



COMMUNITY OUTCOMES MEETING

Tuesday 16 March 2021

Via Skype

<u>PRESENT</u>	<u>ALSO PRESENT</u>
Mark Burns-Williamson - West Yorkshire Police and Crime Commissioner (PCC) CC John Robins - WYP DCC Russ Foster – WYP ACC Catherine Hankinson – WYP T/ACC Tyron Joyce - WYP	Sharon Waugh - Engagement Manager Celeste Armitage – Engagement Officer

1. Notes of the previous meeting including matters arising

The notes of the meetings held on 15 December 2020 were agreed as a correct record and there were no matters arising.

2. Urgent Items

There were no urgent items to be discussed.

3. Police and Crime Commissioner and Chief Constable Announcements:

- a) Devolution and a Mayor for West Yorkshire - The PCC mentioned devolution, which he had spoken about previously in detail he also commented that this would be his last Community Outcomes Meeting as PCC.
- b) The Murder of Sarah Everard - The PCC said his thoughts went out the family and friends of Sarah Everard at this truly awful time. He condemned any violence towards women and girls but understood that it was entirely normal that the public wish to express their solidarity and concern in these circumstances.

4. Stop and Search

The PCC introduced the topic of Stop and Search and said that the impact of Stop and Search on communities could be significant. The relaxation of the best use of stop and search scheme would have a further impact on those communities.

ACC Hankinson explained that the report provided statistical data for the 12 months ending December 2020 and said that WYP Stop and Search data was publicly available on www.police.uk.

In the 12-month reporting period 20,545 stop searches had been carried out by WYP, which was an increase of 7021 compared with the previous 12 months. This reflected a continuing upward trend in stop and search powers nationally. She also stated that WYP only accounted for 3.7% of stop and searches nationally.

The reasons for searches were similar to previous years data, with drugs accounting for 61%, burglary 15%, and 12% for offensive weapons. WYP had received a positive report in relation to this from Her Majesty's Inspectorate Constabulary Fire and Rescue Service (HMICFRS). ACC Hankinson then spoke about Operation Jemlock and said they had worked hard to improve the data quality and recording in this area, she said that Jemlock accounted for 13.4% of stop searches in WY. She briefly explained the differing levels of searches and said that only 1.3% of their searches involved intimate searches, which were always conducted at a police station. The direct outcome rate where the item being searched for was found was 24.2%, and the positive outcome rate where a search was conducted, and a different item was found was 30.5%. She said data quality was important and significant improvements had been made in this area but understood there was more work to be done.

ACC Hankinson then spoke about equality and proportionality; the statistics for this were based on census figures from 2011. Although WY demographics may not have changed significantly, she said that it was likely these would have changed at Ward level. They were working hard to understand the inequalities in stop and searches and some of the possible contributing factors were listed. She said the biggest inequality was between the genders with 91.9% of searches conducted on males with the majority aged between 16-40. In terms of ethnicity, those from Black and Minority Ethnic communities were 2.9 times more likely to be searched, which was lower than the national average. WYP had also analysed stop and search rates compared to crime offending data and a disproportionality rate of 1.3 was found towards those of a Black and Minority Ethnic background. In terms of overall findings, a very strong correlation was found when considering crime rates and approaches to deployment, particularly when comparing use of stop and search with a crime severity score at Ward level which was reassuring.

In August 2019 the Home Office relaxed the conditions surrounding stop and search, in the reporting period the S60 search authorisation had been granted on 1 occasion resulting in 18 stop searches. Since the last report Local Policing had undertaken continued development around stop and search with an aim to improve the area of work.

To access the full report, please click [here](#).

The PCC asked ACC Hankinson what steps were being taken to address the poor recording highlighted in paragraph 6 of the report. ACC Hankinson said they would move to an amended stop and search entry format in the near future. The amendments had been made after benchmarking other forces and she believed it would strengthen grounds as officers were now guided through 3 distinct entry fields - what did they see, know, suspect. They would release a force wide training aide for staff when launched and at the same time, they would launch an updated self-defined ethnicity entry section which was designed to nudge behaviours and improve quality.

In relationship to paragraph 30 where there had been reference to the Crime Severity score in simple terms, how would WYP discuss this at a local level to increase confidence in WYP stop and search activity. Especially with those who felt they were disproportionately targeted.

