



## Cleveland Independent External Ethics Committee Minutes

**Date:** 6<sup>th</sup> March 2024

**Time:** 16.00 – 18.30

**Venue:** Cleveland Police Central HQ / MS Teams

### Attendees:

Name	Role
Dave Smith	Committee Chair
Tresor Bukasa	Committee Member
Tony Traynor	Committee Member
Shirley Johnston	Committee Member
Jayden Foster	Committee Member
Sarah Johnston	Committee Member
Kahn Hanif	Committee Member
Craig Marshall	Committee Member
Neal Gillson	Sgt, Ethics Lead, DSE - Cleveland Police
John Miller	Superintendent DSE – Cleveland Police
Jeff Mowbray	Cleveland Police - Firearms
Paul Hodgson	Cleveland Police – Ethics Advocate
Hazel Thompson	OPCC
Heidi Spencer	OPCC (Minutes)

### Apologies:

Name	Role
Paul Woodvine	Committee Member
Nadia Wager	Committee Member
Emma-Louise Smith	Committee Member

### Apologies not received:

Name	Role

No.	Discussed	
1	<p><b>Welcome &amp; Introduction</b></p> <p>The Chair welcomed everyone to the meeting and started with a round of introductions. It was explained that the meeting was being recorded to facilitate the minute taking.</p>	
2	<p><b>Apologies for Absence</b></p> <p>Apologies for absence were noted.</p>	
3	<p><b>Declarations of Conflicts of Interest</b></p> <p>Members were reminded to declare any conflicts of interests at any points throughout the meeting. The importance of confidentiality was emphasised by DS noting that any information discussed in the meeting should not be shared with other people and especially the media outlets including social media.</p> <p>.....</p> <p>The committee has appointed two new members – Nadia Wager and Emma Louise Smith. Vice Chair Stuart Green has not attended a number of meetings and due to a change in his employment situation, he will not be able to continue with the committee and has therefore resigned from his position. The OPCC will continue with the recruitment process.</p> <p>A new vice chair is required, and members of the committee were asked to indicate if they have an interest becoming vice chair. To be discussed further at the next meeting.</p>	<b>All</b>
4	<p><b>Minutes from meeting 13<sup>th</sup> December</b></p> <p>The minutes were agreed as an accurate record of the meeting held on the 13<sup>th</sup> December 2023.</p> <p>A spelling mistake was raised and has been rectified by HS.</p>	
5	<p><b>Firearms Certificate – Feedback – Jeff Mowbray</b></p> <p>JM attended the meeting to inform members of the certificated process for the management of firearms licenses. The committee was seeking to understand how the Force process and manage firearms licenses and whether consideration could be given to</p>	

conducting more detailed assessments on individuals who have access to where firearms are held.

Concerns were raised, in particular, around other individuals residing at the household where applicants lived and whether more detailed information should be collated and checked in relation to these individuals. JM confirmed that Cleveland do not routinely carry out checks on others at the address. Only completed if any concerns are raised.

JM explained that Cleveland Police follow the Home Office Statutory Guidance for Chief Officers (February 2023). This sets out the application process and what is required from the applicant and the Force receiving the application.

DS – Is there a requirement for the applicant to provide a doctor's report?

JM – Yes, it is a requirement, and this is obtained by the applicant from their GP. Where a GP refuses to provide the applicant with a report, they will then need to source one from a private medical practitioner.

KH – How does a person become a Firearms holder and what sort of training is required to hold a firearms licence?

JM – Applicants need to give a good reason why they want to possess a firearm. There are two sorts of certificates; one for shotguns and the other relates to firearms. The applicant needs to provide a good reason why he/she wants to possess any single firearm, this may be for their work or for sporting purposes. It needs to be stored in a cabinet fixed to a solid brick wall and the applicant is the only one who can possess the keys for the cabinet, and licensing officers carry out home visits on every occasion when an applicant applies for the new granting of a certificate. The applicant also has to notify if any medical changes.


CM – Would the licence holder allow someone else to use the firearm?


JM – Yes. A non-certificated person can use a firearm as long as the person who is the certificate holder and the owner of the firearm is present.

