

## OFFICE OF THE POLICE AND CRIME COMMISSIONER

### INDEPENDENT CUSTODY VISITING PANEL

#### Draft Minutes of meeting held on Monday 29 April 2019

A meeting of the Independent Custody Visiting Panel was held in Boardrooms 1, 2 and 3 on Monday 29 April 2019 at 7pm

**Present:** Mr A Bamgboye, Mrs C Brace, Ms J Bradbury, Mr P Cashmore, Mr C Ellis (Chair), Mrs C Etienne, Mr A Fear, Mr G French, Miss C Hall, Mr R Harlow, Mr R Hermans, Miss N Hill, Mrs H Latimer, Mr J Neely, Mr M Payne, Mr K Skerman, Mr T Walker, Mrs A White, Mrs I Why, Mr A Zakrzewski.

#### **Also Present:**

Mr K Edwards, Custody Support Officer, Dorset Police  
Mrs Y Fenwick, Governance and Contact Manager, OPCC  
Mrs A Giles, Governance Officer, OPCC  
Mrs J Steadman, Director of Criminal Justice, Dorset Police  
Mr M Underhill, Dorset Police and Crime Commissioner

#### **APOLOGIES FOR ABSENCE AND INTRODUCTIONS**

- 1.1 Apologies were received from Mr A Harrold, ACC J Fielding, Miss A King, Miss L Pike and Dr D Ridd.
- 1.2 The panel were informed that this would be Mr Hermans' last meeting as he would be leaving the scheme in June. Mr Hermans was thanked for all his hard work and dedication during his time with the scheme.

#### **MINUTES AND MATTERS ARISING**

- 2.1 The minutes of the meeting held on 28 January 2019 were approved as an accurate record.
- 2.2 Action 18 regarding the intercom at Bournemouth was discussed. It was confirmed that custody staff being on the phone may prevent the call from the intercom going through, however it was noted that this should only be a momentary issue and the camera will still be active so staff will be able to see the ICVs at the gate. ICVs were asked to call again if they do not get a response on the first call to mitigate this issue. ICVs agreed with this approach.
- 2.3 Action 19 regarding alternative languages for the 'First Time in Custody' leaflet was discussed. Mr Edwards confirmed that this document was not available in other languages and noted that this information should have been provided to the detainee using Language Line. Mr Underhill questioned why this couldn't be available in other languages noting that he was aware of other force areas that do translate this document. Mr Edwards confirmed that the force do have a range of documentation available in multiple languages, however noted there is a limit to how many documents can be translated and that there is always a cost involved in securing the translations. Mr Cashmore highlighted the importance of a detainee having this document available throughout their time in custody as a reference guide. Mrs Steadman agreed that this is an important document and agreed that the force should look into making this document available in other languages.

*Action – Mr Edwards*

- 2.4 Action 20 regarding late reviews was discussed. The panel noted that they were continuing to see a pattern of late reviews and believed the frequency of this to be increasing. It was

noted that CI Claxton had put a reminder out to all custody staff regarding prompt reviews and it was asked that ICVs continue to monitor this issue. It was highlighted that this issue is most common overnight when staffing is limited and noted that it may be appropriate to review staffing levels during these times.

- 2.5 Action 21 regarding ICVs viewing logs was discussed. It was noted that ICVs had continued to have issues around viewing the logs of vulnerable detainees who had been asleep at the time of the visit. This was attributed to a difference of opinion on the definition of 'vulnerable'. Mr Edwards commented that he was unhappy to hear this and confirmed that CI Claxton had agreed that he was happy for ICVs to access the custody records of all detainees who are asleep and this message would be confirmed with all custody staff. It was asked that, although ICVs have the option to access the custody log for all sleeping detainees, they are proportionate with requesting these so as not to increase demand on the custody staff. It was asked that they only request these when they feel there is a need to review this information. ICVs agreed to this approach.
- 2.6 Action 22 regarding a smell at Poole custody suite was discussed. Mr Edwards confirmed that the source of the smell had been located and the issue had now been resolved.

