ETHICS COMMITTEE- Formal Group Meeting
Wednesday 27th March 2024
10:00-12:45
Meeting held virtually via Zoom

Present:

Marion Oswald (MO)	Chair of Ethics Committee
Thomas McNeil (TM)	Assistant Police & Crime Commissioner
Jamie Grace (JG)	Ethics Committee
Claire Paterson-Young (CPY)	Ethics Committee
Derek Dempsey (DD)	Ethics Committee
Peter Fussey (PF)	Ethics Committee
Jennifer House-Go (JH)	Ethics Committee
Malcolm Fowler (MF)	Ethics Committee
Tom Sorrell (TS)	Ethics Committee
Jack Tracey (JT)	Criminal Justice Policy Lead (OPCC)
Eliza Ogden Barnsley (EOB)	Secretariat (OPCC)
William Noble (WM)	BRAID Research Assistant (Observer)
Pooja Kaur (PK)	Presenter- VRP
Elizabeth Tiarks (ET)	BRAID Specialist (Observer)
Pauline McBride (PM)	BRAID Research Assistant (Observer)
Karen Hooper (KH)	The National Crime Agency (Observer)

Apologies:

Kerry Reidy	Ethics Committee
Simon Rogerson	Ethics Committee
Anindya Banerjee	Ethics Committee
Davin Parrott	WMP Data Lab
Sam Todd	WMP Data Lab

1	10:00	**Welcome and Updates** The Chair opens the meeting and welcomes members. The Chair enquires as to whether, for future meetings, a senior West Midlands Police representative will be in attendance. - It is suggested that this should be proposed to West Midlands Police (WMP) as it would be valuable for the committee. The Chair updates the members on the BRAID project: - states the research is to look at the effectiveness of the Data Ethics Committee. - as part of the research, some members will be interviewed.	**Marion Oswald**

		APCC McNeil updates on Judicial Review that upheld the decision that the transfer of Police and Crime Commissioner powers to the mayoralty was unlawful.	
		- assures the Committee that candidates have been briefed about the Committee. - explains that the decision was due to the fact the Home Office did not properly consult the public. The Chair notes that BRAID and national crime agency representatives will be joining later in the meeting to observe.	
2	10:05	**ICO Reprimand regarding WMP Data Protection Failures** The Chair outlines the relevance of this agenda item - it has a direct link to data protection, data compliance and the efficacy of data projects, including those that have already been through the Committee. The presenter updates the committee regarding the details and background of the ICO reprimand. JG outlines key findings in the reprimand that are particularly relevant to the work of the committee. 1. When errors such as this are pointed out to the police there is not a permanent technical fix available. 2. Training levels are low in the force regarding data protection requirements. 3. Individuals may inadvertently be assessed by data analytics tools on data that is not only about them. 4. We cannot be sure how often this kind of error has occurred previously. **Questions and Responses** A committee member raised that this is always going to be a risk when a data system does not have National ID – they question how we can effectively tackle this. Another committee member notes this is likely a wider data management issue – they question what the committee's role is and suggests it is to question the force about how they deal with issues such as these. The presenter suggests we invite a relevant individual from WMP to an upcoming meeting to get an update on the situation. - A member explains that WMP are reporting to the WMP and OPCC joint internal audit and that they therefore questioned the need to present to the Committee. - A committee member noted that when the ICO report is made public, it could still be brought to the committee for consideration even without a WMP spokesperson.	**Jamie Grace**

