

**CUSTODY INSPECTION 2014 IMPROVEMENT PLAN**

Detailed Force Feedback

SCT Portfolio Owner: ACC B-Division and Crime

Improvement Plan Owner: Head of Offender Management

Ref	Area for Improvement	Action Owner	Due Date	Initial Response	Latest Update	Date of Update	Complete Yes/No	RAG Status
<b>Section 2. Background and Key Findings</b>								
<b>Main Recommendations</b>								
2.23	Pre-release risk assessments should be detailed, meaningful and based on an ongoing assessment of detainees' needs while in custody; the custody record should reflect the detainee's position on release and any action that needs to be taken.	B Division, Supt Divisional Operations	01-Dec-14	This is already in place - need to ensure that all custody staff comply and fill it in a comprehensively as possible. This process will be re-briefed out to all custody staff to ensure awareness and compliance.	The pre release risk assessment form is provided and available in ALL suites. The requirement to complete them , where this does not delay the persons release from custody which is mandated by PACE, has been briefed to ALL staff locally. Local Custody Managers will dip sample and check compliance as part of the monthly custody record audit process. Custody record audits take place every month and are conducted by the Custody Managers at each site. On the whole custody records are filled out correctly - where development issues are identified these are addressed directly with the staff member involved as a follow up to the audit process. The audit checklist comprises HMIC expectations criteria and has been redesigned for audits taking place from 23/10/14 to take into account this action point in order for compliance to be demonstrated. The revised version has been circulated on 22/10/14 by Insp. Lydon to all Custody Managers and C/I Mauger. This recommendation will remain open until assurance is provided that Custody Managers are now using the newly issued custody record audit checklist. Next custody record audit is due to take place in November.  Update 15 December 2014 - Remains open until audit can take place in January 2015  Update 29 January 2015 - C/I mauger reports and minuted at B Division Custody managers meeting on 29/1/15 that custody managers have audited and pre release risk assessments are being conducted in accordance with the inspection criteria and Custody APP. Inspection by Force is scheduled for 3rd Feb and will be attended by Insp. Lydon and Supt. Wratten.	29-Jan-15	No	GREEN
2.24	Custody sergeants should ensure detention is appropriate and last for no longer than is necessary.	B Division, Supt Divisional Operations	01-Dec-14	This already occurs - however most delays appear to be caused by a lack of process protocol amongst dealing departments. CID/ISU/CAT and Custody are in the process of reviewing protocol and then forming this into agreed MOUs. This process is currently being undertaken under the ownership each respective departments SMT.	Custody Sgts have been briefed on the role and responsibilities regarding expeditious and diligent investigation of offences and ensuring detention is proportionate. Custody Directorate has sent out a revised bulletin on this issue to all Custody Managers and Learning and development team on 22/10/14. Compliance checks form part of the custody record audit checklist. The electronic audit checklist comprises HMIC expectations criteria and has been redesigned for audits taking place from 23/10/14 to take into account this action point in order for compliance to be demonstrated. The revised version has been circulated on 22/10/14 by Insp. Lydon to all Custody Managers and C/I Mauger. A Custody and detention internal MOU for B Division is being drafted and consulted on which will cover the investigative aspects and resource allocation within this action. CI Mauger is overseeing the process for delivery Nov 2014. The MOU sits as a standing item on the B Div Custody Managers meeting last held on 15/10/14.  Update 16 December 2014 - On the 24 October Op Explore began on B division that now provides investigative teams and Case Progression teams (CPT) to process detainees in a more effective and efficient way . This provides for dedicated custody space for offence types and clear lines of responsibility for processing each type of suspect. Op Explore process and supporting literature is available on the B division BTPOne web page. The process was briefed to all custody staff on the 24 October. This now supercedes the original MOU mentioned above and provides more clarification on investigating offences and dealing with suspects in a timely manner.	15-Dec-14	Yes	GREEN
<b>Section 3. Strategy</b>								
There is a strategic focus on custody that drives the development and application of custody-specific policies and procedures to protect the well-being of detainees.								
<b>Recommendations</b>								
3.17	Staffing levels should be reviewed to ensure that sufficient custody staff are on duty at all times to meet demand.	B Division, Supt Divisional Operations	01-Dec-14	Staffing levels have recently been reviewed and addressed with an intake of new DDO's and posting of Sergeants into custody . This has brought B-Division custody suites up to its current establishment. Staffing levels will be subject to ongoing review by Custody Managers to ensure that resource levels meet the current and forecast needs.	B Division has conducted a review of staffing levels as part of the Custody and detention MOU. Vacancies exist across B Division and new Sgts and DDO staff have been identified. Staffing is now more flexible with the Sectors providing support to each suite that were previously under the old legacy Divisional structure. This has ensured that demand is met and appropriate staff provided at each location. This sits as an agenda item on the B Division Custody meeting for governance and will be reviewed following publication of the MOU in November 2014. This action will remain open until MOU developed- links in with ref 5.13. It should be noted that from the 3 January 2015 Ebury Bridge Custody will close and staff will be redistributed into the custody staffing model. This in turn supports the structure to ensure there are sufficient resources at each location. CI Mauger leads on the staffing model and MOU for B Division.  Update 15 December 2014 - The MOU is out for consultation to Supt B Division Operations who holds the portfolio for Custody on B Div.  Update 29 January 2015 - B Division Custody management report at Custody managers Forum that custody staff model is complete and sufficient for operational functions. A recent decision by FEB to close Ebury Bridge (26/1/15) means that certain posts can be removed from the custody establishment. CI Mauger is leading on this in conjunction with B Div HR and Corporate resources.	29-Jan-15	No	GREEN

