

Public Document Pack

Sussex Police and Crime Panel

Members are hereby requested to attend the meeting of the Sussex Police and Crime Panel, to be held at **10.30 am** on **Friday, 24 March 2023** at **County Hall, Lewes**.

Tony Kershaw

Clerk to the Police and Crime Panel

16 March 2023

Webcasting Notice

Please note: This meeting will be filmed for live or subsequent broadcast via East Sussex County Council's website on the internet – at the start of the meeting the Chairman will confirm that the meeting is to be filmed. Generally the public gallery is not filmed. However, by entering the meeting room and using the public seating area you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. The webcast will be available via the link below: <http://www.eastsussex.public-i.tv/core/>.

Agenda

10.30 am 1. **Declarations of Interest** (Pages 3 - 4)

Members and officers must declare any pecuniary or personal interest in any business on the agenda. They should also make declarations at any stage such an interest becomes apparent during the meeting. Consideration should be given to leaving the meeting if the nature of the interest warrants it. If in doubt contact Democratic Services, West Sussex County Council, before the meeting.

2. **Urgent Matters**

3. **Minutes of the Previous Meeting** (Pages 5 - 12)

The Panel is required to approve the draft minutes of the previous meeting on 27 January 2023 (cream paper).

10.35 am 4. **Public and Panel Questions to the Commissioner** (Pages 13 - 14)

The Panel is asked to raise any strategic issues or queries concerning crime and policing in Sussex with the Commissioner.

Written questions may be submitted by members of the public up to two weeks in advance of a meeting. The Commissioner or the Chairman (as appropriate) will be invited to provide a response by noon of the day before the meeting. Questions, together with as many responses as possible, will be published on the Panel's website (www.sussexpcp.gov.uk).

An operational question regarding roads policing in Storrington

was received. This has been passed to Sussex Police for response.

Four strategic questions have been received from three correspondents. The Panel is invited to note the responses and pose any supplementary questions.

11.05 am 5. **The Role of the Commissioner in Ensuring Sussex Police Demonstrate an Efficient and Effective Approach to Police Custody** (Pages 15 - 24)

The Panel is asked to consider the Commissioner's report on the Independent Custody Visiting Scheme, and put questions to the Commissioner on any areas of concern.

12.05 pm 6. **Quarterly Report of Complaints** (Pages 25 - 26)

Report by the Clerk to the Police and Crime Panel.

The report provides details of the correspondence received and the action taken.

The Panel is asked to consider the report and raise any issues or concerns.

12.15 pm 7. **Date of Next Meeting and Future Meeting Dates**

The next meeting of the Panel will take place on 30 June 2023 at 10.30 a.m. at County Hall, Lewes.

Future meeting dates are set out below:

- 22 September 2023
- 26 January 2024
- 19 February 2024 (provisional, to be cancelled if not required)
- 22 March 2024.

To all members of the Sussex Police and Crime Panel

Table of standing personal interests

27 January 2023

The Panel is asked to agree the table of personal interests below.

Any interests not listed which members of the Panel feel are appropriate for declaration must be declared under agenda Item 1, Declaration of Interests, or at any stage such an interest becomes apparent during the meeting.

Table of standing personal interests

Panel Member	Personal Interest
ClIr Tricia Youtan	Cabinet Member for Public Protection at Horsham District Council. Member of Horsham District Community Safety Partnership.
ClIr Jacky Pendleton	Chairman of Safer Arun Partnership.
ClIr Judy Rogers	Lead Member for Community Safety at Hastings Borough Council. Co-Chair of the Safer Hastings Partnership.
ClIr Roy Briscoe	Member of Joint Arun and Chichester Community Safety Partnership.
ClIr Johnny Denis	Co-Chair of Lewes and Eastbourne Community Safety Partnership. Lead Member for Community Safety at Lewes District Council. Member of Lewes District Council – Community Safety Partnership – Joint Action Group.
ClIr Susan Scholefield	A serving Magistrate. Senior Independent Director of Surrey and Borders Partnership NHS Foundation Trust.
ClIr Norman Webster	Member of Mid Sussex Community Safety Partnership.
ClIr Brian Drayson	Co-Chair of Safer Rother Partnership.
ClIr Pam Doodes	Member of The Safer Wealden Partnership.

