

ICV SCHEME RESPONSE TO HMICFRS INSPECTION 2018

HMICFRS inspected Derbyshire custody in April of 2018. There were 7 recommendations from this report, as below:

Recommendation: The force should take immediate action to identify and deal with potential ligature points in all its custody suites.

Recommendation: All use of force in the custody suites should be recorded in line with the recommendations of the National Police Chiefs Council, and fully justified on the custody record. Governance and oversight of the use of force should ensure that all use of force is proportionate to the risk posed, and include comprehensive review of CCTV records.

Recommendation: The force should have sufficient and accurate data to allow effective scrutiny across all areas of custody. There should be a clear performance management framework to review the data and performance information, and the force should use this to assess outcomes for detainees, hold statutory partners to account and improve services.

Recommendation: Children and vulnerable adults should receive early, and ongoing, support from appropriate adults throughout their time in custody.

Recommendation: Custody records should be comprehensive with key decisions and the justification for actions clearly and properly recorded. Quality assurance processes should be robust to ensure that this is achieved and that outcomes for detainees are good.

Recommendation: The force should work with the appropriate partners to monitor data on children detained overnight and use this to improve outcomes for them. Requests for alternative accommodation and the reasons for children remaining in custody overnight should be clearly recorded on custody records.

Recommendation: The force must take immediate action to ensure that all custody procedures comply with legislation and guidance, and that officers consistently implement these. Quality assurance should be applied to test compliance with the legislative requirements.

The top three of the above recommendations are not within the remit of the ICV Scheme therefore a response in relation to these is not included. The other four recommendations do however, fall within the reach of the ICV Scheme and therefore our response to how the Scheme can help the Force meet these recommendation is below.

The first recommendation relates to children and vulnerable adults not receiving early and ongoing support from Appropriate Adults (AAs). This was an area of concern for the scheme and through the medium of Custody Record Reviews (CRR), we identified that often children and vulnerable adults were waiting hours to see an AA. This wait has become a lot shorter in the 8 months we have been conducting the CRRs and there is now usually a wait of no more than 2 hours, with most waits under an hour to see an AA. With any waits longer than this we would expect to see some form of explanation in the Custody Record (CR) as to why an AA is not giving that child or vulnerable person support from the offset of their custody journey.

The second recommendation looked at the quality of the CRs and stated that key decisions and justifications needed to be clearer. This is something that the Scheme has echoed through CRRs. Often in policing long waits can be unavoidable so we have encouraged the Force to complete CRs with as much information in as possible. Throughout the last 8 months we have seen a great improvement in the amount of detail available in the CRs. There is still room for improvement but we are happy with the progress so far.

The third recommendation was that the force should work with the appropriate partners to monitor data on children detained overnight and use this to improve outcomes for them. Additionally, that requests for alternative accommodation and the reasons for children remaining in custody overnight should be clearly recorded on custody records. This was another concern for the scheme highlighted through the CRR as we noticed long waits for children in custody. Over the last 8 months we have seen an improvement in the rationale for keeping children overnight and an improvement in the recording of contact between the Force and the Local Authority when looking for beds. The evidence collected from the Custody Record Reviewing has been presented to the Police and Crime Commissioner and further to a recommendation from a recent report presented to the Strategic Priorities Assurance Board, the Commissioner is now committed to raising this issue with partners and to ensure a dialogue is maintained in an endeavour to reach a solution.

The fourth recommendation was related to compliance with legislation, including PACE Code C. Many areas of compliance highlighted by the HMICFRS is not included within the remit of the ICVs current system of visiting however, Derbyshire is hoping to trial a new form of custody visiting that is more observational in style and from this the ICVs may have the opportunity to oversee some parts of this recommendation in the near future.

We are extremely grateful to the HMICFRS for their recommendations and we are also happy to say that we are also revealing the same findings as them through CRRs so feel more capable than ever before that we can effectively support the Constabulary to improve DP care within Derbyshire.