



OPCC

Office of the Police &
Crime Commissioner
for Gloucestershire

25th July 2022

Response to HMICFRS report on the unannounced inspection visit to police custody suites in Gloucestershire.

The report found here by HMICFRS and HMIP, is part of its programme of inspectors covering every police custody suite in England and Wales. The report was based upon the unannounced inspection that took place within the Gloucestershire Custody suite in February 2022.

Within the report, there were three causes of concern (CoC) with Gloucestershire Constabulary custody facilities relating to strategic oversight of governance arrangements, legal guidance and oversight of Use of Force. The development plan which was created to look at these concerns has broken down each part into individual objectives. Each objective has then been risk assessed.

The report has also been shared with the Independent Custody Visitor team, who have reviewed it and confirm that are also happy with the development plan.

I am satisfied with the response from the Constabulary, and look forward to seeing the improvements being implemented which I will also monitor.

Chris Nelson
Police and Crime Commissioner

Gloucestershire Constabulary

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Mr Richard Bradley
Chief Executive
Office Police and Crime Commissioner –
Gloucestershire

Our Ref:
Email:
Direct
Dial:

Date: 13th July 2022

Dear Richard

Re: Response to the unannounced inspection visit to police custody suites in Gloucestershire

Please find below our response to the above report, aimed at assisting you to meet the requirements of Section 55(1) of the Police Act 1996. The report describes findings following an inspection of Gloucestershire Constabulary custody facilities.

The inspection was conducted jointly by HM Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and HM Inspectorate of Prisons (HMIP) in February 2022. It is part of its programme of inspections covering every police custody suite in England and Wales.

It notes that there are safe and respectful provision of custody services, that there are enough staff on duty to manage safe detention, that the force delivers many aspects of custody services well, to keep detainees safe and meet their needs. We are pleased that it was recognised that there is a clear priority to divert children and vulnerable adults away from custody and that frontline officers have a good understanding of vulnerability. Finally, that health care provision whilst in custody and the safe release of prisoners is also noted.

The report identifies three causes of concern (CoC) relating to; strategic oversight of governance arrangements, meeting legal guidance and oversight of the Use of Force. The CoC have a number of associated recommendations and some areas for improvement.

A number of rectifying actions were instigated following the debrief provided to the Constabulary in March, with progress updated following the publication of the final report. A development plan has been created looking at all causes of concern and areas for improvement. Each part has been broken down into individual objectives and each objective has then been risk assessed.

An overview of all activity is attached at appendix A.

Please do not hesitate to contact me should you require any further information.

Yours sincerely

Jessica Loxley Clark

Superintendent Head of Criminal Justice



Appendix A

Unannounced inspection visit to police custody suites in Gloucestershire

CoC & Recommendations			
Ref	HMICFRS	Owner	Progress
1	<p>Cause of Concern</p> <p>The force doesn't have good enough governance and oversight over how it provides custody, or of the outcomes for detainees. Senior managers only give limited scrutiny to custody matters. The information to support scrutiny is limited, and some of it is inaccurate. Poor recording on custody records makes it difficult to assess how well the force treats detainees and what has happened to them while in custody. There is little quality assurance over custody.</p> <p>Recommendation</p> <p>The force should strengthen its governance and oversight arrangements to make sure there is effective scrutiny of custody provision by:</p> <ul style="list-style-type: none"> ensuring senior managers oversee important areas of custody provision <p>Recommendation</p> <p>The force should strengthen its governance and oversight arrangements to make sure there is effective scrutiny of custody provision by:</p> <p>collecting and monitoring enough accurate information to show how well the force provides safe and respectful custody</p>	Supt CJD	<p>The first Strategic Custody Review Meeting took place on the 16th May 2022 to look at all areas of custody provision and governance.</p> <p>Data and performance information is to be reviewed at all meetings.</p>