Panel Member	Personal Interest
Dee Simson	Member of Brighton and Hove Community Safety Partnership.
Kevin Boram	Chairman of Adur and Worthing Safer Communities Partnership. Adur Executive Member for Health and Wellbeing.
Cllr Sue Shanks	Member of the NHS Assembly. Chair of The Health and Wellbeing Board at Brighton and Hove City Council.
Cllr Sue Mullins	Member of The Safer Crawley Partnership. Cabinet Member for Public Protection at Crawley Borough Council.

At a meeting of the Panel held on 27 January 2023, at 10.30 am at County Hall, Lewes.

Members in attendance:

Cllr Christian Mitchell	West Sussex County Council	Cllr Bob Standley	East Sussex County Council
Cllr Johnny Denis	Lewes District Council	Cllr Pam Doodes	Wealden District Council
Cllr Brian Drayson	Rother District Council	Cllr Sue Mullins	Crawley Borough Council
Mr Keith Naphthine	Independent member	Cllr Pendleton	Arun District Council
Cllr Judy Rogers	Hastings Borough Council	Mrs Susan Scholefield	Independent member
Cllr Dee Simson	Brighton & Hove City Council	Cllr Sue Shanks (Substitute)	Brighton & Hove City Council
Cllr James Walsh	West Sussex County Council	Cllr Tricia Youtan	Horsham District Council

Apologies were received from: Cllr Kevin Boram (Adur District Council), Cllr Roy Briscoe (Chichester District Council), Cllr Steve Murphy (East Sussex County Council), Cllr Sally Smith (Worthing Borough Council), Cllr Norman Webster (Mid Sussex District Council) and Cllr Elaine Hills (Brighton & Hove City Council)

Also in attendance: Mrs Sarah Peacock – Observer (Substitute Independent Co-opted Member)

From the Office of the Sussex Police and Crime Commissioner: Katy Bourne OBE (Sussex Police and Crime Commissioner), Mark Streater (Chief Executive and Monitoring Officer), Iain McCulloch (Chief Finance Officer) and Mervin Dadd (Chief Communications and Insights Officer)

Part I

24. Declarations of Interest

24.1 In accordance with the Code of Conduct, members of the Panel declared the personal interests contained in the table below.

Panel Member	Personal Interest
Cllr Pam Doodes	Member of The Safer Wealden Partnership.
Cllr Sue Shanks	Member of the NHS Assembly. Chair of The Health and Wellbeing Board at Brighton and Hove City Council. Trustee of Brighton Youth Centre. Trustee of Sussex Clubs for Young People.
Cllr Sue Mullins	Member of The Safer Crawley Partnership. Cabinet Member for Public Protection at Crawley Borough Council.
Cllr Tricia Youtan	Cabinet Member for Public Protection at Horsham District Council. Member of Horsham District Community Safety Partnership.
Cllr Judy Rogers	Lead Member for Community Safety at Hastings Borough Council. Co-Chair of the Safer Hastings Partnership.
Mrs Susan Scholefield	Senior Independent Director of Surrey and Borders NHS Foundation Trust.

25. Minutes of the Previous Meeting

- 25.1 Resolved – that the minutes of the previous meeting held on 23 September 2022 be approved as a correct record and that they be signed by the Chairman.

