

Custody Scrutiny panel

Location: Perry Barr

Date and Time: 05/07/23 @1807hrs

In Attendance:

Mohamed N (Chair), Dawn D(Vice Chair), Stassi C, Jane, Pauline W, Alison W

WMP: Inspector Talib Hussain – ITH, Chief Inspector Jason Nunn - CIJN

OPCC: Natalie Cox (NC)

Apologise: Gary W

	Item Discussed	Feedback/Actions
1.	<p>Welcome and introduction by the chair.</p> <p>Minutes of the last meeting, update on any actions taken from last meeting.</p> <p>Questions raised over positive outcomes for SS records stating positive outcome, but no items found.</p> <p>SIM Team- update on Connect system- A different column will now indicate if something found during SS. Information unavailable at the moment as this hasn't been in place long enough to generate data. May have some at next meeting. – action complete</p> <p>Limited information available from UoF forms, other records needed. These have been pulled from the system to complete records. NC has been shown how to do this and all information should be available, moving forward. Action complete</p> <p>Updates to system for special UoF entries - Connect now reflects expectation of what Custody Sergeants and Review Officers should do.</p>	



	<p>Inspector Corrigan is UoF lead for custody Action complete</p> <p>Internal review of five UoF records by individual groups which feeds into force meeting for governance process. This is West Midlands specific. This will then inform decisions around whether there needs to be further training or policy scrutiny.</p> <p>Discussion regarding using BWF to support scrutiny of UoF records. Pilot of six records - only two had BWF and one showed UoF. BWF cameras into custody - once embedded more availability. NC and ITH will bring BWF linked to future records from arresting officers BWF.</p> <p>New Custody Model and youth specific custody block (Perry Barr - PB) – Juveniles should be transported to PB but will go to Stechford if arrested in Solihull</p> <p>Connect upgrade to record ethnicity is not prioritised in 2025 upgrade. Costs around £20,000. Letter of concern written by MON to highlight this. Custody (West Mids.) have put a process in place to capture this data. - other forces also have similar challenges. Connect not used by all forces.</p> <p>Additional information requested about one record from previous panel meeting. ITH pulled records to give a fuller rationale. – action complete</p>	<p>NC to look at next steps</p>
2.	<p>UPDATE: On custody data from CI JN</p> <p>Change programme – all sites up and running since May 2023.</p> <p>Increased arrests due to change in structure and command level – increased workload.</p> <p>New government structure to feed into governance process - ACC Hill</p> <p>HMIC – Interim custody report - full report in August 2023. Last inspection was</p>	



	<p>2017. HMIC action plan for all governance. Return visit in 12 mths Working with partners to increase service provision across sites</p> <p>Overview of custody data</p> <p>May 2023 - number of SSs has reduced for juveniles where AAs not present. Overall, numbers have reduced for all detainees</p> <p>HMIC - how are they conducted – reminding officers of guidance around SS, e.g., legal and least intrusive way</p> <p>Disproportionality Dip samples by inspectors found that although wands and knife arches are being used – data is not being captured.</p> <p>UoF underreporting is an issue in WMP, UoF relates to the number of completed forms. HMIC view is that if, for example, there are 68000 arrests, then there should be 18000 forms. However, WMP doesn't include compliant handcuffing as UoF as some other forces do.</p> <p>Tactic used -Ground restraint – highest tactic but data shows that this has reduced in May 23</p> <p>Tracking top five users of tactics this is used to inform a welfare check i.e., training needs and is also reviewed alongside staff assault data</p> <p>Sign off from trigger reviews on the following groups:</p> <ul style="list-style-type: none"> • 18-34 yrs. - black males • Under 10 yrs. • 11-17 - all 	<p>NC to send out report once available</p> <p>Action: WMP to look at how we evidence this is routine</p> <p>WMP to look at how we can capture this</p>
3.	<p>Dip sample record Strip Search - All dip sampled records where selected at random by Chair at pre-meet with NC</p>	<p>Overall feedback Record 1 – Neutral</p>



