

# THAMES VALLEY TOGETHER

## Data Ethics Committee

7 October 2021

12 – 14.00

### Present

Mark Sheehan	Chair
Stan Gilmour	Director, VRU
Lewis Prescott-Mayling	Data and Targeting Lead, VRU
Kyriakos Kotsoglou	Senior Lecturer, Northumbria University
Sylvia Simmonds	SIAG (Strategic Independency Advisory Group)
Tori Olphin	Data Scientist, TV Together Project
Tim Lowe	VRU Researcher/Committee Manager
Chris Lloyd	Senior Lecturer, Oxford Brookes Law School
Alice Kunjappy-Clifton	Health Watch, West Berkshire
Eric Twigg	Chair of Wokingham SAIG
Marion Peuleve	Head of Information Manager, Hampshire and TVP (Data Protection Officer)
Dave Powell	C/Sup Hampshire Police

### Apologies

Sharon Warwick  
Paul Gresty  
Kevin Garrett  
Tim Wiseman

Please note, when performing their duties as chair they will be referred to as the chair in the minutes. When commenting on the specifics of a use case that is presented they, like others, will be referred to as a committee member to sustain anonymity.

### 1. Introductions/Apologies – The Chair

LPM welcomed the Committee. The attendees introduced themselves.

### 2. Committee functioning – The Chair

#### Minutes/recording, the anonymity of CMs/Transparency

The meeting is being recorded; these are for minuting purposes only. However, concerning item 3) this may be an exception.

Do we want our initials next to our comments?

- **A committee member:** As a Community Representative, I am happy to have my comments attributed to me.
- **A committee member:** I think it is good to have initials next to comments; it helps with actions. Could we think about wording for sensitive subjects? If the minutes were to be made public, we need to think about it.
- **TO:** I would like people to say what they think, regardless of whether they would be happy or not. If every comment is attributed to a specific person, more important to get their thoughts than attribute them to a particular person.

- **A committee member:** I suggest not an all-or-nothing approach. Maybe there could be a different rule of attributing the name next to the comment. For a particular topic, we could move on to anonymise.
- **A committee member:** If everything is attributed, it could leave members vulnerable. If minutes are just internal, that is OK; however, the comments should be anonymised if made public.

**The Chair** suggested that the minutes from this meeting be compared to a version unattributed, and the Committee could then decide on those.

**A committee member:** I think having recognisable minutes is important.

SG: Group would be subject to FOI; we should attribute everything, whether they are the published minutes is a different point. For Governance purposes, we should have it, and a decision could be made as we distribute.

**A committee member:** I think they should all be published; the question is what that record looks like. If we do not attribute, we have not failed our responsibility to FOI.

MP: FOI covers anything that is recorded in writing. Certain exemptions to redact some or all information. From a simple point of view, if there is one set of minutes, they wouldn't cause any issues if they were made public. Suppose there was a particular topic we could see if an exemption applies. People should voice their concerns when they review the draft minutes.

**A committee member:** there is not anything in FOI that requires us to document who said what in the minutes. Proceed with the suggestion of comparing minutes with or without attribution. We do need to have a further discussion as to what those minutes are. The Committee agreed.

- **Papers – format/detail**

**The Chair:** do people find the papers helpful? Is the ethical framework model a helpful way of presenting things? We can come back to this at the end of the meeting.

**A committee member:** Information sharing and regarding prep time. Today's documents were useful, so any background information is also good for accessibility purposes following this format.

**The Chair:** the papers went out in good time; regarding the Agenda, things can change at the last minute. Provide documents approx. week before. The Committee agreed.

- **Process**

**ToR**

**The Chair:** We need to confirm the ToR officially. Can the Committee look at them and submit comments? We can approve the ToR offline between meetings, TL, or PMC to chase.

**A committee member:** Have I received the latest draft of ToR, were the comments received from committee members included in that draft, or do we need to send them again?

**The Chair:** It would be helpful for you to send them again.

**A committee member:** If we are at the stage of being presented with projects and voting solidifying the ToR is vital.

- **Three-step processes for reaching a decision**

- 1) Early-stage considering and scoping before the discussion.
- 2) Bringing it to the Committee (discussion about the form of the decision making)
- 3) Decision-making itself.

