ETHICS COMMITTEE- Formal Group Meeting
Wednesday 12th June 2024
10:00-13:00
Meeting held virtually via Zoom

Present:

Marion Oswald (MO)	Chair of Ethics Committee
Jonathan Jardine (JJ)	Chief Executive (OPCC)
Jamie Grace (JG)	Ethics Committee
Claire Paterson-Young (CPY)	Ethics Committee
Jennifer House-Go (JH)	Ethics Committee
Malcolm Fowler (MF)	Ethics Committee
Simon Rogerson (SR)	Ethics Committee
Anindya Banerjee (AB)	Ethics Committee
Derek Dempsey (DD)	Ethics Committee
Jack Tracey (JT)	Criminal Justice Policy Lead (OPCC)
Eliza Ogden Barnsley (EOB)	Secretariat (OPCC)
Davin Parrott (DP)	Data Analytics Lab (WMP)
Steve Clark (SC)	Data Scientist (WMP)
Sam Todd (ST)	Value & Business Architect (WMP)
Kerry Reidy (KR)	Head of Architecture for IT & Digital (WMP)
Octavian Bordeanu (OB)	Senior Data Scientist (WMP)
Jack Hadley (JH)	Chief Superintendent- Force Contact
Tom Joyce (TJ)	Chief Superintendent- Strategy, Direction and Assurance
Beth Tobitt	Finance Department (WMP)

Apologies:

Peter Fussy (PF)	Ethics Committee
Tom Surrell (TS)	Ethics Committee

1	10:00	**Welcome** The Chair opens the meeting and welcomes members. The Chair explains that Tom McNeil will no longer be on the committee and the committee thanks him for all his hard work on the committee and his continued role in promoting the work of the committee.	**Marion Oswald**
2	10:05	**OPCC update – post-elections 2024** JT shares that Jonathan Jardine will now be sitting on the committee as the senior representative from the OPCC.	**Jack Tracey**

		He updates the committee that the OPCC and Mayor's office will not be merging as the Police and Crime Commissioner for the West Midlands won the judicial review against the Mayor.	
		He also updates the committee that Simon Foster recently won the Police and Crime Commissioner elections and remains committed to the work of the committee and wants to embed the committee as a core function of the office.	
		JJ praises the work of the committee and notes that the commissioner recognises the increasing relevance of the committee as a key way in which the force is held to account.	
		JJ praises Tom McNeil for his commitment to the committee and his success in setting it up. He commends Tom and the members of the committee, stating that the West Midlands have faced minimal concerns around the use of data and AI in policing projects as a result of the work of the committee.	
		The Chair thanks the Police and Crime Commissioner, Simon Foster, for his support of the committee and for highlighting the importance of the work of the committee.	
3	10:10	**Questions to be put into new crime desk function (in principle submission)** The presenter explains that the aim of the project is to identify questions that could be asked by call handlers at the first point of contact to improve WMP's service to victims. - Identify potential lines of enquiry early - Identifying whether we can get more information out of callers to better service their needs **Questions and Responses** A committee member notes no personal data is used and recognises that whilst information about the caller is anonymised, they ask what the process would be if personal data was shared in the call. - The lab assures the committee that at this stage of the project they have no access to call transcripts, only the information that is recorded in the system itself - The data is essentially aggregated at the moment and focusing only on whether certain questions are better for obtaining better information - The lab assures that there will be no personal data involved in the analysis	**Lab**

A committee member asks a clarificatory question regarding the outcomes framework, querying how the death of an offender is a positive outcome for the victim.
- It is recognised that this outcome seems strange to define as positive.
- They say this relates to a very specific set of circumstances where all investigative work would point to an offender but they are unable to be charged due to the death of such offender
- It is thus not positive generally, but it is positive in the sense that the force can confidently identify the offender

The same committee member also states that the paper identifies that some data is moved manually between different systems. He asks why this is done manually?
- The lab state that the two systems are created by two different companies for two different purposes
- Work could be done to make this automatic but it would need to be a separate WMP project

Finally, the committee member identifies that the paper states that some offences will be excluded but queries if this is possible as presumably not all offences can be clearly defined or might cross over with other offences that would not be excluded.
- The lab suggests that this was for the purpose of potentially excluding very complex cases where it would potentially be hard to determine whether the call handlers questions had an impact
- The lab explains that the current system often means that too many reports are filed and that the questions and thus outcomes are too subjective.
- This project would help to provide a more robust way of determining whether a crime is solvable or not from the initial call

