

OFFICE OF THE POLICE & CRIME COMMISSIONER FOR GWENT

**MINUTES OF A MEETING OF INDEPENDENT CUSTODY VISITORS
HELD AT POLICE HEADQUARTERS, CROESYCEILIOG, CWMBRAN
ON 5TH OCTOBER 2017**

Present: Mr Justin Johnstone (Chair)
Ms Jean Munton
Mr Richard Holland
Ms Lesley Ball
Mr David Binding
Mr Michael Hallinan
Mr Jeffrey Seabourne

Also in attendance:

Miss Jessica Tippins (Scheme Administrator)
Ms Michelle Vaisey-Baker (Assistant Scheme Administrator)
PS Dave Seymour (Custody Sergeant)

The meeting commenced at 3.00 p.m.

Action

INTRODUCTIONS

1. The new ICVs were welcomed to the meeting and introductions were made amongst all attendees.

APOLOGIES FOR ABSENCE

2. Apologies were received from Mrs Sian Curley (Scheme Manager), Inspector Nicola Williams, Inspector Jamie Rees, Ms Ruth Coulthard and Ms Sarah Stimpson.

MINUTES OF MEETING HELD ON 25TH MAY 2017

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

SCHEME UPDATE

4. We were made aware that with the seven existing ICV members and three newly recruited ICVs the Scheme now has 10 ICVs in total. One existing ICV has been unable to conduct visits for some time, Jessica Tippins (JT) advised that she would be making contact with the individual shortly to conduct a welfare check.

JT

Over the last quarter, sixteen of the seventeen visits scheduled were completed and were completed over a good spread of both visiting times and days of the week which is really positive.

There has only been one very recent issue raised by ICVs over the last quarter that was not finalised whilst ICVs were in custody, all others were dealt with by the Custody Sergeant at the time. The incident raised by ICVs to the OPCC was in respect of a juvenile who appeared not to have had their appropriate adult contacted in a timely manner whilst being in custody for a considerable period of time. Enquiries have been made with the Custody Inspector who is looking into the matter further, it appears that the juvenile's father was contacted initially and was not chased up due to it being during the night which was a rest period for the detainee. The Custody Inspector will be speaking to the Custody Sergeant who was on duty when they are next on shift in order to establish what occurred. Once this information has been provided the Custody Inspector will update the OPCC and JT will send a written update to all ICVs via email.

NW

JT

Performance monitoring for the last quarter has improved significantly with 94% of detainees accepting a visit by ICVs in July and 81% in August. JT queried if anything had changed which may be impacting on the uptake of accepted visits? It was noted that nothing has really changed, however it could be that the detainees in custody were not frequent offenders as sometimes has occurred, which has made them more interested in participating in the visit, whereas frequent offenders generally decline. It was also commented that the difference could have been impacted by the change in bail procedures.

We were reminded to continue checking custody records and were informed that no records were recorded as being checked during August. It was however noted that common sense was needed to be used on when to view them as if there are no concerns raised by a detainee there is not necessarily a need to check them, especially if custody is busy at that point in time.

There has been an increased delay in accessing the custody suite. This has been potentially caused by there now being one central call line to just one CDO in the custody unit. This CDO conducts an admin role for the shift in answering and fielding phone calls, this involves the calls from the front desk (e.g. when ICVs arrive) and also contact with solicitors etc, so it can impact on the time it takes for someone from

custody to collect an ICV, as the CDO could be dealing with back to back calls and not be able to pass a message along etc. Additionally we were informed that when ICVs check in with the Station Enquiry Officer's (SEO) at the front desk it can sometimes take them time to get through to the CDO if the CDO is already on a call because the call does not get diverted elsewhere, as such the message that ICVs are awaiting entry may not reach the custody suite for some time after arrival, but will be passed along to custody as soon as the phone line becomes free.

It was noted that some ICVs are booking into custody via the SEO's and others are using the phone to the right of the reception area to ring through directly, it was queried what is the process and where does that phone actually go? PS Seymour (DS) advised that he was unclear on where that specific phone went through to but that he would look into the matter. JT also advised that she would liaise with the Inspector to clarify the procedure ICVs should follow in future to avoid confusion. It was noted that until clarity is verified ICVs should register their attendance with the SEOs and not use the phone to the right of the reception area.

DS
JT

We were advised that some ICVs sign in when arriving at Custody and others don't, all ICVs were advised that for fire safety reasons they were all required to sign in on arrival. It was noted that some ICVs had asked the SEOs if they should sign in previously and been told that it was not required. JT clarified that if this happens in future ICVs must insist on signing in for safety reasons.

JT informed us that the new ICVs had now completed their training which had been delivered jointly by JT and South Wales' ICV Scheme in Bridgend. If anyone would like access to the training slides as a refresher please contact JT and copies will be sent out.