DS - Should it be recommended to Cleveland that something should be considered to be added to the documentation if someone else moves into the address of the licensee?

JM - I could not place a condition on a person's certificate to say that you must notify us if anyone else moves into this address. It's not covered in any legislation or guidance.

	<p>The Committee's advice is that as part of the firearms licensing process, individuals should be required to provide details of other living at or moving into the address. Where those individuals are known to the police further checks should be undertaken.</p>	
<p>6</p>	<p>Ethical Dilemma 1</p> <ul style="list-style-type: none"> <li>• Checking Gender in Custody</li> </ul> <p>NG – Dilemma in relation to checking an individual's gender in custody was outlined.</p> <p>It was explained that PACE is clear, whatever an individual identifies as should be respected.</p> <p>Asking the person what gender they identify as would not have resolved the problems as at present no information is collated regarding sex or gender.</p> <p>So, if, for example you are in custody and say you are a female and have lived as a female for a long time, female officers and detention officers will be the persons searching you.</p> <p>DS – At the time when someone comes into custody is it reasonable to ask what was your sex at birth?</p> <p>He expressed concern that, in terms of statistical data, the force will not know how many people in custody in the last year have been male or female?</p> <p>NG – Confirmed that the force could not answer that, but it carries up through the NICHE system where everyone has to put down a person's sex.</p> <p>CM - CM expressed concerns for the police officers doing the strip search as they have some rights as well and it would be wrong, and potentially risky for someone to be in the position of strip searching someone that he thought was male and who turns out to be female. CM stated that if he was a police officer and was in that position, he would feel very, very uncomfortable. Asking the question upfront is extremely important if a strip search is anticipated.</p> <p>DS returned to the point about data and records and information, and suggested that getting that information on everybody is important.</p> <p>Summary – The Committee agrees that for people entering custody, that there should be information gathered on both their birth sex and their gender identification. Strip searches should take into account gender self-identification.</p>	

<p>7</p>	<p>Matters Arising/Update:</p> <p><b>Youth Advisory Group</b> (updated document to be circulated)</p> <p><b>New Code Of Ethics</b></p> <p><a href="#">Code of Ethics   College of Policing</a></p> <p>NG reported that at the end of this month, the college will provide the remaining 6 modules for the New Code. Quite a lot of work ongoing, the implementation awareness and updates are provided weekly and monthly as to where Cleveland stand. The force are examining each of the principles bit by bit to see what they really means to the people. NG to provide another update at the next IEC meeting.</p> <p><b>Custody Scrutiny Panel</b> The primary objective of the Custody Detention Scrutiny Panel is to independently:</p> <ul style="list-style-type: none"> <li>• assess and report on detention and custody processes, including compliance with Authorised Professional Practice (APP);</li> <li>• review and advise on matters of disproportionality in the application of police powers.</li> <li>• to act as a constructive friend to the Constabulary and provide advice and guidance to improve its performance around strip search; and</li> <li>• assist in generating a transparent product suitable for public consideration at the end of each annual Panel cycle.</li> </ul> <p>A panel made up of Cleveland Police, OPCC reps and custody visitors met on 25 January for the first meeting. It does not take over the role of independent custody visitors, who will continue to make unannounced visits to check on the welfare and dignity of people in custody.</p> <p>We also have a separate independent Custody Visitor Scheme. These are volunteers and will visit custody just ad hoc with random visits to check particular elements of how people are being treated while in custody.</p> <p><b>Recommendations Cleveland Police</b></p> <p></p> <p>04 IEC views and recommendation feedb:</p>	<p>EP</p>
----------	--	-----------

	 <p>The ethics of charging for missed a</p>	
8	<p>Ethical Dilemma 2</p> <ul style="list-style-type: none"> <li>• Outcome Codes – Deferred</li> </ul>	
	<p><b>AOB</b></p> <p>N/A</p>	
	<p><b>Date for next meeting: Wednesday 5<sup>th</sup> June 2024 - 16.00-18.30</b></p> <p><b>Cleveland Police HQ / Teams</b></p>	