A committee member asks whether, given that this would potentially see call handlers take a more investigative role, is there a process in place to make the caller aware that the conversations could be used in lines of enquiry.
- WMP notes that this process is victim focused with the aim to narrow questions down to help maximise investigative opportunities later.
- Investigation work would go to specific telephone investigations in the new crime desk
- Cautioning people wouldn't be something the call handlers would do

		A committee member asks what data set is going to be used to formulate the set of questions and how long will be given to establish whether the crime is solvable or not. They also offer to share a paper in relation to this. - The presenter states the data used relates to type of crime, the logs and the information that is provided as part of the decision tree process - Presenter explains the data used is anything that has an outcome attached to it and starting from 2020 The Chair asks whether they think it's possible to develop a causal link between an initial call and a certain outcome. - The presenter explains that initially this project is to assess whether this is possible at all - States that it is important to note this is already being done in some cases but in a less structured way, the aim is to make this process more specific if possible A committee member notes the legal advice discusses this but highlights that potential disproportional impacts might need to be considered if certain questions are only effective for certain outcomes for some groups rather than others. They want to ensure the project is acutely aware of this and tracks the impact. - The lab commits to ensuring they are aware of this issue.	
4	10:40	**Community engagement proposal – options paper** The presenter explains that an options paper was produced to determine how best the committee can engage the community more. They identify 3 options for how this could be achieved, identifying advantages and disadvantages of each. For all options, engagement could be focused around live projects to give respondents a say in formulating recommendations and seeing the full timeline of the development of a project. Option 1: To present the Ethics Committee at existing forums which could include the OPCC's new Accountability and Governance Board, Advisory Panel or other key forums such as Victims and Witnesses Delivery Groups. *Advantages:* - Argues that this engages both wider communities and more subject matter expects - Requires less time and resources as utilises existing forums - Would fit well with the new PCC term and creation of new OPCC forums	**Eliza Ogden Barnsley**

- Less concerns about data sharing as the OPCC would have selected attendees and there would be exist systems in place

Disadvantages:
- Concern that we are already engaging with these people
- Might be invading on people's time since they aren't events being led by the committee itself

Option 2:
Run our own community engagement sessions utilising existing committee and OPCC contacts and inviting individuals along.
Advantages:
- Not restricted on duration or format of the meetings
- Easier to involve the whole committee
- Engage with a wide group of people

Disadvantages:
- Would require more time and resources
- Harder to keep track of attendees, could therefore present data-sharing issues

Option 3:
A combination of both of the previous options.
Advantages:
- Could allow for more in depth analysis by being able to compare the answers of different groups in different settings

Disadvantages:
- Is the most resource laborious and could mean the same feedback is repeated?

Recommend that Option 1 is the most appropriate as it allows the committee to utilise existing forums, thereby being conscious to time and resources. It allows the committee to attend forums regularly.

Questions and Responses
The Chair reads feedback from another committee member who suggests that Option 3 should be considered to allow the committee to engage with a wider group. They suggest a staggered approach where the committee undertakes Option 1 first and then Option 2.
- This is agreed by multiple committee members

A committee member raises a concern regarding the time that would be expected of the committee to run and organise these events. They also ask how we would ensure that the public understand the relationship between the committee and the lab.
- The presenter suggests that this is why they feel Option 1 is likely the most appropriate as it can utilise existing resources

		- JT notes there will not be a large expectation on the committee and that OPCC committee members would take the lead in organising - They also state that given the committee members relationship with the lab, this would allow them to convey the relationship to community stakeholders - Assurances are made that proper briefings would be provided to ensure the content and work of the committee is understood by members of the committee The lab requests that they are kept informed about these meetings to ensure they could attend to answer any specific questions. - A committee member suggests that community engagement sessions should include OPCC, Lab and Committee representatives to showcase the relationships. Another committee member asks whether members would be expected to produce additional materials and whether this might be a good way of making the work of the committee more widely accessible. - JT suggests there might need to be a specific document produced but that this would be an OPCC responsibility. Members would be there to assist with expert advice. JJ asks what the intended outcome is so that the OPCC can best assist with identifying the forums and resources that the committee can utilise. The Chair states that one of the key aims was to engage with under represented groups and believes that attending existing forums could be a good start to achieving this. The committee therefore agrees to proceed with Option 1 with the hope to later also proceed in with Option 2 at a later date. - JT and EOB to pull together a list of potential forums - The lab request to see these options - The Chair assures that there will be detailed discussions around boundaries and aims before any engagement takes place	
5	10:55	**Officer visibility (returning paper from Sept 2023)** **Previous Recommendations** - The Committee noted that this project was at an early stage and noted the assurances given regarding prior consultation with the Federation and other staff representatives	Lab

- The Committee recommended that a more precise definition of 'visibility' be developed before a data model is attempted, in order to ensure that the correct datasets and modelling technique could be applied
- The Committee recommended that, despite the consultation that had already occurred, the force ensure that wide consultation with staff around the use of ControlWorks in association with officer details continues, particularly due to the proposed link with performance management, to ensure that the definition of visibility is understood and that the use of the data is clarified and ringfenced.

