

## OFFICE OF THE POLICE AND CRIME COMMISSIONER

### INDEPENDENT CUSTODY VISITING PANEL

#### Draft Minutes of meeting held on Monday 28 January 2019

A meeting of the Independent Custody Visiting Panel was held in Boardrooms 2 and 3 on Monday 28 January 2019 at 3.30pm

**Present:** Mr A Bamgboye (*Observer*), Mrs C Brace, Ms J Bradbury, Mr P Cashmore, Mr C Ellis (Chair), Mr A Fear, Mr G French (*Observer*), Mr R Hermans, Miss N Hill, Miss A King, Mrs H Latimer (*Observer*), Mr J Neely (*Observer*), Mr M Payne, Miss L Pike, Dr D Ridd (*Observer*), Mr T Walker, Mrs A White, Mrs I Why.

#### Also Present:

Mr A Harrold, Director of Operations, OPCC  
Mrs A Giles, Governance Officer, OPCC  
Mrs V Radford-Bray, Contact Officer, OPCC  
CI M Claxton, Custody Manager, Dorset Police

#### APOLOGIES FOR ABSENCE AND INTRODUCTIONS

- 1.1 Apologies were received from PCC Underhill, ACC Fielding, Mrs Jan Steadman, Mrs C Etienne and Mr Adrian Zakrzewski,

#### MINUTES AND MATTERS ARISING

- 2.1 The minutes of the meeting held on 29<sup>th</sup> October 2018 were approved as an accurate record.
- 2.2 It was noted that all actions had been marked as complete and can be removed from the action log.
- 2.3 The issue of suite temperature was discussed and it was noted that the CCTV had been moved out of the colder cells and into another cell to allow for increased use of the CCTV cells. The colder cells are now not used in the colder weather. CI Claxton noted that they continue to monitor the issue. It was agreed that this would remain on the action log as complete for monitoring of the issue to continue. CI Claxton also noted that the maintenance schedule had improved for all suites with all suites being closed twice a year, rather than once.

#### CUSTODY VISITS TO POLICE STATIONS

- 3.1 It was noted that a spread of visits across the days of the week and times of the day had been achieved this quarter. The Chair thanked the panel for achieving this.
- 3.2 It was noted that for 92% of visits, ICVs had waited under five minutes to access the suite and thanks were given to the force for their commitment to ensuring prompt access for ICVs.
- 3.3 It was noted that there had only been one visit which had exceeded three hours, the reasons for which had been well documented.
- 3.4 Bournemouth – Report 2674. It was noted that, according to the custody log, one detainee had not had anyone made aware of their arrest despite asking for this to be

done. CI Claxton confirmed he had looked into this and agreed that it was not good enough for this not to have been completed after that amount of time. This has now been followed up with the team. CI Claxton confirmed that there was no system prompt to complete or reattempt this and it is reliant solely on the memory of the custody staff. It was also highlighted that sometimes, when the section 56 has been completed, the detainee is not updated.