26. Public and Panel Questions to the Commissioner

- 26.1 No written questions were received from members of the public.
- 26.2 The Chairman invited questions from the Panel to the Commissioner. A summary of the main questions and responses were as follows:
1. Question: Following recent media coverage of the 79 unaccompanied asylum-seeking children who were reported missing from a hotel in Hove, has the Commissioner been brief and updated by the Force’s response to the current situation?
Answer: Yes. Local tactical groups put measures in place to safeguard children and the Commissioner’s Office attend their meetings.

2. Question: Does the Commissioner support ongoing vetting checks and how has this been raised with the Chief Constable? Can you reassure residents that past concerns are followed up?
Answer: His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) published a report on misogyny and police vetting in November 2022. 43 arising measures were put to the Chief Constable at the Commissioner's Performance and Accountability Meeting (PAM) on 18 November with a view to re-visit at the next PAM on 17 February 2023. The OSPCC has funded a dedicated superintendent to monitor Violence Against Women and Girls (VAWG). The Chief Constable and Commissioner are aligned and pleased with the progress made to date. The Commissioner also explained that she has the power to forfeit part of a police officer's pension where misconduct is committed before prosecution.
3. Question: Can the Commissioner provide an update on Operation Crackdown?
Answer: The Roads and Local Transport Minister, Richard Holden MP, met with the Chief Constable and Commissioner on a visit in December 2022 and received a demonstration of the new Operation Crackdown website, including the public's ability to upload dashcam footage. The Commissioner agreed to provide a future update on the effectiveness of the new website.
4. Question: Regarding the Operation Uplift recruitment campaign, is the Commissioner confident of the Force's current level of resource and does she believe the scheme has worked?
Answer: The Force is currently holding a surplus of 15 to 20 officers and Sussex Police must maintain its total number of officers going forward, but there is uncertainty over future funding.
5. Question: To what extent is the Commissioner involved with raising the issue of police vetting on a national level?
Answer: In her role as a Board Director of The Association of Police and Crime Commissioners (APCC), the Commissioner and colleagues are working closely with Home Office officials and have made representations around pension forfeiture. The Home Secretary has agreed to a review of the speed at which chief officers are able to dismiss police officers amid delays caused by the current process.
6. Question: Is the Commissioner comfortable that, strategically, the Force has established the right and proper position in regard to managing incidents of hate crime?
Answer: The Force will follow The College of Policing's guidance around issues of this nature and it respects evolving modern language and values associated with the LGBTIQ+ community. A lot of work has been carried out in Brighton and Hove to help make these communities feel safe, of which about 17% of its population is LGBTIQ+. It was acknowledged that there is still work to be done in terms of convincing some residents to come forward and report hate crime. The Chief Constable has recently appointed an Assistance Chief Officer, Anita Grant, to lead on diversity and inclusion both within the Force and externally, including recruitment.

7. Question: Is there a strategy for improving the 96% rate of unsolved bike thefts in Brighton and Hove?
Answer: The Commissioner acknowledged that unfortunately there are often difficulties in solving these crimes because CCTV camera footage can be grainy and this makes it hard to identify the offending individuals. The Divisional Commander for Brighton and Hove, Chief Superintendent Justin Burtenshaw, has tactical plans to tackle this at a local level, while Brighton and Hove Community Safety Partnership often receive reports on the ground and can deploy resource to an area where there has been a series of repeated thefts.
8. Question: Does the Commissioner know if the Force's enforcement efforts have been effective regarding drug-related offences?
Answer: The Force works closely with the National Crime Agency and Strategic Enforcement Unit by monitoring the roads network and 70 county lines have been disrupted.
Supplementary: How do we know that high-level action is having a positive impact at local level?
Answer: Local intelligence is held by Community Safety Partnerships and they are the appropriate forum to discuss, tackle and deal with local issues with support from safeguarding partners.

27. Final Report of the Budget and Precept Working Group

- 27.1 The Panel considered a report by the Chairman of the Budget and Precept Working Group, Mrs Susan Scholefield. The Group met remotely twice, once in November 2022 and once in January 2023.
- 27.2 The Panel Chairman thanked members of the Group and the Commissioner's Office for their collaborative work.
- 27.3 Resolved – that the Panel notes the recommendations of the Budget and Precept Working Group.

