

DECISION NUMBER: PCCG-2014-009

OFFICE OF THE POLICE & CRIME COMMISSIONER FOR GWENT

**MINUTES OF A MEETING OF INDEPENDENT CUSTODY VISITORS
HELD AT POLICE HEADQUARTERS, CROESYCEILIOG, CWMBRAN
ON 14TH JANUARY 2014**

Present: Mr Justin Johnstone (Chair)
Mr Brian Thomas
Mr Arthur Elliott
Miss Ivy Forkin
Mr Anthony Angell
Mr David Howells
Mr Eric Smith
Mr Brian Williams

Also in attendance: Chief Inspector Huw Nicholas
Inspector Robert Thompson (Ystrad Mynach 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, Mr Paul Harris Deputy Police & Crime Commissioner, Inspector Iain Thomas, Ms Julie Morgan, Mrs Joyce Morgan and Mr John Thomas.

The meeting commenced at 3.00 p.m.

Action

MINUTES OF MEETINGS

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

It was noted that SEOs in Newport Custody are now escorting visitors from reception to the custody suite as requested at the last meeting.

It was queried if there were any further updates on the custody review; we were advised by Chief Inspector Nicholas that the review is still on-going and that a decision is likely to be made towards the end of February. However, it was confirmed that CDOs will definitely be replacing the Police Officers in custody at some point in the future. It was noted by the custody visitors in attendance that the Police Officers had been providing good responses to them in the short time they have been there, and that quite often at Newport the Custody Sergeant will take the visitors around which has been

very beneficial.

Mr Thomas advised us that he had attended the Annual Custody Visiting Seminar in Carmarthen where there was a discussion on juveniles in custody. We were advised that for PACE purposes young people are classed as juveniles up to the age of 17. We were informed that in the last year 24,200 children were arrested in England and Wales, 33% of which appeared before court, whereas over 70% reoffend. **Action**

Both Mr Thomas and Mrs Chapman also attended the National Conference in Brighton at the beginning of November. Mrs Chapman provided an update on the conference, the briefing note for which is attached to the end of these minutes for reference.

CUSTODY UPDATE

2. We were informed that phone calls into custody have been analysed and it has been established that staff are only getting to answer about 10% of 5000 calls. To resolve this problem a dedicated line is being used in both units for solicitors so that these types of calls are always picked up. The control room are now vetting callers before putting them through to custody as custody were frequently receiving calls that weren't necessarily for them to answer. Feedback on these changes has been varied, but work is now taking place with call handling to ensure that they keep hold of the caller. There is potential that the dedicated line could be opened up wider e.g. for custody visitors, however at the moment it is purely for solicitors.

Inspector Thompson advised us that he has been in consultation with Mr Smith in respect of the cell buzzer alert system in Ystrad Mynach. At Newport when a detainee uses the buzzer to draw the attention of an officer the officer can attend the cell and afterwards reset the buzzer for that particular cell. This is not the case in Ystrad Mynach as they have their reset options in groups e.g. cells 1 – 9 and not individually. As such if cells 2, 6 and 8 are calling for attention three lights will show up on the panel, if an officer deals with cell 2 and resets the alert the lights will go out for all of them not just cell 2, as such there is potential to miss detainees alerts. Work is now being conducted to establish if the current system is fit for purpose and meets the regulations and health and safety requirements. Inspector Thompson is liaising with Mark Hill who is the Senior Technical Standards Officer at the Home Office to see if the system meets their standards. Gwent Police Estates Department are also conducting work by reviewing the contract as it needs to be established if what Ystrad has in place is what they actually asked for when it

was installed. It is possible that Mr Hill may come and look at the system, however he has seen it before and it hasn't been flagged as a problem at previous inspections. It is possible that what is in place may be acceptable but just not the best option. Mark Hill was also checking the systems in other custody suites in England and Wales. Enquiries are also being made to see if it is possible to have an extra button on the panel to reset a specific light and not the panel as a whole. We were informed that custody staff have been briefed on the matter and have been asked that on the rare occasions when numerous detainees activate their buzzers at the same time to make a note of all the lights so that nobody is missed. Inspector Thompson informed us that the system is being checked daily to ensure it is working properly. As soon as he has a final update he will update everyone accordingly.

Action

RT

Mr Elliott highlighted that the resuscitation units above the cells in Newport are continually falling off. Inspector Thompson advised that they are held on by Velcro for easy access and it is likely that the Velcro has worn over time and may need replacing. He will flag this issue and arrange for it to be resolved.

RT

Chief Inspector Nicholas advised us that there is work ongoing to review how to store prisons property e.g. shoes. They are currently looking at putting cubicles into Newport custody to store this, with a similar set up being planned for Ystrad Mynach.