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3.19	The lack of local authority accommodation for children and young people refused bail at police stations should be resolved at a strategic level with local authority partners.	Head of Offender Management	01-Dec-14	This is a London wide issue and the MPS and CoLP also face this challenge. This needs to be addressed at strategic SCT level.	<p>This is a perennial issue nationally and has been raised at the Strategic PACE Board with the Home Office, national Custody Forum and representations made via the ACPO Custody lead. National engagement is in place through the latter forum with the HO on this issue. Locally, Custody directorate has briefed via the B Div. Custody meeting that all such cases continue to be referred to the LA, and data is captured on the monthly Custody report from each suite. This is in order for the extent of the issue to be assessed and for evidence to be collated that can be taken to the local authorities concerned by Force lead for Custody. A report will be made at the next Strategic Custody Forum.</p> <p>Update 15 December 2014 - The Custody management information and data collection template that captures monthly now includes a section on identifying juveniles and YP's, whether remanded and if LA accommodation requested and/or provided. This will enable the Force to monitor and escalate any cases that are identified. This forms part of future Custody MI report to Custody meetings, OM SMT and PSC reports.</p>	15-Dec-14	No	AMBER
<b>Housekeeping Points</b>								
3.20	The BTP police authority should ensure, through liaison with the Mayor's Office for Policing and Crime, that there are regular ICV visits to all BTP custody suites.	Head of Offender Management	01-Dec-14	ICV's regularly visit B-Division custody suites and the current Custody Managers represent BTP and the sub-Divisions at ICV panel meetings.	<p>Opening and closing details of suites and renewed contact with MOPAC office has been established. Local Custody Managers are attending the local ICV panel meetings to provide updates and respond to ICV feedback. ICV panel meetings are held by MOPAC for each London Borough on a quarterly basis. The BTP Local Custody Manager for the suite(s) within that Borough attends the panel meeting. These are chaired and minuted by MOPAC. ICVs visit BTP suites on an unannounced basis which is in accordance with PACE. They complete a record of the visit and submit a copy to the local Custody Manager and to the MOPAC. Any issues or feedback are actioned by the Custody Managers and reported back to MOPAC for recording and minute. A copy of the report is kept on Division; strategic issues requiring a Force perspective are copied to the Custody Directorate at FHQ.</p> <p>Further to this BTP already carryout self assessment inspections in partnership with 'Turning Point Charity' who are service users as part of it Custody assessment process carried out by Centre for Public Innovation and in developing the Offender Management Reform Programme. Offender Management will potentially look to develop this area and establish a working partnership with another Home Office Force.</p> <p>The Preferred partner would be City of London as a relationship is already in place with their Custody Lead in several other areas related to Custody and detention. ICV panels attended on 7 and 27 October by Local managers.</p> <p>The next round of Panel meetings in 2015 have yet to be published by MOPAC.</p> <p>Update 15 December 2014 - The next round of Panel meetings in 2015 have been published by MOPAC and distributed by PI Lydon on 19/11/2014.</p> <p>Update 29 January 2015 - Peer review process is still under development following meeting with an external service user group and NHSE on 19/12/14 and PI Lydon. The COLP Custody management has changed and a new Custody manager engaged (Insp Ashlie May) who has agreed to take part once the Service user element is finalised. The services of In Spirit, a London Based Service user group is being considered, funded by NHSE. Currently, the issues of vetting and scoping the extent of involvement by them is being discussed negotiated by PI Lydon.</p>	29-Jan-15	No	GREEN

