

OFFICE OF THE POLICE AND CRIME COMMISSIONER

INDEPENDENT CUSTODY VISITING PANEL

Minutes of the Meeting held on Monday, 28 January 2013

A meeting of the Independent Custody Visiting Panel was held in Boardrooms 1, 2 and 3 on Monday, 28 January 2013 at 3.30 pm

PRESENT:

Mrs K Emery (Chairman),
Mrs C Bishop, Miss R Coleman, Mrs A Cray,
Mrs T Farwell, Miss C Freestone, Mr K Gooding, Mrs V Grier,
Mr R Hermans, Mr E Holloway, Dr D James, Mr M Payne,
Mr W Penzer, Mr D Sandever, Mr T Walker, Mrs B White, Mrs I Why

Also Present:

Assistant Chief Constable J Vaughan
Chief Inspector S Thorneycroft, Crime and Criminal Justice
Mr K Edwards, Crime and Criminal Justice
Mrs Y Fenwick, Police Authority

INTRODUCTION

1. The Chairman welcomed the Lord Lieutenant of Dorset, Mrs A Pitt-Rivers and Martyn Underhill, Police and Crime Commissioner.

APOLOGIES FOR ABSENCE

2. Apologies were received from Mr R Kerr, Mr H Masters, Mrs S Porter and Mr R Shore.

MINUTES & MATTERS ARISING

3. The minutes of the meeting held on 29 October 2012 were approved and signed as a true record.

CUSTODY VISITS TO POLICE STATIONS

- 4.1 The report to the Panel showed that of 150 detainees held, 108 (72%) had been offered a visit, of which 103 (95%) had accepted. The spread and timing of the visits was good. It was pleasing to note that one visit had been made between 7am and 10am. The Chairman thanked the visitors involved for conducting those visits.
- 4.2 The Force was thanked in relation to waiting times, as visitors had gained access to suites within five minutes on all visits conducted for the third quarter running. It had also been noted that 17 (53%) of the reports had no issues at all.
- 4.3 The Chairman noted that 79% of the visits were conducted within 1 hour and added that, dependent on the number of detainees being held, this would be a reasonable length of time if nothing was found to be wrong. Visits should not impede detention staff from doing their job.

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Issues Raised for Discussion

Bournemouth

- 4.4 On a visit to Bournemouth on 10 October, the visitors had reported that a detainee had a human bite mark on their face, but were unable to find reference to it on the custody log. Mr Edwards stated that the injury, which had happened shortly before arrest, had been indicated on the risk assessment. He confirmed that the detainee had received medical assistance within the recommended time for a human bite.
- 4.5 During a further visit to Bournemouth on 14 December, visitors had noted that a detainee had been placed in a used cell and were told by the officer that cells were not cleaned between visits. Mr Edwards advised that there was a standing instruction which had been reiterated to custody staff reinforcing the requirement for items to be cleared when cells are vacated and mattresses to be disinfected and stood on their side.
- 4.6 During the same visit, a detainee had mentioned that the night lights were too bright to sleep. Mr Edwards informed the Panel that there are 3 levels of light, but that there had to be a certain brightness to allow officers to see into the cell.
- 4.7 On 3 December, a visit had been made to a detainee with liver cancer, which had resulted in his alcohol levels persisting at a high level. The visitors asked when the detainee would be processed in those circumstances. Mr Edwards explained that the detainee had been held under Section 10 of the Road Traffic Act which allowed detention if officers believed that the person was likely to drive with a high alcohol level, but processing would take place when the detainee was considered to be able to understand what was happening and would expect staff to use their common sense to make a judgement.

Issues Raised for Noting

- 4.8 It had been noted on a visit to Bournemouth on 18 October, that a female detainee had been unable to have a shower as there were no female detention officers on duty. Chief Inspector Thorneycroft confirmed that there would normally be a mix of female and male officers.
- 4.9 During a further visit to Bournemouth on 9 November, the visitors had been informed by a detainee that she was the main carer for her partner, this had then been reported to the custody staff. The Chairman reminded the Panel that disclosures of caring responsibilities should be shared with the custody staff to allow them to make appropriate enquiries.
- 4.10 During visits to Poole on 18 October, 16 November and 20 December visitors had noted that the algae problem in the exercise yard had persisted. Chief Inspector Thorneycroft informed the Panel that work had begun to seal the roof which would hopefully solve the problem.

WEYMOUTH

- 4.11 Following a visit to Weymouth on 16 October, the visitors had asked whether a juvenile detainee should have had an Appropriate Adult present when he had his Rights read. Mr Edwards stated that when Rights are read without an Appropriate Adult, they would subsequently be reiterated.
- 4.12 It had been noted on a visit to Weymouth on 29 December, that the camera cells at the end of one of the blocks were generally colder and that the heater appeared not to be working. Visitors were concerned that the cooler cells may not be appropriate for detainees 'coming down' from drink or drugs. Chief Inspector Thorneycroft accepted

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that these cells are generally cooler, but engineers had recently worked on the heating and the cells temperatures would be monitored. If the changes to the heating had not provided a solution then the cameras in these cells would be moved further up the block. Mr Edwards added that a standing instruction was in place which advised staff that detainees 'coming down' should not be placed in a cell registering below 19 degrees.

- 4.13** Chief Inspector Thorneycroft advised the Panel about the new NHS commissioned Mental Health Liaison and Diversion scheme operating in Weymouth and Bournemouth custody suites. This service went live on 1 October 2012 with a mental health worker based at both suites. The Scheme had ensured detainees arrested for a substantive offence and identified as having possible mental health issues or learning disabilities are screened and assessed whilst in the custody environment, avoiding the wait for Community Mental Health Teams to respond to assessment requests.
- 4.14** The Scheme operates on a Monday to Friday basis between 8 am and 11.30 am, and additional funding had been secured to extend the service to the Courts and Probation Service, which provided access for the custody suites until 4.30 pm. This would be expected to commence from the beginning of March 2013, although future funding would not be guaranteed. Generally within Dorset there were no issues about finding a place for those held under the Mental Health Act, the providers are very helpful.

OTHER MATTERS

Resignations

- 5.1** The Chairman advised that Mrs C Bueno DL had resigned from the Scheme and expressed her thanks to Mrs Bueno for her support and dedication. The Panel wished her the very best for the future.

Training Dates

- 5.2** The Chairman reminded the visitors that the training dates for this year would be Saturday 9 March and Saturday 14 September, timings would be confirmed in due course. She asked visitors to consider which items they would like to cover during these sessions.

Advice Leaflets

- 5.3** The Force had produced an advice and support leaflet for detainees leaving custody. The leaflet provided detainees with contact numbers for a variety of services such as Relate, Youth Offending Teams, Samaritans and Housing. An additional leaflet produced by the Soldiers, Sailors, Airmen and Families Association (SSAFA) – Forces Help would be available for members or ex members of the armed services.

Police and Crime Commissioner

- 5.4** Mr Underhill introduced himself to the Panel and stressed how important he felt the role of an Independent Custody Visitors was and offered his thanks to the Panel.
- 5.5** He outlined his concerns about detainees held under Section 136 of the Mental Health Act in police cells, stressing that a cell would not be an appropriate place of safety. He welcomed the trial referred to by Chief Inspector Thorneycroft and added that he hoped that over the next three years there would be a significant reduction in the number of detainees in crisis being held in custody.
- 5.6** Following a question from the Panel, Mr Underhill added that whilst custody was probably not an appropriate place to hold detainees under the influence of drink or drugs, unfortunately there is no alternative at the current time.

Meeting ended at 1610 hrs