ACC Hankinson said following the release of the COM report to the OPCC the report would be shared with all scrutiny panels and scrutiny leads would be briefed by CI Crossley as to the report content so that there was a single 'interpretation and understanding' when presented to scrutiny panels. The report would also be made available on the WYP internet site. In addition, the West Yorkshire Pol-Ed team were reviewing the Stop & Search lesson plans to acknowledge some of the content of the report, so that it also reached young people in schools.

The PCC asked ACC Hankinson what further action was in train to respond to the recommendations of the HMICFRS report on the disproportionate use of police powers in relation to stop and search, he also asked in addition to what is already mentioned in the report, had WYP considered any of the positive practices employed by other forces referred to in the recent HMICFRS report on disproportionality.

ACC Hankinson said that WYP had kept the PCC up to date on progress against the HMICFRS recommendations on a regular basis. They actively considered positive practice by other forces and there were several examples listed in the national report that they had assessed. She was pleased to say that we were already on with the majority of it and had picked up any good practice to build on. She highlighted a couple of examples below:

- **Preventing unfair behaviour** –included the learning from other forces into foundation training regards Stop and Search.
- **Scrutiny of Body Warn Video** – this refers to a “specially trained group” for scrutiny. WYP were compliant given the existing scrutiny panel set-up. Every group received “How to” guides and scrutinised Stop & Search encounters.

5. Use of Force

The PCC then introduced T/ACC Joyce to present the report. He said all use of force (UOF) must be reasonable and proportionate, meaning that the degree of force used must be the minimum required to achieve the lawful objective and WYP officers and staff were required to submit a report whenever force was used. Body Worn Video should also be used wherever use of force was likely. In the 12-month reporting period to December 2020 Use of Force (UOF) was recorded 31,475 times, which was a 47.4% increase on the previous year. This increase however was likely in part due to an improvement in recording.

Officers were also required to record the tactics used during the UOF incidents, and tactical communications, followed by handcuffing, were the most common tactics used. The most common age range for UOF was 18-34 with 16,544 reports submitted. There were 25,653 Use of Force form submitted where the subject was male and 5,195 forms where the subject was female and the vast majority of submitted Use of Force forms record the subject's ethnicity as white. There had been 2511 assaults on officers during the reporting period, which was an increase of 16.1% on the previous 12 months.

Data in relation to disproportionality was still in development in order to provide the best possible evidence and it was vital that data sets provided an accurate picture of each subject's self-defined ethnicity. Disproportionality was evident in a number of areas for example, black people were 3.2 times more likely to be the subject of UOF in comparison to white people. The likelihood of UOF on Asian people was the same as the likelihood for white people. WYP had delivered Unconscious Bias training to over 6000 officers and staff between November 2020 and February 2021 and the aim was to have all staff and officers trained by the end of April 2021. The force also engaged the public in external scrutiny to increase understanding, confidence and trust in policing and there was also a clear complaints process. WYP received 375 complaints regarding Use of Force during the reporting period.

To access the full report, click [here](#).

The report did not include the data for UOF against children and asked if WYP could say more about the ages, numbers and the UOF tactics used on those under 18. T/ACC Joyce said that it must be understood that more than one Use of Force form may be submitted for a single incident and hence the 'Total Uses' number is not the number of persons who have had force used on them. T/ACC Joyce said there had been:

43 'Total Uses' on those aged under 11
2931 'Total Uses' on those aged between 11 and 17 years.

He further explained that of those 43 forms for under 11's, 26 showed tactical comms being utilised, and one form showed limb/body restraints. A total of 78 tactics were recorded as used on persons under the age of 11. The total Use of Force form submitted for those under 11 years is 0.13% of all submissions. He also gave context to the data for ages 11 – 17 years and said that of the 2931 'Total uses', 2025 indicate the use of tactical communication. 1313 were compliantly handcuffed, 776 were non-compliantly handcuffed, 53 were subject to irritant spray discharge but no subject under the age of 18 was subject to a Taser discharge. One subject aged between 11 and 17 years had Taser aimed at them.

The PCC said that he welcomed the increase in data compliance referred to on Page 2 of the report and noted the increase in use of force of 47.4%, based on the previous data set. He asked how much of an understanding did WYP have in terms of improved compliance or an actual increase and does the data for the first two months of 2021 show a levelling out of the numbers of use of force or was it a continued picture of an increase.

