

SOUTH YORKSHIRE POLICE AND CRIME PANEL

**OFFICES OF THE SOUTH YORKSHIRE JOINT AUTHORITIES, 18 REGENT STREET,
BARNSELY, S70 2HG**

2 JUNE 2017

PRESENT: Councillor A Khayum (Chair) (Sheffield)

Councillor S Sansome (Vice-Chair) (Barnsley)

Councillors: B Cutts (Rotherham MBC), D Griffin (Barnsley MBC), D Hughes (Doncaster MBC), B Johnson (Sheffield City Council), J Otten (Sheffield City Council), R Sixsmith MBE (Barnsley MBC) and S Wilkinson (Doncaster MBC)

Independent Co-opted Member: Mr A Carter

Dr A Billings (South Yorkshire Police and Crime Commissioner), M Buttery (Office of the South Yorkshire Police and Crime Commissioner), Samantha Mawson (Office of the South Yorkshire Police and Crime Commissioner) and S Parkin (Office of the South Yorkshire Police and Crime Commissioner)

Officers: D Cutting, M McCarthy, L Noble and A Shirt (Barnsley MBC)

Apologies for absence were received from Councillor H Mirfin-Boukouris (Sheffield), Mr S Chufungleung (Independent member) and A Frosdick

1 APPOINTMENT OF CHAIR

Nominations were sought for the position of Chair of the South Yorkshire Police and Crime Panel for the ensuing year.

It was proposed by Councillor Johnson and seconded by Councillor Hughes that Councillor Khayum be elected as Chair of the Police and Crime Panel for the ensuing year.

It was then proposed by Councillor Otten and seconded by Councillor Cutts that Councillor Sansome be elected Chair of the Police and Crime Panel for the ensuing year.

The recorded vote was as follows:-

For Councillor Khayum – Councillors Johnson, Hughes, Griffin and Wilkinson.

For Councillor Sansome – Councillors Sixsmith MBE, Otten and Cutts.

Mr A Carter abstained from voting.

RESOLVED – That Councillor Khayum be appointed Chair of the South Yorkshire Police and Crime Panel for the 2017/18 municipal year.

2 APPOINTMENT OF VICE-CHAIR

Nominations were sought for the position of Vice-Chair of the South Yorkshire Police and Crime Panel for the ensuing year.

It was proposed by Councillor Wilkinson and seconded by Councillor Sixsmith MBE that Councillor Sansome be elected as Vice-Chair of the Police and Crime Panel for the ensuing year.

RESOLVED – That Councillor Sansome be appointed Vice-Chair of the South Yorkshire Police and Crime Panel for the 2017/18 municipal year.

3 APOLOGIES FOR ABSENCE

Apologies for absence were noted as above.

4 ANNOUNCEMENTS

Councillor Khayum reported that in addition to himself, there were five new Members who had been appointed to the Police and Crime Panel. Councillors Ralph Sixsmith MBE, Helen Mirfin-Boukouris, Bob Johnson, David Hughes and Sue Wilkinson were all welcomed to their first meeting of the Police and Crime Panel.

The Panel gave thanks to the outgoing Chair, Councillor Talib Hussain and to Panel Members, Councillors Mick Rooney, Jackie Drayton, Robert Frost, John Healy and Chris McGuinness. Thanks were also given to Councillor Glyn Jones in his role as substitute Member for Doncaster MBC. Councillor McGuinness had been appointed as a substitute Member for Doncaster MBC on the Panel.

5 URGENT ITEMS

None.

6 ITEMS TO BE CONSIDERED IN THE ABSENCE OF THE PUBLIC AND PRESS

None.

7 DECLARATIONS OF INTEREST BY INDIVIDUAL MEMBERS IN RELATION TO ANY ITEM OF BUSINESS ON THE AGENDA

None.

8 PUBLIC QUESTIONS:-

9 TO THE POLICE AND CRIME COMMISSIONER

No questions were received.

10 TO THE POLICE AND CRIME PANEL

No questions were received.

