



Custody Detention Scrutiny Panel – External

Tuesday, 15th October 2024

MINUTES

IN ATTENDANCE

Brian Walker (BW) – (Chair)
Anna Cooke (AC) – OPCC
Inspector Dave Johnson (DJ) – Lancashire Constabulary
Sophie Temple (ST) – Lancashire Constabulary
Mick Holt (MH) – Lancashire Constabulary
Gary Wynne (GW) – Lancashire Constabulary
Paul Barlow (PB)
Rachel Culverwell (RC)
Mark Hindle (MH)
Paul Siddall (PS)
Victoria Blakeman (VB)

APOLOGIES

Chief Inspector Mark Douglas (MD) – Lancashire Constabulary
Glenn Ireland (GI)
Reece Richards (RR)
Rhianna Parkinson (RP) – Lancashire Constabulary

BW welcomed everyone to the meeting.

DECLARATION OF INTEREST

Panel members were reminded of the need to consider and disclose any declarations of interest relating to any individuals, officers or matters under consideration.

No declarations of interest were disclosed.

MINUTES FROM LAST MEETING

The minutes from the last meeting were agreed to be a true and accurate record.

ACTIONS FROM LAST MEETING

An action log was shared with members for discussion and updated accordingly.

INSPECTION REPORTS/RECOMMENDATIONS

HMICFRS inspection was carried out on 20 March 2023, involving a full inspection of every suite. There was 1 area for concern and 15 areas for improvement. This was noted to be joint best in the country and that the report was in the public domain.

DJ shared a PowerPoint with the Panel members showing the area for concern and the areas for improvement, which now formed part of the custody staff training.

For each area, the PowerPoint demonstrated what HMICFRS had concluded and what Lancashire Constabulary were doing in response.

The area for concern outlined was that there had been no improvements to removal of clothing and their replacement with anti-rip suits. It was estimated over 100 a month were being used countywide. It was explained that anti-rip suits were used as a last resort and last month, there were 6 anti-rip suits used across Lancashire.

As a follow up to this inspection report, the Superintendent will be interviewed by HMICFRS regarding the use of anti-rip suits and staffing levels, which was raised as an area for improvement.

REVIEW OF CUSTODY DATA

Custody data from Apr 2024 – August 2024 was presented.

The Panel were informed that:-

- The usage of anti-rip clothing had decreased: 52 in April, 17 in August, 6 last month.
- The use of strip search was explained to be high. It was stated that strip search included those in anti-rip clothing. It also included clothing ceased for evidence and clothing ceased for dignity.
- The use of force was consistent, with between 30-60 per month.
- The numbers of remanded children went up in August, consisting of mainly children that had breached their bail.

It was discussed whether it would be worthwhile showing percentages as well as raw numbers. This was concluded to not be beneficial to the panel due to the low numbers involved, and therefore changes would potentially look disproportionate resultantly. It was explained that the percentage of anti-rip suits was provided for Crime and Police Monitoring Group (CPMG) and the Police and Crime Commissioner (PCC).

REVIEW OF STRIP SEARCH / ANTI-RIP SUIT CASES

The Panel reviewed **Anti-Rip Suit Case 1 04SA 6060/24** after being shown the incident log, with the following outcomes:

What went well?

The Panel noted that:-

- Content is thorough and the rationale for using anti-rip suit is well presented.
- Good quality MDM
- There was a self-harm/suicide risk plus a risk of violence to officers identified and therefore the use of anti-rip clothing was the most appropriate option.

What did not go well?

The Panel noted that:-

- There was a typographical error in relation to the gender of the detainee initially.
- Records did not outline if cannabis had been found as a result of the strip-search.

Additional information

The Panel noted that:-

- The DP had already ripped off custody grey clothing.

The Panel reviewed **Anti-Rip Suit Case 2 04WA 5762 24** after being shown the incident log, with the following outcomes:

What went well?

The Panel noted that:-

- The rationale was documented for the use of anti-rip clothing – DP tried to commit suicide.
- DP shown as high-risk.

