

OFFICE OF THE POLICE AND CRIME COMMISSIONER

INDEPENDENT CUSTODY VISITING PANEL

Draft Minutes of meeting held on Monday 29 October 2018

A meeting of the Independent Custody Visiting Panel was held in Boardrooms 1, 2 and 3 on Monday 29 October 2018 at 7pm

Present: Ms J Bradbury, Ms C Etienne,
Mrs T Farwell, Mr A Fear, Miss C Hall, Mr R Hermans, Miss N Hill, Mr M Payne, Mr K Skerman, Mr T Walker, Mrs A White, Mrs I Why (Chair), Mr A Zakrzewski

Also Present:
Mr A Harrold, Director of Operations, OPCC
Mrs A Giles, Governance Officer, OPCC
Mr K Edwards, Custody Support Officer, Dorset Police
CI M Claxton, Custody Manager, Dorset Police
CI G Shimmons, Dorset Police

APOLOGIES FOR ABSENCE AND INTRODUCTIONS

- 1.1 Apologies were received from PCC Underhill, ACC Fielding, Mrs Jan Steadman, Mrs Clare Brace, Mr Paul Cashmore, Mr Colin Ellis, Miss Abbey King, Miss Lucy Pike.

SPIT/BITE GUARD

- 2.1 CI Shimmons informed the panel that it had been agreed across the alliance to introduce the roll out of spit/bite guards. He confirmed that the use of these as personal protection equipment has been supported by the Home Office and has already been rolled out to 41 forces nationally.
- 2.2 The panel were told that in Dorset during the year 2014-15 there were six recorded assaults on officers, in the year 2015-16 there were three incidents, in the year 2016-17 there were six incidents and in the year 2017-18 there were 29 incidents. It is believed that the introduction of the restraint device, known as a flax suit, may be the cause of this increase as it prevents an individual from lashing out in any other way.
- 2.3 CI Shimmons passed around an example of a spit/bite guard to the panel.
- 2.4 It was noted that spit/bite guards will be used in instances where an individual is spitting/biting, has been spitting/biting, is threatening or preparing to spit/bite. It will be used by both front line staff and custody staff and will not be used outside of a police setting.
- 2.5 The use of this must be fully justified using the national decision making model and well documented. All officers will receive full training on how to use spit/bite guards in line with Home Office guidance.
- 2.6 It was noted that these were a single use product and considered a biohazard after use.
- 2.7 CI Shimmons informed the panel that they may visit detainees who are or have been wearing a spit/bite guard and any detainee who wishes to make a complaint with regards to this can do so through the usual channels. Mrs Bradbury questioned

whether there was anything the ICVs needed to look out for with an individual who has been wearing a spit/bite guard. CI Shimmons confirmed that this equipment had been fully tested and the use of this should have no medical implications on the wearer unless there are pre-existing conditions and the management of situations where this arises will be covered in officer training.

MINUTES AND MATTERS ARISING

- 3.1 The minutes of the meeting held on 23rd July 2018 were approved as an accurate record.
- 3.2 Action 15. CI Claxton updated the panel that it is believed the recent refurbishment will have resolved this issue as a new heating system has been installed. Additionally, the CCTV has been moved out of the colder cells and into other cells so that CCTV cells aren't out of action should these cells be too cold to use. It was agreed that this action is to be closed.
- 3.3 Action 16. Mr Edwards confirmed that socks are available through procurement and custody staff have been asked to ensure that an adequate supply is available. It was agreed that this action is to be closed.
- 3.4 Action 17. CI Claxton informed the panel that he had feedback to the custody team that if they are changing the observation levels for a detainee they need to include a detailed rationale in the custody log. Ideally the Custody Sergeant should see the detainee and note that before they change the observation levels. However, the APP guidance does state that this can be done on the recommendation of the Detention Officer. It was agreed that this action is to be closed.
- 3.5 The Chair noted that in their pre-meet the ICVs had noticed a trend in staff shortages. Many visits had started late due to a lack of staff and one visit the ICVs had been 'turned away' due to a lack of staff.
- 3.6 CI Claxton noted that the lack of resource is a force wide issue and not unique to custody. He also commented that, although the throughput of custody had decreased, the number of detainees with complex needs had increased. It was noted that the visit where the ICVs had been 'turned away' was due to staff sickness. It was also noted that custody staff need specialist training in the role and, when there are unexpected absences, there is a limited pool of resources they can call on.
- 3.7 Mrs Bradbury noted that custody staff are dealing with the pressures very well and that this was not a criticism of the work they do, just an observation. Mr Harrold asked whether there had been any change in staffing levels which may have caused this issue. CI Claxton responded that custody is operating with the same staffing levels as was set in 2011.

