

DECISION NUMBER: PCCG-2016-051

OFFICE OF THE POLICE & CRIME COMMISSIONER FOR GWENT

**MINUTES OF A MEETING OF INDEPENDENT CUSTODY VISITORS
HELD AT POLICE HEADQUARTERS, CROESYCEILIOG, CWMBRAN
ON 26th MAY 2016**

Present: Mr Justin Johnstone (Chair)
Mr Brian Thomas
Mr Arthur Elliott
Mr Brian Williams
Mr Richard Holland
Ms Jean Munton
Mr David Binding

Also in attendance:

Mrs Siân Curley (Scheme Manager)
Ms Michelle Vaisey-Baker (Scheme Administrator)
Miss Jessica Tippins (Assistant Scheme Administrator)
Sergeant Stephen Drayton (Newport Custody Sergeant)

The meeting commenced at 3.00 p.m.

Action

APOLOGIES FOR ABSENCE

1. Apologies were received from Mr Jeff Cuthbert, Police and Crime Commissioner, Inspector Mark Smith, Ms Eleanor Weare, Ms Julie Morgan, Ms Lesley Ball and Mr Anthony Angell.

MINUTES OF MEETING HELD ON 25TH FEBRUARY 2016

2. The minutes were agreed to be an accurate record with the following exceptions:

Page 5, Minute 8 – Should read that AE reminded all visitors to check whether the Sergeant (Sgt) had already checked the buzzers on each visit. If this check had been carried out, visitors would only need to carry out random checks.

Mr Brian Thomas acknowledged a vast improvement in the wait visitors had to encounter before being given access to the custody suite at Newport. He also highlighted that he had not received notification of the report form Task & Finish group meeting that took place on 21st March 2016.

CUSTODY UPDATE

3. Sergeant Stephen Drayton (SD) provided the group with the custody update. We were informed that he was the new Strategic Sergeant for Custody. The new changes to Gwent's custody provisions had taken place from the start of May, resulting in Newport becoming the primary custody suite for Gwent. He confirmed that Ystrad Mynach would be used for overflow, bail clinic, voluntary attendees and fingerprints/photographs. It was announced that the decision to move to this structure was as a result of two thirds of detainees being arrested closer to the Newport suite.

He made the group aware that there was one Sgt and one Custody Detention Officer (CDO) based at Ystrad Mynach at a variety of times from Monday to Friday, depending on shift patterns, he confirmed that the only guaranteed times that the custody unit would definitely be staffed would be between 12pm and 4pm which is why ICVs had been requested to only visit during those times.

We were notified that all the nurses would now be based at Newport providing 24/7 medical care for detainees.

SD informed us that the bailing procedures at the Newport custody suite had altered. Individuals were now required to surrender to bail at a dedicated bail desk situated just outside of the entrance to the custody suite. This allowed for less activity in the custody suite and as such, reduced demand on custody staff.

It was confirmed that having the nurses based solely at Newport was having a positive effect on the number of detainees attending the Accident and Emergency unit at local hospitals.

SD made the group aware that on average there were approximately ten detainees in Newport at any one time. Although the suite was busy, there had been a reduction in 'near misses'. This was noted as positive in light of the fact that there was now greater oversight by staff in custody as the Inspector, Mark Smith, was encouraging more robust reporting.

We were informed that a triage system had been brought into effect for when detainees arrived at custody. SD confirmed that this helped to identify individuals who should not be presenting at custody, but at a hospital or other places more suitable for their needs. This provided reassurance at a time when the Independent Police Complaints Commissioner had raised concerns regarding this matter.

SD advised that refurbishments to Newport Custody Suite should take place around September 2016. This will include an improved food preparation area based in the custody suite itself, extra life sign/CCTV monitoring cells, more interview rooms and a forensic examination room. Further maintenance plans that have been raised include a new vehicle barrier which is to be installed at the rear of the building

allowing access to vehicles bringing in detainees only. All other vehicles would be removed and denied access in future.

Ms Jean Munton (JM) asked SD which staff would be allocated to work at Ystrad Mynach in the event of an overflow of detainees in Newport. SD informed us that one Custody Sgt and one CDO would be deployed to Ystrad Mynach from Newport. Trained divisional officers would then be used to backfill the spaces at Newport.