What did not go well?

The Panel noted that:-

- The DP was shown as medium risk in record, however it should be high risk.

Additional information

The Panel noted that:-

- This was initially logged correctly as no signs of self-harm on admittance. However, later the DP was provided with anti-rip suit due to harm self.
- Notes stated issues with contacting Divisional Response Inspector (DRI) for patrol of cell.
- DP had been in cell for approximately 18 hours before he tried to harm himself.

The Panel reviewed **Anti-Rip Suit Case 3 04WA 5835/24** after being shown the incident log, with the following outcomes:

What did not go well?

The Panel noted that:-

- Risks around vulnerability were not recorded, and difficult to deal with, however, there were questions around the justification.
- There were no markers of self-harm.
- Officers jumped straight to anti-rip suit, rather than custody greys, with no apparent justification.
- There were not enough resources to watch.

Additional information

The Panel noted that:-

- DP was violent and it took 5 officers to restrain, with drugs and violence recorded.
- DP went straight to cell as they refused questions and was aggressive towards officers. Initially on level 2 rousing visits.
- Over an hour later, continued aggression was shown. Behaviour based anti-rip clothing opted for, medium risk of injury to DP, high risk aggression towards staff.

The Panel reviewed **Anti-Rip Suit Case 4 04WA 6262/24** after being shown the incident log, with the following outcomes:

What went well?

The Panel noted that:-

- There was no other option deemed suitable based on initial visual-only assessment.
- They agreed with medium risk assessment and the use of Anti-rip suit.

What did not go well?

The Panel noted that:-

- Half of the assessment was missing on the records and looked like this was not saved correctly. DJ explained that a framework was used that could be edited and then pasted into the custody record. However, there was a character limit and if this was exceeded, some of the record would not be pasted.

Additional information

The Panel noted that:-

- There were 20 PNC markers including 5 self-harm markers. Drunk and non-compliant in answering questions.
- There was evidence of a medium risk of self-harm and suicide noted.
- The initial visual risk assessment..

The Panel reviewed **Anti-Rip Suit Case 5 04WA 6551/24** after being shown the incident log, with the following outcomes:

What went well?

The Panel noted that:-

- There was good detail on record including the Inspector being spoken to.
- That the Sergeant had justified the decision well.

Additional information

The Panel noted that:-

- There were Level 3 observations, which are a constant watch on CCTV by an officer.
- There were no officers available for level 4 observations.
- The risk of self-harm was medium.

REVIEW OF USE OF FORCE CASES - CCTV shown for all cases discussed.

DJ had CCTV available to present to the Panel in relation to two cases from the last set of data provided on 29th August meeting. These both demonstrated a good use of force.

- First, was to obtain fingerprints. Device used in cell. Shows Sergeant taking notes for log.
- Second was non-compliant female. Good control shown in removal of clothing and jewellery. Dignity of DP maintained throughout.

The Panel reviewed **Use of Force Case 1 04ED 7356/24** after being shown the incident log, with the following outcomes:

What went well?

The Panel noted that:-

- The footage showed control was maintained whilst clothing was removed.

The Panel reviewed **Use of Force Case 2 04WA 5927/24** after being shown the incident log, with the following outcomes:

What did not go well?

The Panel noted that:-

- The Sergeant had his knee in middle of DP's back to restrain.
- This was a reactive case, not planned.
- There was a lack of control when compared to case 1.

Additional information

The Panel noted that:-

- The DP had put his arms through the hatch and was handcuffed prior to opening the cell door to get his arms back in the cell and closed the hatch to avoid ligature risk.
- The DP threatened to spit in the face of officers.
- There were limited options available to deal with this. The training officer had observed the footage and commented that consideration could have been given to other options (spraying PAVA through hatch/use of shields).

REVIEW OF STRIP SEARCH GENERAL CASES

The Panel reviewed **Strip Search Case 1 04ED 7149/24** after being shown the incident log, with the following outcomes:

What went well?

