

Custody Scrutiny panel

Date: Wednesday 15th May 2024

Time: 18:00 - 20:30

Location: Perry Barr Custody Suite

Panel Members: Dawn Dance (DD - Chair), Jane Edgington, Alison Walker, Paulette Sayers, Shahida Raza, Rebecca Torr, Amber Elliker, Jacqueline Peterkin

Guests: Jenson Bloomer (Safer Custody Officer)

WMP: Superintendent Emma Spencer, Custody Inspector Chris Doody (CD)

OPCC: Natalie Cox (NC)

Apologies: Stassi Chilas, Mohammed Nadeem, Joanna Camille-St. Marie, Pauline White, Gary Williams, Superintendent Helen Bayley (HB), Inspector Jason Nunn (JN)

	Item Discussed	Actions
1.	<p>Welcome and introduction by NC.</p> <p>DD Minutes of the last meeting, update on any actions taken from last meeting.</p> <p>Welcome new Panel members, Superintendent Emma Spencer and Jenson Bloomer (Safer Custody Officer)</p>	
2.	<p>UPDATE: Insp Chris Doody on behalf of Mr. Corrigan.</p> <p>Previous Actions Action raised regarding strip search of Young Person without an appropriate adult being present – CCTV has been reviewed, and Officers involved have been spoken to, regarding errors around processing procedures.</p>	



Dip Samples of custody records

Inspectors receive two records that are selected at random to scrutinize. This equates to around 20 records in total – so far 97% have been completed.

Strip Searches

The number of Strip Searches (SS) have reduced over time due to positive responses to Panel scrutiny.

In March 2024, there were six SSs where Appropriate Adults (AAs) were present with one where an AA wasn't present.

No rationale given for one record – this was escalated to Inspector for review.

One SS was not approved immediately as parent would only attend at a specific time. Delay was authorized having been escalated to Chief Inspector (CI). There was no immediate risk to individual and any risk could be managed through processes. SS proved inconclusive.

UoF (Use of Force)

Increased use of Knife Arch and Wand with a focus on threat and risk.

Disproportionality for black PICs in custody is under the baseline (white PICs), however this is not reflected in the national data due to different way of collating the numbers.

There has been a slight reduction in the use of Body Worn Cameras (BWC) footage and submission of UoF reports.

Reduced use of BWC footage may be due to there not being enough for all staff or because they are being charged in between shifts. It also may be linked to staff not utilizing them effectively, which will be addressed shortly as BWCs will be issued to all custody staff.



	<p>UoF underreporting might be due to response officers not completing them before leaving custody as Detention Escort Officers (DEOs) don't have jurisdiction over them to ensure that this is done.</p> <p>There may also be further work to be done with new DEOs regarding the submission of UoF forms.</p> <p>UoF App to be going live, week beginning 20/05/24. This will allow Officers to record types of force in more detail and will prompt reviews by Sergeants and Inspectors.</p>																																		
<p>3.</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 panelists' 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>	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%	<p>Record 1 – Neutral</p> <p>Panel generally felt this was neutral, some panel members felt whilst the right up had information relating to the search it was felt this was very confusing and left panel unsure of circumstances. Panel also felt that more detail should have been provided on after care of the person due to the level of force used.</p> <p>Record 2- Neutral</p> <p>Panel felt the Rationale was succinct but does not contain enough detail to understand what the unarmed tactic is from the record. Overall lack of detail left the panel feeling asking lots of questions.</p> <p>Record 4 – Positive</p> <p>Panel felt the Record provides a rationale that generates an image of what may be happening. Mixed feelings on if the officer fully explained why search was necessary considering the heightened situation and age of the child.</p>
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Panel feedback after watching BWV

From observing the BWV, Do you feel the Use of Force was necessary and proportionate?

Answers	Count	Percentage
Yes	18	75%
No	6	25%

After watching the BWV, Do you feel the rationale given on the paper record clearly justifies why that Use of Force was used?

Answers	Count	Percentage
Yes	15	62.5%
No	5	20.83%
Not sure	4	16.67%

What is your overall feedback after watching the BWV?

Answers	Count	Percentage
Positive	10	41.67%
Neutral	7	29.17%
Negative	7	29.17%

Record 1 – Negative

The panel felt that the BWV seemed to have suggested the UOF was disproportionate for some panel members, as it was felt that the record wasn't reflect of the full, true picture of what occurred. Slightly difference in what was seen to written has not considered trigger points that may have resulted in the PIC reacting in a manner he did. Feedback would be around the officers needing to use one voice as the multiple voices appeared to exacerbate the PIC demeanour. In addition, saying things like "calm down" is not helpful in such heightened situations

Record 2 – Positive

Panel felt Whilst the UoF was proportionate, as the officers were calm and explained several times to the PIC what the procedure, however the record not being detailed enough means an overall negative. The officers spent a considerable amount of time trying to get the PIC into a cell and this was necessary to be documented to justify the UoF. Additionally, as he was a child, more detail in the record to correlate with the BWV is necessary.

