

**DECISION NUMBER: PCCG-2018-032**



**OFFICE OF THE POLICE & CRIME COMMISSIONER FOR GWENT**

**MINUTES OF A MEETING OF INDEPENDENT CUSTODY VISITORS  
HELD AT POLICE HEADQUARTERS, CROESYCEILIOG, CWMBRAN  
ON 7<sup>TH</sup> JUNE 2018**

**Present:** Mr Justin Johnstone (Chair)  
Mr David Binding  
Mr Michael Hallinan  
Mrs Jean Munton

**Also in attendance:**

Miss Jessica Tippins (Scheme Administrator)  
Ms Michelle Vaisey-Baker (Assistant Scheme Administrator)  
Inspector Nicola Williams (Custody)

***The meeting commenced at 3.00 p.m.***

**Action**

**APOLOGIES FOR ABSENCE**

1. Apologies were received from Mrs Sian Curley (Scheme Manager), Ms Ruth Coulthard and Ms Leslie Ball.

**MINUTES OF MEETING HELD ON 8TH MARCH 2018**

2. The minutes were agreed to be an accurate record. Jessica Tippins (JT) flagged that with regards to the entry on page 5, a copy of which is highlighted below, JT could confirm that the handbook has been updated accordingly. It however has not been circulated to the Scheme yet, as it requires further changes with regards to the restructure within the OPCC. Once all changes have taken place the handbook would be modified and circulated accordingly.

**JT**

**Copy of Paragraph from 8<sup>th</sup> March Minutes referred to above: JT informed us that she attended the Scheme Administrators Conference**

which was very beneficial. There was a lady from Inquest speaking at the conference in respect of serious deaths in custody. The biggest recommendation for schemes was that following a death in custody, ICVs be sighted of the recommendations made following the inquest. It was agreed that this would be the case if such an instance occurred in Gwent and incorporated into the Scheme Handbook.

### **CUSTODY UPDATE**

3. Inspector Williams (NW) provided an update from Custody; we were informed that whilst the Custody Unit has x2 Custody Inspectors, Inspector Jamie Rees has now left, therefore the second position is temporarily being filled by Inspector Stefan Williams. It was confirmed however that responsibility for the ICV Scheme still sits with NW for consistency.

NW informed us that Custody is in a similar position to the rest of the force in respect of having a really high demand at the moment, this together with staff shortages has meant that the Custody Unit is under significant pressure. We were advised that compared to February, May saw 250 more detainees processed through the Unit, as such this was putting a lot of pressure on the systems in place. NW made us aware that since she had been in post she had been trying to change the culture within the Unit e.g. in respect of processes and staff etc but that the workload pressure was having a large impact on this. It was noted that some of the aspects that could have increased the workload are; there has been a large increase in Probation Officers in the force which has increased work within Custody; there has been a Domestic Violence HMICFRS inspection which has changed the way investigations are conducted which has meant there are more arrests, increasing the pressure in Custody. However overall there is no main reason behind the increase, similarly to other Departments within the force there just seems to have been a spike in workload.

We were made aware that CDOs are now going to be able to carry PAVA gas spray in future, as this has now been authorised by the Chief Constable. Training would be rolling out over the next month in respect of this, therefore both the Police Officers and civilian CDO's in Custody will be able to carry it. Another aspect being brought in that will benefit officers within the Custody Unit is the use of body cameras. Bodycams are being used more and more around the force so people will see more officers with them out and about as they are a heavily praised tool that captures beneficial evidence. Footage in the Custody Unit is currently limited so they are now in the middle of trying to buy Bodycams for officers to wear whilst working in custody, as this will be beneficial from a safety perspective for both detainees and officers. We were advised that assaults on staff in the custody environment are increasing so the Bodycams will be very beneficial to capture evidence on these occasions.