		Several committee members agree that a further conversation with WMP would be useful in order to re-emphasise the successes which have come about through good collaboration with the Committee and to re-set the relationship moving forward. This was agreed to by the Chair.	
3	10:35	**"Amy" voice recognition project – update and discussion relating to the publication of papers** The Chair explains the situation in relation to the 'Amy' project that came to the last committee meeting, including around the publication of the minutes and the presentation which contained 'official sensitive' markings. The Chair also explained how a story was reported in the press following the publication. A member acknowledged that, given the sensitive marking, the committee should have contacted WMP to reiterate the usual processes around the publication of papers and minutes (as per the terms of reference). They also acknowledged that the situation highlighted some key points: - The committee should ensure it is made clear to new presenters that they publish all reports and these reports should come to the committee in publishable format. - The OPCC and WMP should have an agreed upon process if a similar event is to happen again. - The committee should update wider stakeholders about the work of the committee to build engagement and trust. The committee agreed the following actions to ensure concerns were addressed: 1. Create a new protocol to follow in the event similar circumstances which occurred around the 'Amy' presentation happen again (including a new, clearly defined process around checking papers before publication) 2. Ensure WMP and the Data Lab receive clear communications regarding the expectations of the committee with regard to publishing. 3. Ensure the committee takes joint responsibility to communicate with WMP to agree a meeting with WMP to broaden understanding of the committee from WMP and vice versa (a letter to be written to formally propose this to WMP).	**Marion Oswald/ APCC McNeil**
4	11:05	**Projects Update and Tracker** The presenter provides an update in lieu of the Data Lab due to unavoidable work-related absence. Further updates will be given on these projects and others that recently appeared at the committee by the Data Lab at the next meeting in July.	**Jack Tracey**

Violent Crime Hotspot Project

The presenters noted how there were concerns around certain caveats that were put into the tool and whether these caveats were understand by senior WMP leadership.

- It was confirmed that the responsible Chief Superintendent was briefed and that he understood the consequences of the noted caveats. A new communications plan was also circulated to the Guardian teams clarifying this.

Serious Violence Precursors

The presenter explained how the committee had previously raised that significant attention should be paid to the existing literature on serious violence precursors.

- Update confirms that a literature review has been undertaken and provided to the data lab which will underpin further work moving forward.

Stalking Tool

The Chair asks whether there has been an update on the stalking risk tool.

- It is stated there is no update for this meeting but the lab will be returning to the next meeting with an update.

The presenter noted any other updates have been added to the tracker.

Questions and Responses

A committee member asks whether the tracker could be used to help facilitate some impact analysis about the success of the committee.

- The Chair explains how this is one of the aims of the BRAID project, to see whether it has had an impact on how tools are used in the force.

A member asks whether there is understanding that the Lab should come back if there are key updates regarding a project previously brought to the committee.

- A member assured the committee that he has met with the lab and will update on any live projects.

A committee member raises that often only the individuals who present the projects are hearing the recommendations which can cause issues if there is a change of project lead.

- The Chair raises that this is another area that the BRAID research will look into.

Recommendations

		It is therefore recommended by the committee that the lab shares updates on recommendations and return to the committee before the projects go live.	
		The committee also recommended that they will provide a date by which projects must give an update and/or return to the committee.	
		The committee also recommended that an annual review of the committee's work could help to support engagement and keep track of projects.	
5	**11:30**	**Break**	
6	**11:35**	**<u>VRP Partnerships Data Project (follow-up from in-principle submission made in September 2023)</u>** **Previous Recommendations** The Committee thanked the presenters for bringing this project forward at such an early stage and requested that it return to the Committee for further consultation once it is more developed - The Committee noted that more specificity was needed around which age groups the data collection would target and around the design of the research which took account of the different ethical considerations for each age group, purposes of the research, the risk of triggering and the question of anonymisation of results prior to any wider access being given to results. - The Committee noted that the VRP has academic qualitative research advice available to it and recommended that this advice be accessed in respect of the design of the research and related materials (e.g. consent forms, information sheets, anonymisation procedures). The presenter explains they had previously presented in September 2023 and explains the VRP's intention to progress with more qualitative research including surveys, interviews and focus groups. The presenter identifies consideration of risks associated with qualitative research. Given that the proposal was initially in principle, it is acknowledged these considerations were somewhat generalised. - Psychological Impact on Participants - Disclosures - Under 18s - Personal Data The presenter shares the key ways they have addressed the recommendations including a consent form, consultation plan, a research agreement and a risk assessment.	Pooja Kaur

The presenter outlines some of the key themes from the recommendations previously made by the committee and how each one has been addressed:

Age groups

The presenter states they have agreed the lowest age they would consult would be age 11. It was also decided under 18s would be grouped into two separate cohorts 11-16 and 16-17 with different methodologies.

