economics from University College Dublin before taking his PhD at Western University, Ontario Canada. He has held appointments in Ireland, Canada and the USA as well as the UK and visiting appointments in Hong Kong, Singapore, France and Australia.

Nationally, Cillian was appointed Chair Institute for Learning and Teaching Economics Network Advisory Board in 2004 and subsequently served two terms in the same role for the Higher Education Authority Economics Network. He also served on the Advisory Board for the Higher Education Authority Centre for Sociology, Anthropology and Politics, and the National Committee of HEA Advisory Board Chairs (2005-2012). He is currently the Royal Economics Society nominee to the HEA College of Social Sciences Advisory panel. Cillian also serves on the Oxford Cambridge and RSA Higher Education Consultative Forum. He is a regular speaker at international fora on the value of multidisciplinary arts and sciences education.

Cillian's research embraces a wide-range of topics from trade theory (with particular emphasis on trade in financial services, the EU Single Market, the World Trade Organisation (WTO) and Basel Accords) to business-cycle theory. He has undertaken a large number of funded research projects and advised a wide range of governments and international organisations including the Cabinet office, Treasury and the Department of Business, Innovation and Skills (BIS) (in the UK), the Australian, Canadian and UAE governments, the EU, the WTO and United Nations Conference for Trade and Development.

**Equality and Diversity**

8. The breakdown of the membership of the Committee is as follows:-



**APPENDIX 'B'****Statement of the Ethics, Integrity and Complaints Committee****Police Crime Recording**

The Commissioner's Ethics, Integrity and Complaints Committee has recently considered the issue of police crime data integrity recording (CDI). Nationally all crime is recorded under the National Crime Recording Standard (NCRS) which is victim focussed and applies consistency of recording across all police forces. The Home Office Counting Rules stipulate what type and how many offences in any particular incident should be recorded by the police. All police forces are inspected by Her Majesty's Inspector of Constabulary and Fire and Rescue Service (HMICFRS) on compliance against the standards. Currently Leicestershire Police are looking at recorded crimes for 2018/19 being in the region of 95,000. In considering the ethical issues police officers face on a daily basis members of the Ethics Committee considered a number of scenarios where officers are placed in the position of having to record a crime where they are personally challenged ethically by not being in a position to use their personal discretion to deal with a matter in a pragmatic and proportionate manner.

Examples of such scenarios considered by the Committee were:

- A 7 year old male child playing out at a local park has come back home with an injury on his head and states he has been assaulted by some other children of similar age.

Mum rings 999 and reports the assault and states the suspects are still at the park. Police attend 40 mins later, they speak to the 7yr old child the injuries are very minor it's a small cut on his head after he has had a fight with some other children. His Mum wants the Police to actively deal with this. The children are no longer at the park but he can point out where one of them lives. It was a 6yr old boy that he knows from school who is in the year below.

An officer attends the address and the 6yr old boy admits there has been an argument and that he did hit the 7yr old. The officer has encouraged the two boys to shake hands and the younger boy has apologised to the victim.

Under Home Office Crime Recording the police have had to record this as an assault of Actual Bodily Harm, the 6 year old child is recorded as an offender as he has admitted the assault. He is below the age of criminal responsibility. This is recorded on police computer systems so would be searchable and the suspect details are recorded

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- Female contacts the police as her 14 year daughter is causing her concerns, she is staying out late and mixing with older men, as a result she has been told she is grounded, she has become angry and is shouting at her mum who is worried that her daughter will leave the house and put herself in danger.

Mum wants the police to attend to talk to her daughter to try and make her realise she is putting herself at risk. Police attend and speak with mum and daughter and it is disclosed that during the incident daughter has thrown a glass at a wall causing it to smash. The glass is owned by mum and under the Home Office Crime Recording an offence of criminal damage must be recorded, this is irrespective of whether mum wishes to make a complaint or not, the daughter is recorded as a suspect. Due to the circumstances this also means it is a domestic incident.

This is an appeal for help from a Mum with a teenager who is causing problems, she has never intended to criminalise her daughter in any way, the crime recording guidance has forced this incident into being crimed with domestic risk assessments being completed. She is at an important age where background checks could be commissioned.

*Members of the Committee discussed these scenarios at length and were unanimous in their views that children should not be criminalised for this type of behaviour, and that referrals to other appropriate agencies should be the preferred course of action in such circumstances.. Members also voiced their concerns that this approach to the recording of crime could conflict with legislation and statutory responsibilities placed on the police and others, particularly in relation to safeguarding, with the police in effect being forced to take a course of action that was not 'in the best interests of the child' as defined by the Children Act (1989). All members felt strongly that officers needed to be given room to apply their discretion in handling such incidents as long as all decision making was transparent and justifiable. There was support from the Committee for the police to push back on an accounting procedure that disadvantaged children.*

**Statement of the Ethics, Integrity and Complaints Committee****Volume of Freedom of Information Requests**

The Freedom of Information Act 2000 (FOIA) gives the right to access recorded information held by public sector organisations. Anyone can request information.

Members of the Police and Crime Commissioner's Ethics, Integrity and Complaints Committee has recently considered the issue of the volume of work created by freedom of information requests and the demand placed on Leicestershire Police in handling such requests in a time of limited resource. The Committee discussed an individual's right to information verses the victims right to anonymity and safeguarding and considered if suspects who are not convicted be named in investigations prior to any trial or public hearing?

Since the introduction of freedom of information law Leicestershire Police have had only 10,000 requests however this is increasing over 20% every year. This demand equates to an extra 4 additional analyst posts and 4 additional administrative posts to deal with the demand of FOI requests. Of all requests received 75% are from journalists and academics. Only a small proportion are from the public themselves. The police have to provide the information by law but in a time of austerity should the police be allowed to charge for this information? Whilst there is provision in legislation for public authorities to charge for providing information if the collation of that information exceeds 48 hours of work the majority of requests fall under that time limit. The current demand would require the recruitment of an additional 13 administrative posts to deal with the number of requests within the statutory time limits.

Members of the Committee felt that members of the public requesting information should be given priority and that a nominal fee should be considered for journalists and other organisations requesting information. Under current legislation this is not lawful however members voiced their concerns over the use of public money being spent on such administrative procedures. Whilst recognising that current legislation was bought in with good intent members felt that consideration should now be given to reviewing and amending the legislation to differentiate between requests from members of the public and journalists and to assist public authorities in meeting the demand.

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