

OFFICE OF THE POLICE & CRIME COMMISSIONER FOR GWENT

MINUTES OF A MEETING OF CUSTODY VISITORS
HELD AT POLICE HEADQUARTERS, CROESYCEILIOG, CWMBRAN
ON 3RD JULY 2013

Present: Mr Justin Johnstone (Chair)
Mr Brian Thomas
Mr Arthur Elliott
Mr Eric Smith
Mr Brian Williams

Also in attendance: Inspector Robert Toghill (Newport Custody)
Mrs Sian Curley (Scheme Manager)
Mrs Maria Chapman (Scheme Administrator)
Ms Michelle Vaisey-Baker (Assistant Scheme Administrator)

Apologies were received from Mr Ian Johnston Police & Crime Commissioner, Miss Ivy Forkin, Mrs Joyce Morgan, Chief Inspector Taylor and Inspector Thompson

The meeting commenced at 3.00 p.m.

Action

NOMINATION OF CHAIR

1. Mr Thomas questioned if we were going to ask for nominations for Chair as he had not been in attendance when the Chair was appointed. Mrs Curley advised that nominations were asked for at the meeting that took place in December and no nominations were forthcoming. As such Mrs Curley was asked to act as Chair and has done so at the ensuing meetings. On this occasion Mr Johnstone was elected as Chair.

MINUTES OF MEETINGS

2. The minutes were agreed to be an accurate record.

It was confirmed that it is not compulsory for visitors to attend Vantage Point for new ID badges, but that they should attend if possible to have replacement badges that reflect the Office of the Police and Crime Commissioner.

Mr Thomas queried whether a former visitor had been approached to return to the ICV scheme. Mrs Curley advised that the application process has been open for the last six months so he could have re-applied to the scheme but that she would be happy to speak with him should he wish to get in touch to discuss the matter further. The application process has now closed and interviews will be conducted shortly.

The action plan following the HMIC report was distributed to attendees together with a copy of the internal audit report from Deloitte which is strictly confidential and must not be shared outside of the meeting. It was noted that as everyone will not have time to review the content of the reports until after the meeting could ICV's contact Mrs Curley with any queries they may have.

SCHEME UPDATE

3. Membership

Action

Mrs Curley advised that a recruitment drive for new ICV's has taken place over the past six months given that we only have eight members now. Adverts and information on becoming an ICV have been publicised via the South Wales Argus, OPCC website, Twitter and Facebook. The Commissioner and Deputy Commissioner have also spoken to people about the scheme at many of their meetings to promote further interest. We have received three applications, one of which is from an individual who was an ICV in another area. An informal interview process will take place around the end of July / early August. Mrs Curley advised us that Anna Jarrett from ICVA has offered to do a regional training session in October, it is hoped that we can ideally arrange something sooner so that the new ICV's can receive training at the same time as the current ICV's, this will incorporate some refresher training and advice on the new codes of practice.

Visits

It was noted that both Newport and Ystrad Mynach had 13 out of 14 visits conducted respectively.

Issues Raised

It was noted that the issues that have been raised on forms are generally minor and resolved fairly quickly. Most issues are in respect of estate matters and get added to the estates work plan. Mr Elliott advised that one of the issues that has been repeatedly raised was in respect of a light in one of the showers not working, this had been mentioned to Custody Sergeants on a number of visits. However on a recent visit a CDO showed Mr Elliott that the light is actually turned on via a switch on the front desk so there is no fault.

Mrs Curley advised that she submitted a report to the Commissioner's Strategy and Performance Board recently providing an update on the scheme. The Commissioner continues to be very supportive of the scheme.

CONFERENCES

4. We were advised that the Regional Training will take place during week commencing 14th October 2013, details of which will be circulated once clarified.

Details of the national conference will also be circulated when the date and venue is set.

CUSTODY UPDATE

5. Inspector Toghill advised us that it has been clarified that the age a detainee should be treated as an adult is eighteen. However anyone who is aged seventeen to eighteen will always be offered an appropriate adult but they have the right to refuse.

We were informed that the closure of Newport Custody in the forthcoming weeks is due to NICHE training. Ystrad Mynach will be open full time and Newport will be open Friday night through to Sunday night. Newport will also be open Monday to Friday between 9am and 5pm for any bail backs, so there will be a Custody Sergeant on the bail desk who can take any quick prisoners. Inspector Toghill explained that NICHE is a new computer system that the force have bought which twenty five other forces currently use; this system enables intelligence and other information to be shared amongst forces e.g. medical conditions / suicide risks etc. It also enables the user to only search one database as opposed to numerous databases that are currently used by Gwent Police. It also populates information onto forms that would normally have to be input each time. This system will be in use from around September / October and should speed up processing of detainees in Custody.