It was noted that when custody visitors are filling out their paperwork in Newport they utilise a side room that is packed full of uniforms, bags, photocopiers and old equipment etc, this room has minimal space to sit and complete their reports, whereas in Ystrad they utilise an interview room. Inspector Thompson advised that he will flag this matter as it is something that can be resolved by local housekeeping.

RT

Mr Angell noted that on a recent visit a detainee had advised that whilst he had been provided with a hot meal he was still hungry and was unaware he could have anything further, whereas when queried with the Custody Sergeant more food was available if needed. He asked whether it was possible for custody staff to make this evident to detainees. Inspector Thompson acknowledged the request and it was noted that in the majority of instances detainees are in for short periods of time whereby a meal doesn't always need to be provided, but that they will always ensure the needs of the detainees food requirements are met within reason.

SCHEME UPDATE

3. **Membership**

Membership of the scheme has increased now that Mr Angell and Ms Morgan have joined and Mr John Thomas has re-joined the scheme. This should provide the additional resilience the scheme needs.

Visits

No issues of note have been raised during recent visits. Only one visit has been missed since the last meeting and this was due to sickness.

Administration & IT

It was requested that visitors ensure all relevant parts of the visit forms are completed legibly and that all areas are checked for completion prior to signing the form off. Mr Thomas presented a form that Dyfed Powys use for everyone to review, it was agreed that it doesn't have a lot of the sections our forms need to have and that there is limited space to write any concerns etc. It was agreed that our forms are much more fit for purpose following their revision a year ago, however if anyone has any suggestions to improve the forms to contact Mrs Chapman.

REVISED ICV HANDBOOK

4. Mrs Chapman circulated the revised handbook during the earlier training session. It was requested that everyone review it and feedback any queries or issues to Mrs Chapman.

ALL

ANY OTHER BUSINESS

5. Mrs Curley gave a general update on the work of the Commissioner. We noted that Chief Constable Farrar was formally confirmed by the Police and Crime Panel on 8th November 2013.

The Commissioner is currently going through the budget setting process and will propose a precept to the Police and Crime Panel on 24th January 2014. The Commissioner is trying to balance everything out; to keep the figure as low as possible for the public, but to also enable him to meet the savings the force needs to make due to funding cuts.

We were advised that the commissioning process has now started. When first in post the Commissioner continued to fund the same services at the same level as the Police Authority. Going forward he will commission services from providers and they will need to provide a business plan outlining how their service will meet the needs set out in the police and crime plan. A Strategic Commissioning Board has been set up to manage this area of work and has representatives from a variety of agencies which include amongst others Health, Probation and the Fire Service.

The Commissioner has also set up a Partnership Fund and late last year awarded just under £100,000 to a number of organisations and groups who bid for funding for projects that would help divert people from crime and anti-social behaviour.

We were informed that work will be done in the future in respect of victims commissioning, and that lots of other engagement work is currently on-going.

It was noted at the training session earlier today the importance of custody visitors having access to custody records providing detainees have given consent. It was noted that this hasn't taken place for some time but is likely because visitors haven't had the need to review them rather than custody staff not providing them access. It was confirmed that when custody visitors need access staff should be able to show them the relevant screen on their computer, custody staff will be reminded that visitors are entitled to this access. Inspector Thompson noted that Niche will be going live in early February and may cause delays as staff will be getting used to the new system. It was noted that custody staff would need to ensure the detainee's name and offence are hidden as custody visitors are not permitted to view this.

DATE OF NEXT MEETING

6. The next meeting is scheduled to take place at 3pm on 8th April 2014 in Conference Room 1 at Police Headquarters.

Annual Conference for the Independent Custody Visiting Association

2nd November 2013 – Grand Hotel, Brighton

Attendees: Brian Thomas & Maria Chapman (Scheme Administrator)

Mr Thomas & I found the conference very informative with good speakers. We received presentations from the following:

- **Kevin Downer, Northern Ireland Policing Board**

A good presentation on the 'Importance of Listening'. A good example captured an incident whereby an officer prevented a suicidal man from jumping to his death. When asked how he had talked him down, the officer simply replied 'I didn't talk him down . . . I listened him down'. He recognised that ICVs need good listening skills and made the point that most people do not listen with the intent of understanding – most listen with the intent to reply. The other point he made was the importance of capturing the required information & reporting back accurately.

- **Katy Bourne, Police & Crime Commissioner for Sussex**

Opened with a good quote:

"Those that can - do . . . those who can do more – volunteer".

Ms Bourne highlighted that it is essential that the public have confidence in policing & that ICVs contribute to keeping those standards high. She also mentioned the importance of ensuring the rights, entitlements, health, and wellbeing of people held in police custody & the need to uphold the UN conventions against torture. Sussex had introduced greater accountability structures for Border UK detainees.