<p>A total of 6 records were covered. Out of the six records; 18 online individual responses split across 6 records (3 response per record)</p> <p>Search Result- item found: 6/6 NOT FOUND</p> <p>If Juvenile or vulnerable was an AA present? If not why?</p> <p>N/A</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>15</td> <td>83.33%</td> </tr> <tr> <td>No</td> <td>3</td> <td>16.67%</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>8</td> <td>44.44%</td> </tr> <tr> <td>Unsure</td> <td>6</td> <td>33.33%</td> </tr> <tr> <td>No</td> <td>4</td> <td>22.22%</td> </tr> </tbody> </table> <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>Neutral</td> <td>16</td> <td>88.89%</td> </tr> <tr> <td>Positive</td> <td>2</td> <td>11.11%</td> </tr> <tr> <td>Negative</td> <td>0</td> <td>0%</td> </tr> </tbody> </table>	Answers	Count	Percentage	Yes	15	83.33%	No	3	16.67%	Answers	Count	Percentage	Yes	8	44.44%	Unsure	6	33.33%	No	4	22.22%	Answers	Count	Percentage	Neutral	16	88.89%	Positive	2	11.11%	Negative	0	0%	<p>Panel felt not detailed enough, a degree of justification for potential drugs search, markers for weapons- but stated arches couldn't have been used to assess risk, panel disagreed.</p> <p>Rationale did not justify search and subsequent UoF. This record was at random chosen as UOF record and no mention of level force that was used to complete this strip in this record, no mention of removal of clothing with knife in this record. ACTION feedback</p> <p>Panel feel it should also list if all other officers present were female during search. – ACTION update and action to see if this can be added going forward.</p> <p>Record 2 neutral Panel generally thought the reason for the strip search was necessary however didn't feel the rationale explains/justifies the need to cut off clothing with safety knife.</p> <p>Panel asked same question as before - it should also list if all other officers present were female during search</p> <p>Record 3 – Positive Panel felt the search was necessary and reasonable, however feedback that the risk of self-harm could have been assessed by wands/arch, officer stated wouldn't – This raised questions of how routine wands and arches are in custody as if these are being used routinely it would be stated more and shouldn't be used to build grounds for strip search in the way it is. -Action feedback</p> <p>Record 4 – Neutral Panel felt Legislation referred to which makes it 'lawful' however unsure about it being reasonable. Justification of why not clear and detailed enough, refusal of RA and not complying doesn't give clear grounds for Strip search.</p> <p>Record 5 – Neutral</p>
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		<p>Panel felt could understand the need due to markers but need more justification and detail of how recent/relevant markers are if makes the base of the grounds. Panel want to know why “inconclusive” of outcome. ACTION</p> <p>Record 6- Neutral Panel could understand the difficult choice, however felt that risk/ground of being under influence was so strong that panel felt being placed on watch would have been more suitable – to mitigate the need for search whilst delivering due care ad safety of PIC.</p>																											
	<p>Dip sample of Use of Force records - All dip sampled records where selected at random by Chair at pre-meet with NC</p> <p>A total of 6 records were covered.</p> <p>Out of the six records; 18 online individual responses split across 6 records (3 response per 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>10</td> <td>55.56%</td> </tr> <tr> <td>No</td> <td>8</td> <td>44.44%</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>10</td> <td>55.56%</td> </tr> <tr> <td>No</td> <td>7</td> <td>38.89%</td> </tr> <tr> <td>Unsure</td> <td>1</td> <td>5.56%</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>9</td> <td>50%</td> </tr> </tbody> </table>	Answers	Count	Percentage	Yes	10	55.56%	No	8	44.44%	Answers	Count	Percentage	Yes	10	55.56%	No	7	38.89%	Unsure	1	5.56%	Answers	Count	Percentage	Positive	9	50%	<p>Overall feedback</p> <p>Record 1 -Neutral Panel felt there was a lack of dignity for PIC, clothes being ripped off. More feedback needed on pain compliance tech used and “in retaliation I hit her”- no detail of how or no mention of aftercare provided. This is still part of the force but had no detail – ACTION /feedback and more detail</p> <p>Record 2 Positive Panel felt handle well, from reading the record the use of force was necessary for the officers to complete due to situation that occurred. The rationale clearly justifies why the use of force was used.</p> <p>Record 3 – Negative Panel felt over justification, and unnecessary use of force. Panel feel that the restraints and handcuffing was reasonable, however did feel the officer use of elbow to the PIC’S face was not proportionate at all. Panel felt officer was using legislation and weak rationale for level of UoF used. Lack of de escalation</p> <p>Record 4 – Negative Panel felt very weak rationale of his part in the UOF, no context or detail and no attempt to justify. Panel watched BWV of incident (Worn by another officer) – we then asked 4 question to members individually online,</p>
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	<p>Negative 6 33.33%</p> <p>Neutral 3 16.67%</p>	<p>Do you feel the Use of Force was necessary and proportionate?</p> <p>Yes -4 No- 2</p> <p>Do you feel the rationale gives clear justification of why that Use of Force was used?</p> <p>Yes -1 No- 5</p> <p>What is your all overall feedback Negative – 3, Neutral -2, positive-1</p> <p>Do you feel the BWV gave more context? Yes -5, unsure 1</p> <p>Panel felt BWV allowed a better understanding of the incident and the environment. However, found that the officers account wasn't not reflected correctly and detailed enough.</p> <p>Record 5- Positive</p> <p>Panel reported that it was a succinct report outlining rationale and good detailed summary Fairly clear description of events. Shows aftercare and PIC welfare.</p> <p>Record 6 – Positive</p> <p>Panel reported Officer monitoring CCTV was on the ball. Good team work, clear report outlining rationale and good detailed summary. Showed aftercare and PIC welfare. Panel raised could more steps of been taking to check the socks before in cell?</p> <p>Action positive feedback for officers from record 5&6</p>
4.	Action noted from discussions for update at next panel	<p>WMP</p> <ul style="list-style-type: none"> - to look at how we can capture/document Knife wards and Arch's - Provide more detail on SS Records 1.3.5 - ACTION/update - list if all other



		<p>officers present were same sex during search. –and action to see if this can be added going forward</p> <ul style="list-style-type: none">- More detail UOF Record 1- feedback for officer- Action positive feedback for officers from UOF record 5&6 <p>OPCC</p> <ul style="list-style-type: none">- NC to look at next steps with issues on connect- NC to send out HMICFRS report once available
5.	<p>Date and location of next panel</p> <p>Please report to main entrance and you will be collected.</p> <p>Parking is available at visitor entrance only.</p>	<p>Next panel to be held;</p> <p>Wednesday 13th September</p> <p>Please arrive on time - tea and coffee will be served at 5:45pm to allow us to start promptly at 6pm.</p> <p>Perry Barr Custody Suite Holford Drive Birmingham B42 2TU</p>