There is an ICVA Scheme Manager's conference scheduled for November, JT will be attending and will feed back anything of relevance at the next meeting or sooner if required depending on the content.

We were informed that Sherry Ralph, who is the Project Officer for ICVA, has produced a blog on sanitary protection and custody. The weblink for the blog is included in the Scheme Update previously circulated with the Agenda papers and is worth all ICVs reviewing.

The OPCC have received a letter from ICVA which is supported by the ICVA Chair in respect of Appropriate Adults and ICVs. The letter outlines that it is proposed in future individuals should not be permitted to conduct both roles as impartiality can be lost if an ICV visits a detainee that they have been an Appropriate Adult for. The OPCC will keep us informed on any further developments.

OPCC

JT advised us that she met with the Custody Inspector and Custody Sergeant earlier this week which proved a successful meeting in addressing concerns and finding future ways forward. One of the issues discussed was the topic of "immediate access" and JT reiterated that whilst ICVs are permitted immediate access to custody that this is only if it is safe to do so and admitting the ICVs will not impact on the compliance of Code C of PACE. If any issues arise and ICVs are not granted access straight away please can they still be patient as there will be a reason for this. This reason should be explained at some point during the visit to the unit but if ICVs have any concerns please let the OPCC know by documenting it as part of the ICV report form so that it can be looked into further.

The Inspector has re-iterated that if there is an issue identified during a visit please can ICVs flag this to the Custody Sergeant / Inspector or staff as soon as they are free to speak with. Any serious issues that ICVs are unable to resolve whilst in custody should be flagged to the OPCC via telephone at the earliest opportunity. The Custody Inspector has advised that she would like to generate a positive role between ICVs and the custody unit so welcomes ICVs to have a brief chat with her at the start or end of their custody visits if she is available.

We were advised that there is an expectation both for custody staff and ICVs to conduct their roles in a respectful and polite manner. If an ICV requires the attention of a member of custody staff for example and they are otherwise occupied e.g. with a detainee/solicitor, please do not interrupt but wait until the individual becomes available to speak to them or alternatively note your concerns on the report form you submit which will get picked up both by the OPCC and Custody Inspector.

The Custody Inspector was disappointed not to be able to attend today's meeting to meet everyone but wished to express how keen they are to promote a positive relationship with ICVs and as part of this would like to extend the opportunity for ICVs to have an appointment to go into custody for a session of about an hour to sit and observe the day to day running of the unit from the position of the custody staff. The Inspector will also spend this period of time with the ICV which will give ICVs the opportunity to ask any questions they may have. If any ICV would like to take up this opportunity please let JT know and she will make the necessary arrangements with the Custody Inspector.

ICVs/
OPCC

JT advised that the Custody Inspector also queried whether when ICVs write "no issues" on their report form, could they expand by detailing what had been discussed with that detainee, this is to allow the Inspector to have a clearer picture and some context around how the custody staff are performing. It was clarified that the standard questions are asked and no issues are written when there is no concern raised against them. It was agreed that "no issues" can continue to be input and that JT will send a copy of the "Aide Memoire" ICVs use that have

the standard questions on to the Inspector to give more context to the answers.

JT

We were made aware that the Custody Inspector had also asked if it was possible for ICVs to check on the welfare of custody staff/officers on duty whilst they are conducting their visits. Whilst ICVs need to remain "independent" it was acknowledged that there is benefit in asking officers for example who are sat outside cells monitoring detainees if they are ok, or if they need a toilet break etc as they can be sat outside the cells for a number of hours. ICVs confirmed that they would be happy to add this to their visits and would flag anything on report forms or to the Inspector/Sergeant whilst at custody as appropriate, but would obviously use their common sense on judging whether it was appropriate or not to speak to officers monitoring detainees depending on what was occurring in the cell.

CUSTODY UPDATE

5. DS advised us that the performance figures for the number of arrests has gone down in the last month to 682, this is compared to 758 for July and 716 for August. The average time in custody is now 12 hours and that in the last 12 months 58% of detainees were released in 12 hours.

The waiting times for detainees to be seen by the Custody Sergeant is the lowest it has been in 12 months and possibly ever, with the maximum waiting time being 18 minutes. 45% of detainees wait for more than ten minutes. The maximum wait was 3 hours and 51 minutes however this was an exceptional circumstance which means that there will be a reason for it. ICVs were reassured that these type of instances get looked into further by the Inspector.

We were advised that the peak demand time is between 1am – 2am in the morning, however demand is fairly consistent throughout the 24 hour period, with the exception of between 6am – 8am when there is a drop.

The nurses are now fully staffed and there are now four Sergeants per shift, which is potentially one of the drivers for the waiting time decreasing.

