



## Custody Detention Scrutiny Panel Meeting Minutes

<b>Date of Meeting</b>	Tuesday 28 <sup>th</sup> October 2025
<b>Time of Meeting</b>	1:00pm-3:00pm
<b>Location</b>	Force HQ
<b>PCC Contact Officer</b>	Ms. Phoebe Stott
<b>Constabulary Contact Officer</b>	Head of Criminal Justice & Custody
<b>Attendees</b>	OPCC - Ms. P Stott OPCC - Ms. R Hilton  Derbyshire Constabulary – EB Derbyshire Constabulary – ND  Spokesperson - JR Panel Member - AG Panel Member - CB Panel Member – PP Panel Member – CS

### 1. Welcome & Apologies

PS welcomed everyone to the meeting and gave apologies on behalf of LK.

PS introduced CS to everyone at the panel as she is going to become a new panel member in the future and join a group. However, at the moment she is just attending meetings to shadow and get a feel for how the panel runs.



## **2. Declarations of Interest**

PS asked if anyone had any declarations of interest before the meeting began - no panel members declared anything.

PS explained that if during the meeting anyone realised that they did have any, then they should let her know.

## **3. Minutes of Previous Meeting**

PS explained that reviewing the previous meeting's minutes during this session was a bit challenging, as the current panel did not attend the last meeting due to the rotation system in place. Since the panels alternate attendance, the minutes were not directly applicable for discussion.

However, PS noted that all panel members receive copies of the minutes from every meeting, regardless of attendance, to ensure everyone stays informed. She therefore invited any comments or questions.

The panel confirmed they had no concerns or questions to raise.

## **4. Review of Actions**

PS informed the panel that all the actions from the previous meeting have been completed and the action log has been uploaded to the website.

## **SCRUTINY: CUSTODY RELATED CRIMINAL JUSTICE DECISION POINTS**

Prior to the meeting, JR sent PS her pre-meet report in which contained and collated all the panel members feedback ahead of the meeting.

## **5. Performance data**

JR explained that the panel found the way the data was presented was a bit tricky to work out what it was really saying.

JR asked how useful officers defined ethnicity is against self-defined ethnicity. If a lot of people in their self-defined ethnicity are 'other', then how can the panel look further into the data and what it is saying.

- EB answered that national guidance states that scrutiny panels should look at self-defined ethnicity. There is work going on to try and draw officer defined ethnicity and self-defined ethnicity closer together.

PP asked if a way of getting ethnicity would be to look at immigration cases?

- PS explained that immigration cases could be another topic to add onto the forward plan at the request of the panel and she will look into this.

**ACTION – PS TO LOOK AT ADDING IMMIGRATION TO THE FORWARD PLAN FOLLOWING A REQUEST FROM THE PANEL.**

PS asked the panel if going forward, they would like to have both officers defined ethnicity and self-defined ethnicity?

- The panel answered that they would like both sets of data.

EB added that moving forward she will split the data out a little bit more and include a standing slide with a rationale of why the data has been kept in the pack.

**ACTION – EB TO PROVIDE THE PANEL WITH THE DATA FOR OFFICER DEFINED ETHNICITY AND SELF-DEFINED ETHNICITY WITH A STANDING SLIDE WITH A RATIONALE OF WHY THE DATA HAS BEEN KEPT IN THE PACK.**

JR explained that the panel raised some questions regarding charge and remand disposals for children. JR asked if children are less likely to have a disposal of charge and remand because they are children, or are the offences they are arrested for generally less serious?

- EB answered that it is both. There is a presumption that children will not be remanded into custody unless there is absolutely no alternative.
- ND added that generally, children also commit less serious offences.

JR explained that the panel looked at white detainees against black, asian and minority ethnic (B.A.M.E.) detainees, using self-defined ethnicity, as it appeared that there was a lower percentage of disposals of charge and remand for the BAME detainees than there were for the white detainees. Might this show disproportionately? Is the percentage difference statistically significant?

