

Custody Scrutiny Panel

Date: Wednesday 6th March 2024

Time: 18:00 - 20:15

Location: Perry Barr Custody Suite

Panel Members: Dawn Dance (DD - Chair), Mohammed Nadeem, Alison Walker, Joanna Camille-St. Marie, Jane Edgington, Gary Williams, Paulette Sayers

Guests: CI Stuart Robson (Greater Manchester Police), Jacqui Belfield-Smith (Greater Manchester Head of Youth Justice)

WMP: Inspector Jason Nunn (JN) Custody Inspector Chris Doody (CD)

OPCC: Natalie Cox (NC)

Apologies: Stassi Chilas, Pauline White, Superintendent Helen Bayley (HB)

	Item Discussed	Actions
1.	<p>Welcome and introduction by DD.</p> <p>DD Introductions from Panel members, WMPC and visitors from Greater Manchester Police and Greater Manchester Combined Authority.</p>	
2.	<p>UPDATE: Insp. JN</p> <p>Force priorities</p> <p>Arrests have increased due to the improvement of focused investigations. This was because the HMIC raised concerns about how West Midlands Police (WMP) investigates crimes.</p> <p>The concerns were based on data from 2022, but the Force is in a better position now, regarding how it conducts its</p>	



investigations, which means better outcomes for victims

20% of arrests have a positive outcome with the remaining - No Further Action (NFA). In terms of NFA, WMP is looking at the quality of decision making where outcomes aren't positive. This is in addition to considering the management of how bail is being utilized and where this could be improved.

Custody median waiting time

Young People - 18 minutes
Adults - 15 minutes.

There is a focus on dignity and respect for detainees. The length of time from arrival, to authorization of detention is being monitored. There are some outliers which are triaged when queues start to form.

Inspector review summary

This was set up in response to the HMIC inspection

Data which was presented by JN, shows that 95% of reviews are being completed within the required timeframe, however, as of the time that the Panel meeting was held, 97% had been completed.

Ensuring that the rights of detainees are at the fore, i.e., food, exercise, and regard for dignity, has meant that there has been a positive impact on behaviour and reduced need for UoF.

There has been a focus in the last six months on tactical engagement because of changes to the College of Policing Code of Ethics around what good policing looks like.

Standards of professional behaviour are being addressed through development and training.

Overview of the new code of ethics has resulted in action such as distraction packs for young people to reduce anxiety while in custody.



<p>Knife Arches and Wands</p> <p>There has been an increase in the use of knife arches following a discussion at the previous panel meeting. Data suggests that the use of wands in custody has reduced. This may be linked to more compliant behaviours which means that the wands are less likely to be used to search detainees.</p> <p>Strip Searches (SS)</p> <p>The Task and Finish group on SS are meeting bi-weekly.</p> <p>Where records show that a young person has been strip searched, JN is providing data to show the distinction between removal of article or removal of clothing</p> <p>Appropriate Adults (AAs)</p> <p>Use of AAs has increased. Data shows one SS on YP where no AA was present due to urgency of situation. Review to be picked up by team manager.</p> <p>Disproportionality</p> <p>Number of Black and Asian detainees being strip searched has reduced.</p> <p>Use of Force (UoF)</p> <p>Review of UoF data, Dip Samples of custody records</p> <p>Improvement shown in management of incidents with Sergeant in attendance in cell.</p> <p>Where there is planned use of force, how is this done and how many UoF result in injury?</p>	<p>JN to provide information on how planned UoF is developed and data around any injuries because of this.</p>
<p>QR codes</p> <p>NC</p> <p>Feedback from Body Worn Video (BWV) for UoF shows that response to text narrative</p>	<p>Finding can be found in Dip sample of Use of Force records section below. Further discussion will be held regarding findings with the chair.</p>