The presenter explains the project is in beta testing phase. They recognise that not all teams are required to be visible.

The presenter explains that visibility was defined by WMP stakeholders and SMEs.

The project allows for some evidenced knowledge of visibility that was not previously available to WMP.

The presenter argues that it would also be useful for other offices such as the OPCC.

Questions and responses
A committee member raises a concern regarding potential dual use- as the collar number is recorded they argue there is therefore potential for identifying the effectiveness of individual police officers. They note that the dual-use potential use of this is potentially a great ethical concern. This view is shared by another committee member and asks whether colleagues agree with the project.
- The presenter states that WMP already know where officers are and suggests the project is about having a whole picture
- The presenter acknowledges a tension between the force engaging with investigations and still maintaining a visible police presence
- It is argued that is appropriate for officers, from a trust and confidence point of view, to reassure the public they are doing what they should be

In relation to this point, multiple committee members raise in the chat that the use of the project must be transparently identified with any trade-offs being noted.

A committee member raises a concern that more time being visible would mean less time in an investigative sense/ not visible. Does it therefore essentially become a target about PR and not about effective public protection?

- Presenter explains that currently WMP can only measure certain outcomes such as response time and arrests.
- They acknowledge this means visibility is therefore lost despite it being one of the most key things that people gain trust and confidence from.
- The tool is therefore a way to effectively assess whether visibility is being balanced well with proactive/investigative policing

The Chair asks whether there is any guidance about how the data should be used and deployed. They also ask whether officers have been consulted about the project and its use.

- The presenter acknowledges that transparency with officers about use is key.
- They argue the primary purpose of this project is not for performance but to establish a strategic understanding of how resources are being used.

A committee member argues that a PCC priority is to improve community policing and therefore would agree with the premise that more visibility is key. Whilst acknowledging it does not show effectiveness of community policing, it does show whether it is happening. They also argue the data would help improve transparency about where police resource is being used and increase trust and confidence.

- Another committee member responds in the chat arguing that the solution is to, instead, allocate more time to community policing.

A committee member asks why the collar number has to be used as a different identifier could help alleviate the probability of dual use.

- The presenter states that the collar number is needed to identify specific departments which would each have specific requirements
- The collar number therefore provides essential context and ensures expectations are not being made of officers who do not have or need to have a visible role.
- It is also acknowledged that individual data is needed to establish why certain areas may have low visibility etc.

		it may be that there needs to be some final clarification of proposed usage, how this links with visibility of personal data and to whom, and therefore what guidance and policies needs to accompany this.	
6	**11:25**	**Break**	

7	**11:30**	**Finance report (returning paper from Feb 2023) Officer**
		Previous Recommendations:
		- Committee noted that they didn't have a good enough understanding around the best value for money predictions.
		- Committee also requested more information around how individuals would be impacted by the collection of granular individual level data (around protected characteristics and health etc).
		
		The presenter acknowledges the overall aim is to establish the potential financial and performance implications of resource changes of one department on others. It therefore establishes the implications of various different decisions.
		    - Its aim is to ascertain what implications on people, budgets and performance there would be if certain changes took place
		    - Its aim is to establish a whole system impact
		
		Takes in other costs like inflation and pensions. They ascertain what empirical relationships there are that feed into logical business relationships.
		
		Developed with finance but doesn't highlight individual level data.
		
		No value for money or decision element in the tool itself.
		
		Questions and Responses
		A committee member asks whether this project is this just looking at personnel/staffing costs?
		    - The presenter explains that other costs would be included in total budget calculations but as some of these costs are very ad hoc they are not always included
		
		The Chair asks how Finance have been using this and asks if they have any feedback.
		    - The representative explains that it has not been used as of yet but looks like it could do a lot
		    - They are imminently starting testing on it but not had an evaluation criteria as of yet
		    - The presenter explains they want to receive feedback from finance before they finalise the project
			Lab

A committee member raises that, although the data is all aggregated at the end, you can still identify individuals. The raise a concern that a cost of an individual police officer could therefore be understood and therefore could be linked with other systems. They therefore raise a concern about potentially problematic dual uses. The committee member requests that the lab notes these potential concerns around dual usage.