- EB explained that she believes the panel would need to have a deeper dive into the data to look at comparable crimes because as a statistic, it does not provide an awful lot as well as not having the local data to help drill down into it. EB confirmed that it is something that has been brought up at the disproportionately board and will be a standing agenda item. However, it is not something that EB can provide a straightforward answer on currently.

EB added that she feels it would be useful for her and the panel to sit down and talk through the data pack to ensure it is at the level that the panel would like it to be at.

### **ACTION – EB TO MEET WITH THE PANEL TO DISCUSS THE DATA PACK.**

The panel explained they did not feel they could comment on the voluntary attendance scheme because they are not certain how it works.

- ND explained to the panel how the scheme works.

### **SCRUTINY: LENGTH OF DETENTION AND DIGNITY AND RESPECT**

Prior to the meeting, JR sent PS her pre-meet report in which contained and collated all the panel members feedback in relation to the custody records ahead of the meeting.

#### **6. Custody Records**

**CXXXXXX720**

Age – Juvenile, 17

Gender - Female

Ethnicity – White British

Custody Suite – Derby

The panel raised a question regarding (Criminal Justice Liaison and Diversion Team) CJLDT as it was not noted on the record whether the detainee had any assessment or had been sent by CJLDT.

- ND answered that the detainee arrived at 19:28 hours and was bailed at 05:02 hours, CJLDT were not on duty during this time.

The panel raised a question regarding the detainee requesting a drink at 20:04 hours but there is no record that she received anything until 21:31 hours.

- ND answered that he is unsure how busy the suite was at the time and although the delay was not ideal, should she have gone into any distress then the Custody Detention Officers (CDO) would have ensured she would have got it sooner. The detainee was on constant observations, should they have been distressed, they would have been able to make it known. ND explained that although there was a delay and he can understand the panels concern, there is not a concern from a custody perspective.

The panel also raised that there is no record that replacement footwear had been provided to the detainee.

- ND answered that he is certain it will have been given, however, in terms of the custody record, if it was not written down it did not happen and it should have been recorded.

The panel raised a question regarding the wording against the release section on the detainees custody record reading 'as safe as can be'. Is this acceptable?

- ND responding explaining that this entry was well written. Unfortunately, custody, or staff cannot resolve her issues surrounding self-harm to prevent her from self-

harming again. The detainee was released to a professional environment with professional people who are constant watch with the individual. Considering the wording used, it insinuates that her personal circumstances have been considered alongside the measures in place outside of custody and unfortunately there may still be a risk she would harm herself again. Custody cannot eliminate the risk; however, they can make sure she is released to an environment that is reasonably safe as it can be.

**CXXXXX392**

Age – Juvenile, 13

Gender - Female

Ethnicity – White British

Custody Suite – Ripley

The panel raised a question as to whether the detainee was in a cell or a detention room.

- ND advised that the detainee was in juvenile detention room 2.

The panel raised a question regarding pregnancy and menstrual products recorded as not being applicable on the custody record. The panel felt this should have been recorded as either yes or no rather than not applicable. It suggests that the detainee was not asked whether she may need anything.

- EB and ND agreed that it should have been a yes or no answer, not recorded as not applicable.

**CXXXXX180**

Age – Juvenile, 15

Gender - Female

Ethnicity – White and Black Caribbean

Custody Suite – Derby

The panel raised a question regarding a fit to detain assessment being requested by the Health Care Practitioner (HCP) but no record that it happened.

- ND explained that this appeared to be an error as the detainee was bailed before the time the request was recorded as being made.

The panel raised a question regarding there being no record of a CJLDT assessment.

- ND answered that there would not have been as they were not on shift, the detainee was held overnight.

The panel asked whether the detainee was held in a juvenile detention room as there was nothing on the custody record.

- ND answered that the detainee was held in juvenile detention room 3.

The panel raised a point around the fact the detainee had asked to use the toilet, but there was no record of her being allowed to go to the toilet.

- ND answered that he is sure she would have been to the toilet however, it was not recorded and it should have been.