There are currently 28 CDOs on paper apportioned to the custody unit, however 7 of these are on long term absences (on sick or abstracted on other duties). The Inspector is looking into this but it was explained that the difficulty is that the CDOs are subject to different rules than police staff and their civilian handbook outlines that they must have three months notice to have their shifts changed, which understandably causes additional complications and pressure to the department. The lack of CDOs in custody is often one of the issues that causes delays. It was queried how low staffing could get to in custody, we were informed that 5 is the minimum number of staff required in custody at

any one time, if it drops below that then the matter is escalated for resolution.

We were informed that the custody unit now has sporks for detainees to use with their meals. Previously plastic cutlery was provided but they posed potential risk for detainees who may self-harm, this resulted in officers being required to watch the detainees whilst they ate. The introduction of sporks will no longer need that requirement.

DS advised that there is now one to one mentoring for all new Sergeants in custody and a competency checklist that needs to be completed against this. The experienced Sergeants who mentor the new Sergeants are required to sign them off as competent after a successful mentoring period.

We queried whether the ICV Scheme is raised at CDO / Custody Staff training. We were informed that it is not part of the current training but that this had actually been discussed at the meeting earlier in the week with JT and the Inspector. The force and OPCC are looking at the best way of addressing the issue. There are custody training days being developed which could involve an aspect on ICVs, additionally JT has offered to have one to one's with CDO's / Custody Staff to make them aware of the requirements. JT advised that she will also be having occasional days in custody which will enable custody staff to raise queries with her directly and hopefully increase greater awareness.

We were informed that Ystrad Mynach custody is currently out of commission as there are issues with the heating. It was queried what happened to detainees if Newport was full and the over flow availability at Ystrad Mynach was not available? We were informed that yesterday a detainee was taken to Merthyr custody. DS clarified that there are arrangements in place that allows for detainees to be taken to other force custody units when required. It was verified that if the force do take detainees to another area they do still have a duty of care for the detainee when they are released, e.g. if the detainee has no means of getting home an officer will take them. However we were informed that usually detainees prefer to make their own arrangements.

It was queried what the situation was in relation to ICVs when other custody units were to be used for Gwent detainees. JT clarified that if Ystrad Mynach is to be used for a period over 48 hours ICVs will be informed so that a visit can be conducted, as it will then be classed as a designated suite. However until then no visit is required. With regards to detainees taken to other force custody units, they will be subject to the ICV scheme visits in those areas.

It was queried what would happen if any terrorist arrests occurred in Gwent, would the detainees be brought to Newport Custody? We were advised that these type of detainees are required to be taken to a special TACT suite as such it would be highly unlikely they would be

detained in Gwent as the staff are not TACT trained and there is no facility for it. There are specialist TACT suites around the country that forces are required to use in these instances.

We were informed that there is a big drive on correctly recording use of force for officers, this is not just about recording use of force on custody records but on actual use of force forms too. Part of the results of correct recording could be that it is evidenced that officers may require extra protection. DS advised us for instance that the Chief Constable is now looking into having spithoods introduced in Gwent. One sample of a spithood was available to view by ICVs at the meeting which was similar to a pair of tights with a plastic piece inside. Whilst not the definite option Gwent will go for, it gives an idea of one of the options available. We were informed that in the event of spitting the current practice is to pull the detainees top up over their head to prevent spitting on officers. We acknowledged that whilst detainees are rarely aggressive to ICVs there was a need for officers to protect themselves. DS advised that the force will be looking at national guidelines and will likely look at what other forces have and any issues that have arisen before making their final decision.

PERFORMANCE FRAMEWORK

6. The contents of the performance framework were noted under the scheme update.

ANY OTHER BUSINESS

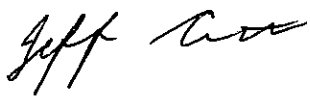
7. We were informed that JT and Justin Johnstone (JJ) went on a training course earlier in the year to enable them to be able to deliver training to the Scheme on various topics, now that the training process provided by ICVA has changed. Therefore in order to start planning training packages could ICVs please let JT know any topics that they feel they would like training on. JT and JJ will then work on developing the appropriate bitesize training to provide at the next meeting in March.

**ICVs
JT/JJ**

DATE OF NEXT MEETING

9. The next meeting has been scheduled for **3pm** on the **8th March 2017** in **Conference Room 1** at **Gwent Police Headquarters, Croesyceiliog.**

Meeting concluded at 4.00 pm

Jeff Cuthbert, Police and Crime Commissioner for Gwent	
I have monitored the Independent Custody Visiting Scheme Minutes and am satisfied with progress.	
Signed 	Date 9/11/17

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Background papers	None