- The presenter argues that the tool does not provide any individual level data, only at the departmental level
- The presenter raises that any organisation would have access to both cost and performance data of individuals
- The presenter states this tool can help the force to make better financial positions

The Chair clarifies that dual-use is a general point that can be applied to multiple projects but we still need to make relevant people aware of potential dual uses and the intended use to make it less likely for this data to be used in a different way.

- A committee member raises that data and associated modelling for one purpose can be very misleading when used for a secondary use thereafter
- The lab respond that they recognise this is a general point

A committee member suggests that the data is not new and the tool might enable management to make better long-term decision making.

| 7 | 12:00 | **RSFDi harm scores (returning paper from Feb 2023)**
Previous Recommendations:
- Committee noted that the project will change significantly in terms of the data used and the Lab felt it would be suitable to proceed with suspect data added back into the data picture. More clarity required around how this data would be used and what outputs in police work this would inform.
- The Committee requested a case study around how useful the tool could be made with further consideration of the potential downsides to the use of this data and how this could be managed.
- The Committee requested also that the Lab report on progress made against other recommendations from the Babuta report (especially around training).

The presenter talks through the previous recommendations and notes that the recommendations from the Babuta report, as requested, have been included in the paper sent to the committee. | **Lab** |

The presenter explains that the methodology remains almost exactly the same save a reduced weight on frequency. They state that whilst the number of incidents increase when suspect data is included, the distributions remain the same.

The presenter then talks through some specific case studies (please note that details have not been included here for identification reasons).
- They explain that currently the harm score would be established just using charged offender data
- They highlight that the inclusion of suspect data, for both cases, shows a higher harm score at any given time which may have helped to identify the need for intervention earlier

The presenter states that the inclusion of suspect data does not fundamentally change the nature of offender management but does allow for a fuller picture of risk assessment.
- They argue this has specific relevance to domestic abuse cases where victims might withdraw support

Questions and Responses
The Chair asks where the suspect data come from.
- The presenter explains it is from the crime system (connect)- the same system that shows offender data
- Individuals included have been officially identified as a suspect

The Chair also asks whether the inclusion of suspect data in the case study shown would have resulted in a change in when or how the offender was managed.
- The presenter argues this is dependent on lots of factors but should have helped the team identify earlier
- It is highlighted that offender management is for those offenders at the highest level of risk and the suspect data can help refine the people who need the most resource

A committee member asks whether any analysis has been done to identify how often the inclusion of suspect would have led to significantly earlier identification of further offending behaviour. They also raise that the inclusion of suspect data vastly increases the number of individuals considered.
- It is difficult to say due to the resources needed for each individual case
- The presenter acknowledges that some individuals suddenly offend but generally the inclusion of suspect data often leads to earlier identification of potential future harm

		- The presenter also states that whilst the inclusion of suspect data increases the total number of individuals considered, it actually narrows the number of individuals with the highest harm scores
		
		A committee member raises a concern that you could be included in the tool having never had been charged with a crime. Multiple other committee members echo this point arguing that it conflicts with the supposed presumption of innocence before being proven guilty. Further to this point, it is raised this could perpetuate disproportionalities.
		
		Some committee members argue they cannot approve this project on this basis.
		  - The presenter notes that including suspect data (which is not new data), would only mean those with high harm scores will be subject to police intervention
		  - They comment it will help in those cases where there are maybe fewer charges but lots of harm (e.g domestic abuse)
		  - They comment that charged data alone potentially misses some high harm individuals
		  - The lab reassures that when those who are confirmed to not actually be a suspect, they are removed from the data
		  - It is argued that policing is always concerned with acting on information before individuals are found guilty
		  - The presenter assures that offender managers could not subject individuals to punitive approaches solely on the basis of this information
		  - The presenter argues that it could stop disproportional impact by basing decisions on data rather than subjective opinions.
		
		The chair asks for some clarification regarding suspect data.
		  - The lab notes that if someone was previously a suspect in a case and then the actual offender is charged, that individual who was a suspect would no longer be defined as such or included ('suspect eliminated'").
		  - The lab reassures the committee that they could build in a check that would mean that suspect or charged data status is visible.	

8	12:30	**Committee recommendations** **Questions to be put into new crime desk function (in principle submission)**	**Committee**

The committee identify that the concern around disproportionality based on protected characteristics and resultant impacts such as language barriers is the most salient concern.

It is noted by one committee member that, whilst they are happy to proceed with the decision noted below, they want to raise that they personally do not believe the changes recommended are minor and disagree with the decision.

