



Creating a safer
Cambridgeshire

To: Business Coordination Board

From: Chief Constable

Date: 23 June 2016

CUSTODY PERFORMANCE

1. Purpose

1.1 The purpose of this paper is to update the Business Coordination Board (“the Board”) and to give the Police and Crime Commissioner (“the Commissioner”) assurance that Cambridge Constabulary (“the Constabulary”) is working in line with the new Her Majesty’s Inspectorate of Constabulary (HMIC) Expectations for Police Custody published in April 2016. This paper also seeks to update on progress against the 2011 HMIC inspection recommendations, identify areas of risk within the custody environment and demonstrate current efforts to mitigate them.

2. Recommendations

2.1 The Board is invited to note the contents of the report.

3. Background

2011 Joint Inspection Report – update against recommendations

3.1 The Constabulary last received a joint inspection of police custody in September 2011. The inspection concluded with 39 recommendations, each of which was accepted by the Constabulary. Significant progress has been made in relation to every recommendation. By virtue of the nature of the recommendations, many remain ongoing with audit and inspection processes now in place to ensure compliance. Updates in relation to each of the recommendations is appended to this paper. Appendix 1 refers.

4. New expectations for police custody – current position

Leadership, accountability and partnerships

- 4.1 The newly published (April 2016) Expectations for Police Custody now include a number of changes which focus on the safety and welfare of the most vulnerable in police custody. Almost 50% of the 12,000 (est.) persons who will pass through designated cell blocks within Cambridgeshire are identified as vulnerable.
- 4.2 There is an identified need to divert children or vulnerable adults away from custody and the multi-agency liaison and diversion service (LaDS) is now becoming embedded within Thorpe Wood and Parkside custody suites. Active engagement and funding secured by NHS England will see this develop further with full seven day 0800-2000 coverage in place by October 2016.
- 4.3 In addition, the draft Concordat on Children in Police Custody (Home Office, 2016) reinforces the positive obligation on Local Authorities to accommodate children post charge and further reduce time spent in police custody. Early engagement with both authorities has identified opportunities for enhancing the effectiveness of multi-agency bail condition decision making at an earlier stage.
- 4.4 There remains an acute shortage of non-secure accommodation and no provision for secure accommodation exists within Cambridgeshire. Monitoring of requests for local authority PACE beds is a requirement of the Concordat. Overnight detention of children in particular is subject of daily review and force reporting.
- 4.5 Effective measures are in place to ensure those detained under section 136 of the Mental Health Act are diverted from police custody at the point of detention to the designated mental health suite at Fulbourn. S.136 detainees in police custody have fallen significantly with many months showing no detention in police custody. Where, in exceptional circumstances a S.136 detainee is accepted into custody, the rationale for doing so is closely examined. The prevailing direction is no person detained under this legislation will be taken to a police station unless every other opportunity is exhausted.
- 4.6 Force wide structures and policies for the whole custody process are in place and accessible to all staff via the intranet and custody OneNote systems. Many of these are under review as the custody function across the three force areas moves to a single operating model. Fully integrated custody policies and procedures are currently being formulated with full implementation expected by November 2016.
- 4.7 The provision of external services is under review. Concerns are currently being addressed with the medical provision delivered by G4SFMS through monthly performance monitoring meetings. The first stage of the escalation process has been initiated by the BCH custody management team. This is of regional concern among Chief Officers.
- 4.8 Custody performance information is readily available and routinely collated. Where gaps have been identified – such as in the use of strip search powers used against different groups, changes have been made to modify the data set to ensure required information is readily available.

- 4.9 Race equality monitoring occurs on a monthly basis with trends identified as they occur. However, there is scope to review and as necessary implement race equality assurance.
- 4.10 The Constabulary has a good working relationship with independent custody visitors with more visits actively encouraged. Immediate issues are resolved at the time of reporting and formal and informal feedback is acted upon without delay.
- 4.11 Equally, the Constabulary enjoys good working relationships with all partner agencies who – resource depending - effectively contribute to the safe and respectful delivery of custody.

Pre-custody: first point of contact

- 4.12 All officers, staff and call handlers, together with the protocols to support and direct them are in place to ensure the needs and considerations of vulnerable people and children are diverted from custody wherever possible. This position continues to develop with the incorporation of Mental Health practitioners within the Force Control room and expansion of the LaDS practitioners within custody facilities. Policies for the use of force when restraining persons suffering from mental health issues are currently being reviewed together with collaborated policies for the treatment of vulnerable persons whilst in custody.

In the custody suite: booking in, individual needs and legal rights

- 4.13 All policies, procedures, physical custody environment and staff are in place to deliver against the expectations and indicators contained within the revised HMIC inspection document. Many of these specific points are subject to documented, monthly review processes and auditing to ensure compliance. Where learning is identified this is highlighted to individual officers and staff or used as the basis for training delivery during scheduled training events.
- 4.14 Anticipated changes to bail – with strict time limits and authority levels required to extend or repeat bail periods will take effect from April 2017 as a consequence of the Crime and Policing Bill. This will have significant implications for investigators in particular. However, at this time, bail performance is stable and compliant with current force standards.