Staffing in Custody was still an issue. NW advised that x4 new CDO's had been trained, however they were still recruiting for one permanent post and were in the process of seeking permission to recruit another on a temporary contract to backfill maternity leave. We were informed that another recruitment campaign is planned so that they will always have potential candidates to employ more quickly, in the future when they lose staff, as they will be able to ideally recruit the next person on the list. There are also going to be changes with regards to the Custody Sergeants. Some Custody Sergeants had been successful at a recent promotion board whereupon two members of the current team have been offered temporary promotions. Whilst this is good news, it leaves their positions vacant, therefore Custody is now in the position where it needs to backfill these posts and provide the necessary training required.

We were informed that in August, NW would be running the very first Custody Detention Officer mentor course which would offer a formal way of mentoring. It was noted that whilst most roles have a way of progressing in their career, for CDOs there is nowhere particular for them to go to further their job development, therefore NW was bringing this in to keep them motivated and increase their skills.

In May 2018 refresher training was provided for all Sergeants which consisted of various topics e.g. culture, mental health law, alcohol diversion scheme. It was clarified that the alcohol diversion scheme is a new scheme being brought into Custody and is in respect of detainees who have committed a crime because they have been using alcohol. As such there has been a lot of training on these topical areas, the next refresher training would be around November /December time.

We were advised that training in the future would hopefully be on a collaborative basis following work with South Wales Police regarding developing collaborative training. The benefit of this means it will give more flexibility in respect of training dates available and allow for lessons to be learned from both force areas, ideally allowing for closer working relationships. This is all still being worked out but if it works well the hope is that the collaborative working will eventually bring in Dyfed Powys too and potentially North Wales so that it is an All Wales Training Programme.

We were informed that HMICFRS are due back in Custody in July, however unlike the unannounced inspection last year which took two weeks of HMICFRS reviewing processes, the Inspectors will likely only spend around 3-4 days in force reviewing data.

NW advised that Gwent Police are leading on virtual reality training in a custody environment. We were informed that the force currently provides virtual reality training for Probationers in Vantage Point, this consists of three projectors which you walk into the middle of and

immerse yourself in the world they present, e.g. there are designed scenarios for training on domestic situations; this would start with an officer's car pulling up and the officer stepping out of the car would be the Probationer's avatar. Every single action from that point on that the Probationer decides upon has a reaction e.g. once they get out of the car they can do what they want and see the results so there is the potential to miss opportunities; if they don't go to a neighbour's house they don't get that neighbour's input on the investigation, if they don't go into the victim's house they may not see certain aspects that could lead their investigation a certain way. NW verified that Custody are now in the process of having a custody world built for them to use in a similar manner, it is aimed at an Avatar being in the custody suite, so they are in the process of writing a scenario which they hope, if developed appropriately, they can use for refresher training, CDO training and probationer training. The College of Policing are keen to look at the work being developed around this as if it's a piece of work that can be picked up and used elsewhere, then there is potential to learn national patterns from it in order to develop national training.

NW advised that the package being developed for Gwent at present is based around a female juvenile shoplifter being brought into Custody, so this has potential to pick up things like aspects of Child Sexual Abuse (CSE), dealing with a female in the custody environment and the choice to keep the detainee in overnight or not. They are trying to cover as many angles as possible to ensure the learning opportunity is substantial. It was confirmed that Gwent Police do own the rights to the software, however Sussex Police and the College of Policing are having a big involvement in developing it, which is helping to give it rigorous testing. NW informed us that it was taken to a national conference in May where people were impressed with how well it worked. NW advised that there was an open day planned to showcase the new technology. NW agreed to send details to JT to circulate to ICVs to invite them to the day, however the version available on the day would not be the Gwent version.