ANY OTHER BUSINESS

6. Mrs Curley reminded visitors to take time to view the new ICVA website that has been developed. It is hoped that ICVA will start creating more templates that can be utilised by each area to pick up tips and ideas.

Mrs Curley introduced Maria Chapman and advised that Mrs Chapman will be joining the scheme as a new Scheme Administrator as of the 1st August.

Two issues with Ystrad Custody unit were raised:

When the button is pressed to open the security door the person who released the door didn't ask who was in attendance and as such nobody came to meet the custody

visitors. This matter was raised with the Custody Sergeant who apologised and said he would take the matter up with staff.

The other issue is that the security door is sometimes left open and could be a hazard, this has been flagged on a number of reports and has been reported to Inspector Thompson who said he would remind staff to ensure it is shut however he has previously advised that nobody can gain any further access once past this door. Inspector Toghill advised he would liaise with Inspector Thompson on this matter.

RT

It was queried how close visitors should follow the code of practice e.g. should they inspect transport and any cells detainees are held in e.g. the cells in Caerphilly? Mrs Curley advised that this was not required and agreement has been gained on this previously. Inspector Toghill also clarified that once proformas are signed the detainees become the responsibility of the courts, as such the cells at Caerphilly are court cells. The ICV's are therefore not obliged to visit these cells as they are outside the responsibility of Gwent Police.

The issue of the role of a Custody Officer being out of sight but within hearing was raised and noted that our estate doesn't really allow for this. The Custody Officer should therefore not actively listen to a conversation but can stand outside of the cell and ensure eye contact is continued.

It was noted that the code of conduct states we must accept people with disabilities, how far are we able to work with this as one ICV was previously taken off the scheme because he used a stick. We were advised that there needs to be a balance of the code of conduct against a risk assessment which includes human rights, disability and health and safety. This individual came off the scheme as the stick could be used as a weapon once taken into a cell and could potentially have put the visitor and others at risk, the health and safety of visitors is of paramount importance. There is potential to find ways around any issues that arise and there is a need to assess each situation on its own merits. It was noted that it is not an individual having a disability that is an issue but if they have something that can be used as a weapon that causes concern. On other schemes there is an ICV who uses a wheelchair and another with limited sight who has an aide to escort them on visits, so there are possible ways around any requirements.

It was queried whether Custody Inspectors ask Custody Sergeants about ICV visits that have taken place. Inspector Toghill advised that he reviews the forms and also asks the Custody Sergeants after any visits if any issues were raised.

He reiterated that all staff working in Custody have been advised of the ICV role.

It was noted that the new Police Officers who have started in the Custody Units have sometimes started to mention what detainees are in custody for until they are stopped by the ICV's. Inspector Toghill advised us that he will highlight this matter and ensure the officers are reminded of the requirements.

RT

Mr Williams advised that many detainees seem to be under the impression that if they don't ask for legal representation they will be out of custody much quicker, then when they realise they are not going to be out so easily they rethink their earlier decision. It was queried is this impression given to detainees by custody staff. Inspector Toghill explained that the Custody Sergeant explains to every detainee their rights when they come into custody which includes having the right to let someone know they are in custody and having the right to free and independent advice from a solicitor. They advise the detainee they can make this decision at any time. The Inspector then does a review after six hours and tells the detainee the same thing again advising that this is an on-going right. At no point is any indication given that having a solicitor would prolong the process as this would be in breach of PACE and everything is recorded. Inspector Toghill explained that in the event that a detainee does ask for a Solicitor when they come into Custody and then changes their mind the Inspector visits with them to ask why they have changed their mind and to question if anyone has asked them to change their mind.

Mrs Curley advised that following a meeting earlier today it has been agreed that as there is a new code of practice the handbook will be revised to incorporate any changes and will be sent to all once complete.

SC/MC

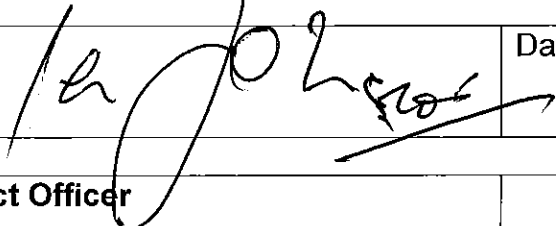
DATE OF NEXT MEETING

7. The date of the next meeting is 2nd October 2013 at 3pm in Conference Room 1 at Police Headquarters.

Ian Johnston QPM, Police and Crime Commissioner for Gwent

I have monitored the Independent Custody Scheme minutes as per my statutory responsibility under the Police Reform and Social Responsibility Act 2011 and am satisfied with progress.

Signed



Date

16.7.13

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Background papers	None