	<p>Recommendation</p> <p>The force should strengthen its governance and oversight arrangements to make sure there is effective scrutiny of custody provision by:</p> <p>making sure recording on custody records is accurate, to a high standard and clearly shows what has happened to the detainee while in custody</p> <p>Recommendation</p> <p>The force should strengthen its governance and oversight arrangements to make sure there is effective scrutiny of custody provision by:</p> <p>Having quality assurance arrangements in place to assess how well the force meets detainees' needs, identifying and addressing any concerns, and showing where it needs to make improvements.</p>			
	<p>Cause of Concern</p> <p>The force isn't always meeting the requirements of code C of the Police and Criminal Evidence Act 1984 (PACE) for the detention, treatment and questioning of persons, particularly in terms of providing detainees with their rights and entitlements, and the way in which it carries out reviews of detention. It is also not complying with section 31 of the Children and Young Persons Act 1933 (also PACE code C paragraph 3.20A) in its</p>	Supt CJD	The new Criminal Justice Inspectors have been informed of the requirement for auditing of custody records and the need to improve the quality of records.	

	<p>care of girls in custody. Neither is the force consistently following the College of Policing's APP in important areas of custody provision.</p> <p>Recommendation The force should take immediate action to make sure all custody procedures and practices comply with legislation and guidance. This includes following APP guidance</p>		
2	<p>Cause of concern Use of force (UoF).</p> <p>There is little governance and oversight over the use of force in custody. Information to show how often and what force is used, and by which officers, is often inaccurate and sometimes missing. The force carries out few reviews of use of force incidents to assess how well it handles them. It can't show that when force is used it is necessary, justified and proportionate.</p> <p>Recommendation</p> <p>The force should scrutinise the use of force in custody to show that when force is used in custody, it is necessary and proportionate. This scrutiny should be based on accurate information and robust quality assurance, including viewing CCTV footage of incidents.</p>	Supt CJD	Staff have been reminded to record the UoF within custody and update Electronic Detention Log (EDL).

Areas for Improvement

Ref	HMICFRS	Owner	Progress
1.1	The force should provide continuous training for detention officers so they remain up to date with the requirements of the role.	Supt CJD	Representatives from the Learning & Development Dept (L&D) have attend regional training meetings concerning the College of Policing guidance for custody training provision.

			The course provision is being reviewed around all aspects of training for custody.
2.1	All officers and staff should recognise what constitutes an adverse incident and understand their responsibilities for reporting them	Supt CJD	A reporting system in place for adverse incidents There is good awareness of what constitutes as an adverse incident and near misses are regularly reported. Regular meetings are held with the Force H&S lead.
3.1	The force should strengthen its approach to meeting the individual and diverse needs of detainees by making sure that: menstrual care products are freely available and disposal arrangements are satisfactory;	Supt CJD	Menstrual care products fully available, including incontinence products for men. The Criminal Justice Inspector is reviewing procedures, which will be amended where necessary.
3.2	The force should strengthen its approach to meeting the individual and diverse needs of detainees by making sure that: it uses private telephone interpreting services at all points during detention where important information needs to be given or requested	Supt CJD	The new interpreter's contract started on the 20 th June 2022. Included within the contract is the use and provision of dual handsets for telephone interpreting.
3.3	The force should strengthen its approach to meeting the individual and diverse needs of detainees by making sure that: Sufficient religious texts and items for all the main faiths are available.	Supt CJD	Engagement with the Force Better Together Team, (who advise on aspects of Equality, Diversity & Inclusion) has been made to scope further opportunities for wider texts, Bibles, Qur'an, prayer mats or any other feasible requirement, some of which are already present in custody.
4.1	The force should improve its approach to risk by making sure that: custody officers triage queues for booking in	Supt CJD	Waiting times for booking in are now monitored as a part of performance and have found to be low. A technical solution is being explored to establish if a timer based system could start when a detainee is placed in the holding bay. The custody manual will then be amended to