NW/  
JT

#### **Performance Pack :**

NW informed us of the below statistics:

- In March detainees in custody increased by around 100 to 660 detainees through the custody unit, in April this rose to 746 and then in May increased to 800, this is the first time in 14 months that numbers have been this high.
- Detention time has reduced, on average it is usually around the 12 to 13 hour mark, it was a concern when it took a big jump from this but the reason behind this was that there were less experienced Police Officers coming through which meant that investigations were taking longer; whilst this is an understandable situation it is not ideal for detainees so NW has flagged this to the Local Policing Area's for awareness.

- Time in custody is down; queues are taking an average of 19 minutes which is a decrease from the 23 minutes in April. NW informed us that she is currently conducting one to ones speaking to staff on the need to be flexible with how they work e.g. if they see that demand is going up they need to see how they can best help to deal with it and help the situation. So the unit is continuously thinking and adapting as required.
- Waiting time is now down to 19 minutes which is proportionate. We were informed that 58 people out of 800 waited more than 1 hour; in instances such as this, these delays get flagged to Inspectors every morning so that the reasons why can be looked into. NW clarified that quite often the delays can be due to it being handover time; this often tends to be a time when the unit has maximum detainees, which as a result means that the Custody staff have more people to speak about when providing the verbal handover briefing. It was clarified that handovers are always done verbally as they need a human element of discussion, especially when discussing the risk elements. We were informed that HMICFRS were delighted with Gwent's handovers when they conducted their inspection last year, this was because the handovers were so detailed however because they are so detailed this obviously impacts on time. It was reiterated that ICVs try to avoid handover times when visiting the unit or if they do attend need to be aware of the delays that may occur. It was agreed by all that the handover is an effective process but obviously does cause performance issue with regards to queues and people waiting.
- Observations – level 4, (close proximity) this is down by five and a half detainees however it was verified that demand is up. On average there are a lot less people on close proximity searches, so NW is pleased with the statistics as it means the force are risk assessing proportionally.
- Level 3's (camera watching of detainees), this has gone up by five, so the effectiveness of Gwent's risk assessment seems proportionate. NW advised that it is quite easy to put everyone on level 4's when demand goes up but the statistics prove that this hasn't been the case which is a positive.
- Voluntary attendees is at its highest 300+ in the last three months, whilst these attendees don't come into the custody environment, the figures are still monitored so demand is increasing elsewhere too.

- Transfer to hospitals has gone down, we were informed that there has been a lot of work between Custody and the lead nurse on how effective the force are, so this has had an impact.

NW informed us that she is a supporter of the ICV Scheme and understands that ICVs are here to support the Police and make sure the force do things better within the custody environment. NW verified that the Custody Unit has nothing to hide so there should never be a reason for any staff within the unit to be obstructive e.g. if an ICV wishes to view a custody record the member of staff should not say no unless the detainee has said no. NW advised that if any issues arose like this then to let the OPCC / Inspector know and NW will arrange to send out reminders to staff on their responsibilities, NW advised that an email has been sent out recently reminding custody staff of what is required when ICVs are in custody.

Mr Johnstone (JJ) advised that ICVs are finding issues when they go to the front desk in Newport Central as they get a different reception from the differing Station Enquiry Officer's (SEO's) who are on duty, therefore is it possible to arrange that there is one set procedure every time? JT advised that she has spoken to PS Ian Roberts on this issue already to ascertain if it is possible to provide some training to SEO's to resolve this matter going forward. JT is awaiting feedback on that and confirmed that if training can be arranged she will be providing awareness training on the ICV role and the importance of ICVs getting into custody as soon as possible. It was confirmed that as part of the standard process all SEO's should also be aware that they need to sign ICVs in and out of the station too in order to comply with health and safety aspects.

JT

NW advised that some of the delay is potentially that the SEO is waiting on hold on the phone to get through to the Custody Unit as they only have the one member of custody staff on the one phone line that gets lots of calls. The SEO is also unable to physically walk into the Custody Unit to let them know that ICVs are there, so this means that the delays occur. NW suggested that it may be worth SEOs instant messaging the person on the main custody phone line to make them aware that ICVs have arrived and are awaiting access into custody, as whilst they may be stuck on the phone they can let someone else know to come and get them. Additionally, if the SEOs cannot get through on the phone or instant messenger then they could always try calling or instant messaging the Inspector. JT will incorporate this into any training provided.