Record 4 neutral/Negative

The panel felt more dialogue was needed between officers and the child. They didn't explain much to her and was a different account to what was on the record. In the record it mentioned head banging prior to spit guard and wasn't seen in BWV, officers should have been trying to deescalate the situation more productively. Panel felt record was positive on first reflection but after watching the BWV this viewed changed dramatically.



4.	<p>Dip sample record Strip Search - All dip sampled records were selected at random by Chair during pre-meeting with NC.</p> <p>8 records were selected and divided for two groups to look at. Group 1 had records 1-4 while Group 2 had records 5-8.</p> <p>QR codes completed for SS records</p> <p>Out of the 8 records:</p> <p>Search Result- item found in 5/8</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>25</td> <td>92.59%</td> </tr> <tr> <td>No</td> <td>2</td> <td>7.41%</td> </tr> </tbody> </table> <p>Do you feel the rationale gives clear justification of why a strip search was authorised?</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>74.07%</td> </tr> <tr> <td>Unsure</td> <td>6</td> <td>22.22%</td> </tr> <tr> <td>No</td> <td>1</td> <td>3.7%</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>15</td> <td>55.56%</td> </tr> <tr> <td>Neutral</td> <td>8</td> <td>29.63%</td> </tr> <tr> <td>Negative</td> <td>4</td> <td>14.81%</td> </tr> </tbody> </table>	Answers	Count	Percentage	Yes	25	92.59%	No	2	7.41%	Answers	Count	Percentage	Yes	20	74.07%	Unsure	6	22.22%	No	1	3.7%	Answers	Count	Percentage	Positive	15	55.56%	Neutral	8	29.63%	Negative	4	14.81%	<p>Record 1 – Positive</p> <p>Panel felt concern over concealing drugs, welfare, care and concern for the child were all justified and had been considered appropriately. AA present and evidenced. Very good evidencing of safeguarding referrals and follow up required.</p> <p>Record 2 – Neutral</p> <p>Panel felt the grounds and rationale of this search were vague and lacked detailed, needed more detail around the marker for concealing items in underwear and their links to harm to self should have been made more explicit.</p> <p>Panel felt grounds based on previous behaviour didn't link and panel felt if this is seen a strong enough to base rationale on why wasn't it logged correctly and just relied on by officer.</p> <p>Record 3 - Negative</p> <p>Panel felt this rationale wasn't clear enough to fully agree with the need of strip search. Panel understood the need to enter cell and remove the risk of the under wire from bra but didn't see the justification expressed to authorise a full strip search.</p> <p>Record 4- Neutral</p> <p>Panel expressed Rationale doesn't highlight position of the officer to authorise a SS this isn't clear or evidenced in rationale.</p> <p>Rationale states PIC was class A user and being violent and couldn't perform RA which escalates to SS. Whilst outcome was positive, these items would have been of been found within an normal search and this should have been considered first, to build on rationale.</p>
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		<p>Record 5 – Positive</p> <p>Panel felt Good detailed rationale, evidencing thought process. AA present and evidenced authorisation</p> <p>Record 6- Positive</p> <p>Panel felt Good detailed rationale, necessary, evidencing authorisation, however stressed the lack of content as to why was retrospectively obtained.</p> <p>Record 7- Neutral</p> <p>Panel expressed concerns with the lack of detail in the consideration, impact and timeline of markers. More information should be supplied to justify.</p> <p>Record 8 – Positive</p> <p>Panel felt the need to strip search was justified due to glass being found at book in but lack of detail in the consideration, impact and timeline of markers.</p>
5.	Action noted from discussions for update at next panel	<p>WMP</p> <p>Action 1: Invitation for custody staff to attend Panel, to understand role that it plays in ensuring good practice. To manage numbers only 2 max per panel.</p> <p>Action 2: Review of records SS record 2 and 3. Based on feedback</p> <p>Action 3: review of UOF record 4 in relation to feedback above.</p>
6.	Date and location of next panel - tea and coffee will be served at	<p>Next panel to be held; Wednesday 3rd July 2024 at Perry Barr Custody Suite. Please arrive 5:45pm to allow us to start promptly at 6pm – 8:30pm.</p> <p>Perry Barr Custody Suite Holford Drive Birmingham B42 2TU</p>