- **Chief Constable Martin Richards (Sussex)**

Gave a welcoming speech and highlighted the need to maintain a good reputation which requires a high level of transparency to ensure effective accountability. Policing in Sussex sees the value in engaging with its communities via many platforms including social media.

- **Sue Bereiowitz, Deputy Children's Commissioner for England**

Under the Children's Act 2004 the Children's Commissioner has:

- 'Power of Entry' into children's homes & custody (including remand)
- 'Power to undertake enquiries' – latest enquiry is concentrating on child exploitation (including sex exploitation) in gangs & groups. The report 'Female Voice in Violence' captures the impact of serious youth violence & criminal gangs on women & girls across the UK.

The Commissioner gave a harrowing presentation & outlined how she is working towards the prevention of cruel, inhumane, immoral & degrading treatment of children & young people.

Ms Bereiowitz acknowledged that the number of children & young people in custody was falling but highlighted more needed to be done & reminded people of the 54 rights identified in the UN Convention on the Rights of the Child. She also referenced the report 'Think I Must Have Been Born Bad'

(Office of the Children's Commission 2011). Prior to custody it has been identified that many children & young people had experienced the following:

- 60% had suffered maltreatment
- 66% came from broken families
- 75% school exclusion
- 33% had been in care
- 50% had trouble with peer & family relationships
- 33% severe & complex mental health issues
- Physical disability
- Literacy issues
- High proportion had drug & alcohol problems

- **Sarah Green, Commissioner for the Independent Police Complaints Commission**

She has responsibility for the oversight & accountability for the Metropolitan Police & a key area of concern is police custody. IPCC set standards, monitor performance, independently investigate serious matters & share 'Lessons Learnt'. IPCC has particular concern regarding deaths in custody & has investigated 9 deaths & 21 deaths after police contact. Big issues for the IPCC are mental health issues (inc inappropriate s.136 detentions & risk of suicide), drug & alcohol abuse, detention of children & use of force & restraint. Specific issues such as use of Tasers in custody & the misuse of Emergency Response Belts as spit / bite hoods.

Currently there is a review of the IPCC's role to inform & improve practice. The main themes are:

- Independence of IPCC
- IPCC engagement with bereaved families (needs more sensitivity & engagement with families)
- Effectiveness of IPCC investigations (currently take too long & need more robust evidence)

- **Andy Derwent, Home Office**

Gave an update on the latest revisions to the PACE Code. Six areas revised to date. Points highlighted:

- All 17 year olds must be given appropriate adult provision
- EU directive requires translation of essential documents for ALL people (authorisation of detention under PACE; details of offences; written interview records)
- Reduction of threshold for searching individuals on school premises
- Tightened up guidance for counter terrorism related detention
- Amended summary of Equality Act
- Changes to recording interviews to be more robust

Next areas for consideration:

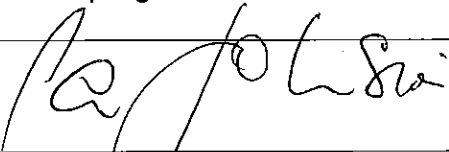
- Updating primary legislation
- Produce templates for essential documentation
- Update 'Notice of Rights & Entitlements' for 17 year olds

- Coroners to publish their recommendations post death in custody investigations
 - IPCC & Home office to engage more with Police & Crime Commissioners.
- **Deborah Coles, INQUEST**
 INQUEST is a small London charity providing advice & advocacy for families who are dealing with a 'death in custody' incident. They believe police custody is inappropriate for s.136 detentions. They lobby for better investigations with a more coordinated response. INQUEST also believes that ICVs could play a more practical role when there is a death in custody.
- **Rt. Hon Norman Baker MP (Sussex)**
 Discussed the following policy areas:
 - Government wants to see a reduction of deaths in custody
 - Aims to break cycles that contribute to criminality
 - Need better health referrals & outcomes (mental health & substance misuse)
 - Damian Green is meeting with Health partners with a view to pulling together a Health Concordant to improve current process & provision
 - Policy focus on reducing substance misuse.
- **Ian Smith – Chief Executive Officer of Independent Custody Visiting Association**
 The CEO closed the Annual conference by summarising many of the topics covered in the day and the work completed by the ICVA in the last year.
 Areas for future consideration:
 - Standardised vetting procedure for ICVs – all TACT visitors must be to Security Clearance (SC) level
 - Juveniles in custody detention is not working
 - Need to agree a specific definition of 'incapability'
 - British Transport Police is not covered by ICVA arrangements (Code H – access to detainees)
 - ICVs full reassessments of suitability are required to be done regularly (no longer than 3 years)
 - Standardisation of ICV schemes.

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

19.3.14

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