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**TRUST, INTEGRITY AND ETHICS COMMITTEE**

**Thursday 29 October 2015**

**The Conference Room, Leek Wootton**

**Attendees:**

**Warwickshire OPCC:**

Ron Ball (RB) Police and Crime Commissioner, Warwickshire

Neil Hewison (NH) Chief Executive

Debbie Mullis (DM) Policy and Research Officer

Neal Vincent Administrator (minutes)

**Police:**

T/ACC Nav Malik (NM) Temporary Assistant Chief Constable, Warwickshire & West Mercia Police (Items 1 & 2)

Insp. Damian Sowrey (DS) Inspector, Warwickshire & West Mercia Police (Items 1 & 2)

**Independent Members:**

Col. Tony Ward (TW) Chair

Clive Parsons (CP)

Jane Spilsbury (JS)

Susanna McFarlane (SM)

Chris Cade (CC)

**Apologies:**

Bill Longmore (BL) Police and Crime Commissioner, West Mercia

Barrie Sheldon (BS) Deputy Police and Crime Commissioner, West Mercia

Andy Champness (AC) Chief Executive, West Mercia OPCC

Martin Jelley (MJ) Chief Constable, Warwickshire Police

Amanda Blakeman (AB) Assistant Chief Constable, Warwickshire & West Mercia Police

**Closed Session**

The following items are deemed restricted and members of the public were not able to attend this part of the meeting.

**1. Exempt Minutes of the Meeting held on 23 July 2015 and Matters Arising (Chair)**

Subject to amendments, the public minutes of the committee meeting held on 23 July 2015 were deemed to be a true and accurate record.

Matters arising were discussed and agreed.

**2. Use of Small Unmanned Aircraft (Insp. Damian Sowrey, T/ACC Nav Malik)**

T/ACC Nav Malik and Insp. Damian Sowrey took questions on the use of drones by the Warwickshire and West Mercia Forces.

The Committee members were in agreement, that with appropriate safeguards, they were supportive of the trial of drones.

**3. Stop and Search (T/ACC Nav Malik, standing in for ACC Amanda Blakeman)**

T/ACC Nav Malik provided an overview of the Alliance work on stop and search disproprortionality.

**Public Session**

*Members of the public will be able to attend the meeting from this point forward.*

**4. Welcome and Declaration of Conflicts of Interest (Chair)**

TW welcomed the committee members, and asked for declaration of interests.

JS declared that she is an employee of Warwickshire County Council.

CC declared that he is a member of Rugby Borough Council.

TW declared that he is a lay member of the West Mercia Police and Crime Panel.

Apologies had been received from Bill Longmore, Barrie Sheldon and Andy Champness, and also from Warwickshire Chief Constable Martin Jelley. SM noted that Martin Jelley had been in post for months now but the committee still had not met him. TW agreed; the committee would like to meet Martin before Christmas. CP added that it was about what the committee could do for the Chief Constable, but also about what the Chief Constable could do for the committee. NH suggested that the upcoming Public Scrutiny meeting in Leamington Spa could be a chance for the committee to meet the Chief Constable. RB asked the committee to leave it with Warwickshire OPCC and a meeting with the Chief Constable would be arranged.

**ACTION: Meeting with Warwickshire Chief Constable Martin Jelley to be arranged.**

**5. Minutes of the Meeting held on 23 July 2015 and Matters Arising (Chair)**

The minutes of the meeting were agreed as a true and accurate record.

The actions from the previous meeting had all been completed. Of note:

Members asked that Joy Preece be invited to the April meeting of the Committee, rather than the February meeting, to allow more progress to have been made on the HMIC Crime Data Integrity Review actions.

**ACTION: Joy Preece to be invited to the April 2016 Committee meeting.**

Passes for members. CC said that the pass cards provided could only be produced for ID purposes, not access, and although all 5 were photographed only 3 of the committee members could have photo passes as the others had not yet been validated. DM noted that Warwickshire and West Mercia Police had different rules for providing badges. NH agreed, adding that Warwickshire OPCC had experienced similar difficulties in getting police badges for staff members. Further work would take place to see if Members could have staff badges from West Mercia.

**ACTION: NH to follow up on ID badges for Members.**

**6. Committee Terms of Reference and Annual Report (Chair)**

TW stated that the Committee Terms of Reference had now been signed off by both Police and Crime Commissioners and both Chief Executives, and was therefore accepted with the caveat that it would be for one year. TW then asked whether there were any comments on the Annual report. There were not, and so it was accepted.