## **CUSTODY VISITS TO POLICE STATIONS**

- 3.1 It was noted that 93% of detainees offered a visit accepted that visit. It was also highlighted that ICVs had been allowed access to the suite within five minutes of arriving on all visits this quarter. The Chair thanked Dorset Police for their continuing efforts in maintaining this statistic.
- 3.2 It was highlighted to the panel that no visits had been completed between the 6am-9am time slot. It was acknowledged that this can be a difficult time to arrange a visit, however the panel were reminded of the importance of completing a visit within every time slot.
- 3.3 The length of visits was discussed and it was agreed that longer visits are to be expected when training new ICVs. It was noted that most of this time will be spent reviewing the logs or completing the report and therefore has minimal impact on custody staff.
- 3.4 Weymouth – Report 2744. It was noted that this had been a training visit and the escorting officer had been helpful in accommodating this. It was noted that if a detainee is in interview or with the Health Care Professional the observation visit would be missed or delayed. It was asked that the panel be mindful of this when reviewing observation times.
- 3.5 Bournemouth – Report 2691. It was highlighted that some reviews had been late, however the reasons for this were documented in the log. It was also noted that there had been a shortage of blankets and detainees had been complaining of being cold. Custody staff had updated ICVs at the time to confirm that blankets were expected imminently. The Chair commented that generally the provision of blankets had improved, however there has been an issue with the provision of socks.
- 3.6 Bournemouth – Report 2693. It was noted that there had been a gap in the coverage by a Health Care Professional as the scheduled nurse was unwell, however ICVs confirmed that an alternative had been found and was in custody by the end of the visit.
- 3.7 It was noted that there had been a delay in the provision of an Appropriate Adult for one detainee. The Chair commented that he had written a letter to Mr Underhill on behalf of the panel expressing concerns around the provision of Appropriate Adults which he believed to be an issue with failings from all involved parties. Mr Underhill confirmed he had received this letter and had discussed this with the force. Mrs Steadman provided an update for the force stating she had reviewed all of the cases highlighted in the letter to Mr Underhill. Mrs

Steadman provided a specific update on the circumstances of each case and it was noted that there were varying reasons for the delay in provisions.

- 3.8 The panel discussed the varying approach to sourcing Appropriate Adults, with some coming from Dorset Advocacy or Social Services and others having the role fulfilled by a family member. Dorset Advocacy was discussed and it was noted that there is a known shortage in volunteers. Mrs Steadman confirmed that once Dorset Advocacy has been contacted they have two hours to provide an Appropriate Adult and statistics show Dorset Advocacy to have a 10% non-availability rate. It was discussed that custody staff attempt to ensure organisation so an Appropriate Adult can perform several duties for the detainee in one visit.
- 3.9 Mr Underhill questioned whether the service being provided was being reviewed and whether looking at an alternate provider may be appropriate. Mrs Steadman responded that the current contract was a year from completion which allowed a significant amount of time for a review to take place. Mr Underhill expressed his concerns with the current provision and requested that a review into this be prioritised stating that the issues arising are not acceptable. Mr Underhill offered to consider additional funding streams if required. Mrs Steadman agreed to review the current arrangement
- Action – Mrs Steadman*
- 3.10 The panel were asked to continue to monitor this issue and feedback any concerns. It was asked that those concerns are then highlighted to Mrs Steadman.
- 3.11 Bournemouth – Report 2697-8. It was highlighted that several detainees had received their reviews late and noted that this was due to staff shortages. Mr Edwards sought clarity around the use of the term ‘violent’ in reference to a strip search. ICVs confirmed that this was the terminology used by the detainee and agreed that there had been a detailed entry about the use of force documented in the custody log. Mr Edwards asked ICVs to consider their wording within the reports as they are public facing documents. It was agreed that the public facing report would be updated to highlight the detail provided within the custody log.
- 3.12 Bournemouth – Report 2699. ICVs commented on being asked to remain in an interview room with the door closed whilst an incident was occurring in custody, stating they were told this was for health and safety reasons. They did not feel this was a health and safety concern, however accepted the decision of the custody staff. Mr Edwards confirmed that the ICVs should have been allowed to observe and if custody staff felt that they needed to be further removed for safety the ICVs should have been allowed to observe from the bridge. Mr Edwards confirmed that clarity on this has been provided to all custody staff on this matter and apologies for the error.
- 3.13 ICVs also commented on a detainee being used as an interpreter for a fellow detainee during the ICV interview. It was questioned whether there were alternate options available and the ICVs confirmed that this had been suggested by the custody staff and they had not considered any other options after this suggestion. The panel expressed their discomfort with this arrangement. Mr Edwards confirmed that this is not standard practice and noted that this was only allowed in this instance as both detainees were detained under the Immigration Act.
- 3.14 Bournemouth – Report 2501. It was noted that custody staff were facing significant challenges on the ICVs’ arrival, however they had still been allowed immediate access to the custody suite and had waited a reasonable amount of time to start the visit. ICVs praised the custody staff for this. ICVs also commented on a detainee who was responsible for children noting a lack of available detail on the log and stating, when discussed with custody staff, a limited response was provided. Mr Underhill expressed concerns about this and asked that the panel be updated on this case. Mrs Steadman confirmed a reminder

