



**Lancashire
Constabulary**
police and communities together

REPORT TO: Strategic Scrutiny Meeting

DATE: 15 December 2016

AUTHOR: Chief Inspector Steve Sansbury

SUBJECT: Custody Inspection 31st May to 10th June 2016

1. Issue for Consideration

1.1. The purpose of this report is to provide an update to the Commissioner in respect of the HMIP / HMIC Custody Inspection 2016.

2. Recommendation

2.1. The Commissioner is asked to note the report and comment on the items discussed

3. Background

3.1. These inspections form part of the joint work programme of the criminal justice inspectorates and contribute to the UK's response to its international obligations under the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). OPCAT requires that all places of detention are visited regularly by independent bodies – known as the National Preventive Mechanism (NPM) – which monitor the treatment of and conditions for detainees. HM Inspectorates of Prisons and Constabulary are two of several bodies making up the NPM in the UK.

3.2. Until April 2014 the custody function was the responsibility of each of the then six divisions. In April 2014 the Custody function was centralised into one department headed by a Chief Inspector and three Custody Management Inspectors (CMIs), who are each responsible for the two custody suites in each of the three restructured Divisions of East, West and South.

- 3.3. These are unannounced inspections, with the previous one having been conducted in 2011. This report contained 25 recommendations. During this inspection the HMIC deemed that we had achieved only 20% of those recommendations.
- 3.4. The Inspection highlighted three main areas of concern and thirty one areas for improvement. These have all been incorporated into a development plan which will be monitored by the ACC Specialist Ops and the Custody Departmental Chief Inspector, with oversight by the Office of the Police & Crime Commissioner initially on a bi-Monthly basis. (Appendix A)
- 3.5. The thirty one areas for improvement range from relatively minor “housekeeping” issues, such as slightly out of date copies of the PACE Codes of Practice being found in some custody suites, to more significant issues such as the provision of consistent training around the safeguarding of children and vulnerable adults.
- 3.6. Where the HMIC does not feel that the recommendations from the 2011 Inspection have been achieved, they have been re-iterated within the 2016 report with cross reference back to the 2011 report. It has been confirmed with the HMIC that the current report supersedes the 2011 report and contains all the areas of concern and for improvement that we are required to be working towards.

3.7. Three Areas of Concern

1. Insufficient gathering and monitoring of performance data in key areas.

There is no doubt that the previous Custody ICT system did not lend itself to the timely and easily accessible provision of good quality Management Information (MI) with which to monitor performance, trends or issues within the Custody Suites. This was one of the reasons the Constabulary has spent considerable time, money and effort over the last two years in procuring, developing and implementing the Connect ICT System.

The Custody Chief Inspector has been closely involved in the Connect project and has specifically requested a number of comprehensive Connect MI reports, some of which specifically address the areas highlighted by the HMIC such as adverse incidents, use of force, overnight remands of children & young people and arrests of children in the care of the local authority. Whilst these are not yet in place they are currently being prepared for testing.

In addition the Connect system has a function called RADAR, which can be configured to send alerts to the departmental management team when specific circumstances arise e.g. the strip search of a juvenile. This will allow for a timely review of the incident.

Both the MI reports and RADAR alerts can be configured “in-house” allowing us to refine the system to address emerging issues or future requirements.

2. The respect & dignity of detainees was not always maintained, with specific reference being made to those using the toilet in their cells that could be seen on CCTV due to the toilet area not being obscured, despite a previous HMIC recommendation from the 2011 Inspection.

The timing of the inspection was unfortunate in that, after an 18 month procurement period, the Constabulary had just started installing the new CCTV system whilst it was taking place.

The new CCTV system which has now been installed at Skelmersdale, Lancaster and Burnley, does obscure the toilet areas of CCTV covered cells. The installation of the new system requires the full closure of the suite for approximately three weeks and has to be carefully scheduled in order to minimise disruption to operational activity. The remaining custody suites will have the systems installed by mid-2017, except for Blackpool as the construction of the new Blackpool Police Station will then be underway.

At those sites where the new CCTV system has not yet been installed we have implemented a very basic method to obscure the relevant areas on the CCTV monitor.

3. All aspects of the Use of Force (UoF) lacked governance and effective oversight. Data recording was not effective and managerial scrutiny of UoF incidents in custody was inadequate.

The Constabulary was fully aware of this issue and steps were already being taken to strengthen the force wide governance and oversight of UoF, including within Custody.

These include: -

1. A notification mechanism via RADAR being configured within the Connect Custody system to allow for the early identification of specific incidents where force is used within custody allowing for managerial review.
2. A Management Information report from Connect to identify trends within custody.
3. The newly installed CCTV system will allow far easier access to the Custody Management Team. This will allow CCTV to be viewed, either in conjunction with the routine monthly custody records audits or in response to a specific notification, as outlined in point 1 above.
4. UoF is now a standing agenda item at the Public Order & Public Safety Management Group chaired by the ACC Specialist Ops, which will provide strategic scrutiny.
5. A new UoF database and reporting system was already being procured and was introduced in Oct 2016.

4. List of attachments / appendices

- Appendix 1 – Custody Development Plan

5. Background Papers

- HMIP / HMIC 2016 Lancashire Custody Inspection Report