**The Chair:** It is engaged decision-making and deliberative decision-making. I do not think we can decide on this tool today. I would like to see a refinement of the decision-making process. Preparation and a sense of what the next meeting will look like.

### **3. Research Project – Dave Powell**

Research project on critical implementation factors in the design, build, and ultimately rollout of a machine-learning algorithm to forecast offender recidivism in domestic abuse more accurately. A vital part of the case study is obtaining the views of users and interested communities. With these gaining understanding of the impact on design, build, and implementation. Apart from this will involve legal and ethical issues. Have spent time conducting focus groups involving professionals. Until ethics approval has been received from the university, I would not seek to use any material. The focus group consultation was based around 4/5 questions around existing tools we use and then the challenges around how the police use data and a new application like this. We did not include any crime types.

**The Chair:** DP is asking to have access to the recording of this meeting and future meetings, suitably redacted and with consent. Once DP has approval from the university, we can provide the Committee with a consent form to consent for the recordings to be used in his research. If we do not give consent, our comments will be redacted from the recording.

TO: Are the recordings subject to FOI? **The Chair:** If used for research, they are, but if in written minutes form, they are not, because after producing minutes, the recording would be destroyed. **The Chair:** Would the transcripts that DP would hold be subject to FOI? MP: Yes. There is an exemption if the information is going to be made available at a later date.

The Committee agreed with this.

### **4. DARAT Presentation and Discussion – Tori Olphin/Dave Powell**

All members agreed that they had read the brief previously supplied.

TO and DP gave the presentation on DARAT.

Questions prompted by the presentation: -

**The Chair:** Please focus on what the decision-making process looks like and the next steps of this process.

Q. **A committee member:** Content of term fairness? Does it have content, or is it structural as used in law and ethics? What restriction does it have to an output of an algorithm?

A. TO: Not for me to say what that would be but what the Committee to think through the areas you would want us to look out for.

Q. **A committee member:** Regarding the 3 different kinds of fairness, in the ethical framework section. I was curious why there was statistical parity, equality of false negatives, and equality of false positives. I would like more of a sense of why statistical parity was

ruled out so early. I wonder if these conceptions are being “too touchy” in terms of what’s fair. There are correlations between subgroups in the community and increased violence. Why do we want to be extra sensitive regarding that?

**Q. A committee member:** In law and, generally, policing, fairness is to treat similarly and yet differently. It has no ethical or political content. Suppose you were to apply any version of statistical parity, where you would expect equal representation of society in the model because fairness has nothing to do with that. In that case, fairness is about having an accurate image of reality and treating these cases differently, or similarly, based on accuracy. If you apply any politically loaded version of fairness or social justice, you will reduce accuracy, reducing the efficacy or efficiency of the model. Why do you want to give political content to the model, which should be accurate? Why have you not combined these things?

**A. TO:** If it is a very accurate model but always gets it wrong, for example, for male victims, it may well be the wrong thing to implement for male victims. Therefore, we would have to build another model for male victims. Anytime you try and make a model fairer, there is a trade-off between accuracy and fairness. However, there will be situations where leaving it unfair may make the problems in society worse. Statistical parity does not consider the errors in the model, in the areas where it gets its wrong, and will distribute equally between groups. Leaving it unfair may make the problems in society that lead to these things worse.

**A committee member:** You will face a problem of equality vs. equity. Question classifications, slide 5, percentages what DASH predicts to the level of harm. If that is based on the current categorisations in dash, this is vague and not necessarily fit for purpose. Why are you using those categorisations? **TO:** I didn’t. I used my new ones. **A committee member:** how and why have you used the categories to frame how bad DASH is. How does that inform making this better than DASH? **TO:** If we go beyond a year, it is no longer in reach for a policing decision. What that high harm means, which is why there is a list of offence types if they happen, these things anyone would see as high harm if it was happening to them. Is it an 100% fair test of DASH? No. Is it the best test of DASH? Yes. **A committee member:** There are questions as to the quality of decision-making separating medium to high risk. **A committee member:** There are questions about how we distinguish the categories.