			define a timeframe for when custody officers should review detainees.
4.2	<p>The force should improve its approach to risk by making sure that:</p> <p>it always sets observation levels for detainees under the influence of alcohol and/or drugs appropriately, and that they remain in place long enough</p>	Supt CJD	<p>Custody officers have been reminded that they are to conduct the check together with the Detention Officer that reduces the checks from rousals to Level 1 or level ½ and record their rational and observations.</p> <p>During inspection HMICFRS commented that Level 3 and Level 4 watches are conducted appropriately but details of briefings and the identity of officers involved is not always recorded as per APP Guidance. Staff are given a recording sheet and briefed on the risks the individual poses. This briefing will then be recorded on the EDL.</p>
4.3	<p>The force should improve its approach to risk by making sure that:</p> <p>the same staff member conducts detainee checks</p>	Supt CJD	Two Detention Officers are allocated to cell checks to provide consistency.
4.4	<p>The force should improve its approach to risk by making sure that:</p> <p>custody staff don't routinely remove cords and footwear from detainees without an individual risk assessment;</p>	Supt CJD	The Criminal Justice Inspectors will be reviewing the policy relating to removing of cords from detainees.
4.5	<p>The force should improve its approach to risk by making sure that:</p> <p>information provided during handovers between shifts is shared between all custody staff, and those taking over promptly visit and engage with the detainees in their care;</p>	Supt CJD	<p>Handovers between Custody Sergeants are captured on CCTV and the EDL.</p> <p>Difficulties arise due to conflicting shift patterns between custody staff.</p>
4.6	<p>The force should improve its approach to risk by making sure that:</p> <p>all custody staff carry anti-ligature knives</p>	Supt CJD	All staff have ligature knives and have been reminded to wear them. Ongoing observations have shown that staff are continuing to wear ligature knives.

4.7	<p>The force should improve its approach to risk by making sure that:</p> <p>Custody staff maintain control of cell keys.</p>	Supt CJD	<p>Staff have been reminded to retain their allocated keys. Ongoing observations show the practice of passing keys between staff has stopped but will continue to be monitored</p>
5.1	<p>Reviews of detention should be conducted in the interests of the detainee. If conducted early, the reasons should be clearly recorded</p>	Supt CJD	<p>All Superintendents now have the correct level of Unifi access to allow them to update Unifi directly with Superintendent reviews. The access includes the following:</p> <ul style="list-style-type: none"> • Urgent Interview – no solicitor. • Supt. Extension of Bail. • Supt. Extension of detention. – warrant of further detention. • Removal of solicitor. (if not available – can be delegated to Inspector,) • Denial of solicitor before entry to custody if felt unsuitable – can then contact solicitors firms. • Training offered to all Superintendents’. <p>The PACE Inspector course provision for delivery to new Inspectors in September 22 is being reviewed by L&D Custody Trainers.</p>
6.1	<p>The force should make sure it:</p> <p>provides a clean environment for detainees, monitors the daily cleaning regime and introduces a regular programme for deep cleaning</p>	Supt CJD	<p>Engagement with Estates and cleaning contractors is in place. The issue has been identified as being associated with food stains on flooring, which due to the type of flooring cannot be removed / cleaned and looks similar to a dried blood stain. In addition the toilet cleaner used is staining the toilets.</p>
6.2	<p>The force should make sure it:</p> <p>addresses the safety issues involving potential ligature points and, where resources don't allow the force to deal with them</p>	Supt CJD	<p>Regular H&S checks are carried out in custody, if any concerns are escalated the cell is immediately closed until repairs are completed.</p>