- 3.5 Bournemouth – Report 2673. CI Claxton commented on the amount of detainees with complex mental health issues in custody during this visit and this highlights one of the major challenges faced within custody. The ICVs noted that this had been handled well and everything had been done to assist those with mental health issues. It was also noted that, as figures show a decrease in the amount of people through custody, the needs of those detained is becoming more complex.
- 3.6 Bournemouth – Report 2675. It was highlighted that one detainee was naked, covered only by a blanket, in their cell. ICVs spoke to the individual who confirmed they wanted to be naked and were happy to conduct the interview covered by a blanket.
- 3.7 Bournemouth – Report 2676. ICVs highlighted an issue with the provision of an appropriate adult. CI Claxton commented that this does appear to have been slow, with the individual entering custody at approximately 4.30pm and social services being contacted at around 9.30pm. However it was noted that the family were tried before this but had not been available. It was also noted that there can sometimes be a culture of waiting until interview to request as, most of the time, appropriate adults won't attend before. This is not the correct process and a reminder has been sent. ICVs commented that they were particularly concerned due to the level of distress evident. It was noted that, generally, provision of appropriate adults had improved.
- 3.8 Bournemouth – Report 2678. It was noted that there was a similar issue with the provision of an appropriate adult. It was accepted that this was not to the expected standard and it was reiterated that a reminder has been sent to the team to ensure appropriate adults are being sought in a timely manner.
- 3.9 Bournemouth – Report 2685. It was discussed that the reviews for several detainees had been late. It was confirmed that this was due to a lack of availability off the back of an operational issue with staffing levels. CI Claxton commented that this may need to be looked at further by the force as it has been an issue on a number of occasions.
- 3.10 It was also noted that a detainee had been allowed to continue wearing a tongue stud whilst in detention and ICVs were concerned around the risk of this. CI Claxton commented that this would be risk assessed on an individual basis and a detainee may be allowed to keep a tongue stud in in certain circumstances.
- 3.11 The ICVs praised the response of the custody staff when a detainee raised concerns around the welfare of their daughter and the custody staff actioned this immediately.
- 3.12 Bournemouth – Report 2687. ICVs commented that they were impressed in the promptness of contacting the Embassy for a foreign national detainee. They also noted there was a shortage of rip stock clothing available. It was confirmed that there was an additional supply available which had been delivered, but was yet to be unpacked due to staff shortages.
- 3.13 Bournemouth – Report 2689. ICVs commented that there was a delay in being allowed into the custody suite due to an issue with the intercom. It had been

explained to them that if the phone is in use then the call from outside would not go through and, although this hadn't been an issue in this case, had it not been an ICV visit it may have had a greater impact. CI Claxton agreed to look into this issue.

*Action – CI Claxton*

- 3.14 Weymouth – Report 2726. It was noted that there had been several children in custody at the time of this visit. One detainee who was suicidal had been particularly well cared for with appropriate observations and care in place.
- 3.15 Weymouth – Report 2729. It was highlighted that several detainees had made positive comments about the custody staff. ICVs commented that they were surprised at the rest facilities for custody staff as there were no windows or natural light. CI Claxton commented that staff are grateful for the space they have and how this looks is limited by Home Office guidelines.
- 3.16 Weymouth – Report 2730. It was noted that there had been a significant delay in an appropriate adult attending due to issues with social services. ICVs commented that in this case custody staff were very considerate and did not release the individual until social services attended, as the detainee was a homeless child. CI Claxton updated the panel that he had spoken with social services on this matter and they had explained it was an issue with staffing. It was also noted that Dorset Advocacy cannot be used for children and social services will always need to be contacted in the absence of a family member.
- 3.17 Weymouth – Report 2731. It was noted that one detainee did not speak English and the prompt cards were used. It was questioned whether the First Time in Custody leaflet was available in other languages. CI Claxton stated he did not believe it was, however, language line can be used to explain its contents. The Chair asked if a reminder on this could be put out to custody staff.
- Action – CI Claxton.*
- 3.18 Weymouth – Report 2733. It was noted that a detainee's mental health issues had not been detailed on the custody log. CI Claxton confirmed that this had been included in the risk assessment.
- 3.19 Weymouth – Report 2736. It was discussed that there had been several late reviews and ICVs expressed concerns around the first review being late. CI Claxton agreed that this was an important review and the Chair asked the Panel to monitor this to ensure it wasn't becoming a bigger issue.
- Action – All ICVs.*
- 3.20 Weymouth – Report 2737. ICVs commented that all detainees had been asleep during this visit and there had been some reluctance from custody staff to provide the custody logs due to ICVs not gaining consent. It was noted that this had also been raised as an issue in the last meeting at 4.2 in the minutes. It was asked that CI Claxton look into this and provide any necessary feedback to custody staff.
- Action – CI Claxton.*
- 3.21 Weymouth – Report 2738. It was highlighted that one cell had been out of use due to the temperature. There was also an issue with the provision of reading glasses, however, this was resolved. It was noted that there was now only one pair of reading glasses available in custody. ICVs commented that one detainee's water had been turned off due to them using it to throw damp toilet roll at the camera. It was noted that if ICVs are made aware of these instances then they can ensure they do not ask questions which may provoke the detainee.
- 3.22 Poole – Report 2089. ICVs noted an issue with the detainee fridge which could lead to food spoiling. CI Claxton noted that this has been reviewed and appears to be OK.