28. Proposed Precept 2023/2024

- 28.1 The Panel considered a report by the Sussex Police and Crime Commissioner.
- 28.2 The Commissioner invited Mr Dadd, OSPCC Chief Communications and Insight Officer, to present and process and findings of the policing precept consultation. The followings points, activities and outcomes were highlighted:
- A total of 3,366 responses were received during the consultation period running from 2 December 2022 to 10 January 2023.
 - 70% of respondents were in support of a precept increase on some level (44% supported an increase of £10 a year, 26% supported an increase of more than £10 a year).
 - 31% did not support an increase in the precept.

- Anti-Social Behaviour, Serious & Organised Crime and Knife Crime and Serious Violence were the public's top three issues requiring more investment/enforcement.

28.3 The Chairman invited the Panel to ask any questions under this item. A summary of the main questions and responses were as follows:

1. Comment: One member was not in support of the proposed precept on the basis that the Government's £15 ceiling assumption is unfair amid the current cost-of-living crisis and a lack of improved visible policing in Eastern Arun.
Response: The OSPCC were not aware of the maximum precept ceiling until informed by Government. The Commissioner explained that 70% of residents were prepared to pay more than £10 and that the increase is fair and in proportion to Sussex's population of 1.7 million.
2. Comment: Concern was expressed in terms of the added financial burden being placed on local communities to fund the policing budget in recognition of Government grants covering around 57% of the cost.
Response: The Commissioner and colleagues continue to lobby the Government hard over its future funding formula to make it more favourable for Sussex residents. The formula is currently under review.
3. Comment: Arun District Council's majority view was in favour of the proposed precept in principle, however there were concerns about the delivery of the Commissioner's Police and Crime Plan priorities. The priorities do not contain a local emphasis and Violence Against Women and Girls excludes men from being victims of domestic abuse and discourages them to report incidents.
Response: Feedback from focus groups held across Sussex showed that residents were most concerned with anti-social behaviour at ground level but also appreciated that the Force is tasked with tackling serious violence and organised crime on a greater scale. The Commissioner explained that the Police and Crime Plan is an overarching strategy into which the Chief Constable's Operational Delivery Plan feeds into. District Commanders are responsible for overseeing Local Action Plans which will feature priorities specific to the needs and demand of each local community.

28.4 Resolved - The Panel supported, by a majority of votes, that the proposed precept of £239.91 (on a Band D property), an increase of £15 (equivalent to 6.67%).

29. The Role of the Commissioner in Ensuring Sussex Police Provides an Effective Response to Mental Health

29.1 The Panel considered a report by the Sussex Police and Crime Commissioner, which was introduced by Mr Streater, OSPCC Chief Executive and Monitoring Officer.

29.2 The Chairman invited the Panel to ask questions. A summary of the main questions and responses were as follows:

1. Comment: The Panel collectively viewed it unacceptable that a large number of police hours were taken up by supporting individuals with mental health issues. Cllr Walsh proposed that the Panel Chairman writes a letter to the Chief Executive of the Sussex Partnership NHS Foundation Trust and requests that the Trust considers taking the following strategic actions;

i) Urgently review the mental health practitioner support available to Sussex Police.

ii) Reduce the unavailability of police officers carrying out regular duties due to the time spent accompanying individuals in Accident and Emergency departments.

iii) Reduce the growth and use of Accident and Emergency departments as a police-staffed place of safety.

Answer: Discussions are ongoing with NHS Sussex to find a solution and some of those are subject to commissioning arrangements.

2. Question: Is there any way the Commissioner can help the Chief Constable by escalating the urgency of the issue?

Answer: The Commissioner and colleagues have lobbied the matter at a national level and it was discussed with the policing minister on a recent visit who pledged to look into what can be done to improve the situation, along with the Secretary of State for Health and Social Care.