<p>is more positive, however after BWV is shown, feedback is more negative.</p> <p>NC provided one QR code for pre-BWV viewing with panel members reading text and then a different QR code for post BMV viewing to record any differences.</p>																																											
<p>Dip sample of Use of Force records:</p> <p>All Dip sampled records were selected at random by the Chair during pre-meeting with NC.</p> <p>3 UoF records with a pre and post QR code to see if panellists' perspective changed following viewing of BWV. All panel members gave individual feedback using the QR code.</p> <p>Panel feedback of record</p> <p>Do the panel feel the Use of force was necessary and proportionate?</p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>20</td> <td>100%</td> </tr> <tr> <td>No</td> <td>0</td> <td>0%</td> </tr> </tbody> </table> <p>Do you feel the rationale gives clear justification of why that Use of Force was used?</p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>17</td> <td>85%</td> </tr> <tr> <td>No</td> <td>2</td> <td>10%</td> </tr> <tr> <td>Unsure</td> <td>1</td> <td>5%</td> </tr> </tbody> </table> <p>Overall scrutiny panel feedback:</p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Positive</td> <td>18</td> <td>90%</td> </tr> <tr> <td>Neutral</td> <td>2</td> <td>10%</td> </tr> <tr> <td>Negative</td> <td>0</td> <td>0%</td> </tr> </tbody> </table> <p>Panel feedback after watching BWV</p> <p>From observing the BWV, Do you feel the Use of Force was necessary and proportionate?</p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>15</td> <td>83.33%</td> </tr> <tr> <td>No</td> <td>3</td> <td>16.67%</td> </tr> </tbody> </table>	Answers	Count	Percentage	Yes	20	100%	No	0	0%	Answers	Count	Percentage	Yes	17	85%	No	2	10%	Unsure	1	5%	Answers	Count	Percentage	Positive	18	90%	Neutral	2	10%	Negative	0	0%	Answers	Count	Percentage	Yes	15	83.33%	No	3	16.67%	<p>Feedback from written record</p> <p>Record 1-Positive Panel thought form was well written, was concise but contained sufficient detail to provide a rationale for the UoF used. Good to read about the aftercare provided to the PIC also.</p> <p>Record 2 – Positive Record reads clear and concise with a detailed rationale to support UoF used in this incident. Good Aftercare documented. Panel all felt it was necessary to prevent further injury</p> <p>Record 3 – Positive Extremely detailed record which gave a clear context and narrative which could be visualised by someone who was not present at the time of the incident. Really good to read about the aftercare provided. Documented use of force reduced once pic moved.</p> <p>Feedback after watching BWV</p> <p>Record 1 – Negative Panel as a whole felt whilst the UoF was proportionate and as the incident progressed necessary, the treatment of the PIC was quite demeaning leading up to the ground restraint, the communication with the PIC was very poor. Language of the officer at times as questionable, felt like she was being berated and humiliated at times with lack of empathy. Bad communication throughout in terms of what was going to happen with PIC which exacerbated</p>
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	<p>After watching the BWV, Do you feel the rationale given on the paper record clearly justify's why that Use of Force was used?</p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>11</td> <td>61.11%</td> </tr> <tr> <td>Not sure</td> <td>4</td> <td>22.22%</td> </tr> <tr> <td>No</td> <td>3</td> <td>16.67%</td> </tr> </tbody> </table> <p>What is your overall feedback after watching the BWV?</p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Positive</td> <td>10</td> <td>55.56%</td> </tr> <tr> <td>Negative</td> <td>5</td> <td>27.78%</td> </tr> <tr> <td>Neutral</td> <td>3</td> <td>16.67%</td> </tr> </tbody> </table>	Answers	Count	Percentage	Yes	11	61.11%	Not sure	4	22.22%	No	3	16.67%	Answers	Count	Percentage	Positive	10	55.56%	Negative	5	27.78%	Neutral	3	16.67%	<p>the incident. Pic was not given clear communications as to what was going to happen, It didn't appear in the footage that she was kicking out as stated in record. Dignity and respect were not felt upheld.</p> <p>Record 2 - Positive The text did not fully reflect what was shown in the BWV. Pic seemed applicant but did show some aggression and verbal aggression and this was dealt with appropriately by the officers. Would have helped if someone had been explaining to the pic what was happening and going to happen. But overall positive feedback but need more communication.</p> <p>Record 3 – Positive</p> <p>An exemplary example of managing this situation. The written record correlated with the BWV. Great to see the one clear voice approach, lead person Care offered throughout and the Sgt managing the situation and other officers in a consistently calm but measured and confident manner. Panel felt that was a really good process</p>
