

## COMMISSIONERS INDEPENDENT SCRUTINY REPORT

### Custody & Detention – Strip Search Process

### 18 January 2023

<b>Scrutiny Panel:</b>	<b>Custody &amp; Detention</b>
<b>Members:</b>	<p>Jim Rowley – Chair</p> <p>George Beech MBE</p> <p>Samantha Couzens</p> <p>Sophia Norrington</p> <p>Joshua Whitehurst</p>
<b>Purpose:</b>	<p>That the correct procedure has been followed with regard to the detention of detainees who are subject to a strip search in Custody. 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 6 incidents.</p> <p>All six incidents were scrutinised fully using redacted copies of the Custody Detention Log. Full explanations for each detention and the processes involved were provided by Inspector Graham.</p> <p><b>Custody Record C22012532 - Dated: 30 September 2022 – (Panel notes attached)</b></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 an adult and detained at Northern Area Custody Facility.</li> <li>3. The panel noted the following: <ul style="list-style-type: none"> <li>- Custody Detention log did not indicate that replacement clothing had been provided.</li> <li>- The printed log record did not indicate details of the search; length of time of search; location of search and attending officers. The live version of the custody log however, did show this information and the panel were happy that it had been recorded</li> <li>- The printed log did not indicate that the detainee was aware of the reason for the search and it was not reflected on the live version.</li> </ul> </li> </ol>

**Custody Record C22011026 – Dated: 29 August 2022 – (Panel notes attached)**

1. Redacted copies of the Custody Detention Log were provided.
2. The detention was due to a fail to stop. Detainee was an adult and detained at Southern Area Custody Facility.
3. The panel noted the following:
  - The printed log did not indicate that the detainee was aware of the reason for the search and it was not reflected on the live version.

**Custody Record C22008988 – Dated: 19 July 2022 – (Panel notes attached)**

1. Redacted copies of the Custody Detention Log were provided.
2. The detention was due to possession of a knife in a public place. Detainee was an adult and detained at Northern Area Custody Facility.
3. The panel noted all processes had been followed.

**Custody Record C22008349 – Dated: 05 July 2022 – (Panel notes attached)**

1. Redacted copies of the Custody Detention Log were provided.
2. The detention was due to possession of drugs. Detainee was 15 years old and detained at Southern Area Custody Facility.
3. The panel noted:
  - A strip search was not authorised by the Inspector and therefore not undertaken. A comprehensive and robust rationale was given.
  - The young person's risk assessment had not been completed on detention.

**Custody Record C22008145 – Dated: 01 July 2022 – (Panel notes attached)**

1. Redacted copies of the Custody Detention Log were provided.
2. The detention was due to possession of drugs. Detainee was 16 years old and detained at Northern Area Custody Facility.
3. The panel noted:
  - The printed log did not indicate that there was an Appropriate Adult present at the strip search. However, the live record indicated that an AA was at the station but detainee declined to have them present at strip search.

**Custody Record C22008129 – Dated: 01 July 2022 – (Panel notes attached)**

1. Redacted copies of the Custody Detention Log were provided.
2. The detention was due to possession with intent to supply. Detainee was 15 years old and detained at Southern Area Custody Facility.
3. The panel noted:
  - The printed log record did not indicate details of the search; length of time of search; location of search and attending officers or whether an AA was present. However, the live version of the log indicated that this information was recorded.
  - The young person's risk assessment had not shown on the printed version and was not on the live version either.

The panel noted that there seemed to be an issue where the information recorded on the live version had not been printed. Inspector Graham indicated that it appeared that where the detainee/ AA / Officers had to provide a signature and the signature pad was not working, there was an option of 'Unable to sign' on the drop-down menu and this had not been chosen. Therefore, the printed version did not 'pull through' the data in this area of the record. Inspector Graham indicated that he would investigate further and ensure that custody staff were aware of this issue and that in future instances of where the Signature Pads were out of order that the appropriate selection from the drop-down menu was made.

The panel thanked Inspector Graham for his comprehensive explanations of a difficult process.

#### Recommendations:

The panel recommend the following:

1. The Force to ensure that the printed log reflects the live record for scrutiny.
2. That custody staff are made aware of the need to ensure that the Niche records are fully completed and the impact on scrutiny when they are not.
3. To ensure that CYP risk assessments are done for all children and young people at the point of detention.
4. All detainees are made aware of the reason for the search and this is recorded on the Detention log.

#### Force Lead Response:

**1)The Force to ensure that the printed log reflects the live record for scrutiny.**  
Inspector Graham has escalated this problem to the NICHE team in order to rectify it and messaging has gone out to Sgts that when detainees are unable to sign to record this properly otherwise it causes this recording error. Moving forward and, out of covid, this problem will reduce. The IT equipment is due to be updated in custody later in the year which will provide the suite with new signing pads which will alleviate the problem.

**2)That custody staff are made aware of the need to ensure that the Niche records are fully completed and the impact on scrutiny when they are not.**  
20 custody records per site are scrutinised by the inspectors on a monthly basis to pick up issues like this and direct feedback is given to officers around any good and poor custody records. Inspectors send a monthly email to staff around the learning from the dip sampling and this is also reflected on the daily briefing.

**3) To ensure that CYP risk assessments are done for all children and young people at the point of detention.**  
I'm unsure why this has not been done on this record and it is disappointing as we have been having a real drive around children's custody records. 10 children's custody records are scrutinised by Inspectors each month and this is an area they



will ensure to check. Inspectors are made fully aware of the results of these scrutiny panels.

**4. All detainees are made aware of the reason for the search and this is recorded on the Detention log.**

This is an area I had picked up myself on my own dip sampling and an input has been given to Sgts on the CPD day around the importance of covering the grounds for the search on the custody record. Both Custody Inspectors will ensure they keep a view on this area whilst dip sampling and feedback accordingly.