had been sent to all staff on the importance of timely updates and ensuring updates are recorded in the correct place.

*Action – Mr Edwards*

- 3.15 Bournemouth – Report 2504. It was noted that this visit had been cut short due to ICV illness. ICVs thanked the custody team for their support during this visit.
- 3.16 Bournemouth – Report 2509. The Chair commented that two detainees had questioned whether arrangements had been made for children in their care. It was noted that there was no response from custody on one of these cases. It was asked that ICVs request a response and ensure this is recorded on the report form when these issues arise.
- 3.17 Bournemouth – Report 2512. ICVs commented that for one detainee there was no information on the log about embassy contact. They noted that once this was raised it was dealt with very quickly. It was also noted that supply on some stock had appeared to be low. Mr Edwards updated the panel that a new system was in place for stock to be shared across the suites.
- 3.18 Weymouth – Report 2740. The panel raised a query around the training custody staff receive for meeting the needs of deaf detainees. It was questioned whether the force have access to sign language interpreters and Mr Edwards confirmed that they do.
- 3.19 Weymouth – Report 2742. ICVs commented on the level of care provided for a detainee who suffered from post-traumatic stress disorder, noting that this was exceptional.
- 3.20 Weymouth – Report 2746. ICVs noted that all issues had been dealt with within custody at the time of the visit, however they queried comments made around it not being a requirement to record when handcuffs are removed. Mr Edwards confirmed that this was not the case and it should be recorded when handcuffs have been removed and by whom. The panel were told that all staff had been reminded of this.
- 3.21 Weymouth – Report 2750. ICVs commented on the new style report which they are being provided with, stating that they found it difficult to read and felt that it used an unnecessary amount of paper. It was also noted that the report was received in a different format depending on the custody suite. Mr Edwards suggested that they may have been receiving the incorrect report and agreed to look into the matter further.

*Action – Mr Edwards*

- 3.22 Mr Underhill thanked the force for their responses to issues raised and commented on their openness and transparency at this meeting. Mr Underhill also thanked the Dorset Police and ICVs more generally for the work they do in maintaining the welfare of detainees within Dorset.

## **SOUTHWEST REGIONAL ICV CONFERENCE**

- 4.1 Mr Hermans and Mr Zakrzewski provided the panel with an update on the Southwest Regional ICV Conference held in Portishead in February. The theme of this conference was 'Working Together'.
- 4.2 It was noted that John Smith, Chief Executive, Avon and Somerset OPCC, opened the conference giving a brief talk about the role of an ICV and giving thanks to all ICVs for the difficult role they do. Mr Smith also highlighted Dorset as an area displaying excellent custody visiting.
- 4.3 A presentation was received from Sergeant Jamie Wallis, Dorset Police, on how a custody suite works and how it can work with ICVs. ICVs commended Sergeant Wallis' presentation

for its passion and empathy, showing a caring and dignified approach to police detention. Mrs Giles thanked Dorset Police for releasing Sergeant Wallis to attend this event, and recorded her thanks to Sergeant Wallis for an outstanding presentation.

