

## Custody Scrutiny panel

**Date:** Wednesday 3<sup>rd</sup> July 2024

**Time:** 18:00 - 20:30

**Location:** Perry Barr Custody Suite

**Panel Members:** Dawn Dance (DD - Chair), Alison Walker, Joanna Camille-St. Marie, Stassi Chilas, Mohammed Nadeem, Jane Edgington, Becks Torr, Adil Bahir, Shahida Raza.

**Guests:** N/A

**WMP:** Jenson Bloomer (Safer Custody Officer), Superintendent Emma Spencer (ES), Custody Inspector Chris Doody (CD)

**OPCC:** Natalie Cox (NC)

**Apologies:** Pauline White, Gary Williams, Paulette Sayers, Amber-Louise Elliker

	Item Discussed	Actions
1.	<p>Welcome and introduction by NC.</p> <p><b>DD</b> Overview of Minutes with updates from NC on actions taken from last meeting.</p> <p><b>Action 1:</b> An invitation has been sent for two Custody staff to attend Panel so that they understand its purpose.</p> <p><b>Action 2:</b> Review of records SS record 2 and 3. Based on feedback</p> <p><b>Action 3:</b> Review of Use of Force (UoF), Record 4, in relation to feedback given by Panel members.</p>	<p>Outstanding action – to be carried over</p>



<p>2.</p>	<p><b>UPDATE: Insp. CD</b></p> <p>UoF system has been updated. A glitch in the system has meant that UoF data can't be collated.</p> <p><b>Force Priorities</b></p> <p>40% more arrests than this time last year. More open stations have resulted in a strain on staff resources. Consequently, there is a business case for an uplift in staff recruitment.</p> <p><b>Custody</b></p> <p>Juvenile waiting times are slightly up. This is because in larger custody blocks, staff are waiting for booking-in area to become clear or to do this in a discrete area.</p> <p>In smaller custody blocks there are less staff, which also has to be balanced with breaks and availability of Sergeants. E.g. sometimes only one Sergeant is on duty.</p> <p>Detention times indicate that Juveniles are in for shorter periods of time, compared to adult Persons in Custody (PiCs).</p> <p>Investigations are being completed at a faster pace, which is resulting in earlier resolutions. Discharges are being made or CPS being contacted sooner as well as No Further Action (NFA).</p> <p><b>Juvenile Strip Searches</b></p> <p>Consultation happening as well as changes to PACE around whether removal of item and actual strip search should be recorded separately.</p> <p>There should be an Appropriate Adult (AA) present where there is removal of clothing, i.e., strip search.</p>	<p>Panel noted staffing issues and asked to be keep updated</p>
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	<p><b>Custody Blocks</b> Stechford Custody block has been temporarily closed. PICs were being transferred to Oldbury during this time, as it was closest but resulted in longer journey times.</p> <p><b>Healthcare</b> There will be a change in healthcare provider from 01/09/24 to Mighty Health Care, using a mobilization model.</p> <p><b>Prison Service</b> The Prison Service have use of number of Cells at Perry Barr Custody, which has put pressure on available resources. PB is one of the only estate options for the Prison Service.</p> <p><b>Dip Samples of custody records</b></p> <p>100% of Dip Samples have been completed for last month, however, where there is an increase of UoF, the percentage of Dip Samples being completed reduces. Every handcuffing is to be recorded as UoF.</p>										
3.	<p><b>Dip sample of Use of Force records:</b></p> <p>Six Dip Sampled records were selected at random by Chair at pre-meeting with NC. For this panel use of force was reviewed be record only.</p> <p>All panel members gave individual feedback using the QR code.</p> <p>Panel feedback of records</p> <p><b>Do the panel feel the Use of force was necessary and proportionate?</b></p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>13</td> <td>56.52%</td> </tr> <tr> <td>No</td> <td>10</td> <td>43.48%</td> </tr> </tbody> </table> <p><b>Do you feel the rationale gives clear justification of why that Use of Force was used?</b></p>	Answers	Count	Percentage	Yes	13	56.52%	No	10	43.48%	<p>Record 1. – Negative * requested for BWV to be brought to next panel</p> <p>Panel felt on record it seemed the incident wasn't controlled effectively; the record didn't identify what made the officer perceive her to be threatening to need to use force to place handcuffs at the back. Panel felt as she was a 13 yr the record doesn't justify the need for force.</p>
Answers	Count	Percentage									
Yes	13	56.52%									
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Answers	Count	Percentage	
Yes	10	43.48%	Record 2 – Negative
Unsure	8	34.78%	Panel felt More detail needed in the narrative, it doesn't really state the rationale for why the need of force. No clear reason given for why searching for markers and felt concern was focused on officers not safety of PIC
No	5	21.74%	
<b>Overall scrutiny panel feedback:</b>			
Answers	Count	Percentage	
Positive	8	34.78%	Record 3 – Positive
Negative	8	34.78%	Most panel members felt good clear rationale documented. Officer tried to calm PIC down but it's clear he needed to protect himself. Positive that Aftercare mentioned. However some panels members stressed the need to view BWV on this one as felt would need to view actions and build on this record to understand the justification of force used.
Neutral	7	30.43%	Record 4- Positive
			Panel felt record had good explanation for Officer safety consideration, however lacked the detail of what happened leading up to the use of force being used. Good that aftercare was considered and debrief of arresting officers.
			Record 5- Positive
			Panel felt, concern that pic is a juvenile and from record it seems that there was no communication with her. Could understand she is kicking out but no detail of de escalation . panel flet UoF was justified but felt needed more detail.
			Record 6 – Neutral - * requested for BWV to be brought to next panel
			Panel felt lots of text but lack of relevant detail supplied. Concerns over priority of reaction to pava, panel asked to see BWV of incident to understand what, what and how force was used.