The purpose of the research

The presenter explains this was addressed by the creation of a participant information sheet that was at a appropriate reading age level.

Risk of triggering

The presenter assures lots of research was undertaken around this, noting they are aware that those with lived experience are often at greater risk of triggering. Decided there would be a research agreement with the host organisation where these could be flagged. They also are developed a risk assessment tool to ensure safeguarding and to limit the risk of triggering.

Anonymisation of results

The presenter assures no data would be collected unless necessary and any demographic data would be carefully considered to ensure anonymity is ensured.

The presenter also shares some other ideas the VRP have including:
- Having tailored materials for different age groups
- A report for young people following the session
- Undertake further research on supporting those with lived experience
- A disclosure processes
- Increase levels of data protection through work with a data protection consultant

Questions and Recommendations:

The Chair notes how it was mentioned that some academics would be involved and asked whether this has happened.
- The presenter agrees and says researchers from the University of Birmingham will be supporting them as they have used similar tools
- They also state they are consulting with the Department of Education who are conducting research in a similar way
- Acknowledges they want research that is academically rigorous but also works with the practicalities of service delivery

A committee member suggests that communication styles might need to be adapted for a younger audience perhaps in a video format.
- The presenter says they are open to this to make it more accessible.

A committee member echoes the previous comment and recommends notes that digital formats for information might make the documents more accessible.
- The presenter agrees that they consulted with various professionals about 11 being the lowest age, noting that transitional periods from primary to secondary and secondary to college are key areas.
- Acknowledges that certain ages can be more exposed to certain vulnerabilities and crime

The committee therefore recommends producing some more accessible digital formats for key information such as videos.

The committee recommends that the title of the consent form could be changed.

A committee member acknowledges that their use of a named individual is good practice but suggests having a complaint contact with a further reassurance that those taking part can withdraw consent both to provide assurance and help those involved feel more comfortable with their responses.
- The presenter agrees they will include an independent complaint contact.

The committee therefore recommends having a contact for complaints and an item which ensures the participant can withdraw consent.

A committee member notes they will share a document with the presenter with some more specific points around language, withdrawal rights, safeguarding polices and processes if a child is distressed.
- The presenter notes that the host organisations safeguarding policy would be used to protect children.

A committee member notes that the host organisation should not necessarily be sharing vulnerabilities about the child involved.
- The presenter clarifies that vulnerabilities shared would be around whether the child can participate and understand the information (i.e. around accessibilities). They clarify a child would not be involved unless any accessibility issues

		are addressed, this would be built into the risk assessment tool. *The committee therefore recommends that there is further clarity around what data would be shared about the child by the host organisation, ensuring data would only be shared if the child had a vulnerability that might mean they are not suitable for research.*	
7	12:15	**Community Engagement Planning** The Chair introduces the agenda item and explains that the committee would like a clear plan for wider community engagement. The presenter explains how they spoke at an event with similar committees across the country. Whilst highlighting the excellent work of the committee, they acknowledged that more could be done to engage the wider public **Committee discussion:** A committee member suggests going to different community groups to present about what the committee does. Specifically, the views of young people would be key here. It was noted that this is somewhat embedded in the BRAID project. - More members agreed and it was noted that it would be more appropriate/ preferable for the committee to attend community-based meetings (rather than arrange meetings for community-based organisations to attend). It is suggested that groups targeted should be those that may be impacted by the work of the committee (i.e. neighbourhood forums). - Issues around accessibility of the committee's documents and discussions would be key. The presenter suggested that regardless of the format, a community committee or event should consider a 'live' project so we can ensure feedback is meaningful. - This could coordinate with the BRAID Team as they are looking at live projects and have research aims around this. It is agreed that, at the next meeting, an update on progress will be provided around this agenda item.	**Jamie Grace**
8	12:25	**AOB** A committee member suggests that, to ensure we are properly following due process, it should be ensured that the focus of the committee is made clear to presenters (i.e. that projects should be focused around data ethics, as opposed to wider discussions around research ethics).	**Marion Oswald**

		- It is therefore agreed that this focus will be made clear to presenters to ensure discussions do not become focused around research ethics as this is not the purpose of the committee.	
9	12:45	**Meeting Close**	