- 4.4 Sherry Ralph provided the conference with a presentation on ICVA, who they are, how the organisation works, and what it does for ICVs and Scheme Managers. Miss Ralph highlighted areas of national development which were generated from ICV reports.
- 4.5 The final session was an interactive session led by Anna Giles and Amanda Segelov where delegates were encouraged to discuss their local arrangements, consider best practice and consider whether there is any scope for more collaborative working. The key differences noted included the geographical spread of a scheme and schemes having differing numbers of panels. The suggestions which were made included visiting other regions' ICV schemes and sharing best practice on digital reporting.
- 4.6 Delegates were asked if they would like this event to be arranged annually and all in attendance agreed that they would like to see further regional events.

### **ICVA NATIONAL CONFERENCE**

- 5.1 Mr French and Mr Bamgboye provided the panel with an update on the ICVA National Conference held in London in March. The theme for this conference was 'Equality and Diversity'.
- 5.2 The conference was opened by Mr Underhill who is the Chair of ICVA, an overview of the day was provided by Katie Kempen, Chief Executive of ICVA, and a further speech was provided by Natasha Plumber, Vice Chair of ICVA.
- 5.3 Professor Nick Hardwick, Chair of the IOPC, provided a presentation in which he commented on the current political climate and the effect this is having on policing and, in turn, custody visiting. He also highlighted the importance of checking the little things and asking the obvious questions.
- 5.4 Tony Herbert, father of James Herbert who died in police custody, gave a presentation on the 'Six Missed Chances' report which was produced after James' death. ICVs commented on the impact this presentation had and the emotive nature of its content.
- 5.5 Gamal Turawa or 'G' provided a presentation about his experience as a gay, black Police Officer. G's presentation focused on perception and how characteristics may impact on people's perception. ICVs commented that this was a moving presentation and noted that Mr Underhill had discussed potentially having a similar presentation within Dorset.
- 5.6 The Chair commented on how emotional the day was and stressed to ICVs the importance of noticing and reporting the little things and not normalising the sites within custody, commenting that this is the reason behind the tenure imposed on ICVs in Dorset. The Chair also thanked the force for their continuing support, noting that a good working relationship between ICVs, the OPCC and the Police dramatically increases the effectiveness of the ICV role.

### **ANY OTHER BUSINESS**

- 6.1 Mrs Giles updated the panel that she would no longer be circulating the ICVA weekly newsletter and instead will be circulating a monthly newsletter which will include relevant information from ICVA, as well as Dorset specific updates and any relevant info from the IPOC. It was questioned whether Dorset Police would like to have sight of this newsletter. Mr Edwards stated he did not require this as standard, however would appreciate a copy when it was felt the information was of relevance.

6.2 Mrs Steadman informed the panel that there were five newly trained custody Sergeants coming in across the force and asked ICVs for their patience whilst these new staff members settle in.

6.3 Mrs Steadman informed that the force recognise that the bridge in Weymouth custody suite is outdated and not always fit for purpose. To that end a bid has been placed for funding to update this. Mrs Steadman agreed to keep ICVs up to date on this.

*Action – Mrs Steadman*

6.4 Mr Edwards updated the panel that it is now a requirement for an Inspector to endorse the custody log stating that they are satisfied with the arrangements made around the provision of showers and exercise for each detainee.

6.5 Mr Zakrzewski commented on the upcoming Open Day being held at Force Headquarters on 20 July and promoted attendance to other panel members. Mrs Fenwick questioned whether any ICVs would like to attend as part of the OPCC stand and promote volunteering. Several ICVs came forward and it was agreed that Mrs Fenwick would organise this.

*Action – Mrs Fenwick*

#### **APPOINTMENT OF CHAIR AND DEPUTY CHAIRS**

7.1 The panel were informed that the following person had expressed an interest in the role of Chair: Mr Ellis. No others asked to be considered for the role. The appointment of Mr Ellis was seconded, and agreed by the panel for the period of 1 July 2019 – 31 June 2020. Mr Ellis thanked the panel for accepting him for this role.

7.2 It was noted that there were to be a maximum of three Deputy Chairs. The panel were informed that the following people had expressed an interest in the role of Deputy Chair: Miss N Hill and Mr A Fear. No others asked to be considered. Both candidates were seconded and agreed by the panel as Deputy Chairs of the Independent Custody Visiting Panel for the period of 1 July 2019 – 31 June 2020.

*Meeting closed 20:40*