	immediately, manages the risks to ensure it provides custody safely		
6.3	The force should make sure it: prominently displays sufficient notices advising that CCTV is in operation throughout the suite	Supt CJD	Detainees are informed of the existence of CCTV when they are booked in. They are reminded that CCTV in the toilet areas are pixelated. The Criminal Justice Inspectors will review signage throughout custody and consider improvements.
6.4	The force should make sure it: Brief and train all custody staff in the procedures they should follow in the event of a fire or other emergency requiring the custody suite to be evacuated, as per APP guidance.	Supt CJD	A bespoke Fire Warden course and Fire Warden role has been developed for delivery to custody staff. Table-top exercises were completed in order to develop the bespoke fire warden role. A fire evacuation test is scheduled to be completed.
7.1	The force should improve the care of detainees by making sure detainees are routinely: offered the opportunity to shower/wash	Supt CJD	This has been included in the ongoing professional development for Staff and the courses run in conjunction with L&D.
7.2	The force should improve the care of detainees by making sure detainees are routinely: offered access to the exercise area	Supt CJD	This has been included in the ongoing professional development for Staff and the courses run in conjunction with L&D.
7.3	The force should improve the care of detainees by making sure detainees are routinely: provided with replacement footwear:	Supt CJD	Criminal Justice Inspectors will be reviewing this a wider part of the exercise regarding individual risk assessments.
7.4	The force should improve the care of detainees by making sure detainees are routinely: provided with toilet paper	Supt CJD	Toilet paper is available on request. Criminal Justice Inspectors will be reviewing this a wider part of the exercise relating to individual risk assessments.
7.5	The force should improve the care of detainees by making sure detainees are routinely:	Supt CJD	The Criminal Justice Inspectors are reviewing current reading materials available and considering what else could

	provided with reading materials and other distraction activities		be provided to distract detainees and relieve boredom whilst in custody. Materials to be suitable for all age groups including learning disabilities and autism.
7.6	The force should improve the care of detainees by making sure detainees are routinely: Provided with pillows and mattresses that are in a good condition and offer sufficient comfort	Supt CJD	An audit of mattresses and pillows has been conducted. The old or damaged ones disposed of and new ones placed in cells.
8.1	The force should strengthen its approach to appropriate adults by: making sure all children and vulnerable adults in custody are promptly supported by an Appropriate Adult (AA)	Supt CJD	The Force has engaged with Gloucestershire County Council, who are responsible for the current contract, regarding provision of AA services and difficulties around obtaining an AA after 10pm and overnight. This will be considered as part of next contract renewal.
8.2	The force should strengthen its approach to appropriate adults by: Collecting and monitoring information to show how long children and vulnerable adults wait before an AA arrives, to assess how well it is meeting their needs	Supt CJD	The Criminal Justice Inspectors monitor the Electronic Detention Logs (EDL) and timeliness of calling AA's as part of their audits.
9.1	The force should continue to work with the relevant local authorities to improve the provision of alternative accommodation for children who are charged and refused bail.	Supt CJD	The protocol was submitted to the Children and Families Overview Scrutiny Group on the 26/05/22. There are continuing issues with availability of PACE accommodation for young people but this is anticipated to improve. The Force captures request to evidence compliance with legislation.
10.1	The force should make sure: it offers support leaflets to all detainees on release	Supt CJD	Vulnerable detainees are identified via risk assessment from a number of agencies in custody (HCP L&D staff CGL youth support all in custody). The Force uses an exit plan leaflet. A minimum expectation is that an exit plan leaflet will be given to ALL detainees on exiting the block.

			The Criminal Justice Inspectors will review this as a part of their audit process.
10.2	The force should make sure: custody officers check all digital person escort records (dPERs) are fully completed and sign them off when detainees are transferred	Supt CJD	This is subject to electronic processes relating to improved data quality. An audit trail has now started with electronic PER's. The Criminal Justice Inspectors will review and monitor compliance through liaison with SERCO (Pecs contractor).
10.3	The force should make sure: when detainees are transferred to court or prison, custody officers speak to them to identify and mitigate risks before they leave police custody	Supt CJD	Vulnerable detainees are identified via risk assessment (HCP L&D staff CGL youth support all in custody). Custody Officers handover to SERCO staff at a counter were risks are identified and captured on CCTV. The Criminal Justice Inspectors will review this as a part of their audit process

Ends/.