It was confirmed by WMP that datasets have not yet been established but notes it is streamlining the call handling and allocation process.
- It is noted that whilst WMP have often determined the feasibility of further investigation based on a call, this has often been done on a subjective basis with no dataset applied.
- Clarifies that the project is in exploratory phase at the moment to assess whether it is possible for this to be done.
- Provides assurance that disproportionality and other concerns such as language barriers will be assessed.

Recommendations:
The committee feel it is important to acknowledge that, given that this project is essentially in an 'in principle' stage, the current recommendations will likely need to be expanded on.
- The committee commend the assurance that disproportionality concerns will be addressed and the committee recommend that the force make a commitment to ensure call handlers are trained around potential disproportional treatment based on protected characteristics and issues arising from this are appropriately mitigated.
- The committee recommend further clarity in the paper about what data will be used and analysed and when the dataset will be produced and analysis will take place.

Outcome B- Proceed with minor amendments

Officer visibility (returning paper from Sept 2023)
A committee member notes that it was raised that autonomous data transfer across systems could be used. Specifically, the concern was that the visibility data could be linked to individuals and therefore performance data.

Recommendations:
- The committee recommend that there is an acknowledgement and transparent indication about the purpose and intended output of the data, setting boundaries and establishing policies to mitigate the possibility of the data

being used for dual purposes/function creep or being shared more broadly.
- The committee raise that any future merging of projects would need to come back to the committee as a new project.

Outcome B- Proceed with minor amendments

Finance report (returning paper from Feb 2023) Officer Recommendations:
- Whilst some concerns were raised regarding dual use and the ethical concerns arising from this, the committee acknowledge that the finance team have not yet provided feedback, tested or used the system and therefore request this feedback before making further recommendations or decisions.

Outcome E more information required from the Lab to be able to advise

RSFDi harm scores (returning paper from Feb 2023)
A committee member raises that a key focus of the OPCC is on prevention and they believe this tool allows offender management to better prevent crime. Therefore, whilst they appreciate concerns raised, they believe the prevention of harm itself is an ethical objective and the data used is already there. The project is therefore in accordance with OPCC aims.

A committee member also raises that the case law has not remained static and thus it is arguably now a lawful requirement that the force uses the datasets it has at its disposal to prevent harm. Is happy to elaborate on this in writing if required.

The Chair reminds the committee that the inclusion of suspect data was a recommendation of a previous report on the project- offender managers had requested this information to make their recommendations more realistic and accurate as charged data does not represent the full picture of a person and their offending.
- Not including the data could mean more harm due to data not being comprehensive or shared enough.
- To exclude suspect data would not be realistic and does not appreciate the preventive element of policing

Multiple committee members share they feel conflicted on the issue, acknowledging the ethical issues both in not including suspect data and thus potentially leading to further harm, or by including and not protecting the right to presumed innocence until proven guilty.

		- It was queried whether the suspect data could be defined differently in some way (or defined as equally valid as charged data). It is recognised by multiple committee members that this tool could provide a useful way to support the mitigation of serious harm with many noting case reviews where key recommendations concerned situations where not considering all information had led to serious harm. The force details 3 further comments to provide assurance: 1. If there was ever an individual being considered for offender management on the basis of solely suspect data, this can be highlighted in the tool. 2. There are thresholds to be defined as a 'suspect', namely that there is some causal link to the crime. -the committee acknowledge that the report is very detailed in this regard and commend this 3. Policing in its essence has to look at those who have not yet been convicted and this is ethical. AB and CPY requested it to be noted that they feel they cannot approve with this project ethically due to the concerns they raised previously in the meeting. **Recommendations:** - The committee suggests a check is built into the project to ensure an individual could not be considered for offender management on the basis of solely suspect data and appreciate the force's assurance regarding this. - The committee then recommend the lab return to the committee with their proposals regarding this check with the committee offering an interim meeting so as to not delay further. - The committee suggest the force need to consider whether the inclusion of suspect data would lead to a higher case load for offender management and how this would be managed? **Outcome E more information required from the Lab to be able to advise**	
9	13:00	**AOB and Close** A committee member raises that: 1. The website needs updated regarding the membership of the committee.	

| | | 2. If the papers could be sent to the committee 2 weeks ahead of the meetings to provide sufficient time to read and comment on them or if not possible, to highlight what is specifically asked of the committee.
- (ACTION) EO to speak to Communications Team to address this
- (ACTION) JT to speak to the Lab regarding when the papers are shared. Can be staggered if need be. | |