JT

ALL

NW reminded ICVs that there is an open invitation to all ICVs if they want to sit in custody for an hour to experience a different perspective of the unit, it will also potentially help build relationships with custody staff. JJ recommended this as he has taken the offer up previously and found it very beneficial.

## **SCHEME UPDATE**

4. JT verified that there are still 10 active members on the Scheme, 2 are currently not conducting visits for health reasons but Jeffery Seabourne will be resuming visits from July onwards.

Out of the 15 scheduled visits over the last quarter we were informed that only 10 were completed; 2 visits were missed because of snow, 1 due to illness, and 1 was missed as it had accidentally been arranged for the wrong week. The other visit was attended but abandoned, due to an excessive delay getting into the suite. JT confirmed that the Inspector has been informed and had viewed the CCTV to establish any reason for the delay. It appears that there was no apparent reason why a delay occurred so it is believed that it may have been a breakdown in communication. We were informed that this instance occurred before training was provided so hopefully that will now resolve any similar issues especially once the SEO's are also trained.

The OPCC are still sending emails advising on the monthly visiting spreads, JT advised that visits have been frequently occurring on Mondays and Thursdays so can ICVs please try to vary their days. JT re-iterated that if ICVs do attend during handover period in custody, which is 6:30-7:30, then to expect a delay. We were informed that Gwent Police are now trialling a pilot scheme whereby representatives from the Samaritans now attend the custody unit on Thursday evenings from 8pm to visit detainees, so ICVs need to be aware of potential extra delays and pressures on the Custody Unit if they attend at the same time. It was verified that whilst Samaritans only visit the unit once a week they are always available to be called should anyone in custody need contact with them.

JT advised us that report forms are being sent into the OPCC in a timely manner. We were reminded that if ICVs are unable to make a visit and alternative arrangements cannot be made with other ICVs then please let the OPCC know as soon as possible.

JT reminded ICVs to please make sure report forms are completed in a legible manner. It was noted that ICVs often have comments to put on the form but the boxes are too small to allow everything they want to say. JT acknowledged the problem and advised that in these instances ICVs can utilise more than one box – using the row below etc, providing it is clearly indicated that it relates to the aforementioned entry.

JT made us aware that with the implementation of the General Data Protection Regulation (GDPR) in May 2018 the OPCC are required to review when it is appropriate to record information and in line with this clearly establish when it is appropriate to allow ICVs to view information on a custody record. Permission needs to be clearly recorded, it has been agreed that instead of adding an additional box to the report forms that where an ICV indicates yes or no in respect of whether a custody

record has been seen, this box will act as the permission box. Therefore if you are inputting 'Y' then this will indicate that permission has been granted and 'N' will indicate permission has not been granted. We were informed however that in a situation whereby the detainee is not able to give consent (e.g. they are asleep / volatile / incapacitated) then the OPCC still requires ICVs to view the custody record as per previous guidance where permission is assumed in these instances, this enables the welfare of the detainee to be checked upon and is permitted because legal legislation over-rides GDPR. If any ICV has any issues from staff in the Custody Unit regarding the access to custody records then please inform the Inspector on duty who will endeavour to resolve the issue whilst ICVs are there.