11 QUESTIONS FROM POLICE AND CRIME PANEL MEMBERS TO THE POLICE AND CRIME COMMISSIONER

In accordance with Procedure Rule 11 (General Questions from Members of the Panel), the following question had been submitted and the response from the Police and Crime Commissioner:-

Question from Alan Carter

"Would the Commissioner be willing to comment on a recent report that police in Durham (our Chief Constable's previous Force) are preparing to go live with an artificial intelligence system designed to help officers decide whether or not a suspect should be kept in custody, drawing upon five years of offending histories data. Might this system be introduced in South Yorkshire?

[NB. A word of caution has been expressed that, although the system may prove operationally useful, it could skew decisions and potentially may infringe a person's human liberties.]"

Response

1. Durham Constabulary are working with Cambridge University to see whether an algorithm can be developed to enable custody sergeants to grade suspects as low, medium or high with respect to the risk of their re-offending. This, it is claimed, would be 'evidence based'.
2. If Durham Constabulary are piloting or pioneering this it would be wise to wait the outcome of what they are doing. Even so, whatever methods are used to assist, custody sergeants in any decisions they might make, in the final analysis the decision is still theirs.

Supplementary Question from Alan Carter

I thank the Commissioner for the response given to my written question.

In reply, I have the following observation and a request to make.

Undoubtedly, Artificial Intelligence (AI) is fast becoming a powerful technology in policing across the world.

It is widely reported that law enforcement agencies across this country are already using it in sophisticated ways for surveillance and crime prevention initiatives. These include using robots to detect and deactivate bombs; using drones for surveillance; scanning social media for illicit activity and for individuals who might be radicalised; and detecting suspects' lies whilst being questioned.

In this context, its potential future use by the Durham Constabulary's custody sergeants is actually very much "the thin end of the wedge" – although one does have a concern about its application when a person taken into custody may be suffering from mental health issues.

However, what cannot be ignored – and must be a real and genuine concern - is the potential for invading the privacy of private citizens, wrongfully targeting individuals for "suspicious" behaviour, or otherwise abusing the power of AI - even if unintentionally.

Going forward, I believe that this is something about which the Commissioner and we, as a Police and Crime Panel, should be increasingly concerned.

In a law enforcement context, perhaps we could call for a much more detailed report at a future meeting so that, as Panel Members, we might be kept abreast of relevant AI developments generally and more specifically of their introduction within the South Yorkshire Police?

From my perspective, the ultimate issue is one of protecting the safety, rights, and lives of both the public and also of the law enforcement officers who are sworn to protect them.

Response

The Commissioner confirmed that he would speak to the Force regarding the use of AI in South Yorkshire, and report back to a future Panel meeting.

A Carter thanked the Commissioner for his response.

Question 1 from Councillor Sansome

Councillor Sansome asked if there was any further information available which could be shared with Panel Members regarding the number of prosecutions which had led from the Stop and Search initiative and any background information concerning the number of people stopped and searched per local authority and any background to those numbers.

Response

The Commissioner acknowledged the request; he stated that he would look to provide this information in a future report to the Panel.

Generally, the number of Stop and Searches carried out had decreased, however, the number of successful prosecutions from carrying out Stop and Search had increased.

Question 2 from Councillor Sansome

Councillor Sansome asked if there was any information available, which could be fed-back to the Panel regarding how the Commissioner was holding the Chief Constable to account in relation to individuals prosecuted for using a mobile phone whilst driving a vehicle.

Furthermore, did the Commissioner set the Chief Constable any performance measures in this area?

Response

The Commissioner reported that, following the change in legislation, he had accompanied the Roads Traffic Policing Team to witness first-hand the work carried out by the Force in dealing with individuals driving whilst using mobile phones.

The Commissioner acknowledged Councillor Sansome's request for further information; he stated that he would look to provide this information at a future Panel meeting.

Question 3 from Councillor Sansome

Councillor Sansome asked the Commissioner for his comments in respect of the results of a survey conducted by the PCC which had revealed that nearly half the population in South Yorkshire lacked confidence in South Yorkshire Police.

Councillor Sansome asked the Commissioner to provide details of how he was holding the Chief Constable to account in relation to this matter; additionally, could the Commissioner provide Panel Members with details regarding any measures set by the Commissioner to see public trust and confidence increase.