29.3 The Panel welcomed and noted the report.

29.4 Resolved – The Panel supported the recommendation that the Panel Chairman writes to the Chief Executive of Sussex Partnership NHS Foundation Trust following the meeting.

30. Quarterly Report of Complaints

30.1 In reference to section 3.1.3, the Commissioner queried the categorisation of the serious complaint (allegations of criminal conduct) in relation to her interests.

30.2 Mr Edwards, Senior Advisor to the Panel, agreed to refer the matter to the Clerk to the Panel and seek their advice in respect of the wording of 3.1.3 in the published report.

30.3 Resolved – The Panel noted the correspondence received both within and outside of the Panel's remit.

31. Date of Next Meeting and Future Meeting Dates

- 31.1 The next meeting of the Panel would take place on 24 March 2023 at 10.30am, at County Hall, Lewes.

The meeting ended at 1.27 pm

Chairman

This page is intentionally left blank

Public and Panel Questions to the Commissioner

24 March 2023

Report by the Clerk to the Police and Crime Panel

Below is a schedule of the questions received prior to this meeting and where possible responses have been included. Responses will be tabled at the meeting that were not available at the time of despatch. Written questions must be received two weeks before a meeting of the Panel and the Commissioner or Panel Chairman is invited to provide a response by noon of the day before the meeting.

An operational question regarding roads policing in Storrington was received. This has been passed to Sussex Police for response.

1. Written questions from Nigel Jacklin of Normans Bay, East Sussex.

Question:

I understand that the Commissioner has powers of oversight and as the appeal body for complaints about Sussex Police.

At the January PCP scrutiny meeting, a number of councillors raised concerns about the abuse of police power and the lack of public trust in the police. The PCC replied that sanctions against police employees could include a custodial sentence and forfeiture of their pension rights.

What statistics are available regarding this for Sussex? Specifically, how many cases in total have been raised and how many employees have had complaints made against them? Of these, how many were investigated and how many resulted in sanctions of different levels? Where a complaint was not upheld, how often did complainants refer the issue to a higher level (e.g. the PCC) and what difference did this make? (i.e. what were the outcomes of the appeal). Were any investigations instigated by Sussex Police themselves?

Answer:

Question:

At the last scrutiny meeting, the PCC referred to the size of the LGBT+ population in Brighton quoting a percentage figure. This figure was higher than the recent census (11%).

Can the PCC quote the correct figure (for the record) and confirm where the higher estimate came from?

Answer:

3. Written question from Mr Speight of Buxted, East Sussex.

Question:

The scope of the Code of Ethics, however, extends beyond its statutory basis as a code of practice. The expectation of the professional body and the public is that every person working in policing will adopt the Code of Ethics. This includes all those engaged on a permanent, temporary, full-time, part-time, casual, consultancy, contracted, or voluntary basis" before the question?

Why is Operation Crackdown and The Sussex Safer Roads Partnership not subject to the Policing Principles and the Code of Ethics?

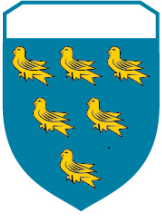
Answer:

4. Written question from Mr Burke of Haywards Heath, West Sussex.

Question:

In view of recent and earlier deaths occasioned by, or in spite of, so-called wellness of welfare visits, as also trespass, intrusion and harassment from the same, cases of and concern about which can be found easily by googling those key words on the Internet, is the commissioner satisfied that Sussex Police have the training and experience to: (a) distinguish between the several categories of risk; (b) to accept and to fulfil or else to reject such calls out, taking into account both the mentality of the informant and the shock of a sudden police presence on a vulnerable person?