The panel raised concerns about the release of this detainee as the custody record states that she was released at 03:08 hours. However, there was no record as to who the detainee was released with and that the detainee had been released back to the mother. They also had concerns for this because the detainee had previously assaulted the mother.

- ND confirmed that the detainee was released to her mother. In every case, custody will look at a safe release, to both the detainee and surrounding family etc. Custody can look at different options to not release the detainee back to their home e.g. sending to grandparents etc. However, sometimes this is just not feasible. It is important to note that sometimes taking a child away from their home due to a one-time incident could be disproportionate depending on the circumstances and could be more damaging to the detainee.

**CXXXXX327**

Age – Adult, 35

Gender - Male

Ethnicity – White British





## Custody Suite – Derby

The panel noted that an appropriate adult (AA) was required but they did not see the detainee for the reading of rights until 12 hours after authorised detention.

- ND responded that the detainee did have an AA, however, they came in overnight, and due to the availability of Child Action Northwest (CANW), the organisations who provide the AA's, this will probably be why there was a delay. If an AA was not available at the time, then a rationale should have been provided.

The panel noted that they were concerned with the service that CANW are providing.

The panel raised concerns that there were no record of an assessment with CJLDT given the detainee's medical needs.

- ND explained that CJLDT will base what they do around clinical necessity. If they have cases in custody, such as acute mental health, and they need to see them and they need to do all the background work around arranging Section 136 assessments and placements at the various suites, there's always going to be a case of prioritising. If they have higher priority cases, sometimes lower priority cases do not get seen.

The panel stated that there was no record of easy-read rights being offered when they may have been suitable for this detainee.

- ND explained that there had been some recent discussion around this and offering this source can sometimes appear patronising. Even if someone needs an AA, it does not mean they need easy-read rights.
- EB also explained that there is currently no national policy around this, there is some guidance around AA's. In January, the Criminal Justice Board has got a specific neuro divergent (ND) subgroup so the Constabulary will be doing more work around the support given to detainees with ND.

The panel raised a question around the detainee requesting food and drink but no record of them receiving any.



- ND explained that he was sure that the detainee would have received the food and drink, however, it was not stated in the custody record and should have been.

The panel raised concerns for the detainee being informed of the sleeping review but not at the first available opportunity.

- ND explained that after the sleeping review, a cell visit took place and the detainee was alert. This should have been when they were informed of the sleeping review not waiting until the Sergeant came round to do their review.

**ACTION – PS TO EMAIL ND TO REQUEST THAT HE REITERATES TO CUSTODY DETENTION OFFICERS THAT THEY NEED TO BE INFORMING DETAINEES OF THEIR SLEEPING REVIEW AT THE EARLIEST OPPORTUNITY**

The panel noted that the cell number was not recorded.

ND answering explaining that the cell number was cell west 6.

**CXXXXX823**

Age – Adult, 21

Gender - Male

Ethnicity – White British

Custody Suite – Ripley

The panel asked why, even though the detainee asked, could their father not be their AA.

- ND explained that due to the offence and the information surrounding it, although the father was not specifically involved in this offence, there is previous history relating him to the case which therefore meant it would not be appropriate for him to be an AA.

The panel noted that the detainee was first recorded as being offered food and a drink 7 hours after authorisation of detention, though it is recorded that the detainee did have water and a nicotine tablet 5 hours and 39 minutes after authorised detention.

- ND explained that in line with PACE, food and drink should be offered as recognised mealtimes depending on the detainees circumstances e.g. fasting etc. ND has no major concerns as the detainee was offered food at the first recognised mealtime.

**CXXXXX008**

Age – Adult, aged 43

Gender - Male

Ethnicity – White British

Custody Suite – Ripley

The panel raised concerns with 'cell not entered' being written in the text box for one of the risk assessments. They felt that this should have been a rousal visit and therefore there should have been a rationale as to why the officer did not go into the cell.

- ND responded that the officer should have gone into the cell or provided a reason as to why not. This has already been feedback to the custody officer.

The panel raised a question as to why the detainee did not get visited by CJLDT.