Response

The Commissioner commented that he understood there were historic public trust and confidence issues in South Yorkshire Police and also following recent events.

In order to improve public trust and confidence, one of the main priorities he had set the new Chief Constable was to address public trust and confidence in South Yorkshire Police.

The Commissioner stated that this area would be picked-up at agenda item 13 later in today's meeting.

The Commissioner commented that, following the recent horrific terrorist attack at the Manchester Arena on 22 May 2017; there had been high visibility policing across South Yorkshire, including the presence of armed officers at a number of locations across South Yorkshire. Additionally, there had been intensive policing

on the streets of South Yorkshire, which had been very well received by members of the public.

Members of the public had felt they were being protected and had felt secure during this very difficult period. The Commissioner commented that this had helped South Yorkshire Police enormously with their relationship with the public of South Yorkshire.

Question 4 from Councillor Sansome

Councillor Sansome referred to the recent terrorist attack in Manchester; he asked the Commissioner if the Panel could be informed how he was holding the Chief Constable to account regarding the sharing of intelligence with colleagues across the UK and details of any individuals who may wish to cause harm to the people of South Yorkshire.

Response

The Commissioner explained that, following the terrorist attack in Manchester, there had been several Gold Group meetings held in South Yorkshire, (which the Commissioner had attended) to discuss planning etc.

The Commissioner commented that he had been very impressed by the way South Yorkshire Police had reacted in light of the attack. The Commissioner had also visited the Counter Terrorism Regional Headquarters to observe their operations.

The Commissioner confirmed that he would be talking to the Chief Constable on a regular basis regarding terrorist attacks. Over the last few days there had been arrests made by Counter Terrorism Officers in Sheffield (not related to the Manchester attack) and a further arrest had been made earlier that morning.

To reassure the Panel, the Commissioner confirmed that Counter Terrorism operations occurred all the time; he was sighted on the work that they carry out and had reassurances from them.

A press release from South Yorkshire Police regarding the Counter Terrorism Operation in Sheffield was circulated for Panel Members' information.

12 MINUTES OF THE PREVIOUS MEETING HELD ON 28 APRIL 2017

Councillor Otten queried why the start time of Panel meetings had changed from 11:00 am to 10:00 am.

Councillor Khayum explained that this change was at his request; this had been consulted on with the Vice-Chair and the Police and Crime Commissioner, who were both in agreement with this change.

Following discussion with Members, it was agreed that future Panel meetings commence at 10:00 am with a pre-meeting being held at 9:30 am.

A Carter commented that he had received information from the Office of the Police and Crime Commissioner setting out details of those organisations which had been unsuccessful in their bids or requests for funding from the Commissioner's Community Grants Scheme. He requested that this information also be shared with all Panel Members.

It was confirmed that notice of today's meeting had been displayed in all of the district council offices, following a request made by A Carter at the April Panel meeting.

RESOLVED –

- i) That the minutes of the Police and Crime Panel held on 28 April 2017 be agreed and signed by the Chair as a correct record.
- ii) That future Panel meetings commence at 10:00 am with a pre-meet being held at 9:30 am.
- iii) That the grants information be circulated to other Members of the Panel by officers to the Panel.

13 GOVERNANCE ARRANGEMENTS OF THE POLICE AND CRIME COMMISSIONER

M Buttery provided the Panel with a talk about the Police and Crime Commissioner's new governance arrangements and a schematic of the new Governance Meetings structure.

Members were reminded that the role of Panel Members was to scrutinise the actions of the Police and Crime Commissioner and the role of the Police and Crime Commissioner was to hold the Chief Constable and Force to account.

A review of the PCC's holding to account arrangements had commenced last spring, regarding how the PCC held the Chief Constable and Force to account.

A number of formal and informal Boards and Groups were contained within the Commissioner's Governance Arrangements, centred around the PCC's monthly Public Accountability Board (PAB), where discussion takes places around four key areas: 1) Operational performance of South Yorkshire Police; 2) Partnership working and collaboration by South Yorkshire Police ; 3) The Chief Constable's arrangements for engaging with local people and communities; and 4) The efficient and effective running of South Yorkshire Police.