Mr Justin Johnstone (JJ) queried whether one Sgt and one CDO would be able to facilitate a visit by the Independent Custody Visitors (ICVs). SD confirmed that this would not be a problem as this was how the process had been managed previously when smaller local custody suites were open.

Mr Brian Williams (BW) queried whether ICVs could be informed in advance of any further changes taking place to the Custody Units as they may be able to offer some valuable insight. Both SD and Mrs Siân Curley (SC) acknowledged BW's comments. SC confirmed that the Office of the Police and Crime Commissioner (OPCC) had raised this matter with Gwent Police outside of the meeting. The result of this was that there would now be OPCC representation at the force Custody Review Group meeting. SC advised that if there were any future changes raised, ICVs would be informed by the OPCC.

SD made the group aware that a post implementation review of the new custody structure would take place in the Autumn following the refurbishment to the Newport suite.

JM asked SD whether individuals could still surrender to bail at Ystrad Mynach. SD confirmed that they could surrender to bail at both Newport and Ystrad Mynach depending on which suite was more suitable for the individual.

AE advised that following a recent visit to Ystrad Mynach he noted that a previous report form was still in the tray and had not been forwarded onto the Custody Inspector. Ms Michelle Vaisey-Baker (MVB) agreed to raise this matter with Inspector Smith outside of the meeting to ensure custody staff are reminded of where they should be sending the forms so that they are appropriately logged.

MVB

Finally, SD informed the group that nurses in the custody suite had been trained in dispensing some medicines. It was noted that Gwent was the first force in the country to provide this service.

SCHEME UPDATE

4. It was noted that the details on the contact sheets needed updating. **JT**
JT confirmed she would make the necessary amendments and send new copies out to all ICVs. It was also acknowledged that some ICVs **JT**

would prefer to receive their information electronically. It was agreed that those who wished to receive their information electronically would do so.

MVB provided the Scheme Update. All ICVs were reminded that if they were unable to make a rostered visit, to reschedule with other visitors in the first instance. If any ICVs were experiencing difficulty with this then they should contact the OPCC for assistance. All ICVs were also asked to please only carry out visits that were scheduled as one extra visit had been carried out in the last quarter.

We were informed that all the issues raised on the report forms had been resolved with the exception of the food lift at Newport which was going to be redeveloped as part of Newport's Autumn refurbishment.

MVB updated the group that she would be continuing the revision of the report forms and that she hoped to provide the amended form and an aide memoire to the ICVs by the August meeting. **MVB**

It was noted that no custody records had been documented as being checked for two months on ICVs' report forms. MVB asked whether the ICVs were encountering any problems accessing the records or whether they were in fact checking the records and not detailing it on their reports. JJ suggested that some detainees may have been sleeping and so permission had not been given to view their records. SC confirmed that if a detainee was asleep, ICVs could assume permission to view their records. All visitors were therefore asked to check some records each time they visit as best practice.

Subsequent to the meeting, the following information was retrieved from the Independent Custody Visiting Association (ICVA) National Standards in order to provide clarity for visitors:

Custody Records

Subject to obtaining the detainee's consent to view their custody record (whether computerised or paper), the independent custody visitors should check its contents against what they have been told by the detainee. In particular, visitors will wish to verify:

- *Whether entitlements under PACE have been given and signed for.*
- *That medication, injuries, medical examinations, meals/diet are recorded.*
- *That procedures to assess special risks/vulnerabilities presented by the detainee have been properly recorded.*
- *The timing and frequency of cell inspections of inebriated or otherwise vulnerable detainees.*
- *The timing of reviews of the continuing need for detention. 26.*

If a detainee is for any reason incapable of deciding whether to allow access to their custody record, the presumption must be in favour of allowing the independent custody visitors to examine the record.

(The full ICVA National Standards can be found at the following link: http://icva.org.uk/uploads/publications/11National_standards_PDF.pdf)

We were also informed that the spread of visits had again begun to decrease. JM asked whether ICVs could be updated on a regular basis as to what time visits were taking place so that they could try to vary visiting times. It was agreed that the OPCC would update ICVs every 4 weeks. **JT**

It was acknowledged that the number of detainees accepting visits was again on the increase. MVB queried whether this was as a direct result of ICVs self-introducing. BW stated that he agreed with this assumption as detainees seemed more willing to accept visits if they knew ICVs were independent from the police.