CUSTODY VISITS TO POLICE STATIONS

- 4.1 The Chair thanked the ICVs for making visits across all days of the week and times of the day.
- 4.2 Weymouth – Report 2715. Miss Hill commented how helpful the Detention Officer had been during a training visit and passed on her thanks for this. It was noted that there was an issue with gaining access to a custody log for a detainee who was unable to consent. Mr Edwards confirmed that access should have been given and

confirmed that if a detainee was unable to consent then consent can be assumed. This message has also been relayed to all custody staff.

- 4.3 Bournemouth – Report 2799. ICVs had been impressed by the level of care provided to some very challenging detainees. It was noted that there had been a significant delay in the provision of an appropriate adult for a juvenile due to Out of Hours Social Services refusing to attend. CI Claxton confirmed that this should not have happened and the issue has been raised with the Out of Hours Social Services Manager.
- 4.4 Bournemouth – Report 2654. It was noted that ICVs had seen very impressive treatment of a detainee. However, ICVs were concerned that there appeared to be a lot of detainees who had been held for a long time awaiting transport. CI Claxton noted that this was an issue with accessible courts, as disabled detainees have to go to Weston-Super-Mare, which can cause significant delays. It was explained that the possibility of attending via live link from within the custody suite is being explored. However, there are legal issues that require further exploration. Once this is in place it should prevent these delays.
- 4.5 Bournemouth – Report 2661. It was noted that on this visit ICVs had been escorted by a plain clothed officer.
- 4.6 Bournemouth – Report 2667. ICVs commented that there had been an issue after the form had been completed with exiting the suite and the ICVs had been kept waiting for approximately 30 minutes to be escorted out. It was asked that, if this happens again, ICVs report it to the OPCC immediately, providing collar numbers of officers. ICVs noted that the suite was very busy and they did not want to take up too much of the staff's time.
- 4.7 Weymouth – Report 2719. ICVs noted being impressed by the quality of care given to detainees with complex requirements.
- 4.8 Weymouth – Report 2720. It was noted that three of the four detainees had not been offered a shower. CI Claxton confirmed that this was due to the amount of time they had been in the suite. You would not expect a shower to be offered before six-seven hours in detention.
- 4.9 Weymouth – Report 2722. It was noted that there were notices for the Samaritans in the cells. However, detainees were unable to call the Samaritans as they do not accept withheld numbers. CI Claxton confirmed that this should no longer be an issue as the outgoing number is no longer withheld.
- 4.10 Weymouth – Report 2723. During this visit there was a shortage of towels.
- 4.11 Weymouth – Report 2725. It was noted that there was a query regarding PAVA and showering, which was explained well.
- 4.12 Poole – Report 2085. During this visit there were no staff available who were trained in finger printing and it was noted that, had this been a requirement, it would have caused a significant delay. CI Claxton confirmed that this was a staffing issue and it will be reviewed to ensure similar incidents don't occur.
- 4.13 Poole – Report 2086. It was noted there was a significant delay in gaining access to the suite. The ICVs were unaware of the correct access arrangements for Poole. This has now been reconfirmed with all ICVs. It was also noted that there were significant delays throughout the visit. ICVs were also concerned that it took some

time for the Detention Officer to gain access to a cell as the key initially used would not unlock the cell.

RECRUITMENT

- 5.1 Mrs Giles updated the panel on the recruitment campaign, with this being the closing date for applications and so far 14 applications had been received. Thanks were given to all who assisted with the recruitment events.
- 5.2 Unfortunately, Open Event was cancelled due to Poole custody no longer being available on the chosen date. The recruitment continues with the following time line: Shortlisting 19th November, Interviews 5th & 6th December, Training 2nd February with new visitors conducting visits as of early February. It was confirmed that no additional support was required at this time.

ANY OTHER BUSINESS

- 6.1 Mrs Giles confirmed the dates for 2019 Panel Meetings as: Monday 28th January, 3.30pm, Monday 29th April, 7pm, Monday 22nd July, 7pm, Monday 21st October, 7pm. Training dates were confirmed as Saturday 18th May and Saturday 5th October. It was noted that these dates were subject to confirmation due to difficulties with room bookings and the panel will be updated if any amendments are made to this schedule.

The meeting closed at 19:59.