



# west midlands police and crime commissioner

## ETHICS COMMITTEE – Minutes and Advice

**Wednesday 10<sup>th</sup> May 2023, 10:00 – 13:00 hrs**

(Meeting held virtually via Microsoft Teams)

**Present:**

Marion Oswald	Chair of Ethics Committee
Thomas McNeil	Assistant Police & Crime Commissioner
Jack Tracey	Criminal Justice Policy Lead (OPCC)
Jennifer Housego	Ethics Committee
Derek Dempsey	Ethics Committee
Simon Rogerson	Ethics Committee
Sian Thomas	Ethics Committee
Tom Sorrell	Ethics Committee
Kerry Reid	Ethics Committee
Claire Paterson-Young	Ethics Committee
Anindya Banerjee	Ethics Committee
Malcolm Fowler	Ethics Committee
Nathan Hodson	Ethics Committee
ACC Andy Hill	WMP
Supt. Tony Hopkins	WMP
Jonathan Beech	WMP Professional Standards
Davin Parrott	Data Lab (WMP)
Sam Todd	Data Lab (WMP)

**Apologies:**

Jamie Grace	Vice Chair of Ethics Committee
Pete Fussey	Ethics Committee

<b>1</b>	<b>10:00</b>	<p><b>Welcome</b></p> <p>The Chair noted the Committee’s thanks to Rachel Knight who had supported the Committee’s work for some time. The Chair also noted the need to secure further secretariat support in order to progress the ambitions of the Committee.</p> <p>The Chair also recommended that the Committee should consider and internal audit with regard to how it was performing against the functions/ aims set out in the terms of reference.</p>	<b>Marion Oswald</b>
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<b>2</b>	<b>10:05</b>	<b>Update on actions</b>  A couple of actions noted from the previous Committee meeting: <ul style="list-style-type: none"><li>- The Committee noted the need to develop parallel processes to handle outcome data and clarity around how predictions would be acted upon with regard to the frequent service users paper presented. To be covered in Item 4 of the agenda.</li><li>- The Committee proposed the formation of a sub-committee to consider how the Ethics Committee could expand its scope, operationally and strategically. This has yet to be actioned.</li><li>- The Committee requested a case study to demonstrate how the RFSDi/ IOM predictive model could be improved with the inclusions of suspect data (as opposed to purely data for known offenders). The Committee also requested an update on progress made on the recommendations of the Babuta report, especially around training. This will be addressed at a further meeting.</li></ul> It was also noted that the Committee had been nominated as finalists for the MJ awards (data innovation category) which would take place 23 <sup>rd</sup> June. Committee members were invited to attend the ceremony.	<b>Jack Tracey</b>
<b>3</b>	<b>10:10</b>	<b>Organisation offending checking tool for PSD (in principle submission)</b>  This project was requested by the Professional Standards Department. The tool would allow for daily checks on employees of WMP against crime/ contact data sets. It would be used to flag records for checking by PSD. This work is linked to the Casey Review, in particular Recommendation 3 of that review.  Committee questions/ comments: <ul style="list-style-type: none"><li>- Member asked whether there would be some sort of piloting process for the tool?<ul style="list-style-type: none"><li>o Presenter confirmed that there would be an exploratory data analysis phase as well as a pilot stage to identify potential issues and utility for PSD.</li></ul></li></ul>	<b>Lab</b>



	<ul style="list-style-type: none"><li>- Member asked how would the risk of identifying a false positive would be mitigated? Are there any further data sets needed to do this?<ul style="list-style-type: none"><li>o Presenter confirmed that officers would manually follow-up any flags raised as a consequence of the data matching between employee and crime/contact records. The presenter confirmed that the Lab could return to the Committee with information regarding what they found around the false positive level.</li></ul></li><li>- Member asked how employees who have been victims of crime would be identified and if they would be required to disclose this information?<ul style="list-style-type: none"><li>o The presenter confirmed that the primary function of this tool would be to identify suspect data. National vetting guidelines state that in the majority of cases victim data would not be reviewed, unless there is a vulnerability directly to the member of staff or for the organisation. Presenter confirmed that no victim is expected to disclose they have been a victim of crime and this information would not be shared without prior consent, unless there are aggravating factors (e.g. that the offence was linked to serious organised criminality).</li></ul></li><li>- Member asked whether it was possible to separate data sets for victims and offenders in this tool?<ul style="list-style-type: none"><li>o Presenter confirmed that this was possible for each crime/ non-crime they have information about.</li></ul></li><li>- Member requested clarification around which individuals this tool would target (currently stated as “current employees and contractors”).<ul style="list-style-type: none"><li>o Presenter confirmed that the tool would only target contractors with collar numbers on WMP systems (and would not target contractors outside of WMP roles).</li></ul></li><li>- Member asked whether vetting records (which include previous addresses) could be incorporated to mitigate against false positive results?<ul style="list-style-type: none"><li>o Presenter noted that this tool would just be 1 mechanism at PSD’s disposal and would be an</li></ul></li></ul>	
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		<p>additional arm in the wider vetting process to identify emerging risks.</p> <ul style="list-style-type: none"> <li>- Member asked for clarification around what support was available for victims identified who are not employees (i.e. the partner of an officer who has been identified as a perpetrator of DA). In particular, member wanted assurances around how escalation of risk for partner would be mitigated. <ul style="list-style-type: none"> <li>o Presenter noted that officers identified as perpetrators or victims of DA (and other crimes) would be flagged and taken through the regular crime routes (assuming this was not previously disclosed through vetting), including victim support and all current safeguarding measures around escalation of risk for victims.</li> </ul> </li> </ul>	
4	10:45	<p><b>Frequent service users (follow-up from in principle paper submitted before the February 2023 meeting)</b></p> <p>Presenter outlined how the tool is searchable by Local Policing Area and the channels through which individuals most commonly come into contact with WMP services. The tool helps local police teams to identify high contact individuals with potential vulnerabilities and which WMP services they use most often.</p> <p>Committee questions/ comments:</p> <ul style="list-style-type: none"> <li>- Member asked whether officer impressions of frequent users matched against what the data says about who are frequent users? <ul style="list-style-type: none"> <li>o Presenter note that officers may see who are frequent users in their siloed area (i.e. custody) but there was not an organisational view of this across all WMP contact points. This tool helps to highlight the individuals most in contact with WMP services across the board.</li> </ul> </li> <li>- Member noted that the tool relied on a quantitative analysis but individual not in regular contact may in some instances be the most vulnerable. Another member asked how it could be ensured that WMP officers using this tool did consider factors around vulnerability?</li> </ul>	Lab