The buzzer issue at Ystrad Mynach was raised again by a number of the ICVs. SD confirmed that the Estates Department had received quotes for the work to be carried out but due to the restructure to just one primary suite, the work had been halted. It was queried whether this work could still be carried out using PFI funding. SC commented that it was her understanding from the Home Office that as the buzzer system was fit for purpose when it was installed, the PFI would not be asked to fund this. It was however agreed that this issue would be raised again outside of the meeting with both the estates and the legal departments. **MVB**

The group were informed that the South Wales ICV scheme were attempting to arrange training on autism and the criminal justice system to take place in the afternoon following the Regional ICV Seminar. MVB advised that they are currently looking for this to take place on 1st October 2016 potentially at the Copthorne Hotel in Cardiff. Once the details have been finalised MVB will write to all ICVs to gain expressions of interest in attending the seminar and training.

SC made the group aware that the Queen had referred to the Police and Crime bill in her 2016 speech. This bill would prevent a cell being used as a place of safety for people detained under the Mental Health Act. It was confirmed that discussions were going to be held with the local health board to agree arrangements in order to comply should the bill be enacted.

SD confirmed to the group that following the signing of the Mental Health Crisis Care Concordat, a mental health nurse would now be stationed in the force control room providing access to medical records. This role had been shortlisted and the successful applicant was to be appointed shortly.

We were also updated on Inspector Micah Hassell's visit to Kent Police in order to view virtual courts. We were informed that this would allow police and vulnerable witnesses, as well as detainees, to give

evidence in court via video link. It was confirmed that a business case had been submitted to the Staying Ahead project board for its use in Gwent. BW queried whether detainees had to agree to use virtual courts or whether it was compulsory. SD advised that he would make enquiries regarding this and report back to the next meeting. SD

PERFORMANCE FRAMEWORK

5. An updated performance framework was circulated at the meeting which now includes figures from Gwent Police. MVB advised that these figures should now be provided to the OPCC on a quarterly basis for inclusion on future reports. The content of the performance framework was acknowledged by ICVs.

INDEPENDENT CUSTODY VISITOR ASSOCIATION'S PCC BRIEFING

6. We noted the briefing document provided by the Independent Custody Visitors Association for all Police and Crime Commissioner candidates during the 2016 election.

ANY OTHER BUSINESS

7. SC passed on the new Police and Crime Commissioner's (PCC) apologies. She informed the group that Jeff Cuthbert was the successful PCC candidate and that he took up office on the 12th May 2016. She confirmed that although he had not yet received a full brief on the ICV scheme, he had already shown much interest in it and was hoping to attend the next meeting. A full briefing was to be provided to Mr Cuthbert in due course.

SC made the group aware that the previous PCC, Ian Johnston, had provided the funding for the mental health nurse which would be sitting in the force control room. Discussions were being held with the Aneurin Bevan University Health Board (ABUHB) regarding future funding.

We were made aware that the new PCC would be opening a recruitment process for a Deputy PCC shortly. It was anticipated that the successful applicant would begin their role in July or August following approval from the Police and Crime Panel.

BW asked that the group's appreciation be noted regarding the previous PCC and his Deputy who attended ICV meetings as often as they could and always allowed the ICVs to discuss any concerns they had with them.

JJ acknowledged the Police Use of Force IPCC Report that was included for information on the Scheme Update and made the group aware that the Independent Police Complaints Commission (IPCC) provided a custody 'Lessons Learnt' bulletin which all ICVs could

access and may find useful.


The link to their bulletin page is detailed below:

<https://www.ipcc.gov.uk/reports/learning-the-lessons/learning-lessons>

DATE OF NEXT MEETING

8. The next meeting has been scheduled for **3pm** on the **25th August 2016** in **Conference Room 1** at **Gwent Police Headquarters, Croesyceiliog**.

Meeting concluded at 3.55pm.

Jeff Cuthbert, Police and Crime Commissioner for Gwent	
I have monitored the Independent Custody Visiting Scheme Minutes and am satisfied with progress.	
Signed 	Date 7/7/16

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Background papers	None

