

Custody Scrutiny panel

Date: Wednesday 10th January 2024

Time: 18:00 - 20:15

Location: Perry Barr Custody Suite

Panel Members: Dawn Dance (DD - Chair), Alison Walker, Joanna Camille - St. Marie

Guests: N/A

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

OPCC: Natalie Cox (NC)

Apologies: Stassi Chilas, Mohammed Nadeem, Jane Edgington, Pauline White, Gary Williams, Paulette Sayers, Superintendent Helen Bayley (HB)

	Item Discussed	Actions
1.	<p>Welcome and introduction by NC.</p> <p>Certificates from the Lord Ferrers awards still need to be given to all panel members.</p> <p>NC Introduction to DD who will be taking over the role of Chair. Handover has been completed.</p> <p>Low number of attendees at panel, held this to an increase in apologies, NC will be working on a recruitment campaign to increase panel members, specifically lived experiences and young people</p> <p>DD Minutes of the last meeting, update on any actions taken from last meeting.</p> <p>Insp. JN to confirm whether same sex officers present during strip searches. No update for specific record.</p>	<p>To be sent by post to panellists.</p> <p>Please email NC for expressions of interest for the role of Vice Chair and/or minute taker.</p> <p>NC will keep panel updated</p> <p>Prior to strip search regarding removal clothing, mixed sex officers present, however, all complete removal of items has only same sex officers present.</p>



<p>2. UPDATE: Insp. JN</p> <p>Force priorities Increased arrests due to Force prioritization to bring people to justice, which is informed by recent HMIC report. There is a particular focus on Domestic Abuse and outstanding offenders. There has been an increase in serious youth violence and an uplift for firearms discharge. Perry Barr and Oldbury Custody Blocks are processing the most PICs with Stechford also getting busier.</p> <p>Custody Block There is a focus on dignity and respect for PICs and there is a review of staff resources due to increased numbers of arrests. Inspector reviews to ensure proper engagement with PICs in order to reduce conflict i.e., UoF</p> <p>Custody booking in wait times are under 50 minutes. Maximum waiting time of 5 hours with anything over 2 hours are being reviewed. Where waiting time is up to an hour, the Duty Officer will review. A Triage system is in place to monitor PICs in the holding cells. Juveniles and vulnerable PICs are prioritized for processing.</p> <p>Detention times are currently under 12 hours; however, there has been a slight increase in juvenile detention times, which may be due to more young people being in custody.</p> <p>Dip Samples of custody records 450 custody records have been dip sampled</p> <p>Knife Arches and Wands 3027 use of Wands 2608 use of Knife Arches.</p>	<p>Panel to continue to have scrutiny of waiting times as panel feel longer wait times can increase in tension and trauma esp. for young people and increases the risk of force being used.</p>
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<p>Number should be higher and doesn't match number or arrests.</p> <p>Effective searches using knife arches and wands, as well as the appropriate use of technology, plus risk assessment questions and better care plans should have an impact on UoF (reduction)</p> <p>Strip Searches Removal of clothing and article was less than 10%. Where juveniles have had SSs, performance conversations are happening with individual officers.</p> <p>A reminder that the Chief Inspector has to authorize SS of juveniles unless it's a removal of a clothing or cord, then it can be authorized by an Inspector. All adult SS authorized by an Inspector.</p> <p>Data suggests that in terms of disproportionality, using data for Caucasians as a baseline, it is showing like for like for Black PICs with lower figures for Asian PICs.</p> <p>UoF Submission of UoF forms is still a work in progress. Typically, some of the officers will complete while others who may have had very brief contact with PIC are not. Expectation is that all officers who have had physical contact with PIC will submit UoF force.</p> <p>UOF was 0.5% for Black PICs against Custody records and 1.6% against population data</p> <p>Data shows more UoF used at Perry Barr, less at Oldbury. Risk assessment now has additional questions to support staff to make well informed decisions.</p> <p>UoF on juveniles is primarily ground restraint and non-compliant handcuffing.</p>	<p>Panel to continue to hold scrutiny of evidencing common practice of knife wands and arches.</p> <p>Panel to hold continued oversight of data of strip searches and a consideration of disproportionality</p> <p>Panel to hold continued oversight of data of UOF included increase in forms submitted and any disproportionality.</p>
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	<p>There has also been an increase in CS spray being used in custody.</p> <p>100 Dip samples have been completed for UoF during December 2023. Mandated that Inspectors complete 5 dip samples each, which are then peer reviewed.</p> <p>One flashpoint for UoF is when PICs are photographed and having fingerprints taken, this can result in more instances of UoF. Officers can now use BWC, and a nominated sergeant should be present.</p> <p>Personal issue BWC is imminent and will hopefully reduce incidents.</p> <p>BWV</p> <p>BWC are not always worn due to spontaneity of incidents. Can be worn for planned UoF.</p> <p>QR codes</p> <p>NC</p> <p>QR codes are working well to record panelist's feedback. Possibility of moving to QR codes with a box for free text instead of writing on the hard copy record. This would make it easier to collate data.</p>	<p>NC to complete a software analysis and present the data as a Dashboard to give greater understanding to panellist members about how their feedback is being used.</p> <p>NC to check that all panellists have access to a smartphone.</p>
3.	<p>Dip sample of Use of Force records:</p> <p>All Dip sampled records were selected at random by Chair at pre-meeting with NC.</p> <p>All panel members viewed accompanying BWV to Record 1. Discussion about footage and fact that there should be a debrief afterwards.</p>	<p>Action panel will complete feedback pre and post BWV to capture thoughts and considerations on the context BWV adds.</p>



