**Decision Log: PCCG-2024-010**



**MINUTES OF THE INDEPENDENT CUSTODY VISITING SCHEME**

**HELD BOTH REMOTELY ON TEAMS AND IN PERSON IN HAWTHORN MEETING ROOM,**

**POLICE HEADQUARTERS ON 17 JULY 2024**

**Present:** Jean Munton - Chair, Independent Custody Visitor (JM)

Mike Hallinan– Independent Custody Visitor (MH)

Alan Heywood – Independent Custody Visitor (AH)

Linda Mason - Independent Custody Visitor (LM)

Andrea Williams - Independent Custody Visitor (AW)

Mike O’Farrell - Independent Custody Visitor (MO)

Lisa Langley - Independent Custody Visitor (LL)

Booker Skelding - Independent Custody Visitor (BS)

David Salmon - Independent Custody Visitor (DS)

Richard Holland- Independent Custody Visitor (RH)

David Binding - Independent Custody Visitor (DB)

Also in attendance:

Nicola Warren - Scheme Administrator, OPCC (NW)

Inspector Martin Cawley – Custody Newport (MC)

Inspector Laurence Carrington – Governance and Assurance (LC)

***The meeting commenced at 6:25 p.m. The Inspector joined the meeting later due to other commitments.***

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|  | **Notes and Actions** | **Action** |
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| **1.** | **Apologies** |  |
|  | Apologies for absence were received from, A Robinson, Chief Inspector M Thomas, Custody Nurse L Price and C Davis, Assistant Scheme Administrator. |  |
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| **2.** | **Minutes and Actions from Previous Meetings** | **Action** |
|  | The minutes of the last meeting were agreed as a true and accurate record.  Action 2, a discussion ensued regarding the provision of custody record information provided to visitors. AH advised he had created a form containing the main headings on the visitor form for custody staff to complete prior to the visit commencing, this assisted when completing the actual visit report form. A new version of the form had been created on the Niche Policing system for custody staff to print for visitors as opposed to writing the information but ethnicity and age categories were missing. The printable version would save the officers time once corrected.  NW confirmed she had received a copy of a redacted custody record for review from the Custody Sergeant (CS) and explained custody records should only be viewed when required; not for every detainee. AH explained custody records were only viewed when required, the form provided was only used to assist with completing the visit form, it wasn’t the full custody record. AH agreed to send a copy of the category form to NW.  MC agreed to keep a copy of the category form in the visit report form folder for visitors to use to ensure custody staff could fill it in on their arrival. NW to send a copy to MC.  NW advised she would contact MC to discuss the forms and confirm what was required, as the original request was to redact the custody record for visitors to be able to view selected data.  The Chair advised she had been able to view a full custody record recently and there was inconsistency in what custody officers were disclosing to visitors when requesting the custody records. MC agreed to remind all staff to use the redacted version. MC suggested a training session took place to ensure all staff were made aware of the process. NW suggested an ICV could also attend to specify what information they needed. | **AH**  **MC**  **NW**  **NW**  **MC**  **MC** |
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| **3.** | **Chair and Vice Chair Nominations** |  |
|  | Visitors provided their nominations by email prior to the meeting and as a result the current Chair and Vice Chair were voted to remain for another year.  JM accepted the nomination to remain as Chair. DB also advised that he accepted the nomination to remain as Vice Chair with the caveat that it may not be for the full year, as his circumstances were expected to change in the future and he would have to leave the scheme.  Both the Chair and Vice Chair were grateful to be nominated again this year and requested other members considered undertaking the role in the future.  NW thanked the Chair and Vice Chair for their hard work over the last year.  It was suggested the role of the Chair required a lot of time in order to devise the rota. The Chair explained that she often stood in for visitors at short notice when they were not able to make a planned visit although this would be more difficult when both custody units were open. NW confirmed the Chair was not obliged to provide cover when visitors were not able to attend their visits as planned, visitors should send an email to all other visitors requesting cover or to swap visits before contacting the Chair and should inform NW if they were unable to arrange cover.  LM asked why there were staffing shortages if the detainees were being moved to one custody unit and why the detainees had been moved from Ystrad Mynach to Newport and vice versa several times. NW explained the Force were using one unit as the main custody unit to make sure there was sufficient staff to ensure the welfare of the detainees. MC confirmed there were shortages due to a high turnover of Custody Detention Officers (CDOs) and CSs being promoted and moving to other departments, there were difficulties providing the necessary staffing capacity if any of the five CSs were off sick, on leave or on training courses.  