**A committee member:** There has been no mention of psychological degrees of harm. Although not physical, it can still result in suicide. Will DASH be the front end of DARAT? **TO:** DARAT will use several variables from DASH and variables about the subjects and previous incidents. DASH has 27 questions; there are another 300 fields that go into the DARAT modelling.

**A committee member:** How is DASH viewed in the field? On implementation, will there be additional training for officers, so they know they will get further feedback. Make sure data is as “good as possible” so the outcomes can be as reasonable as possible. **A committee member:** Regarding the presentation, there is a lack of clarity on the relationship between DASH and DARAT. What do people know about the uses of the data collected? When police collect DASH data, what account is being given to the people on how the data will be used?

**DP:** Those officers who have had in-depth DASH training understand how the tool works and can explain to the victims what the data will be used for. We could do a lot to break down how DASH is used in the field and how it relates to DARAT.

**A committee member:** Some cultural factors could affect situations that the police may visit. We need to make sure that the fundamental differences are between DASH and DARAT and those using the systems to know. More information on the fairness criteria. **A committee member:** Cultural issues that touch on several places, gathering data through DASH and the implementation of things. I think these are linked to the discussion we had on fairness. TO: The way it is likely to work, officers would still collect the answers to the 27 true/false questions and have a details section. Answers would go into the DARAT algorithm and other information. A score would be given to the reviewing supervisor to say DARAT thinks this is medium risk based on this information we will provide you with. The officer's answers to the question are here, what risk do you think this is? It is a risk assessment, and the officer will still need to make the decision, but with an additional source of information to make that decision on. It can be used as an offender management tool. However, it would need slightly different implementation techniques.

## 5. DARAT Decision process

- Process and consultation

**The Chair:** A decision needs to be made between now and the next meeting. When will we meet, and what do we want to expect from that. I would like to get some consultation and input from different groups by the time we come back. Based on the questions asked so far, we will then have some views from other groups and a more streamlined sense on the whole process. I think the discussion we had today, it will be difficult to separate the different parts, fairness, etc. I sense that those three things will have to come together. Our questions are based on how we imagine how this will be used. TO: Agreed, we may well end up having conversations that do not end up looking like anything we intended implementing if we have them too early.

**A committee member:** The question regarding the relationship between the two is how you think it will be implemented. The questions about the culture of its operation will function seem to be about its implementation. TO: We build a model for Offenders and one for overall risk, and one is better than the other; this may push us in one direction. I could be telling the committee things today that I would not be saying in 6 months.

DP: We need to be clearer on DASH, the similarities, and test that here; getting to that point of understanding would be good for next time.

**The Chair:** I don't think we are ready for the consultation process. Before deciding who needs to be involved in the decision-making process, we need to do some work on material to go out to the consultant and who that needs to go to. Talking to victim groups, groups that represent perpetrators, but we are some ways from having material that we could take to them. Tim, Lewis, Tori, and Dave produce more external-facing material and pick out the issues we want feedback on. We could then streamline a package of information for the Committee that can be considered and how we go about consulting.

**A committee member:** What sort of timescale is needed to digest the questions from today?

DP: I have existing material that I could summarize that would help and pick up on many of the questions you are asking. It is straightforward for us to provide clarity. 3-4 weeks in a

position to present it back out. TO: It is going to be a growing list of questions and answers. Perhaps a living Q&A document that develops over time. DP: Having reflected on today's meeting, is there a way for members to submit questions so that we can come back to the next meeting with answers.

Action. Tim, Mark, Tori, and Dave put together a package of information for the next meeting, and that will be within 6-8 weeks to get it out, get comments back, be more focused, and have documents closer to being usable. Also, offline, can we get comments and feedback on papers. This is important to shape the papers for the next meeting.

- Future meetings/content

6. **AOB**  
None

### **ACTION SUMMARY** **07 October 2021**

**Action 1: Circulate minutes from the last meeting (PMc)**

**Update: Sent 20 Oct 21**

**Status: New**

**Action 2: ToR – Tim/Pauline for comments**

**Update:**

**Status: New**

**Action 3: Minutes MS/Tim/Pauline to sort. TL: Once received, I will work up a summary without attributions.**

**Update:**

**Status: New**

**Action 4: TO, DP, TL, MS to work up package of information for next meeting**

**Update:**

**Status: New**