In the custody cell: safeguarding and health care

- 4.15 The custody provision is compliant and supported by appropriate trained staff, policies and infrastructure to deliver against this area with the exceptions below.
- 4.16 Appropriate adults are not currently available in person 24 hours a day and difficulty can be experienced on occasions where they are required after 2200hrs due to the voluntary nature of the schemes adopted in Peterborough and Cambridge.
- 4.17 Timely access to health care practitioners remains the greatest issue of risk. Resilience issues with G4SFMS have caused coverage gaps with Doctors in particular, and examples of significant waiting times exist. As previously documented, this is subject of current ongoing monthly performance monitoring and action planning with the service provider.

Release and transfer from custody

- 4.18 The custody provision is compliant in this area with dip sampling, audits and quality assurance checks completed on a monthly basis. Effective post release risk assessments and Person Escort Records are completed in every case where appropriate.
- 4.19 The phased introduction of virtual courts will provide the infrastructure required to comply with this section. Equipment installation is underway at Parkside (May 2016) and is scheduled for completion at Thorpe Wood in July. Initial hearings will be limited to breach of bail, remand and warrant hearings and will gradually be extended to cover all appropriate cases involving an early guilty plea. Timescales for full delivery can only be estimated to be six months from installation at this time.

Areas of risk

- 4.20 At this time the custody function is going through a transitional period where force procedures and policies are being combined to secure a single collaborated method of working. Every policy is currently under review. Fully integrated working practices, supported by up to date and comprehensive policies to support staff across the three force areas is not likely to occur until November 2016.
- 4.21 Limitations for performance are largely dependent on the capacity of partner organisations to deliver. There are currently gaps in Local Authority post release placements for children, gaps in the provision of appropriate adults out of hours, deficiencies in the provision of healthcare professionals within the custody environment and on occasions, opportunities for better cleaning of custody facilities.

5. Recommendations

- 5.1 The Board is invited to note the contents of the report.

Contact Officer	T/Detective Chief Inspector Ian Simmons, Head of Custody, Cambridgeshire Constabulary
------------------------	--

Appendix 1: Updates on 2011 HMIC Inspection recommendations

Number	Recommendation	Comment
1	The management of custody should provide clear lines of responsibility and accountability, and staffing levels should be sufficient to maintain the safety, care and welfare of detainees.	A collaborated, tri force Custody Management structure was implemented on 1 st April 2016. This provides clear responsibilities and accountabilities at every level. Staffing levels remain under consistent review. Three Detention Officer (DO) vacancies are actively being recruited for with training scheduled for July 2016.
2	When risk assessment indicates the need for constant observations at the cell door or rousing this should be rigorously implemented.	All constant observation detainees are subject to a detention management plan overseen by an Inspector. All staff involved are briefed by the custody officer and the details recorded on the custody record. Training has been given in relation to rousing checks with this area subject to dip sampling on a monthly basis. All cells have a magnetic indicator to remind staff of those detainees who are on rousing checks. CCTV is in each cell providing recorded monitoring, safeguarding for detainees and staff.
3	There should be mental health in reach arrangements to enable detainees with MH problems to be identified and diverted into MH services as appropriate and police custody suites	Liaison and Diversion services are in place in custody suites in the county providing the required diversion. Full implementation is scheduled by October 2016. Significant

	should not be used as places of safety for 136 MHA assessments	work has been undertaken around the use of 136 MHA with a significant reduction in 136 in police custody. A MH concordat has been agreed with NHSE and local authorities resulting in those with MH issues being treated as a medical emergency rather than a CJ issue.
4	Cambridgeshire Police should undertake regular dip sampling of custody records, focusing on the management of risk and harm and the quality of detainee care.	CDD select 100 random custody records monthly, custody management assess these against a set criteria based on detainee welfare. All Children and Young People remanded overnight, any 136 MHA, all female U18 records are also checked against the criteria. The results are fed back to staff and used to inform ongoing staff training and process development.
5	Staff should receive awareness training on child protection and safeguarding	This is included in initial and ongoing training.
6	Handover meetings should include all custody staff	Handovers include all staff and these are audio and visually recorded with Inspectors dip sampling quality.
7	Cambridgeshire police should collate use of force data from custody and examine it for trends in accordance with ACOP policy and NPIA guidance.	Use of force is recorded using the force wide system however data is not available to enable trend analysis. Custody management review use of PAVA in custody and debrief incidents with learning disseminated to staff. Efforts continue to improve the recording of use of force in light of IPCC observations.