**Performance:**

- The number of accepted visits has been positive with 100% accepting in March.
- There have been delays in granting access in the period between 5 and 15 minutes. JT advised that 5 minutes is accepted as a reasonable delay, as such the Inspector has been made aware of this matter.
- Custody records are being checked more regularly, it was reiterated that if ICVs do not see a detainee please can they ensure that they check their custody record if they think the individual is vulnerable or intoxicated, it was agreed that it should be a judgement call for the visiting ICVs on whether custody records are viewed if the detainee is asleep. It was clarified that if an individual is violent or disruptive resulting in staff advising ICVs not to see the detainee, then in these instances ICVs also have the right to check the custody record as well as view the individual through the hatch if appropriate.
- It was queried whether ICVs were allowed to visit detainees who are on one to one observation. We were advised that ICVs should still be permitted to visit them, however if they are asleep ICVs can check the custody record without their permission.
- All 25 custody issues excluding the delayed entry were all addressed by Custody Sergeant and all were minor issues.

JT informed us that she had provided training on two afternoons to CDOs which had proved to be very positive. They are keen to try and build relationships with ICVS. The specific areas covered in the training from the OPCC to CDOs was the requirement for self-introduction as well as the requirement for immediate access to the unit, as well as access to custody records.



We were made aware that it had been volunteer week last week, for which the OPCC did a variety of social media posts in relation to the volunteer schemes. JT informed us that the Lord Ferrer awards which are volunteer awards are now open for nominations, they have not previously included OPCC Scheme's but they have this year, as such JT will email the relevant website link to all ICVs to view and if anyone wishes to nominate another volunteer then please do so.

JT advised us that the PCC had recently written a blog as he is conscious that the Custody Unit do not always see the positive feedback that is received about them from the ICVs perspective. Should ICVs wish to see the blog, a screenshot is included below.



## **CHANGES TO ICV SCHEME**

5. JT made us aware that the OPCC have been going through a restructure for about a year and they are finally nearing the end of it. Part of this review has identified that with the increase on demand the OPCC are unable to put as much resources as they wish to the volunteer schemes. As a result of this JT has been looking at how Schemes are run nationally and has established that many Schemes run themselves. This in turn makes them more independent, transparent and provides more accountability. ICVs will be aware that some documentation on role descriptions was circulated with the agenda papers following a previous discussion between JT, the Chair of the Scheme, JJ, and the Scheme Manager, Sian Curley. At present there is a Chair role but this role has no formal role description, what is being proposed is developing a role description for the Chair and also adding a Vice Chair position with a role description.

We were informed that the idea would be that the Chair would act as the volunteer manager on the Scheme e.g. dealing with any day to day issues that ICVs would ordinarily contact the OPCC on, as well as any personnel issues. The Chair and Vice Chair would also between them design the rota for ICVs to conduct their visits and also handle any low level complaints.

It was verified that the OPCC would still have a Scheme Administrator who would oversee the Scheme in terms of compiling the performance monitoring framework, providing Scheme Updates at meetings as well as providing quarterly updates to ICVA etc. There would also still be an Assistant Scheme Administrator who provided the minutes following meetings and recorded the report form data. Any high level complaints would still need to be dealt with by the OPCC in liaison with the Custody Inspector as appropriate.

JT advised that she would welcome comments from ICVs on the role descriptions over the next couple of weeks, as the intention is that the OPCC are looking to implement the changes in September. It was verified that any training needed for the roles would be provided by the OPCC.

**ALL**

As part of the new roles the Chair and Vice Chair will be involved in recruitment to the Scheme and will assist the Scheme Administrator in delivering training to ICVs. JJ confirmed that in his position as Chair he has already attended the relevant training session for this with JT.

It was noted that sometimes ICVs have issues that they would prefer to discuss amongst themselves without the OPCC or Inspector being in the room. It has been agreed that it would be beneficial for ICVs to have a session at the end of meetings just amongst themselves whereupon the Chair can feed back to the OPCC any queries etc if necessary. It was noted that for the last two meetings there has been minimal attendance by ICVs. It may therefore be beneficial to have meetings slightly later than 3pm so that more people could attend e.g. have the main ICV Scheme meeting from somewhere between 4pm-6pm, followed by the ICVs separate meeting from somewhere between 5-7pm? JJ advised that he would email all ICVs to get their perspective on this and canvas for opinion.