<p>Panelists scrutinised the remaining records.</p> <p>A total of 4 records were selected. 2 records were looked at by 2 panellists and 2 records were scrutinised by 1 panel member.</p> <p>A total of 4 records were covered. 9 online individual responses.</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>9</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>9</td> <td>100 %</td> </tr> <tr> <td>No</td> <td>0</td> <td>0%</td> </tr> <tr> <td>Unsure</td> <td>0</td> <td>0%</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>7</td> <td>77.78%</td> </tr> <tr> <td>Negative</td> <td>0</td> <td>0%</td> </tr> <tr> <td>Neutral</td> <td>2</td> <td>2.22%</td> </tr> </tbody> </table>	Answers	Count	Percentage	Yes	9	100%	No	0	0%	Answers	Count	Percentage	Yes	9	100 %	No	0	0%	Unsure	0	0%	Answers	Count	Percentage	Positive	7	77.78%	Negative	0	0%	Neutral	2	2.22%	<p>Record 1 -BWV watched – Positive</p> <p>Very detailed narrative. UoF seems proportionate Was PIC injured? Was aftercare needed/given</p> <p>Pic was not engaging or listening to clear instructions from the officer. Maybe the pic took a dislike to the officer and talking to her might have helped</p> <p>However, after watching BWV panel member stressed concern of difference in context and actually the feedback was felt to be negative -</p> <p>Panel felt UOF was necessary in the end but many chances of de-escalation missed by officers. Lacked explanation and communication with young female. Not one person taking control, too many voices over speaking at times.</p> <p>Lacked dignity and respect</p> <p>Panel felt record wasn't reflective of level and rationale given of UOF</p> <p>Record 2 – Positive</p> <p>Panel felt this was a controlled and well handle UOF, was reviewed by health professional. Satisfied that no danger to PIC, felt and fair and proportionate UOF</p> <p>Record 3- Positive</p> <p>Panel felt it was fair and proportionate UOF, Pic not listening to officer stressed and not complying. Pava used to prevent PIC self-harming. No mention of after care given after use of Pava.</p> <p>On spread sheet states use of as only drawn but rationale states used.</p> <p>Record 4 – Neutral</p> <p>Mixed feedback from panel on this UOF as panel felt was fair, necessary and proportionate, due top nature of incident wasn't clear of any de-escalation techniques being use or no comment</p>
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		<p>about whether PIC was spoken to or if she was just moved.</p> <p>Aftercare was mentioned as been offered but no detail given as to what. Positive that was escalated to senior officer.</p> <p>Record 5 – Positive</p> <p>The panel felt the force used by this officer in the incident seemed necessary, however, because pic was intoxicated, maybe didn't know what he was doing and concerns raised over no time limit to restraint noted and the further need for health check-up.</p>																					