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<p>4.</p>	<p>Dip sample record Strip Search</p> <p>6 records were dip sampled by Chair at pre-meeting with NC. 3 records were given to each group to scrutinise.</p> <p>Out of the 6 records: Search Result- item found 2/6</p> <p>Do the panel feel the reason for the strip search was necessary and reasonable?</p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>19</td> <td>90.48%</td> </tr> <tr> <td>No</td> <td>2</td> <td>9.52%</td> </tr> </tbody> </table> <p>Do you feel the rationale gives clear justification of why a strip search was authorised?</p>	Answers	Count	Percentage	Yes	19	90.48%	No	2	9.52%	<p>Record 1 Overall Feedback; Positive Good rational, however subjective observation based on the incident and rationale for PIC to be there and some concerns based on rationale and potential drugs overdose supporting the SS request.</p> <p>Record 2 Negative Overall good rationale and clear understanding of Why Strip search was undertaken. However, concern of lack of miscommunication as PIC was strip searched as an adult but was later determined to be Juvenile. Sgt had been told that the PIC is an adult male, unsure if this was just based on physical appearance alone. This was not verified and although a SS was deemed to be necessary due to the immediate risk, the status of the</p>															
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	<p>Answers Count Percentage</p> <p>Yes 19 90.48%</p> <p>No 2 9.52%</p> <p>Unsure 0 0%</p> <p>Overall scrutiny panel feedback:</p> <p>Answers Count Percentage</p> <p>Positive 16 76.19%</p> <p>Neutral 3 14.29%</p> <p>Negative 2 9.52%</p> <p>Discussion on whether panel members can view BWV during process of decision making for SS NC to explore feasibility of viewing BWV.</p>	<p>detainee being a young person was not recorded at time. No AA present for search.</p> <p>Action</p> <p>JN to clarify what measures are in place to ensure that decisions about age can be verified.</p> <p>Record 3- Neutral Panel felt good, clear concise rationale, however panel had concerns that the grounds for search were deemed non urgent and waited till the morning for an AA to be present to undertake. Panel felt that this contradicted the need for the search overall.</p> <p>Action Panel asked for this to be further looked into.</p> <p>Record 4 – Positive Panel felt this was a Clear report, Good rationale and agreed Correct assessment</p> <p>Record 5 – Positive Detailed and clear rationale which used existing information effectively. Good to see Vulnerabilities consider. Really good record.</p> <p>Record 6- Negative Panel felt this was a poor write up not enough information given, Poor rationale Brief account and no rationale to support the use of marker.</p>
	<p>Recruitment</p> <p>NC to recruit panel members to increase to 15 in total, so that there is consistent availability of panel members.</p>	<p>NC to develop a plan for recruiting new panel members, criteria to include those with lived experience and aged between 18 – 25 years old.</p> <p>NC to deliver a training session for new recruits before they observe a panel meeting.</p>
<p>4.</p>	<p>Action noted from discussions for update at next panel</p> <p>WMP</p>	



	<p>JN to provide information on how planned UoF is developed and data around any injuries because of this.</p> <p>JN to clarify what measures are in place to ensure that decisions about age can be verified.</p> <p>Panel asked for record 3 SS to further looked into.</p> <p>OPCC NC to explore feasibility of viewing BWV during SS decision making</p> <p>NC to develop a plan for recruiting new panel members, criteria to include those with lived experience and aged 18 – 25 years old.</p> <p>NC to deliver a training session for new recruits before joining the Panel to observe.</p>	
5.	Date and location of next panel	<p>Next panel to be held; Wednesday 15th May 2024 at Perry Barr Custody Suite.</p> <p>Please arrive on time - tea and coffee will be served at 5:45pm to allow us to start promptly.</p> <p>Perry Barr Custody Suite Holford Drive Birmingham B42 2TU</p>