		<ul style="list-style-type: none"><li>○ Presenter noted that this tool was specifically aimed at individuals with a large proportion of services (rather than aimed at a straightforward vulnerability score). This tool can act as an indicator of vulnerability but is not a tool to confirm whether or not any service user is more vulnerable than another.</li><li>- Member asked whether this tool had the possibility of producing a discriminatory effect against individuals perceived as 'nuisance' service users?<ul style="list-style-type: none"><li>○ Presenter agreed that there was a potential for this. If it became apparent that there were patterns of behaviour which reflected this possibility, policy would need to be developed to mitigate this (but it's impossible to say at this stage if this will be necessary or what these policies would look like).</li></ul></li><li>- Member asked what parallel processes there were which ensured officers were able to respond to frequent service users in the most appropriate way (in particular around what services were potentially available to them to refer to if necessary)? The rationale being that if the right support is offered, individuals who are frequent users of WMP services should become less frequent users.<ul style="list-style-type: none"><li>○ Presenter noted that this tool links in with neighbourhood policing processes, which includes contact with appropriate services/ partnership meetings (but that is dependent on the local team understanding the issues and developing the right responses).</li></ul></li><li>- Member noted that there is huge positive potential in this project to help individuals with vulnerabilities and identifying the right operational approach. Member recommended that it would be worthwhile holding a stakeholder advisory group to help in the design of the tool to ensure it fulfils its positive potential.<ul style="list-style-type: none"><li>○ Presented agreed that this would be a beneficial idea.</li></ul></li><li>- Member noted that this tool could identify individuals not previously well known to individual officers which would</li></ul>	
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		<p>place a duty on the police to respond and asked how they would fulfil this duty?</p> <ul style="list-style-type: none"> <li>○ Presenter noted that this point has been raised with WMP Executive team and still needs to be clarified by WMP as policy. It is understood that this will be reviewed by the local police governance board and monitored through local tasking processes.</li> </ul>	
	<b>11:20</b>	<b>Break</b>	
<b>5</b>	<b>11:30</b>	<p><b>Implications for the police, data, and technology arising from the Casey review</b></p> <p>Presenter outlined some actions WMP are taking in response to the Casey Review.</p> <ul style="list-style-type: none"> <li>- WMP are undertaking checks against all staff members against the Police National Database (looking at any adverse records regarding police staff, including crime those not necessarily linked to arrests as well as identifying vulnerabilities around exploitation);</li> <li>- WMP are acting to reduce backlogs around vetting;</li> <li>- Around 18 months ago WMP introduced annual integrity health checks to build on vetting process (including training around acceptable standards of behaviour and how to report disclosures);</li> <li>- Social media policy has been refreshed for police staff.</li> </ul> <p>Whilst acknowledging that there is more work to be done, the presenter reported an increase in staff confidence around how they can report issues and the steps which can be taken to intervene once a disclosure has been made. The presenter also noted that there were clear implications arising from this work (notably around privacy) which would require ongoing consultation with the Committee.</p> <p>Committee questions/ comments:</p> <ul style="list-style-type: none"> <li>- Member asked whether past attitudes to, for instances, crimes around women might have impacted data used for present day analytics and how could this be addressed (if at all)? <ul style="list-style-type: none"> <li>○ Presenter noted that this could not be ruled out (and speaks to wider issues in data collection more</li> </ul> </li> </ul>	<b>ACC Andrew Hill</b>