- 3.23 Poole – Report 2090. It was highlighted that there was an unpleasant smell coming from the store room. It was noted that this had been a persistent issue and this may cause offence as this is where religious texts are stored. CI Claxton informed the Panel that this issue had already been identified and logged, however, they are yet to receive a response. It was asked that CI Claxton keep the ICV Panel up to date on this issue.
- Action – CI Claxton.*
- 3.24 It was discussed that the opening of Poole had been delayed due to a heating and electrical issue which was believed to be caused by the infrequent use of the custody suite. ICVs questioned whether Poole suite should be checked more frequently. CI Claxton noted that this suite will be in use more frequently now with the changes to the maintenance schedule.
- 3.25 It was asked whether it could be included on the whiteboard when it was a detainee's first time in custody. CI Claxton asked that, instead, ICVs ask custody staff for this information verbally. ICVs agreed to do this.
- 3.26 Mr Cashmore commented on the provision of appropriate adults and questioned whether an appropriate adult was needed to issue a detainee with their rights. CI Claxton confirmed this was the case. Mr Cashmore noted that he has known detainees be given their rights without an appropriate adult present and questioned whether this should be included on the ICVs report. CI Claxton explained that a detainee is given their rights upon booking in and, if a detainee is found to require an appropriate adult, they will then be reissued their rights in the presence of an appropriate adult.
- 3.27 Ms Bradbury questioned whether Brexit may have an impact on custody and the right to have the Embassy informed for foreign nationals. CI Claxton commented that Brexit may have an impact on custody as it has an impact on policing more broadly. However, it is difficult to predict what form this impact may take. He also commented that the right of the detainee is unlikely to reduce and asked ICVs to continue to monitor the provision of this.

## **RECRUITMENT**

- 4.1 Mrs Giles updated the Panel on the recent recruitment campaign, confirming there had been 6 new appointments to the Panel who will begin visiting mid-February. It was noted that most of the new ICVs were in attendance at this meeting as observers and they were all welcomed to the panel.
- 4.2 Mrs Giles noted that this meant the scheme had reached its optimum number of volunteers. However, a recruitment campaign was being considered for 2019 to prepare for the expected losses as some volunteers reach the end of their 9 year term. It was reiterated that this was only currently being considered and there were no set plans or dates for this yet. The Panel will be updated when more firm plans have been arranged.

## **ICVA SCHEME MANAGERS CONFERENCE**

- 5.1 Mrs Giles noted that she had attended ICVA's Scheme Managers' Conference on 7<sup>th</sup> November and a paper on this had been submitted to the panel for noting.
- 5.2 Mrs Giles commented on the high standard of speaker at this year's conference and highlighted to the Panel that some of the speakers for the Scheme Managers'

Conference were also speaking at the ICVA National Conference and promoted this event to the ICVs.

#### **ANY OTHER BUSINESS**

- 6.1 CI Claxton asked ICVs to ensure that they are raising any issues with custody staff when they arise and not relying on the report or waiting for the Panel meeting to raise concerns.
- 6.2 Mrs Why noted how helpful custody staff are when ICVs are on a training visit and thanked them for their assistance and patience. CI Claxton agreed to pass on this feedback.
- 6.3 Mr Harrold welcomed the new starters to the group, commenting that they were adding a fresh set of eyes to the scheme and welcoming any feedback they may bring.
- 6.4 Mr Payne thanked Mr Fear for the event he hosted for the ICVs.
- 6.5 The Chair informed the Panel that he would be completing the rota shortly and requesting details of their availability. It was asked that responses to this request were prompt.

*Meeting closed at 16:43*