<p>4.</p>	<p>Dip sample record Strip Search - All dip sampled records where selected at random by Chair at pre-meet with NC</p> <p>A total of 8 Strip records were covered. 20 online individual responses split across the 8 records.</p> <p>Out of the 8 records:</p> <p>Search Result- item found 2/8</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>13</td> <td>65%</td> </tr> <tr> <td>No</td> <td>7</td> <td>35%</td> </tr> </tbody> </table> <p>If Juvenile or vulnerable was an AA present? If not why? 2 Juvenile searches both had AA Present</p> <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>10</td> <td>50%</td> </tr> <tr> <td>No</td> <td>9</td> <td>45%</td> </tr> <tr> <td>Unsure</td> <td>1</td> <td>5%</td> </tr> </tbody> </table>	Answers	Count	Percentage	Yes	13	65%	No	7	35%	Answers	Count	Percentage	Yes	10	50%	No	9	45%	Unsure	1	5%	<p>Record 1 Positive Panel felt that the grounds of the search were clear and detailed, but raised question that it mentions drugs had already been found in underwear in normal search- were this voluntarily given up by Pic? If not the probability of finding more was low and felt that it didn't reach the threshold for some members. Happy AA present.</p> <p>Record 2- Negative Panel felt generally may have been reasonable but that insufficient information was given as a rationale on record considering it had CI sign off. Panel questioned- Is a previous marker alone sufficient- Action question</p> <p>Record 3- Neutral Some panel members felt that the reason for the search was necessary but all panel member that reviewed this record felt the grounds were not clear and sufficient.</p> <p>Record 4- Neutral Some panel members felt that the reason for the search was necessary and reasonable but felt the grounds were not clear and sufficiently detailed</p> <p>Record 5- Negative Panel Request this looked into as no rationale recorded on paper record Action</p>
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	<p>Scrutiny panel feedback Positive, Negative or Neutral?</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>50%</td> </tr> <tr> <td>Negative</td> <td>8</td> <td>40%</td> </tr> <tr> <td>Neutral</td> <td>2</td> <td>10%</td> </tr> </tbody> </table>	Answers	Count	Percentage	Positive	10	50%	Negative	8	40%	Neutral	2	10%	<p>Record 6- Neutral Panel felt rationale given allowed the panel to almost understand the necessity of the search but felt the detail in rationale didn't give clear justification of why a strip search was authorized</p> <p>Record 7-Positive Panel felt that the strip search was reasonable and necessary. Clearly written and structured rationale</p> <p>Record 8 -Positive Panel felt that the strip search was reasonable and necessary to weapon found but felt old use of markers not relevant.</p>
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5.	<p>Action noted from discussions for update at next panel</p> <p>Decision to be made regarding location of panel meetings as not all panelists present during previous discussion.</p> <p>NC to present Dashboard data.</p> <p>NC to check that all panelists have access to a smartphone.</p> <p>Lord Ferrer Award Certificates to be posted</p>	<p>Please email NC for expressions of interest for the role of Vice Chair and/or minute taker.</p> <p>Action panel will complete feedback pre and post BWV to capture thoughts and considerations on the context BWV adds Strip search record 2 and 5 to be looked into in more detail by WMP</p>												
6.	<p>Date and location of next panel</p>	<p>Next panel to be held; Wednesday 6th March 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>												