- ND answered that there is nothing to suggest the detainee needed to visit CJLDT.

The panel noted that there was no record that the detainee was informed of their sleeping review.

- ND responded that the detainee should have been informed and was not. ND will provide feedback to custody.

**ACTION – ND TO FEEDBACK TO CUSTODY THAT THEY DID NOT INFORM THE DETAINEE OF THEIR SLEEPING REVIEW.**

The panel commented that the HARDFACTS were completed but domestic abuse was recorded as n/a, however the circumstances of the arrest suggest domestic abuse.

- ND responded that the disposal, the bail with conditions, covered this, however, the officer should have mentioned the bail conditions as part of the response to this as it was in relation to domestic abuse.

## **General Observations**

The panel also had some more general observations and questions after reviewing all the custody records.

Three of the records do not have a response recorded for the first four questions of the medical assessment, including medical conditions and allergies. The panel raised that this was previously mentioned at another CDSP meeting, and ND mentioned that if HMIC were worried about something in particular they would be able to view the video recording of the booking in procedure, with audio, to verify if these questions were asked. However, the panel feel that if a yes or no answer was provided in these boxes then this would be clearer and provides assurance that these questions were asked.

- ND understood the panels comments, and suggested that due to time restraints, usually if something is left blank it means no. ND will look further into whether this is a drop-down box to fill in or a free text box.

**ACTION – ND TO LOOK INTO WHETHER THE FIRST FEW MEDICAL QUESTIONS, AS DETAILED ABOVE, ARE DROP DOWN BOXES OR FREE TEXT BOXES.**

The panel raised that on all three of the juvenile female records, once the single point of contact (SPOC) was allocated they were offered menopause support. The panel felt that this was an automated entry which causes concern for what is actually being imparted to the detainee.

- EB responded explaining that there is national policy that every female is asked this questions. The automated questions act as a reminder for the Sergeants to ensure they are asking the detainees the question.

The panel commented that some of the custody records have sparse entries regarding whether food was offered/requested and then provided. The panel asked whether the offers/requests and provision of food and/or drink always be recorded in the custody record.

- ND answered yes.

The panel noted that there are many examples in the custody records that feel automated in that the wording is exactly the same. Does the booking in Sergeant have to actively enter these comments when conducting a booking in or does the wording exist in a pre-populated entry on the booking in form?

- ND responded that despite the feeling that the information is automated, it is not and every detainee is asked. ND explained that as the Sergeants are booking in repeatedly they will come up with their own set wording due to the nature of the job and have to keep inputting the information over and over on different records.

#### **6a. Length of Detention Figures and Statistics**

The panel was asked whether they had any comments regarding the documents provided.

The panel looked at arrival to release times for detainees at both suites and Derby appears longer than Ripley. The panel feel they needed more information and data to help scrutinise this further, which has been discussed earlier on in the meeting.

- ND explained that this is the busiest suite so this is to be expected, especially as Derby is a city and is closer to things such as the nighttime economy.
- EB explained that during the data period that the panel have, Ripley was closed twice so therefore this will have effected the data.

#### **6b. HMICFRS Recommendations and Force Progress.**

The panel members were provided with the HMICFRS recommendations from the last inspection in 2018 prior to the meeting and an update as to where the Constabulary are at now.

PS explained that there was no update to give on this as there has not been a new inspection since the panel looked at them last year.

The panel was asked whether they had any comments regarding the documents provided, but no issues were raised.

**6c. Any other general observations or concerns**

The panel was asked whether they had any other general observations or concerns, but no issues were raised.

**6d. Other topics at the request of the panel**

The panel was asked whether they had any other topics at the request of the panel, but no issues were raised.

PP would like to look at immigration as a topic.

ND explained that he will look

**ACTION – PS TO LOOK AT ADDING IMMIGRATION TO THE FORWARD PLAN**

**7. Any other business**

PS asked if the panel had any other business.

No one had any other business.

Meeting concluded.

***Next Meeting: Thursday 29<sup>th</sup> January 2026 – 1:00pm to 3:00pm***