**7. Complaint Dip Sampling Report / Lessons Learned (CP / TW)**

CP said they continued to dip sample, and had been impressed. They had suggested time limits, which had been introduced, and complainants would now be updated every 28 days, which was beneficial. CC congratulated the group as the changes that had been introduced were most useful. TW outlined the procedure, stating that they had chosen 6 cases which they wanted to look at and that these were cases on the Centurion computer system, not paper. JS noted that recent cases seemed to have been resolved more quickly. TW had looked at cases which had taken a long time, to find out why. Professional Standards were now going over cases a bit quicker, DM observed.

**8. Review of Rape Reports that were No Crimed (Members)**

JS, CC, and SM had completed reviewing rape cases which were no-crimed. Initially they had thought it would run to hundreds of cases, but in the end they had looked at 35 cases, of which 10 cases altogether had been wrongly classified. The incorrect classifications were in most cases due to procedural omissions, e.g. no audit trail or no appropriate authority, while the remainder were “undetected.” The group’s recommendations were that the audit trail and the appropriate level of authorisation be maintained throughout.

RB asked, of those 10 wrongly classified cases, how many would be rapes if procedure had been followed? CC replied that at least 2 of the cases would. SM noted that the group thought pre-judgements had been made. There was discussion in the documents as to whether the victim should be prosecuted for wasting police time. These victims were vulnerable adults and repeat complainants. RB asked whether any of the complainants had actually been threatened with wasting police time or whether it was only discussed. CC replied that one of the complainants had – adding that, clearly, some officers were unaware of the meaning of “verifiable”, i.e. “capable of being checked”.

NH commended the group’s work. It was a very technical area and while they had received support, they still had to wrap their heads around the issues. The final step would be to show the report to the two Chief Constables, as this was Warwickshire and West Mercia, in order that the cases could be identified.

**ACTION: Cases to be shared with the Chief Constables.**

On a personal note, CC told the committee that he had felt terrible, spending the whole day going through rape cases, especially on the first day. He wished to thank the team who supported the days, without whom the work would not have been possible.

In closing, JS noted that the group had looked retrospectively at these cases and she believed the way rapes were looked at by the police had now changed.

**9. Work Plan and Agenda Items for Next Meeting (Chair)**

TW outlined the Work Plan under which each committee member would select their own subject, proactively choosing an area of interest that they wanted to look at, and each member would have their own timetable for carrying out that work.

Agenda items for the next meeting would include the PEEL Report, ACC Amanda Blakeman’s piece on Stop and Search, the use of force by the police, and the cyber-crime survey. Terrorism would be put back to the following meeting on April 28th 2016.

RB commented that the PEEL Report was focussed on efficiency, and NH added that the Warwickshire OPCC’s response to the PEEL report had been written and would be circulated to the committee.

Regarding the subject of the use of force, RB noted that the list of “types of force” that had been put together by Andy Champness was more extensive, including items such as water cannons, vehicle tactics (e.g. “hard-stopping”), etc. The committee discussed the definition of “force.” SM queried whether the definition would include restraint. NH confirmed that it did; it meant force *per se*, i.e. any use of force, including handcuffs, leg-restraints, etc. However, firearms were well-controlled, so that category could be omitted. CC asked whether the definition might include “kettling.” NH clarified that kettling was a crowd-control tactic, not used very often. Referring to the list put together by Andy Champness, NH identified 3 items for the committee to look at: Tasers, restraint, and PAVA spray (CS gas). The report would need to look at the criteria for use, and officers’ rules of engagement. JS asked whether NH had the data, and NH confirmed that he did.

The group discussed whether the no-crimed rapes study was in fact “completed” as the report indicated. CP felt that the report’s “completed” column, with ticks, was misleading as the group’s modus operandi was to carry out further scrutiny, and therefore they did not regard this work as “completed.” SM agreed that the word “completed” was incorrect; the presentation was completed, but the scrutiny was not. DM advised that another line is added for each new piece of work, under the same heading on the left of the template, to show individual pieces of work carried out, e.g. reporting to the Committee on the no crimes review was completed, but another line would be added for the next piece of work on this subject.

TW added that the Committee wanted a written report from Gary Watson rather than his attendance. It was agreed that the aforementioned items would constitute the agenda for the next meeting.

**10. Date of Next Meetings**

The next meeting would take place at 1:30pm on Thursday 4th February, 2016, in The Allsop Room at Hindlip Hall, while the pre-meeting would take place in the OPCC suite Conference Room at 11am.

**11. Any Other Business (Chair)**

CC wished RB the best following his announcement that he would not be standing for re-election in the May 2016 Police and Crime Commissioners’ elections, and noted that there would also be a new Police and Crime Commissioner in West Mercia as Bill Longmore would not be standing for re-election either. RB thanked the group.

An additional item of any other business was raised and the Chair agreed that this should be included in the restricted section of the meeting.