There were also issues with the custody units not meeting the national custody specifications due to the age of the buildings. The plan was to build a new custody/operational facility to replace Ystrad Mynach and Newport custody suites. The proposal was unaffordable so had been paused. A decision had subsequently been taken by the new PCC for the Ystrad Mynach unit to be extended with the addition of ten new cells and a new booking in area. More resources had been requested to provide resilience and succession planning was underway. All newly qualified Sergeants were to be trained in custody duty to provide resilience which would eventually allow both units to run.  MC advised he would obtain an update this week regarding the custody unit status and send to NW for circulation to ICVs.  MC also agreed to provide an update on the custody units at the following meeting. | **Action**  **MC**  **MC** |
|  | It was agreed that agenda item 5, Verbal Custody Update would be taken next followed by item 6, Scheme Update & Performance Framework Update and then item 4. Verbal Update on Disparity Scrutiny Panel. |  |
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| **4.** | **Custody Update** |  |
|  | MC explained with Newport currently being utilised as the main custody unit, it was posing some issues as there had been increased demand, with all of the cells in Newport being full on a Tuesday evening, which was unusual. However, they were using a different operational model with bespoke roles which meant they were able to fulfil their duties more effectively.  There had been timeliness issues with handover briefing procedures, this had subsequently improved due to the Force having sought information on good practice from other Forces.  Meetings were being held with Local Policing Areas to ensure officers were progressing enquiries effectively.  Meetings were also being held with solicitors’ representatives regarding the speed at which investigations were being progressed. Individual cases were being flagged by solicitors to MC to follow up with the officers, which should help to reduce waiting times.  A tendering process was underway in relation to Health Care Practitioners (HCPs), MC has fed back his concerns about changes to HCP service provision to ensure it would be fit for purpose, as existing HCPs have conducted some good work identifying risk by preventing detainees from significant harm.  The Chair asked how the Force would be able to accommodate Operation Safeguard to house prisoners if demand was high and only one unit was open. MC explained that it was very much dependent on capacity on the day of the request. This issue was given consideration prior the work at Ystrad Mynach commencing and it was agreed that the priority was to ensure the unit could be open in readiness for next summer as anti-social behaviour usually increased during that time.  The number of juvenile arrests had increased, MC was in the process of reviewing the arrest processes undertaken to ensure the necessity threshold was being met prior to detention. A Gold Meeting was taking place to discuss this issue, MC agreed to provide an update to the NW to circulate to visitors. | **Action**  **MC** |
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| **5.** | **Scheme Update & Performance Framework Update** |  |
|  | NW advised the meeting there were thirteen visits scheduled between April and June of which twelve took place as one visit was overlooked.  NW thanked the visitors as there had been a good spread of visiting times and days, including a weekend visit. Although there had not been any evening visits. Visitors were asked to conduct some evening visits over the following quarter.  NW asked visitors to ensure the forms were completed fully as there had been a few lacking in detail. NW emphasised that it was important to note if an Appropriate Adult (AA) had been called for any detainees under the age of eighteen or who had been identified as vulnerable.  The visit report form format had been revised for ease of use as requested to assist the visitors. Revisions had also been made to assist the OPCC in populating the Performance Framework. It had been circulated for comment and visitors confirmed they were happy with the amendments. NW confirmed the form could be used going forward.  NW advised visitors she was awaiting information from the Force Health and Safety (H&S) department for this quarter.  NW reminded visitors to submit their expenses within a month of the expenditure and no later than three months or unfortunately they would not be authorised as per the expenses policy.  NW informed visitors that all custody issues raised by the visitors for the last quarter were dealt with immediately by the CS. There were issues such as the intercom not working. Visitors were advised an engineer had been called and a workaround and been put in place in the interim to ensure detainees could be tended to.  NW noted there were a few forms referring to detainees being cold, visitors confirmed it was when there was a cold spell of bad weather but there were ample blankets available.  A detainee had also disclosed that she was breastfeeding and in need of assistance, this had not previously been disclosed to the custody officers. Actions were swiftly put in place to assist the detainee.  