The Panel noted that:-

- There is good reasoning for the search provided. DP had clenched fist, drugs in hand on arrest.

Additional information

The Panel noted that:-

- DP was not willing to surrender drugs.
- Search in cell was negative.

The Panel reviewed **Strip Search Case 2 04WA 6375/24** after being shown the incident log, with the following outcomes:

What went well?

The Panel noted that:-

- They were happy this was a legitimate search for drugs.

What did not go well?

The Panel noted that:-

- There is not a great deal of information shown on the risk assessment.

Additional information

The Panel noted that:-

- DP was arrested for possession of a large quantity of drugs.
- There had been a search for further drugs as DP was fiddling with clothing.

The Panel reviewed Strip Search Case 3 04 WA 6080/24 after being shown the incident log, with the following outcomes:

What went well?

The Panel noted that:-

- An Appropriate Adult was noted as being present.

What did not go well?

The Panel noted that:-

- The record was missing an Inspector's authority for the search due to DP being a child.

Additional information

The Panel noted that:-

- Police witnessed a hand-to-hand exchange of drugs.

REVIEW OF REMANDED CHILDREN CASES

The Panel reviewed Remanded Children Case 1 04ED 6664/24 after being shown the incident log, with the following outcomes:

Additional information

The Panel noted that:-

- This case was for breach of court bail.
- The booking in process not relevant to the decision.

The Panel reviewed Remanded Children Case 2 04SA 5982 /24 after being shown the incident log, with the following outcomes:

Additional information

The Panel noted that:-

- This case was for breach of court bail.
- The booking-in process was not relevant to the decision.

The Panel reviewed **Remanded Children Case 3 04SA 4628 /24** after being shown the incident log, with the following outcomes:

What did not go well?

The Panel noted that:-

- The report does not show that a parent had been contacted, could this have been an option? It was explained that this had to be custody protection as it was a sexual assault offence.

Additional information

The Panel noted that:-

- They had previously granted police bail.
- The reason for remand was to prevent further offences.
- Cannabis was held and an indecent exposure.
- Record stated local authority could not be contacted.

The Panel reviewed **Remanded Children Case 4 04SA 6344 /24** after being shown the incident log, with the following outcomes:

What went well?

The Panel noted that:-

- The decision was correct.
- The risk of reoffending was high.
- Threats were made with an offensive weapon.

Additional information

The Panel noted that:-

- The DP had been arrested for imprisonable offence.
- There was county lines involvement.
- Weapons were held.
- Suitable accommodation sought and there wasno PACE beds.

The Panel reviewed **Remanded Children Case 5 04WB 1136 /24** after being shown the incident log, with the following outcomes:

What went well?

The Panel noted that:-

- The Case was well justified and the DP had not turned up for bail.

Additional information

The Panel noted that:-

- The DP had failed to attend police bail.
- They were in possession of drugs
- They had committed a driving offence
- There was a warrant

ANY OTHER BUSINESS

- Introduced panel to Sergeant Gary Wynne, Custody Training Supervisor, who trains new Custody Detention Officers and Custody Sergeants.
- DJ had recently attended national conference, and the lead was happy with what we were doing in CDSP. It was highlighted that other regions in the North were interest in observing our CDSP meeting as they currently did not have this scrutiny. The Panel noted that they were happy for observers to attend the meeting.
- AC raised information from a meeting that the APCC Mental Health and Custody portfolio attended around deaths in custody and the significant delays to transfer mentally ill prisoners into appropriate health care settings. In relation to the Prisons Early Release Scheme, DP stated that there was involvement in an ongoing partnership looking at this and it was being reviewed at a senior level.
- Mentioned option of combining internal and external CDSP as valuable information comes out of both. AC expressed concerns that the meeting would be longer as a result so the viability of this option would require assessment.

NEXT MEETING

The next meeting will take place on Wednesday 22nd January 2025, Exchange Room 8, County Hall.

Mr Steve Freeman
Interim Chief Executive Officer