T/ACC Joyce said it was difficult to truly judge the factors that have led to the increased submission of Use of Force forms. However, analysis had been conducted comparing the number of custody records indicating that force has been used pre and in custody compared to the number of submitted Use of force forms between April 2018 and the end of February 2021. From the start of 2020, there was a steady increase in the number of Use of Force forms submitted which then over the last 12 months had roughly mirrored the number of custody records where force had been recorded as used. The number of custody records had remained reasonably stable over the last 12 months implying there was no increase in officers use of force pre or in custody whilst submissions of Use of Force forms had increased as per reporting requirements. This suggested better recording of Use of Force and no increasing picture in the use of force by officers and staff. The data did not indicate a raising picture of use of force over the first few months of 2021.

The PCC said the report talked about public scrutiny for use of force and asked WYP to confirm how this worked in practice.

T/ACC Joyce explained that in July 2020 West Yorkshire Police launched a revised model of public scrutiny with greater use of technology supporting remote scrutiny through online facilities. This encompassed the sharing of information through a digital Asset Delivery mechanism allowing information to be shared with panel members remotely for a specified period. Each district had its own Community Scrutiny Panel. T/ACC Joyce said that West Yorkshire Police public scrutiny arrangements had the flexibility to address established plus new and emerging issues of concern. UOF was an established area of public interest and as such, alongside stop and search, was an area that HMICFRS pays due regard. In support of the scrutiny process, West Yorkshire Police provided panel members with training and had developed a UOF specific toolkit providing formal written guidance on how to scrutinise the areas of business.

The PCC referred to page 4/5 of the report and said it talked about disproportionality around UOF (in and out of custody) and although he appreciated the data set was still being developed, asked what additional information or reassurance could be shared so communities, especially those highlighted in the report, were both informed and reassured.

T/ACC Joyce said that understanding disproportionality was key to addressing the issue. This was an area of business that WYP took very seriously. The Gold Diversity, Equality and Inclusion (DEI) Board, chaired by ACC Williams, provided governance and the Inequalities Governance Board was chaired by DCC Foster. The DEI Board had direct links to communities through the Force Independent Advisory Group (F/IAG) which was made up of community members from a range of demographics, religion and ethnicities, they held districts accountable for delivery of the DEI strategy and actions to understand and reduce disproportionality. Further supporting community involvement and feedback to inform decisions on police actions are District IAG's (D/IAG) created a local level platform for dialogue between the police and representatives of the communities they served.

D/IAG members acted as ‘critical friends’ to safeguard against disadvantaging any section of the community through lack of understanding, ignorance or mistaken belief.

The PCC asked for some further information on the 375 complaints, which were, received last year in particular the 117 which resulted in resolutions. WYP spoke through the data and provided a breakdown of the finalised PSD investigation including 92 instances which were categorised as ‘service was acceptable’, 2 where the ‘service was not acceptable’ and 5 where it was ‘not determined if the service was acceptable’.

The PCC asked for reassurance in relation to the 256 firearms incidents recorded and asked how many (if any) resulted in a weapon being discharged. T/ACC Joyce confirmed that none of the 256 firearms incidents resulted in the discharge of a weapon.

Finally, the PCC asked what action was in train to allow WYP to respond to the recommendations of HMICFRS following their report on the Disproportionate use of police powers (in relation to UOF).

T/ACC Joyce explained that the HMICFRS report outlined eight recommendations, six of which referenced UOF. The recommendations continued to be reviewed with the aim of improving the service delivered to communities and that all who met the Police were treated with fairness, integrity, and respect.

T/ACC Joyce also spoke in more detail about some recommendations and what action WYP were taking to respond, including ‘ensure that officers record on body-worn video (when this is available) the entirety of all stop and search encounters, including traffic stops and use of force incidents. The response being that West Yorkshire policy was already clear that “All officers and staff would deploy with BWV and the devices will be used in every case where there was public contact for a policing purpose. This meant where a degree of investigation or the exercise of police powers was required, unless there was a good reason not to.” This was also re-emphasised in the force stop and search policy.

6. Complaints – Professional Standards Update

The PCC introduced the next item on complaints and said he welcomed the progress the Force was making in dealing with complaints in a responsive and timely manner and noted that almost 50% were dealt with within a maximum of 10 days. From 1 February 2020 to 12 March 2021, the OPCC had received 176 requests for a review. 26 were rejected for various reasons, such as because the IOPC was the reviewing body, or the request was out of time.