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<b>Section 4. Treatment and Conditions</b>								
Detainees are held in a clean and decent environment in which their safety is protected and their multiple and diverse needs are met. (Safety)								
<b>Housekeeping Points</b>								
4.22	Information about support agencies should be available in several languages.	B Division, Supt Divisional Operations	01-Dec-14	Current documentation will be reviewed by Custody Managers and where necessary alternative or translated documentation will be sourced/made available.	Documentation at each site is being reviewed by each Custody manager to be reported at next B Div Custody meeting.  Update 3 November 2014 - Support Agencies leaflets are produced by the relevant organisations, which means that they are not always produced in a wide range of languages. Drugs and Alcohol and mental health material produced by NHS is in several commonly occurring languages within London and are the ones in use currently at each site  Update 16 December 2014 - The Talk to FRANK leaflets provide messages in a multitude of languages for drug substance use. However, they do not have multi lingual staff to deal with calls should any be made. No other leaflets are available from charities, NHS etc that is in exhaustive languages. BTP would have to source a supplier, that currently does not provide such documentation. For example Surrey Police have tried to do so without success, this was checked by PI 7355 on 15/12/14 with Surrey Custody manager.  Update 29 January 2015 - PI Lydon has conducted an analysis of nationality and language needs of detainees coming through the suites to provide context here. In summary, main languages spoken are as follows; English 62%, Romanian 7%, Polish 6%, Indian dialects 2%. All other languages represent 1% or less of detainee population and languages spoken (if assumption is made that detainees speak no English at all). Sufficient documentation is provided in the main, commonly encountered languages. It is not considered feasible or effective to source additional documents for languages that occur so infrequently. In the case of those who speak no English, staff can ensure that referral or assistance is communicated by the interpreter who will be required to be provided during their stay in custody.	29-Jan-14	Yes	GREEN
<b>Section 5. Individual Rights</b>								
Detainees are informed of their individual rights on arrival and can freely exercise those rights while in custody. (Rights relating to detention)								
<b>Recommendations</b>								
5.12	Appropriate adults should be available at all times for young people and vulnerable adults.	B Division, Supt Divisional Operations	01-Dec-14	The appropriate adult service does not provide a 24 hour service. Where applicable custody tries to minimise youth time spent in custody by actively seeking out alternative means to process the detainee i.e. reporting for process, short bail in consultation with YOT.	The current contract for appropriate adult service is being reviewed and the specification changed to meet the 24/7 requirement and to cover 17 yr olds. This is to be updated in November 2014 by B Div Procurement Team (Cynthia Crawford).  Update 15 December 2014 - Contract review has taken place and feedback included to cover the legal aspects that require the service to cover up to 17 yr old and 24/7 coverage.  Update 29 January 2015 - PI Lydon met with B Div Procurement Cynthia Crawford, who is leading on this since it is a B Div specific requirement. Meeting took place on 20/1/15 and Force Directorate has provided the legal and HMIC compliant requirements as an Appendix to the ITT and Contract specification. Procurement will lead on the ITT and will have revised contract in place by end of April 2015. Progress will be provided at monthly B Div Custody managers meeting under CI Manger and reported prior to April at the Strategic Custody Forum.	29-Jan-15	No	AMBER
<b>Housekeeping Points</b>								
5.13	British Transport Police should ensure that there are no unnecessary delays in progressing detainees' cases because of the investigation protocols.	Head of Offender Management	01-Dec-14	Protocol re detainee process is currently part of the CAT/SU/CID review being undertaken by SMT. This aims to make the process leaner and more efficient in order to expedite the process. Custody Managers are working on consultation with DCI Forsyth and CI Manager in relation to this matter. In the interim the new bail management principles are being applied and are helping to reduce process time further.	This forms part of the review referred to at 3.17 and will be reported on in the Custody MOU being developed by CI Manger, November 2014.  Update 15 December 2014 - This is cross referenced with 3.17 above for action completion and cover provided by Op .Explore on B Div.	15-Dec-14	Yes	GREEN
5.15	Double-handset telephones should be provided in all suites to facilitate telephone interpretation	B Division, Supt Divisional Operations	01-Dec-14	This will be reviewed at the Custody Managers meeting.	This remains an outstanding item on the B Division. This has been added to the custody managers meeting agenda. Some sites have handsets in place but they need to be scoped for the entire custody estate.  Update 15 December 2014 - Confirmation from B Division custody managers on 13/12/14 that Insp. Tyrell will progress a business case for the installation at Brewery Rd. Tfl Sub Division suites have dual handsets fitted. Ebury Bridge is on hold until decisions made about its future use as a suite and any replacement site, its not cost effective to install until those discussions and decisions are made.  Update 29 January 2015 - At the last B Div Custody managers meeting, purchase and install of sets at Brewery Rd has been approved and is being progressed by B Div Facilities Dept (Graham May). FEB decision to close Ebury Bridge made on 26th Jan 2015, so not required at this site.	29-Jan-15	No	AMBER