		<p>broadly). There have been improvements around data collection for protected characteristics, but more work is needed still to make this better.</p> <ul style="list-style-type: none"> <li>- Member questioned whether there was a need to undertake an audit of the systems in use by WMP in order to ensure there is data integrity within those systems? <ul style="list-style-type: none"> <li>o Presenter noted that there are processes in place to ensure data integrity within WMP systems</li> </ul> </li> <li>- Member noted that there was faith that WMP took these issues incredibly seriously. It was also noted that the OPCC were working hard to ensure that the public knew about the steps WMP were taking and could have confidence in them. Member highlighted new public accountability forums where WMP could come and explain these steps to public groups directly (who would then have the opportunity to offer open scrutiny on any plans). <ul style="list-style-type: none"> <li>o Presenter welcomed the opportunity to have direct discourse with the public (as WMP do already through Stop &amp; Search public scrutiny panels).</li> </ul> </li> <li>- Member questioned what steps WMP were taking around ongoing training for officers around issues raised in the Casey Review <ul style="list-style-type: none"> <li>o Presenter noted that ongoing training was absolutely a part of a whole organisation approach (from the Chief Constable on down), giving staff the tools they need to challenge inappropriate behaviours in the correct way.</li> </ul> </li> </ul>	
<b>6</b>	<b>12:10</b>	<p><b>National Race Action Plan</b></p> <p>Presenter gave an overview on the Race Action Plan:</p> <ul style="list-style-type: none"> <li>- National plan comprises multiple workstreams (most relevant for the Committee is workstream 4)</li> <li>- The objective is to build inclusivity across policing and to reduce negative disparities in the experiences people of different ethnicities have when working with or coming into contact with policing.</li> <li>- WMP are an 'icebreaker' force for the plan, particularly around some of the aspects around data. This workstream (workstream 4) is currently in its infancy, but the objective is</li> </ul>	<b>ACC Andrew Hill</b>



		<p>to develop an ethical approach to data use and eliminate the influence of discriminatory practices.</p> <ul style="list-style-type: none"> <li>- It was suggested that as this work develops, the Presenter should return to the Committee on a recurring basis to consult.</li> </ul> <p>Committee comments/ questions:</p> <ul style="list-style-type: none"> <li>- Member noted the multiple areas of work (including that undertaken by the Committee, but also projects aimed at identifying and offering support to individuals with vulnerabilities) which work to tackle issues around disproportionality and discrimination within the Criminal Justice System.</li> <li>- Member ask what could be done once the data capture phase (workstream 4) has been further developed and any data sets are possibly identified as biased? <ul style="list-style-type: none"> <li>o Presenter stated that should bias be identified within any systems impacting data lab projects that there would always be a process for understanding how it did so and mitigation of the bias undertaken. Part of the process to tackle any issues arising included consultation with the Committee’s expertise.</li> </ul> </li> <li>- Member asked whether the presenter could unpack what the nature of the training offered to WMP staff was around issues arising from the Plan? <ul style="list-style-type: none"> <li>o Presenter noted that training came in many form, including peer learning and facilitated conversations by subject matter experts.</li> </ul> </li> </ul>	
7	12:30	<p><b>Committee discussion</b></p> <p><b>Organisation offending checking tool for PSD (Outcome E – more information needed)</b></p> <ul style="list-style-type: none"> <li>- The Committee noted how important this project was and commended the Lab on proceeding with it (especially in the context of the Casey Review).</li> <li>- The Committee requested greater clarity around the purpose and scope of the tool. It was proposed by the Committee that the Lab should run an internal gaming</li> </ul>	Marion Oswald





		<p>scenario in order to plan out how instances of collateral inclusion would managed ahead of the pilot going live.</p> <ul style="list-style-type: none"><li>- Some members of the Committee expressed an interest in exploring possibilities around separating the offender and the victim elements of the project (although there were differing views on the Committee about this).</li><li>- Committee expressed some concern around how the searching for data of employees who may be victims is justified and requested that the Lab return to the Committee on this.</li><li>- The Committee requested further information around what parallel processes or guidance were in place (or would be in place) to support individuals identified as victims of crime (especially those who may not want police support).</li><li>- It was requested that this project would return to the Committee at the next meeting.</li></ul> <p><b>Frequent service users (Outcome B – proceed with minor amendments)</b></p> <ul style="list-style-type: none"><li>- Committee noted how important this project was and commended the Lab on proceeding with it.</li><li>- The Committee recommended the creation of a small stakeholder group, organised by the OPCC in partnership with WMP, to discuss some interventions which might follow an analysis of vulnerabilities (which would also improve the analysis in the first instance). The Committee emphasised how important it was to ensure there was a robust parallel process in place to ensure people with vulnerabilities receive the right kind of support.</li><li>- The Committee requested that the Lab justify why outgoing information is not captured within the model as well as a draft of any guidance resulting from the dashboard.</li></ul> <p>The Committee also requested that the Lab return to the next meeting to comment on how various models/ projects were being used and interacting with each other. It was recommended that the Committee meet with ACC Hill regarding internal governance of projects to review how models which had appeared before the Committee were being used and co-ordinated within WMP (including being used to facilitate better partnership working).</p>	
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	<b>13:00</b>	<b>Meeting Close</b>	<b>CLOSE</b>