The PCC introduced DCC Foster to present the paper. DCC Foster said the total number of complaint allegations had reduced significantly from 451 in December 2020 to 332 in January 2021. The average number of complaints allegations over the 12-month reporting period was 384. Due to the change in legislation, which stated that all matters of dissatisfaction must be recorded as a complaint, the number of complaints had doubled in comparison to the previous year. Of the 3186 complaint cases which had been recorded under the new regulations since 1 February 2020, 49.5% had been dealt with outside Schedule 3. Logging outside Schedule 3 removed bureaucracy and was a more efficient process. These complaints were usually resolved within 10 days. 50.5% of complaints had been dealt with or were in the process of being dealt with inside Schedule 3 in a reasonable and proportionate manner (usually within 20 days). The top three categories of complaints that accounted for 65% of all complaints remained delivery of duties and service, individual behaviours and use of force.

To access the full report, please click [here](#).

The PCC said that he noted line managers were responsible for dealing with staff conduct matters which did not need to go down a formal misconduct process and he asked what training and support had been given to line managers to ensure that those cases were dealt with appropriately so that learning and reflection was promoted.

DCC Foster said there was a comprehensive training package for senior leaders and line managers, which was undertaken by PSD in relation to PRI and RPRP (reflective practice review process). PSD was tasked with going out to all District Inspectors briefings, plus Senior Leadership Teams and local Sergeants to deliver this training and ensure that all managers understood their responsibilities under the new legislation.

The PCC also asked what monitoring was in place for the handling of these cases. DCC Foster offered reassurance that the PSD Reviewing Officers, who assessed all conduct cases to ensure consistency and fairness, centrally reviewed all such cases. Where a case did not meet the threshold for misconduct and was suitable for PRI/ RPRP the Reviewing Officer would contact the officer's line manager and discuss the case and the PRI process. All forms and guidance were sent out to the Line Manager who then undertook the RPRP process with the officer and returns to PSD for their system to be updated. Any relevant learning would be captured and actioned appropriately.

The work that PSD were doing to counter disproportionality in conduct and disciplinary outcomes was noted and the PCC said he was aware that WYP had recently rolled out unconscious bias training for all officers and staff. He asked what assurance could be offered that the training was having a constructive impact and asked whether there were any plans to introduce other training or awareness initiatives to promote wider cultural understanding.

DCC Foster said as stated in the PSD report all PSD staff had undertaken the unconscious bias training for ethnicity, gender plus religion and faith. In addressing the identified faith unconscious bias, PSD had now actioned the Regional Organised Crime Unit (ROCU) to assist in developing an innovative reporting mechanism into PSD that will see the removal of personal data. This would allow a severity assessment of conduct to be undertaken without knowing the protected characteristic of the parties involved. This was in the development stage and utilising interns from Leeds University in the programme design. DCC Foster said the results of this would identify any further learning required.

The PCC also mentioned the positive references about West Yorkshire Police PSD in the Cain Review and asked what the plans in terms were of responding to its recommendations.

DCC Foster explained that in relation to the wider Cain recommendations, WYP PSD were already well ahead with actioning and implementing. The Directorate had a strong working relationship with Association of Muslim Police (AMP) on Positive Action. PSD had worked with AMP to target recruitment on increasing representation in the Counter Corruption Unit. West Yorkshire PSD had good representation in middle management who were key in influencing DEI. At last count, the Black and Minority Ethnic representation was 10%. PSD had also changed their processes in relation to the recording of hate incidents after a request by AMP. So now PSD recorded all hate incidents as they were perceived by the person making the complaint. WYP hoped this would map patterns of behaviour and incidents where there were certain officers and staff who re-offended.

7. Policing Lockdown

The exception report was Policing Lockdown, the PCC introduced Chief Constable Robins to present the report. He said since the beginning of the pandemic, the police had been given an important role to ensure that people followed the rules, limiting the spread of the virus. Officers and staff had worked closely with communities and partners to achieve this. Overall, rules had been adhered to across the country. WYP had approached the breaches using the 4E's; first engaging, explaining, encouraging, and using enforcement only where necessary.

To access the full report, please click [here](#).

The PCC asked how many breaches had been recorded to date and what had been learned from policing the current lockdown. He also asked about how the number of breaches compared to other comparable areas such as the West Midlands and Greater Manchester.