**JJ /  
ALL**

JT asked that ICVs provide any feedback on the role descriptions and the meeting changes by the end of July

**ALL**

### **DETAINEE DIGNITY BRIEFING**

6. We were informed that ICVA have looked through every inspection report that HMICFRS has done on forces and there is a significant commonality in forces not observing detainee dignity. ICVs noted that whilst this is a concern they have never come across any issues in Gwent during their visits. It was queried whether the camera's in the cells were an issue in regards to this, however it was verified that the cell toilet areas are pixelated. JT advised that Gwent are one of the forces acknowledged as having a detainee dignity problem but unfortunately the report doesn't say what. This has been raised with the Custody Inspector to establish what this instance is. JT confirmed upon request that she would provide feedback to the Scheme on this once the matter has been clarified

**JT**

As part of ensuring detainee dignity JT highlighted that on the back of the briefing sheet circulated with the agenda papers there is a list of what ICVs should be looking for when conducting their visits e.g. if they see a naked detainee the detainee should be classed as vulnerable so please check the custody record, check with custody staff why they are naked and try to speak to them. As the list is based on what good

**JT**

practice looks like it has been requested that it be added as an extra laminated handout for ICVs to use as a crib sheet during their visits.

### **CHANGES TO POLICE CUSTODY INSPECTIONS**

7. We were informed that this documentation which was circulated with the agenda papers is just for ICVs awareness should they wish to review it, it will however not affect ICVs.

### **FORM COMPLETION TRAINING**

8. Due to limited attendance it was decided to post-pone this refresh training to a future meeting. We were informed that due to the restructure in the OPCC, JT and MVB will no longer be the Scheme Administrator and Assistant Scheme Administrator as these roles have been absorbed into other job descriptions, therefore it is hoped that by the next meeting new staff will be in place within these roles to attend and meet the ICVs. JT verified however that she would be attending the meeting still to ensure an effective handover to the next Scheme Administrator.

It was queried whether ICVs could be provided with a copy of the new OPCC structure. JT advised that this should be on the OPCC website once it has been finalised but that she would also ensure a copy was circulated to all once it is final.

JT

The ICVs expressed their thanks to JT and MVB for all their involvement and assistance on the Scheme.

### **QUALITY ASSURANCE FRAMEWORK**

9. As part of the agenda papers the new framework that ICVA has brought in has been circulated. It was confirmed that Gwent are going to be aiming to be code compliant as ICVs can see that based on the content any higher levels would require substantial resources to comply with. JT informed us that Gwent are different to many other forces as the Scheme Administrators in other areas run the Scheme's as their sole job, whereas in Gwent as the Scheme is quite small the Scheme Administrator role is a small part of a far wider job description. It was confirmed that the OPCC have challenged the framework as the process is not fair (not dealing with like for like Schemes) and there is a public perception concern too; if many forces are seen to be rated as platinum, Gwent will have a poor perception in comparison, however this doesn't give a fair image of the Scheme as we do have a really effective positive Scheme

unfortunately though despite the OPCC's challenge, ICVA have confirmed they are still going with the framework.

**ANY OTHER BUSINESS**

- 10. We were informed that the Self Addressed Envelopes are now in stock so if any ICV requires them, let the OPCC know and they will arrange to post some out.


All ICVs were advised that the next meeting will be in a different room at Police Headquarters, instead of Conference Room 1 it will be in the SCG room. JT advised that she will wait in reception to escort people to the room.

JT

**DATE OF NEXT MEETING**

- 11. The next meeting has been scheduled for 3pm on the 6<sup>th</sup> September 2018 in SCG Room at Gwent Police Headquarters, Croesycelllog.

**Meeting concluded at 5:10pm**

<b>Jeff Cuthbert, Police and Crime Commissioner for Gwent</b>	
I have monitored the Independent Custody Visiting Scheme Minutes and am satisfied with progress.	
Signed 	Date 24/7/18

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