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<b>Section 5. Individual Rights</b>								
Detainees are informed of their individual rights on arrival and can freely exercise those rights while in custody. (Rights relating to PACE)								
<b>Recommendations</b>								
5.23	Senior police managers should engage with HM Courts and Tribunal Service to ensure that detainees are not held in police custody for longer than necessary.	Head of Offender Management	01-Dec-14	For SCT to review. This is a national issue relating to prison lockouts and availability of court slots. ACPO lead for custody is engaged in a review of the problem nationally and making representations on behalf of Forces to HMCTS. BTP Suites have been asked to monitor the extent of any delays and capture these as evidence to challenge HMCTS on a case by case basis. This is reported via Custody Managers meeting, Strategic Custody Forum and the National Custody...	To date 3 cases have been notified to FHQ (22/10/14). This has been escalated through the Offender Management SMT 22/10/14 and has been set as an action for T/Supt Jones to raise with HMCTS.  Update 15 December 2014 - The cases were genuine and due to shortfalls in court staff or case listing at specific sites. The Monthly Custody data capture now includes a section to capture any delayed cases to enable reporting and escalation.	15-Dec-14	Yes	GREEN
<b>Housekeeping Points</b>								
5.25	Detainees should be able to have a private telephone consultation with their legal adviser.	B Division, Supt Divisional Operations	01-Dec-14	This will be discussed at the next Custody Managers meeting. Agree to rationale but implementation may be harder to action on a logistical level as it will likely require building work.	This is being progressed locally under the auspices of B Division. Custody Managers meeting and facilities - CI mauger.  Update 15 December 2014 - Due to the nature of the specific sites such as CLPS and Ebury Bridge (although an outside area is available but overseen by public) No change can be made to the physical locations to accommodate an exercise yard. Ebury Bridge is being considered for relocation or closure, but due to works on the gates cannot be used for detainees exercise in any case because of security issues. PACE Code C states that exercise is available where practicable, and it is not necessarily practicable under these circumstances and building designs. This cannot be progressed any further within the limitations of the Custody estate.	28-Sep-14	No	AMBER
<b>Section 6. Health Care</b>								
Detainees have access to competent health care professionals who meet their physical health, mental health and substance use needs in a timely way. (Substance Misuse)								
<b>Recommendations</b>								
6.23	Links with local drug and alcohol services should provide detainees with the opportunity to manage their addictions and receive continuity of care while in custody.	Head of Offender Management	01-Dec-14	Local arrangements are in place to meet these needs, but they are being developed further under the OM Work streams and have been covered in the new NHS Commissioned healthcare service specification covering liaison and diversion routes.	In the short term BTP is currently in discussions to be included in the London Liaison and Diversion Scheme. BTPs long term position is that drug intervention personnel will form part of BTPs service specification. Current service providers contract will be up for renewal August 2015 and this will be address. This is ongoing work and will be further reported on in Dec 2014. Inspector Lydon has been in discussion with Mark Landy, A/Director of North London Forensic Mental Health Service to discuss extending the services of embedded mental health professionals into B Div Custody suites.  Update 15 December 2014 - Meeting arranged for 18/12/14 with NHSE and Liaison and Diversion Senior Commissioners to scope out what is available and can be provided within the existing Learning and Development schemes in London, this will be attended by PI 7355.  Update 29 January 2015 - PI Lydon met with NHSE on 19/12/15 and secured funding for mental health support workers and referral. Offer letter has gone to Barnet, Enfield and Haringey MH trust on 12th Jan by NHSE and staff are being recruited with the timescale for service implementation by April 2015.	29-Jan-15	No	AMBER
<b>Housekeeping Points</b>								
6.24	Alcohol and opiate withdrawal screening tools should be available in all suites.	Head of Offender Management	01-Dec-14	This is something that should be discussed at a strategic/tactical level with Omu. This should be welcomed as a positive path to take as it will assist with crime reduction and offender management.	Ongoing, being scoped and feasibility established under 6.23 above. Update 29 January 2015 - PI Lydon has commenced discussions with London Lead (CJIT) from Public Health England on progressing a business case to have testing, assessment and referral for trigger offences and drug users. The scope and feasibility will be presented in a business case to Supt Wratten, 31 March 2015.	29-Jan-15	No	AMBER