The CC said it was difficult to compare the number of breaches from one force to another due to differences in recording. He said that some forces were recording only enforcement as opposed to low level breaches that result in warnings. WYP had made an early decision to record warnings and enforcement to demonstrate proportionality but this was not widely replicated by other forces. The CC explained that the data published already nationally by 'Operation Talla' was probably the best comparison between forces available and that demonstrated the WYP position in terms of breaches requiring enforcement to date including lockdowns. He accepted there was some variance in approach even when comparing this data, but that he knew that all forces had adopted the 4E's approach and moved from a presumption of warn and inform to a presumption of enforcement as the country had progressed the restrictions. National data therefore gave the best possible comparison of not only enforcement but demand and broke down the areas of demand in terms of the regulation breached. This allows WYP to see which areas were seeing demand/breaches in relation to which area of the regulations. For example, the Metropolitan Police, Merseyside, GMP, Leicestershire, Lancashire, Nottinghamshire, West Midlands and WYP have seen significantly more enforcements relating to gatherings of more than 30 which reflected their issues around student parties and UME's. He highlighted that of note WYP sat in 7th place overall in the table for total enforcements, therefore proportionately less than other areas.

When asked if the number of breaches were higher for certain demographics or particular community groups and the CC explained that as per the above question the number of breaches was a difficult set of data to disaggregate given that many breaches would result in a warning which was not recorded in many other forces/nationally meaning that comparison is not possible. He explained that therefore, the best indication in terms of comparison was looking at the number of breaches requiring enforcement. He said that the nationally published data showed that WYP were in line with national trends in terms of enforcement except for the ethnicity data which shows WYP enforcement at 28% Asian, Black and other visible minority ethnic people as opposed to the national enforcement of 13%. He said that the data indicated that the vast majority of breaches in West Yorkshire requiring enforcement were white males aged 18-24yrs. However, they were unable to compare data on breaches not resulting in/requiring enforcement nationally as previously mentioned, they had also included the data on warnings issued and recorded which demonstrated their proportionality in terms of recourse to enforcement across demographics. The CC said it was important to note that we are contextualising data against Census data that was now 10 years old and in the process of being updated (although this was a national issue).

The CC was invited to say more about the continued impact on NPTs and how this impacted on other aspects of policing. COVID had placed significant demands on all the NPT's. However, these teams had been and would continue to be supplemented at various points with additional staff to support their efforts including staff redeployed from cancelled training and the 'Operation Jinmen' additional staffing. The CC went on to say that Leeds District North West team had attended one of the highest volumes of calls and that from March 2020 until the start of the recent lockdown in January 2021, all NPT's concentrated on COVID related calls. He explained that in January as the regulations changed, patrol teams also undertook the Covid related call demand with neighbourhood policing undertaking a 'warn and inform' function. He then said from September 2020, the NPTs had undertaken multiagency working with the Local Authority and other partners to provide a holistic approach to policing and managing the regulations across the entire community including retail, hospitality and education. He said a weekly Tasking and Coordination Group was held to provide the relevant governance and focus for this work across the force area.

He gave an example of the ongoing partnership response in Little London/Woodhouse and Headingley/Hyde Park which were areas which remained COVID breach ‘hotspots’ with issues linked to the student population. He described that each Thursday, Friday and Saturday officers from LASBT and the NPT had been deployed in the problematic post code areas to undertake early intervention. He said that calls for service had significantly reduced as a result.

The PCC said he was aware this had been a really challenging time for officers and staff both personally and professionally, given the increase in people spitting at officers noted in the Use of Force report he asked what the impact of Covid had been and how officers and staff had been supported. The CC said that spitting incidents were lower for the period March '20-Feb '21, when compared to the same time period in the previous year. There was a slight increase in January 2021 compared to the previous 3 months but clarified as the data suggested this was not a significant increase.

The CC said they do not hold the data on how many Officers had subsequently tested positive for COVID following a spitting incident, however, every spitting incident was treated as an ‘assault’ and the investigating officer should provide support to the officer or police staff member due to them being a victim of crime. He told the PCC there was a process for Staff and Officers who had been involved in an incident such as an assault, being spat at etc. without appropriate PPE (eye protection and fluid surgical mask). He reassured the PCC that line-managers were also advised to conduct regular check-ins with the individuals to monitor if any further wellbeing support was required. The CC said that such wellbeing support measures may lead to a referral to OHU or signposting to other support services such as the Employee Assistance Programme, Peer Support Network or Chaplaincy support services.

8. Future Agenda Items

- Countering Terrorism
- Safeguarding
- Serious and Violent Crime
- Road Safety
- Strategic Policing Requirement
- Exception Report – theme to be confirmed

9. Any Other Business

No other business.

10. Date of the Next Meeting

The next meeting would take place on 15 June 2021 at 14:00.