

Custody Scrutiny panel

Location: Perry Barr Custody Suite

Date and Time: 03/05/2023 18:00-20:00

In Attendance :

Panel Members: Mohammed – Chair, Pauline White – note taker, Joanna Camille – St Marie, Dawn Dance –Vice Chair, Daniel Chambers, Gary Williams, Stassi Chillas, Alison Walker, Paulette Sawyers, Kashima Smith, Jane Edgington.

WMP: Talib Hussain, Supt Helen Bailey, Jason Nunn

OPCC: Natalie Cox

Apologies:

| | Item Discussed | Actions |
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| 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>Mohammed opened the meeting & invited members to vote for a Vice Chair & another note taker. Dawn Dance was voted as vice chair & Joanne Camille-St Marie was voted as second note taker.</p> <p>Intro of two new members.</p> <p>Jason- Clarification on legal stances of striped/strip search – section 54 etc action – Legal have advise regardless of who takes the clothes off it should be recorded as a strip search, clear stating this. Panel happy action closed</p> | <p>On arrival members were to report to Perry Barr Custody suite reception, ask for Talib. Unfortunately, this was not the case, members were gathered outside custody visitors entrance unable to gain access & were not able to access staff car park. The delay reduced the time the meeting took place, and it ran over- Talib to looking into as an action for next panel.</p> <p>–</p> |



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| | <p>Talib went through the clarity & rational of previous actions- panel happy with feedback.</p> <p>Questions raised over positive outcome – with records stating things found but not identified in outcome section.</p> <p>Discussion around fact not all information is obtained from UoF and that other officers accounts were needed to sometime justify the UOF</p> <p>Discussion around use of BWV helping with UOF- concerns, that could distract from records, could reduce the amount of records viewed and distract focus but felt more is needed if records aren't delivering -</p> | <p>ACTION for Jason to look into this, Jason suggested a review by the SIM Team looking at the guidance on appropriate recording as knives, drugs etc should be additional entry and could be easier to track</p> <p>ACTION Jason, Nat and Talib to look through how best pull the records and where from.</p> <p>ACTION Talib and Nat will look at way to pilot the use of BWV- starting with them viewing the BWV in pre-meet of the records to add more context in panel and trail time constraints</p> |
| 2. | <p>UPDATE: On custody data from Helen Bailey and Jason Nunn</p> <p>Helen mentioned new custody models at Stetchford custody & Bloxwich. Discussed Youth offending / intervention services, concerns happy to hear Perry Barr will only hold juv, children have access; HMIC are in force looking at custody, interviewing & grading.</p> <p>Ethnicity recording in April was 3% out of 4,192, records access of whole department</p> <p>no concrete answers to issues with connect, solution costs re; CONNECT changes- waiting to be agreed and national feedback. Need to raise profile of issues. It's not prioritised for next upgrade is 2025</p> | <p>ACTION - Will keep members updated as there is a special interest in use of force / Strip search</p> <p>Panel to keep track on this though data</p> <p>ACTION: Mohammed to provide Helen with a letter of concern in this.</p> |



