

## COMMISSIONERS INDEPENDENT SCRUTINY REPORT

### Custody & Detention – Children and Young Persons Process

### 07 September 2022

<b>Scrutiny Panel:</b>	<b>Custody &amp; Detention</b>
<b>Members:</b>	<p>Jim Rowley – Chair  George Beech MBE  Mike Ackroyd – <i>via MS Teams</i>  Carol Bullock  Samantha Couzens  Sophia Norrington  Joshua Whitehurst</p>
<b>Purpose:</b>	<p>That the correct procedure has been followed with regard to the detention of detainees who are under the age of 18. To ensure that the process is compliant with the law and best practice.</p> <p>For all aspects, the scrutiny should demonstrate:</p> <ul style="list-style-type: none"> <li>- Is the action/behaviour justified</li> <li>- Has it been explained adequately</li> <li>- Has it been recorded properly</li> </ul>
<b>Panel Findings:</b>	<p>The panel selected 4 incidents.</p> <p>All four detentions were scrutinised fully using redacted copies of the Custody Detention Log. CCTV footage of the booking in process was provided for two of the detentions. Full explanations for each detention and the processes involved were provided by Inspector Graham and Chief Inspector Maskew.</p> <p><b>Custody Record C22007288</b> – (Panel notes attached)</p> <ol style="list-style-type: none"> <li>1. Redacted copies of the Custody Detention Log were provided.</li> <li>2. The detention was due to an outstanding warrant. Detainee was 14 years old and detained at Northern Area Custody Facility.</li> <li>3. The panel were confident and happy that all processes had been complied with for this detention</li> </ol> <p><b>Custody Record C22007379</b> – (Panel notes attached)</p> <ol style="list-style-type: none"> <li>1. Redacted copies of the Custody Detention Log were provided. CCTV footage of the Booking In process was also provided.</li> </ol>



2. The detention was due to suspected robbery. Detainee was 13 years old and detained at Northern Area Custody Facility.
3. The panel noted from the CCTV that the Discreet Area for booking in of young people was not being used due to issues with IT. There was concern that the main booking in area was intimidating and in addition the detainee was surrounded by 3 police officers.
4. The custody log indicated quite a wait for an Appropriate Adult once the mother refused to attend. The panel were informed that there is no time limit for Appropriate Adult to attend within.
5. However, the panel noted that the booking in process was conducted well and calmly despite this.
6. The panel were confident and happy that all processes had been complied with for this detention

**Custody Record C22007879** – (Panel notes attached)

1. Redacted copies of the Custody Detention Log were provided. CCTV footage of the Booking In process was also provided.
2. The detention was due to theft of motor vehicle. Detainee was 17 years old and detained at Southern Area Custody Facility.
3. The Discreet Area was used and the panel noted that this was more conducive to an effective, calm booking in process for the young person.
4. The panel noted that the officers engaged well with the detainee and appeared to put the young person at ease.
5. It was noted that the quality of the CCTV and audio at Southern Area Custody Facility was much better than NACF.
6. The panel were confident and happy that all processes had been complied with for this detention

**Custody Record C22008059** – (Panel notes attached)

1. Redacted copies of the Custody Detention Log were provided.
2. The initial detention was due to criminal damage and assault of a teacher at a school. Detainee was 14 years old and detained at Southern Area Custody Facility.
3. Detention was not authorised and detainee was released to his parents with a view to voluntary interview at a later date.
4. The panel were confident and happy that all processes had been complied with for this detention

The panel thanked Chief Inspector Maskew and Inspector Graham for their comprehensive explanations of a difficult process.



**Recommendations:**

The panel recommend the following:

1. A more suitable room be used to book children and young people into custody rather than using the main area if the Discreet Room is unavailable.

**Force Lead Response:**

Staffs Custody continue to work to improve the processes when bringing children into the custody facility.

The recommendation is that all children brought into custody are taken to the discreet area for booking in. Both sites have available space in order to do this with the issuing of personal laptops the ability to book prisoners in remotely will improve with this and laptops will be easily to move to different desks for processing.

In addition to this, children are provided with easy read rights and entitlements and distraction material.

The Exec are currently working alongside the Local Authority to improve processes when approaching appropriate adults from a social care setting in an effort to reduce this waiting time.