

Committee: Police	Date: 18 th January 2013
Subject: Update on Unannounced HMIC/HMP inspection of City of London Police Custody Suites	Public
Report of: Commissioner of Police POL 03/13	For Information
<p style="text-align: center;"><u>Summary</u></p> <p>At your December Committee a report was received on the unannounced HMIC/HMP inspection of custody suites. The Assistant Commissioner (AC) presented the report and action plan acknowledging that it was a good report on the whole. He explained why the cost of making some of the improvements would not necessarily be good value for money at this time, as the Force planned a new custody suite as part of the new estate accommodation project in the not too distant future.</p> <p>The AC added that the risk assessment process within the custody area meant that disabled detainees are monitored appropriately taking into consideration the lack of certain features such as a call bell at a more accessible level.</p> <p>Members acknowledged the position but outlined concerns and wanted to consider the cost of more immediate improvement in relation to the required adjustments for disabled detainees. They asked for a breakdown of the costs for two cells to be adapted.</p> <p>Taking into consideration that any work would need to comply with strict Home Office guidelines on custody areas and City of London Corporation Department of Technical Services requirements, the estimated cost has been given as £40,000 for works and £40,000 for project management. Members may wish to contemplate whether these alterations would be classed as a 'reasonable adjustment' under the Equality Act 2010 in view of the current risk assessment regime already in place, and the numbers of individuals with impaired mobility that actually come through the CoLP custody suite within a year, which is estimated at less than five. Members may also wish to note that meetings with City Surveyors have identified that it would be difficult to carry this work out in isolation, and would require a holistic redesign of other parts of the custody suite which were identified in the inspection for improvement, at a significant cost.</p> <p>Recommendations</p> <p>It is recommended that this report be received and its contents noted.</p>	

Main Report

Background

1. At your December Committee a report was received on the unannounced HMIC/HMP inspection of custody suites. The Assistant Commissioner (AC) presented the report and accompanying action plan acknowledging that it was a good report on the whole. He covered some of the detail of improvements in hand and explained why the cost of making some of the improvements would not necessarily be good value for money at this time. This was in view of the fact that the Force will be moving to new accommodation with a new purpose built custody suite in the future.
2. The AC added that the risk assessment process within the custody area meant that disabled detainees are monitored appropriately taking into consideration the lack of certain features such as a call bell at a more accessible level. Members acknowledged the AC's comments but stated that they had concerns and would like to consider some more immediate improvement in relation to the required adjustments for disabled detainees and asked for a breakdown of the costs quoted in the report of £300,000-£400,000. However, it was later noted by Members that this cost related to ALL improvements in the improvement plan, and not just the improvement relating to the disabled call bell.
3. Members asked for a further report to January Committee specifically to address the *approximate* cost of adapting two cells for use by disabled detainees and also to address the areas where poor performance had been identified in the Prisoner Survey, but specifically in relation to item 13, which related to the percentage of prisoners told about their rights under the Police and Criminal Evidence Act (PACE). The AC undertook to bring a fuller report on *all* the areas for improvement to the next Performance and Resource Management Sub Committee.

Current position

Area for improvement: There should be designated adapted cells that have lowered call bells

4. The lowering of the call bell will incur significant expenditure as the system is buried in the wall. Whilst the final amounts have not been confirmed it should be noted the Force is obliged to use City of London Corporation (CoL) Department of Technical Services to undertake this work, which will usually be accompanied by a project manager and significantly higher expense than standard building works.
5. This area is governed by Home Office guidelines which are detailed within the Police Building Design guidance manual (Custody). This states that any refurbishment should follow the guidelines. There are minimum standards for specialist floor coverings, wall coverings and ceiling types and finishes. Cell space must be a minimum size and all construction therein must adhere to strict controls, including cell doors, lights, intercoms, panic alarms and toilet facilities. Bricks must be a standard size and walls a minimum thickness. To install new wiring and move call bells into two cells will require a significant investment to ensure that all other dependent areas are addressed at the same time and any minimum requirements as stipulated, otherwise the Force would contravene the Home Office guidance manual. To give Members an idea of costs in relation to custody area requirements, CoL recently quoted a figure of £180,000 to replace six cell doors. All works must be carried out within this strict framework as the Force forms part of the Corporation estate. Members may wish to consider whether the high value costs expected for these works would have an impact in respect of whether this work is likely to be classed as a 'reasonable adjustment' under the Equality Act 2010.
6. In the meantime, detainees with disabilities preventing them from reaching the call bell are either put on close observation or more frequent visits to ensure their welfare is not compromised. Compliance is monitored by the Custody Manager checking custody records of any detained persons with restricted mobility.
7. It is estimated by the Force Custody Manager that CoLP has approximately fewer than five individuals with impaired mobility through the custody suite within any one year. There are two 'known' repeat offenders who are both wheelchair users and these individuals needs are catered for through the aforementioned risk assessment

