

<b>Committee(s):</b> Police	<b>Date(s):</b> 7th December 2012
<b>Subject:</b> Unannounced HMIC/HMP inspection visit to City of London Police custody suites	<b>Public</b>
<b>Report of:</b> Commissioner of Police POL 79/12	<b>For Information</b>

### Summary

Between 18<sup>th</sup> and 20<sup>th</sup> June 2012 HM Inspectorate of Prisons and HM Inspectorate of Constabulary conducted an unannounced inspection of the City Police's custody suites at Snow Hill and Bishopsgate Police Stations.

In addition to the site visit, the inspection team also conducted a Police Custody Survey with 17 prisoners at HMP Wandsworth who had formerly been detained at City of London custody suites. The survey compares results from the City of London with those of surveys conducted with prisoners in 56 other police areas. The Police Custody Survey showed 75% of detainees said they had been treated well or very well against 34% at comparator suites. 26% of detainees said the food had been good or very good compared to 11% at comparator sites.

The report highlighted a good structure of staff and custody user meetings; a healthy interaction between the Force, Police Committee and the independent custody visitors; the report commented positively that detainees were held in reasonably good conditions; staff were respectful and treated detainees with dignity.

Among the areas identified for improvement were: management oversight of safety checks, quality assurance of custody records and staff handovers and complaints not being dealt with in accordance with policy. Whilst assessing the health care arrangements the report commented that there is a need for a diversion/liaison service and better organisation of section 136 mental health procedures.

The final detailed HMI report has been received in Force on the 2<sup>nd</sup> November and reviewed by the Force Custody Manager and the Uniform Policing Directorate Senior Management Team. An improvement plan based on the reports Recommendations has been developed to address remaining areas for improvement (Appendix A) and will be monitored at the Force's Performance Management Group. Further update reports will also be provided to the Performance and Resource Management Sub-Committee.

### **Recommendations**

It is recommended that Members receive this report and note its contents.

## Main Report

### **Background**

1. The unannounced joint Her Majesty's Inspectorate of Constabulary (HMIC) /Her Majesty's Prison service (HMP) inspection commenced on 18<sup>th</sup> June and concluded on 20<sup>th</sup> June 2012. This was the City of London Police's (CoLP) first custody inspection.
2. Prior to this inspection a Police Custody Survey was conducted by the Inspectorate at HMP Wandsworth on 12<sup>th</sup> June 2012 of seventeen prisoners who had passed through City of London Police custody suites in the preceding three months. The survey responses are analysed against comparator figures of all the prisoners' responses from fifty six police areas (Appendix B).
3. The inspection goes beyond looking at the implementation of the Police and Criminal Evidence Act 1984 (PACE) codes of practice and the Safer Detention and ACPO guidance on the Handling of Persons in Police Custody 2012 (SDHP). Inspections are also informed by a set of 'Expectations for Police Custody' regarding the appropriate treatment of detainees and the conditions of detention to identify best custodial practice.
4. The inspection team visited both Snow Hill and Bishopsgate custody suites and "dip-sampled" a selection of records from an available 4,281 custody records in the year to 31<sup>st</sup> March 2012.

### **Current Position**

5. The Inspection focused on four areas: Strategy, Treatment and Conditions, Individual Rights, and Health Care. The report findings state that the Snow Hill custody suite requires 'significant updating' and that Bishopsgate custody suite would also benefit from 'refreshing'. Members may wish to note that the Snow Hill custody suite is only used *in extremis* as an overflow to the Bishopsgate suite, which is the main custody suite.
6. Positive feedback in the report included:
  - Appropriate governance structures with a Strategic lead at Assistant Commissioner level leading the Organisational Learning Forum.
  - Good staff representation at the quarterly Custody User Group led by the Chief Inspector of Operations.
  - A dedicated custody Inspector.
  - The treatment of detainees was appropriate and respectful. The Police Custody Survey showed 75% of detainees said they had been treated

well or very well against 34% at comparator suites. 26% of detainees said the food had been good or very good compared to 11% at comparator sites.