NW noted there had been a change in protocol regarding HCP assessments. During the previous meeting MC advised HCPs were assessing all detainees upon arrival to ensure any vulnerabilities were identified. This had subsequently changed as only those deemed to be in need of assessment were now being risk assessed by HCP as advised by the CS. The protocol was changed as some detainees needing assessment were being missed.  There had been minimal delays with regards to visitors accessing custody. However, there was one occasion where visitors were waiting for 38 minutes before entering the cell area. NW would continue to monitor this.  NW informed the visitors there was a new process in place with regards to vetting. Visitors were to provide their national insurance numbers as this would be used as a unique identifier to send a link for online vetting to be completed when required.  NW advised visitors ID card expiry dates were for a very short period due to the testing of a new ID card system. She was expecting confirmation from the Human Resources Team in a few months as to whether the new ID system was to remain and would update the visitors accordingly.  NW asked visitors to ensure that females over 40 or those identifying as being menopausal, peri-menopausal or post-menopause were being offered health screening with an HCP.  LM asked why this needed to be done. NW confirmed it was recommended by the National Police Chiefs Council (NPCC) as they may have vulnerabilities that could affect their fitness to interview.  The Chair confirmed menopause packages were being provided to detainees.  NW confirmed she had circulated the ICV risk assessment and asked all members to read it if they had not done so. MO asked for a copy and NW agreed to resend it. | **Action**  **Action**  **NW** |
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| **6.** | **Disparity Scrutiny Panel Update** |  |
|  | LC informed the meeting the Disparity Scrutiny Panel was established over 18 months ago as recommended by the NPCC with the premise of addressing racial disparity within the Force.  The recommendation was based on a report commissioned by the then Shadow Secretary, David Lammy, currently the Foreign Secretary. The report identified there was disparity within the Criminal Justice System. Forces and other criminal justice partners were expected to identify where disparity lay within their processes and to explain why there was a disparity or to reform the process if no explanation could be provided.  The Disparity Scrutiny Panel has representation from the Independent Custody Visiting scheme, who sat alongside members from the Force Independent Advisory Group, external members such as legal representation, AAs and internal officers.  The panel review performance to identify where any disparity may lie across the custody system with the use of a quality performance report, focussing on age, gender, ethnicity and whether there has been any disparity in relation to footfall, offence types, time in custody, strip search, use of Force and remand. If there is disparity, the Force consider how it can be addressed.  Dip sampling is undertaken on use of force forms and where strip searches have been conducted. CCTV is viewed in relation to use of force to ascertain if the use of force was appropriate and justified.  A highlight report is presented to the Senior Management Team identifying the findings of the panel to feed back any positive practice or learning.  LC informed the meeting there was more work to be done but progress was being made.  LC thanked DB and MH for their assistance and welcomed any other members to join the panel should they wish. NW asked visitors to inform her if they were interested in attending the Disparity Scrutiny Panel.  NW asked if a review of risk assessments formed part of the panel checks as recommended in the Association of Police and Crime Commissioners report on preventing deaths in custody and suicides upon release. LC advised this a work in progress and consideration was being given to the length of time detainees were in custody, particularly the vulnerable and how well supported they are.  NW referred to lack of secure accommodation for juveniles due to Local Authorities not having any provision/availability which often resulted in longer detention times and asked if checks were undertaken to ascertain if the same problem occurred due to social services not attending overnight to act as AAs for juveniles as this also lengthened detention time. LC explained the issue was primarily due to a lack of secure accommodation, rather than social services not attending and detaining juveniles was used as a last resort. The lack of secure accommodation was a national issue. | **Action**  **Visitors** |
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| **7.** | **Any Other Business** |  |
|  | A concern was raised regarding the increase in covid and the rise in hospitalisations, MH asked if any preventative measures were being implemented to protect visitors, detainees, staff and other attendees from contracting the virus. NW agreed to ascertain what provisions were in place. | **NW** |
| **8.** | **Date of Next Meeting** |  |
|  | The next meeting will be held at **6pm, 30th October 2024.** |  |