process. If an individual is deemed unfit through age, infirmity or disability to attend the custody suite after risk assessment, then arrangements can be made to interview them at their home address. There has been one incidence of this where an offender was deemed unfit to attend custody and was subsequently interviewed and charged by officers at the home address.

8. Members may also like to consider a further piece of work which is progressing which will impact upon any future estate adjustments. The NHS Commissioner completed an infection control audit of the Force custody suite in September 2012, outlining a draft improvement plan. This was undertaken as part of the ongoing work of the healthcare partnership board. Work scheduled to take place in 2013 will involve a full Health Needs Assessment, which is being directly organised by the NHS Commissioner for this area, who is now the Commissioner for offender health across the whole of London.
9. The assessment includes detail about the City's demographic and characteristics, activity and demand profile, including trend information, supported by evidence from a range of stakeholder's local authority, social services, hospitals, and mental health trusts. The resulting report will provide key evidence as to the exact nature of any *required estate enhancements* and *equipment purchase*. On this basis it the Force is not intending to make any decision regarding estate enhancements without referring to this piece of work, once completed. The Assessment goes far wider in terms of scope and parameters than the HMIC/HMP inspection. The Force will consider this in the round to inform what, if any capital spend is appropriate in the short to medium term.

Financial implications

10. In the limited amount of time since the previous report to your December Committee, costs have been estimated based upon recent quotes for work, knowledge of CoL actual costs and consideration as to the extent of work required in order to comply with the Police Building design Guidance supplied by the Home Office, they are roughly broken down as follows: The cost of adapting two cells is estimated at approximately £40,000 plus approximately £40,000 for Project Management. This would include modifications to two cells to incorporate changes in cell door sizing for wheelchair access, wiring,

new walls, re-tiling to Home Office specification and resizing to Home Office specification as necessary and fitting panic alarms.

11. However, Members may also wish to note that meetings with City Surveyors have identified that this work could not really be carried out in isolation, and would require a holistic redesign of the other parts of the custody suite which were identified in the inspection for improvement below at considerable cost:

- Suitable facilities should be provided for detainees to have exercise in the open air
- Arrangements in booking-in areas should allow for private communication between detainees and staff

Prisoner Survey

12. Additional concerns have been raised by members regarding a number of the results from the Prisoner Survey. Specifically item 13 which highlighted that 36% of those surveyed said they had been told about PACE which Members felt was low. Rights under PACE are raised at the time of booking in the detainee, they are reminded again when reviewed by an Inspector at the recommended intervals whilst in detention. PACE books are available for all detainees and as a result of the inspection, reminders have been given to all custody staff.
13. In relation to detainees being offered a shower. Most prisoners are processed and released before the 24 hour period is concluded, therefore the requirement to offer a shower is not necessary. All prisoners are reminded of the facility after an overnight sleep or rest period. All prisoners are asked if they have any representations at each Inspectors/Superintendents review.
14. In relation to item 51a and 51b which refers to detainees being seen by a healthcare professional whilst in custody. All prisoners are referred to a healthcare practitioner if they request one if they feel unwell. They are all automatically referred if they are injured or they appear unwell to the Custody Officer. Any prisoner with significant health issues or injuries is taken to hospital. The percentage (27%) indicates only those that *needed* to see a practitioner whilst in custody with CoLP.

Conclusion

15. This report is intended to address the specific issues raised by Members at your December Committee and a full update on all areas for improvement identified in the inspection will be submitted to the next Performance Sub Committee.

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