In respect of the arrangements to hold the Chief Constable to account, the Commissioner did so via a range of formal arrangements and informal and formal meetings and discussions. There were also external levels of scrutiny from HMIC and the PCC's and Chief Constable's assurance groups.

Councillor Griffin commented that he was pleased to note the formal arrangements included a new Trust and Confidence Steering Group; he asked how the Panel

would obtain information regarding how the Commissioner was performing in this area.

The Commissioner suggested that Panel Members could ask at future meetings how the Trust and Confidence Steering Group was progressing and the issues being discussed.

Councillor Sansome expressed his concerns regarding the individuals and Chairs appointed to the Commissioner's Committees, Boards and Panels, as they are not accountable to the people of South Yorkshire.

The Commissioner confirmed that the Chair of the Joint Independent Audit Committee was an Independent person, selected via a recruitment and selection process and remunerated for carrying out this role. It was agreed that a copy of the job description for the Chair of the Joint Independent Audit Committee be circulated to Panel Members for their information.

To assist Panel Members' understanding of the Commissioner's Governance Arrangements, it was agreed that a copy of the finalised document explaining these arrangements and the Terms of Reference of each of the Commissioner's Assurance Groups be provided to Members of the Panel.

If new Members wished to observe meetings of the PAB and Joint Independent Audit Committee arrangements could be facilitated.

It was further agreed that Panel Members would receive copies of the reports considered and discussed at the Commissioner's Public Accountability Board.

RESOLVED –

- i) That the Police and Crime Commissioner's Governance Arrangements be noted.
- ii) That Panel Members be provided with the final document explaining the arrangements and the Terms of Reference of the Commissioner's Assurance Groups.
- iii) That Panel Members be provided with a copy of the job description for the role as Chair of the Joint Independent Audit Committee.
- iv) That Panel Members receive copies of the reports considered and discussed at the Commissioner's Public Accountability Board.

14 CSE - PCC UPDATE

A report was presented to provide Members of the Panel with information regarding how the Police and Crime Commissioner holds the Chief Constable to account for the on-going South Yorkshire operations in relation to Child Sexual Exploitation (CSE).

The report provided the Panel with background information informing Members that, originally, there had been two overarching operations in South Yorkshire, namely, 'Operation Stovewood', the independent investigation conducted by the National Crime Agency and 'Operational Marshall', the South Yorkshire Police (SYP) internal group which reviews all on-going Child Sexual Exploitation investigations.

The Panel were reminded that the Commissioner had commissioned an independent review of South Yorkshire Police's response to Child Sexual Exploitation across South Yorkshire in September 2015. Professor John Drew was identified to carry out the independent review and he sought to answer three key questions as set out within the report.

It was noted that inspections / investigations and reviews by the NCA, Independent Police Complaints Commissions (IPCC) and Her Majesty's Inspectorate of Constabulary (HMIC) also took place. These, along with Drew Review gave rise to a total of 220 individual recommendations for SYP. Progress of their delivery has been managed and monitored through SYP's safeguarding processes led by the Head of Crime.

Councillor Johnson referred to the 220 recommendations; he asked how many of the recommendations had been dealt with, and additionally, how many were still work in-progress.

The Commissioner stated that he would obtain this information and update Panel Members accordingly.

The Commissioner explained that there may need to be a revisit by Professor Drew to examine if the Force had captured everything Professor Drew had alerted the Commissioner to.

The Panel were informed that the Commissioner received regular update reports to the Public Accountability Board on both Operation Stovewood (operational and financial) and on-going Child Sexual Exploitation investigations.

Additionally, the Commissioner had regular meetings with the NCA, SYP and calls upon the consultation with groups of victims, survivors and their families from time to time to ensure victims are receiving the best police response and other support.

RESOLVED –

- i) That Members noted the report.
- ii) That the Commissioner provides Panel Members with a progress update regarding how many of the 220 recommendations contained in the Drew Review have been dealt with and information regarding how many recommendations are still work in-progress.