**Meeting concluded at 7:50pm**

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| **Jane Mudd, Police and Crime Commissioner for Gwent** | |
| I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with my code of conduct.  Any such interests are recorded below. The above decision log has my approval. | |
| Signed | Date  30.07.2024 |

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| **Contact Officer** |  |
| Name | Nicola Warren |
| Position | Governance officer |
| Telephone | 01633 642200 |
| Email | Nicola.Warren@gwent.police.uk |
| **Background papers** |  |

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| **Actions from meeting 17th July 2024** | |  |  |  |
| **Minute Number** | **Action** | **Owner** | **Update** | **Complete/Ongoing** |
| **2.** | AH agreed to send a copy of the category form to NW | **AH** | Update/form received | **Complete** |
| **2.** | MC agreed to keep a copy of the category form in the visit report form folder for visitors to use to ensure custody staff could fill it in on their arrival. NW to send a copy to MC. | **MC/NW** | NW sent form to MC |  |
| **2.** | NW advised she would contact MC to discuss the forms and confirm what was required, as the original request was to redact the custody record for visitors to be able to view selected data | **NW** | NW emailed MC– awaiting update |  |
| **2.** | The Chair advised she had been able to view a full custody record recently and there was inconsistency in what custody officers were disclosing to visitors when requesting the custody records. MC agreed to remind all staff to use the redacted version. | **MC** |  |  |
| **2.** | MC suggested a training session took place to ensure all staff were made aware of the ICV process. NW suggested an ICV could also attend to specify what information they needed | **MC/NW** |  |  |
| **3.** | MC advised he would obtain an update this week regarding the custody unit status and send to NW for circulation to ICVs. | **MC** |  |  |
| **3.** | MC also agreed to provide an update on the custody units at the following meeting. | **MC** |  |  |
| **4.** | The number of juvenile arrests had increased, MC was in the process of reviewing the arrest processes undertaken to ensure the necessity threshold was being met prior to detention. A Gold Meeting was taking place to discuss this issue, MC agreed to provide an update to the NW to circulate to visitors | **MC** |  |  |
| **5.** | NW confirmed she had circulated the ICV risk assessment and asked all members to read it if they had not done so. MO asked for a copy and NW agreed to resend it. | **NW** |  | **Complete** |
| **6.** | LC thanked DB and MH for their assistance and welcomed any other members to join the panel should they wish. NW asked visitors to inform her if they were interested in attending the Disparity Scrutiny Panel | **Visitors** |  |  |
| **7.** | A concern was raised regarding the increase in covid and the rise in hospitalisations, MH asked if any preventative measures were being implemented to protect visitors, detainees, staff and other attendees from contracting the virus. NW agreed to ascertain what provisions were in place. | **NW** | **Emailed MC for update** |  |
| **Actions from meeting 24th April 2024** | | | | |
| **Minute Number** | **Action** | **Owner** | **Update** | **Complete/Ongoing** |
| **2** | A discussion ensued regarding the provision of custody record information to ICVs, MC confirmed the Niche development team were in the process of developing a form containing the required elements of the custody record. It was agreed that MC would provide a short briefing session on the new form at the following meeting. | **MC/NW** | MC will run through the form at the next panel meeting. | **Ongoing** |
| **4** | MC informed the visitors that a Performance Matrix and Framework report had been provided to NW focussing on monitoring children in police custody with the process being reviewed for any child that had been in custody over 10 – 14 hours. MC to share Performance Matrix to NW the following week for review and circulation to ICVs | **MC** |  | **Ongoing** |
| **Actions from meeting 23rd October 2023** | | | | |
| **6** | NW asked the visitors if they could monitor the level of time it takes for an Appropriate Adult (AA) to attend for juveniles and vulnerable adults. AAs should attend when practicable. | **All ICVs** |  | **Ongoing** |