- Risk assessments were clear and thorough, with constructive care plans.
- Risk management was careful and proportionate.
- There was a high level of attention to the rights and dignity of those detained.
- Detainees who could not speak English fluently are well supported with translated materials and use of professional interpretation.
- There is an effective Appropriate Adult (AA) scheme.
- Solicitors were content with the way staff facilitated their work (including private telephone legal advice).
- Immigration detainees were dealt with promptly.
- Clinical governance worked well and those needing to see a health care professional (HCP) were able to see one quickly.
- The substance misuse service was good which extended to juveniles and alcohol related problems.

### **Areas for improvement identified in the report**

7. A number of areas for improvement were identified. These included:
  - Arrangements in the booking in areas should allow for private communication between detainees and staff.
  - There should be designated adapted cells that have lowered call bells for disabled detainees.
  - All custody staff should be involved in the same shift handover.
  - Use of force and strip searching data should be collected and analysed in accordance with ACPO policy.
  - Suitable facilities should be provided for detainees to have exercise in the open air.
  - The City of London should engage with the local authority to ensure the provision of safe beds for juveniles.
  - Detainees should be routinely informed about how they can make a complaint about their care and treatment and make a complaint before they leave custody.
  - All clinical rooms should be fit for purpose. There should be a mental health liaison and /or diversion scheme.
  - A mental health liaison and / or diversion scheme should be in place
  - Review of staffing arrangements in custody to ensure consistency
8. Of 37 recommendations made, 21 have already been addressed since the Force received the early feedback from the Inspection in late summer. The attached action plan (Appendix A) shows the remaining 'Amber' and 'Red' areas still to be addressed, with timescales shown.

## Risks and mitigation

9. As part of the City First Change Programme, the role of Custody Manager (Inspector) has been removed. The significance of the dedicated role is reflected within the HMIC inspection report and is identified as a positive feature. There are obviously potential risks in no longer having a dedicated role holder, such as failing to ensure that lessons learned and legal updates are disseminated appropriately; the risk to the efficient and effective running of the custody suite may also be compromised.
10. The current post holder is due to retire during the coming year. They will remain in post during the initial stages of the City First Change Programme implementation phase, during which time options will be considered as to retaining a management post in this high risk area. One possible option would be to consider a non-warranted post holder, whereby the Force could continue to mitigate risk in this area by introducing a daily governance process of minimum requirements to provide appropriate management oversight, whilst still realising efficiency savings within the new model.
11. A number of the recommendations relate to desirable building and cosmetic changes which should be made to the custody suites, in particular changes to cells to include adaptations for disabled prisoners and changes to the booking-in areas. These would be potentially extremely costly, with estimates in the region of £300,000 -£400,000, and any expenditure would of course be non-recoverable in the event of moving to a new facility in due course, within the new estate.
12. Given the Force's ongoing accommodation plans and intentions to reshape the estate, it is therefore not proposed to make major changes to the Force's primary custody suite at Bishopsgate necessitating large capital spend at this time. The risks identified in the report will be managed by proactive management and supervision of the custody suite. Working practices and the associated Standard Operating Procedures (SOPs) will be reviewed and updated as an intrinsic part of the custody improvement plan (Appendix A).
13. The good work of the substance misuse team was also acknowledged, with 92% of detainees receiving a referral whilst in custody and a further 8% referred voluntarily as a result of the team's pro-active approach. Members may wish to note that this service is under threat due to a funding gap within the City of London Corporation.

## **Conclusion**

14. Both the Inspectorate report and the prisoner survey report show the City of London Police provide a good standard of treatment and care for detainees. Staff are respectful and provide a safe environment with clear and thorough risk assessments and constructive care plans.
15. Areas of improvement have been acknowledged and form a comprehensive custody improvement plan which will be monitored at the Force's Performance Management Group.

## **Background Papers:**

### **Appendices**

Appendix A - Custody Improvement Plan

Appendix B - Prisoner Survey Responses

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