15 COMPLAINTS PROCEDURE

A report was submitted which provided Members of the Panel with a revised Complaints Procedure, flowchart and Terms of Reference for the Complaints Panel.

Appendix A to the report set out a revised Complaints Procedure for the Panel's consideration.

Panel Members agreed that any anonymous complaints would not be considered.

Members noted that a Complaints Panel had been established comprising of the Vice-Chair and the Panel's two independent members, thus allowing the Chair to review a decision without any previous involvement, and avoiding any appearance of bias or pre-judgment. The Complaints Panel would meet to discuss complaints when received, and to consider the Commissioner's response. Appendix C to the report provided Members with the Panel's Terms of Reference.

Councillor Khayum suggested that the membership of the Complaints Panel be amended to include either the Chair or Vice-Chair of the Panel. Whomever sits on the Complaints Panel for a particular complaint could then sit in on any appeal.

If the Chair of the Panel attends the Complaints Panel in place of the Vice-Chair it would not be appropriate for the Chair of the Panel to deal with any subsequent appeals which may follow on from the Complaints Panel's decision. In this case, the Vice-Chair would deal with any Appeals.

A Carter commented that he appreciated the consultation which had gone into producing the draft Complaints Procedure; he thanked D Cutting for all the work, which had been put into producing the Procedure, which he fully supported.

RESOLVED – That Members:-

- i) Considered and approved the Complaints Procedure and flowchart.
- ii) Considered and approved the Complaints Panel's Terms of Reference.
- iii) Agreed that the Complaints Panel's membership be expanded to include the Chair of the Police and Crime Panel (in the event the Vice-Chair was unavailable).

16 UPDATE ON COMPLAINT

D Cutting, Solicitor and Legal Advisor to the Panel provided Members with an update in relation to the Shaun Wright complaint received by the Panel in December 2015.

Members were provided with a brief narrative and sequences of the chronology of events.

The Independent Police Complaints Commission (IPCC) had apologised for the amount of time which had elapsed since the complaint was first referred to the IPCC. The IPCC had confirmed that they were now going to expedite the complaint and had stated that they would now move quickly on this complaint.

It was explained, that if the IPCC now treated the complaint as a criminal matter, it would leave the responsibility of the Panel.

RESOLVED – That Members noted the position.

17 LEARNING AND DEVELOPMENT STRATEGY

A report was submitted providing Panel Members with a Learning and Development Strategy for consideration. The Strategy provided a framework to evaluate and review the effectiveness of the annual Learning and Development delivered and supported the wider Learning and Development process; Induction, Development Discussions and Learning and Development Schedule.

Within the framework of ongoing learning and development, Members of the Police and Crime Panel would be offered an annual Development Discussion to identify any knowledge, skills or other awareness required in order to fulfil their role.

Members were reminded that a Frontline Consulting Event would be held on 28 June 2017 to look at the Panel's role and responsibilities, overview and scrutiny.

RESOLVED – That Panel Members:-

- i) Considered and accepted the Learning and Development Strategy.
- ii) Agreed to review the Strategy on an annual basis.

18 WORK PROGRAMME

The Panel considered its Work Programme to 15 December 2017.

RESOLVED – That Panel Members noted the Work Programme.

19 NEW PCP WEBSITE - BRIEF DEMONSTRATION

Panel Members were provided with a brief demonstration of the new Police and Crime Panel's website

<http://www.southyorks.gov.uk/webcomponents/jsecSYPCP.aspx>, hosted by Barnsley MBC's Joint Authorities Governance Unit.

A Carter thanked the Panel's Support Officers for their hard work in creating a website for the Panel.

Councillor Wilkinson asked if a list of common acronyms could be added to the website.

L Noble thanked Councillor Wilkinson for this suggestion; adding that a list of common acronyms was included within the new Members' Induction pack and would be added to the website library.

RESOLVED – That Panel Members noted the contents of the new Police and Crime Panel's website.

20 DATE AND TIME OF THE NEXT MEETING

RESOLVED – That the next meeting of the Police and Crime Panel be held at 10:00 am on Friday 7 July 2017 at the Offices of the South Yorkshire Joint Authorities, 18 Regent Street, Barnsley.

CHAIR