| | <p>Juvenile stop & search four (4) in Feb, five (5) in March & six in April (6).</p> <p>Arrests increased as in March 300 more than Feb equalling 7.4% , 400 more than Jan. –</p> | <p>Panel to observe increase and watch data</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| <p>3.</p> | <p>Dip sample record Strip Search -</p> <p>All records where selected at random by Chair at pre-meet with Natalie</p> <p>Search Result-</p> <p>6 Searches 5/6 not found anything. In the one cannabis was found but in normal standard search not strip search.</p> <p>If Juvenile or vulnerable was an AA present? If not why?</p> <p>N/A no Juv SS</p> <p>27 responses split across 6 records:</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>No</td> <td>15</td> <td>55.56%</td> </tr> <tr> <td>Yes</td> <td>12</td> <td>44.44%</td> </tr> </tbody> </table> <p>Do you feel the rationale gives clear justification of why a strip search was authorised?</p> <table border="1"> <tbody> <tr> <td>No</td> <td>13</td> <td>48.15%</td> </tr> <tr> <td>Yes</td> <td>10</td> <td>37.04%</td> </tr> <tr> <td>Unsure</td> <td>4</td> <td>14.81%</td> </tr> </tbody> </table> <p>Scrutiny panel feedback Positive, Negative or Neutral?</p> <table border="1"> <tbody> <tr> <td>Negative</td> <td>15</td> <td>55.56%</td> </tr> <tr> <td>Positive</td> <td>8</td> <td>29.63%</td> </tr> <tr> <td>Neutral</td> <td>4</td> <td>14.81%</td> </tr> </tbody> </table> | Answers | Count | Percentage | No | 15 | 55.56% | Yes | 12 | 44.44% | No | 13 | 48.15% | Yes | 10 | 37.04% | Unsure | 4 | 14.81% | Negative | 15 | 55.56% | Positive | 8 | 29.63% | Neutral | 4 | 14.81% | <p>Overall feedback</p> <p>Record 1 – Negative Panel believe he was searched because he was aggressive- asked questions and had discussion around Is aggression a legitimate reason? Is refusing to engage in RA sufficient? Was a normal search done to find drugs before SS</p> <p>Record 2 – Negative No clarity on the item he is not allowed to have, no justification for a strip search. SS based on a refusal to answer risk assessment questions or listen to reasoning doesn't adequately justify its use</p> <p>Record 3 – Negative Again questions over is lack of response a reason for SS? Was it necessary or could a normal search suffice? " no idea if person has items prohibited" but no rationale as to why they would believe they had.</p> <p>Record 4 - Neutral Record is sparse. Rationale lacks detail. Only justification is that PIC has concealment markers. Even with concealment marker, grounds for a strip search appear weak, unclear if more cannabis found in SS or standard search only.</p> <p>Record 5- Positive Clear, concise and justified</p> <p>Record 6- Negative This record raised conversation as a big group, as panel felt the record is detailed in terms of processes taken. What the record does not do, is provide an effective rationale for the decision to SS the PIC. The PIC was verbally disruptive at most. Record does not justify decision. Panel felt the purpose was completely missed.</p> |
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| | <p>Dip sample of Use of Force records</p> <p>Six records were dip sampled:</p> <p>Out of 28 responses across 6 records:</p> <p>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>17</td> <td>60.71%</td> </tr> <tr> <td>No</td> <td>11</td> <td>39.29%</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"> <tbody> <tr> <td>Yes</td> <td>15</td> <td>53.57%</td> </tr> <tr> <td>Unsure</td> <td>7</td> <td>25%</td> </tr> <tr> <td>No</td> <td>6</td> <td>21.43%</td> </tr> </tbody> </table> <p>Overall scrutiny panel feedback:</p> <table border="1"> <tbody> <tr> <td>Positive</td> <td>14</td> <td>50%</td> </tr> <tr> <td>Neutral</td> <td>8</td> <td>28.57%</td> </tr> <tr> <td>Negative</td> <td>6</td> <td>21.43%</td> </tr> </tbody> </table> | Answers | Count | Percentage | Yes | 17 | 60.71% | No | 11 | 39.29% | Yes | 15 | 53.57% | Unsure | 7 | 25% | No | 6 | 21.43% | Positive | 14 | 50% | Neutral | 8 | 28.57% | Negative | 6 | 21.43% | <p>Overall feedback</p> <p>Record 1 – Positive Panel felt record was, Well written and very clear. Use of force necessary and proportionate, on reading it seems PIC was uncontrollable and possible danger to self. Information seemed detailed and observed</p> <p>Record 2 – Positive Panel felt from reading the record, the use of force was necessary for the officers to complete their due diligence. The rationale clearly justifies why the use of force was used.</p> <p>Record 3 – Neutral Panel felt Not enough information and very vague with no dialog as what led up to the use of force. Need more information</p> <p>Record 4- Negative Panel felt Not enough information and some concerns of tactic’s used with lack of rationale Timeline for cuffs being removed would help determine whether UoF was necessary? ACTION more details required</p> <p>Record 5- Neutral Panel felt More could be stated bout the actual restraint? i.e. what restraint was used? Unarmed tactics - not fully explained. No evidence of de-escalation.</p> <p>Record 6- Neutral Panel felt the level of force use wasn’t proportionate however did feel that the record was very detailed, explanation giving context and precise actions taken and the reasons for them. Pleased to see follow-up on PIC’s welfare.</p> |
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| 4. | Action noted from discussions for update at next panel | | | | | | | | | | | | | | | | | | | | | | | | | | | | |



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| | | <p>WMP: ACTION Talib to looking into issues at reception/parking as an action for next panel</p> <p>ACTION for Jason to look into this, Jason suggested a review by the SIM Team looking at the guidance on appropriate recording as knives, drugs etc. should be additional entry and could be easier to track</p> <p>ACTION Jason, Nat and Talib to look through how best pull the records and where from.</p> <p>ACTION - Will keep members updated with inspection as there is a special interest in use of force / Strip search</p> <p>ACTION more details required on record 4 UOF.</p> <p>WMP/OPCC</p> <p>ACTION Talib and Nat will look at way to pilot the use of BWV- starting with them viewing the BWV in pre-meet of the records to add more context in panel and trail time constraints.</p> <p>Chair: ACTION: Mohammed to provide Helen with a letter of concern in this.</p> |
| 5. | <p>Date and location of next panel</p> <p>We will look into the issues raised regarding arrival for last panel and send out some solutions closer to the day.</p> | <p>Next panel to be held;</p> <p>Wednesday 3rd July 2023</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> |