8	The use of cells without natural light at Peterborough is inappropriate and should be kept to an absolute minimum.	The cells without natural light at Peterborough are only used in exceptional circumstances. Similar cells at Cambridge are currently being converted to Virtual Court rooms.
9	Cambridgeshire Police should address the safety issues around ligature points and where resources do not allow them to be dealt with immediately, the risk should be managed appropriately	Ligature issues have been addressed and a robust checking mechanism put in place. Where issues are identified the cell is taken out of action until it is resolved. Relationships with Estates are excellent resulting in prompt resolution of issues. Significant improvements have been made at Parkside police station and specialist security contractors have been employed to survey and ensure custody meets current Home Office standards.
10	Fire Practice evacuations should be held regularly at all suites and documented	Fire plans have been reviewed and updated. There is scope for more regular practice evacuations.
11	Health and safety walk-through arrangements should be thorough and consistently applied at all custody suites	Health & Safety inspections are conducted according to Authorised Professional Practice requirements with each suite having a H&S action plan for which the custody Inspectors are responsible. These are reported back through custody SMT.
12	Showers should be properly screened so that detainees can have a shower with dignity and in privacy	All showers have had new screens fitted to ensure privacy and dignity.
13	All detainees who are in custody for a substantial period of time should be offered outdoor exercise,	All detainees are offered exercise as part of the

	and the exercise yard at March should be made safe if the suite is to be reopened	handover walk round by staff. In reality this means detainees are offered exercise 3 times per 24 hours. March exercise yard is part of the H&S plan for that station. An exercise area has been provided at Cambridge and is near completion.
14	All detainees should be asked if they have any obligations to dependants while they are in custody	This is part of the initial risk assessment and also the QA process checks ensure this is complied with.
15	Senior police officers should engage with UKBA to ensure that the time immigration detainees spend in police custody is minimised	Cambridgeshire Constabulary enjoy an excellent relationship with UK Border Agency. Every effort is made to ensure immigration detention is reduced to a minimum.
16	Appropriate adults should be available without undue delay to support juveniles aged 17 and under and vulnerable adults, including out of hours	Appropriate adults are called at the earliest opportunity and there are excellent relationships with the 2 scheme providers. Resilience out of hours can be problematic but the schemes do their best to support the needs of children and young persons and vulnerable adults. The situation is much improved.
17	Cambridgeshire Police should liaise with court managers to ensure that court cut off times do not result in unnecessarily long delays in custody.	Court cut off times continue to impact on detention duration. The introduction of virtual courts will assist in reducing the impact of this.
18	Detainees should be routinely informed how they can make a complaint about their care and treatment and be able to do this before they leave custody	Detainees can make complaints whilst in custody and are routinely informed of

		the complaints process upon release.
19	There should be robust infection control procedures for all clinical rooms, supported by regular audits of infection control.	These are conducted by G4SFMS and reported back to the regional performance monitoring meeting on a quarterly basis.
20	The practice of secondary dispensing by custody officers should cease	This is no longer practiced. Dispensing is conducted by G4SFMS.
21	If it is clinically indicated, methadone should be available to detainees in line with national guidelines	New procedures introduced on 4/4/16 which are compliant with national guidelines and safeguards.
22	Detainee's spectacles should not be taken away unless a Risk assessment indicates the need to do so	Standard practice.
23	The IPCC learning the lessons briefings should be made more easily accessible and staff encouraged to use them	Links to relevant documents are updated through the custody onenote system and updates are included within ongoing custody training. Time critical issues are circulated and addressed immediately.
24	The source of the offensive smell at Cambridge should be traced and eliminated	Complete.
25	The use of the call bell system should be explained to every detainee	Standard practice.
26	The communal areas in Cambridge should be kept tidy and clear of unnecessary items	Significant improvements have been made to Parkside which has eliminated this issue.
27	Hygiene packs should be routinely offered to women detainees	Standard practice and subject of QA dip sampling on a monthly basis.
28	Toilet paper should be available in all cells	Standard practice.

29	The temperature of microwave meals should be checked and recorded	No longer applicable due to a change in style of meal provided (ambient meals).
30	Custody staff should have food hygiene training	As 29 above.
31	Reading materials suitable for a range of detainees including young people should be available	These are available and staff conduct appeals for books at irregular intervals. Age appropriate material is available together with material in foreign languages.
32	Visits should be facilitated for detainees held for long periods	TW and PS have facilities for closed visits and these are facilitated when required.
33	Information about detainees rights and entitlements should always be available in a range of formats that meet specific needs	Rights and entitlements are available in multiple languages, easy read and video formats.
34	There should be no holes or cracks in the fabric of examination couches and all suites should use paper couch rolls	All examination couches have been replaced with wipe clean standardised couches. Use of paper rolls is a G4S clinical issue and is monitored.
35	Patient information leaflets should be available in clinical rooms	Available.
36	Loose tablets and blister packs should be disposed of and not kept in medicine lockers	Standard practice.
37	Medicines should not be left unattended in clinical rooms	All medicines are kept in secure safes to which only Healthcare Professionals have access. They are never left unattended.
38	Out of date pharmacy reference materials should be discarded and replaced by up to date material	Standard practice.
39	HCPs should have access to NSPIS to input clinical information to assist custody officers	Completed. HCPs also have access to NHSE Summary care records to assist.