4.	<p><b>Dip sample record Strip Search –</b></p> <p>10 Dip Sampled records were selected at random by Chair at pre-meet with NC. Decision taken at previous panel to view cameras/BWV to explore process of decision making around SS.</p> <p>Records 1 and were given to both groups to view records and BWV, the other 8 records were spilt across two groups(4x per group)</p> <p><b>Do the panel feel the reason for the strip search was necessary and reasonable?</b></p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>34</td> <td>70.83%</td> </tr> <tr> <td>No</td> <td>14</td> <td>29.17%</td> </tr> </tbody> </table> <p><b>Do you feel the rationale gives clear justification of why a strip search was authorised?</b></p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>28</td> <td>58.33%</td> </tr> <tr> <td>No</td> <td>14</td> <td>29.17%</td> </tr> <tr> <td>Unsure</td> <td>6</td> <td>12.5%</td> </tr> </tbody> </table> <p><b>Overall scrutiny panel feedback:</b></p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Positive</td> <td>20</td> <td>41.67%</td> </tr> <tr> <td>Neutral</td> <td>17</td> <td>35.42%</td> </tr> <tr> <td>Negative</td> <td>11</td> <td>22.92%</td> </tr> </tbody> </table>	Answers	Count	Percentage	Yes	34	70.83%	No	14	29.17%	Answers	Count	Percentage	Yes	28	58.33%	No	14	29.17%	Unsure	6	12.5%	Answers	Count	Percentage	Positive	20	41.67%	Neutral	17	35.42%	Negative	11	22.92%	<p>Record 1 BWV AND RECORD – positive</p> <p>Panel felt BWV of decision-making process allowed panel to understand the need of the search. Record very short and brief and doesn't detail how many times the officer the officer checked wand to ensure it was picking up correctly. However, panel felt strip search was justified and necessary. Record stated discussed with inspector not Authorised .</p> <p>Record 2 BWV AND RECORD - negative</p> <p>Panel felt There was no real rationale for the strip search apart from the fact yp was not speaking, officers didn't seem very trauma informed in their approach, the officers were speaking to young person like they were speaking to an adult and at times speaking about YP as if not present, No AA present or even considered to try and get one. Panel raised concerns with the CI sign off, The urgency for the search without AA was not justified and CI hadn't prompted these question.</p> <p>Rationale given prompted panel o question Healthcare if PIC is foaming at mouth- Unclear as what medical attention is given? confusing on their discussions. Felt like because he wasn't talking or giving details the punishment was to be stripped search. Felt like it was used against rather than for safety</p> <p><b>Panel feel training is required on CI authorisation required- template of question to require decision.</b></p> <p>Record 3 – Positive</p> <p>Panel felt strip search necessary and rationale was justified.</p>
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Authorisation included

Record 4 - neutral

Panel felt rationale wasn't strong in record. Not clear or detailed enough to justify the search. Reports of glass on PIC but no detail of what the reports were. Authorisation included

Record 5- Neutral

Panel asked questions around why person wasn't searched or supervised in hospital to be found with drugs on return. Unclear as to if the positive search was more drugs found or the drugs from the standard search. Authorisation included

Record 6- Negative

Panel raised concerns of justification, lacked flow and understanding, mention of previous markers but grounds to search didn't seem clear, mention of being left alone as a grounds to search but panel asked why and where. Lacked detail. Authorisation included

Record 7 - Neutral

Panel felt strip search rationale was weak and needed more. Panel asked if drugs already found on arrest and further suspected concealment in anus would the strip search of provided anything more. No AA mention not even sure if present for strip no rationale to urgent search detailed.

CI authorisation included

Record 8- Neutral

Panel felt lacked detail, states items found in bra in standard search but no detail of how removed as only normal search, and if this was in view at booking desk. Panel understand the



		<p>need of the strip search upon finding item. <b>Authorisation states given by PS – Was this a typo</b></p> <p>record 9- neutral</p> <p>Panel felt the use of some terminology in the rationale didn't allow to understand the justification. Need clear rationale as to why the PIC "was incapable" <b>Authorisation not included</b></p> <p>Record 10-</p> <p>Panel felt lacked detail, very short rationale for search. And doesn't provide detailed rationale and justification. No mention of wand / arch being used. <b>Authorisation states - Insp aware, panel states this is not authorised. Justification was given</b></p> <p>.</p>
4.	<p>Action noted from discussions for update at next panel</p> <p>WMP</p> <p><b>Action 1 (previous action):</b> Review of records from Panel (15/05/24) SS record 2 and 3. Based on Panel member feedback.</p> <p><b>Action 2:</b> Panel to be kept update on the impacts of staffing issues within custody.</p> <p><b>Action 3:</b> Missing UoF data to be provided for next Panel meeting.</p> <p><b>Action 4:</b> Records 1 and 6 UOF to be brought to next panel to be viewed on BWV</p> <p><b>Action 5:</b> Panel feel training is required on CI authorisation required- template of question to require decision being made. –</p>	



	<p>Also Exploration of whether training can be delivered regarding <b>how</b> strip searches are authorised while PiC is at custody desk and reminder of protocol, e.g., In this case AA not mentioned. related to strip search record 2.</p> <p><b>Action 6-</b> Force to review strip search record authorisation as not all stating correct authorisations.</p>	
5.	Date and location of next panel	<p><b>Next panel to be held; Wednesday 11<sup>th</sup> September 2024 at Perry Barr Custody Suite.</b></p> <p><b>Please arrive on time - tea and coffee will be served at 5:45pm to allow us to start promptly.</b></p> <p>Perry Barr Custody Suite   Holford Drive   Birmingham   B42 2TU</p>