Answer:



SUSSEX POLICE & CRIME PANEL

The Role of the Commissioner in Ensuring Sussex Police Demonstrate an Efficient and Effective Approach to Police Custody

24 March 2023

Report by The Clerk to Sussex Police and Crime Panel

Focus for Scrutiny

1. That the Panel reviews the appended report and puts questions to the Commissioner on any areas of concern.
2. That the Panel identifies any areas which merit further scrutiny, and the format and timing of that scrutiny

1. Background

Section 51(1) of the Police Reform Act 2002 places the responsibility for organising and overseeing the delivery of independent custody visiting with Police and Crime Commissioners, in consultation with chief officers. PCCs must ensure that they have in place robust and effective procedures for establishing and maintaining their independent custody visiting schemes, including the allocation of appropriate resources to this function.

The item has been added to the Panel at the Commissioner's suggestion and is an opportunity for members to consider the effectiveness of arrangements the Commissioner has overseen in Sussex.

Tony Kershaw

Clerk to Sussex Police and Crime Panel

Contact:

Ninesh Edwards

Telephone: 0330 222 2542

Email: ninesh.edwards@westsussex.gov.uk

Appendices:

Appendix A - The Role of the Sussex Police and Crime Commissioner to Ensure that an Efficient and Effective Independent Custody Visiting Scheme is Delivered in Sussex.

This page is intentionally left blank



To:	The Sussex Police and Crime Panel.
From:	The Sussex Police and Crime Commissioner.
Subject:	The role of the Sussex Police & Crime Commissioner to ensure that an efficient and effective Independent Custody Visiting Scheme is delivered in Sussex.
Date:	24 March 2023.
Recommendation:	That the Police and Crime Panel note the report.

1.0 Introduction

- 1.1 This report sets out the statutory requirement for all Police and Crime Commissioners (PCCs) in England and Wales to provide an Independent Custody Visiting Scheme (ICVS) and the current arrangements in place in Sussex to deliver this.
- 1.2 The report also summarises the role of the Sussex PCC to ensure that an efficient and effective scheme is delivered in Sussex, alongside the improvements made to the scheme in Sussex and the measures used by the PCC to hold the Chief Constable to account for performance in this area.

2.0 Independent Custody Visiting

- 2.1 Police custody is a high-pressure environment where officers and staff balance the safeguarding and wellbeing of vulnerable detainees with the demands of the criminal justice system process within custody.
- 2.2 There were 11 deaths recorded in or following police custody in England and Wales in 2021/22, with a further 56 apparent suicides following police custody. In Sussex, no deaths were recorded in or following police custody during 2021/22, although there were three apparent suicides following police custody throughout the year [*Independent Office for Police Conduct – Deaths during or following police contact: Statistics for England and Wales*].
- 2.3 Independent custody visiting originated from the Scarman report – commissioned by the Government following the Brixton riots in 1981 – to deliver public reassurance, oversight and confidence to the community around the police detention process.
- 2.4 PCCs in England and Wales fulfil a unique role in the oversight of police custody through their statutory duty to provide an ICVS. The schemes coordinate local volunteers, known as Independent Custody Visitors (ICVs), to make unannounced visits to police custody to scrutinise the treatment and wellbeing of those detained in police custody
- 2.5 The purpose of these visits is to provide a 'spot check' to ensure that detainees are properly cared for, receive what they are rightly entitled to, and that custody staff are providing appropriate safeguards and checks for vulnerable detainees, in compliance with the Police Reform Act 2002 (as amended) and the codes of practice set out within the Police and Criminal Evidence Act (PACE) 1984.

Agenda Item 5
Appendix A

- 2.6 Police forces will also seek to provide detainees with appropriate signposting and information about available referral pathways on exit from custody, working towards the overarching aim that detainees leave police custody in a better place than when they first arrived.
- 2.7 The ICVs provide a valuable safeguard for detainees, police forces and PCCs by providing additional oversight of police custody between lengthy gaps in inspections from His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) and His Majesty's Inspectorate of Prisons (HMIP), whilst simultaneously ensuring that any recommendations made following an inspection are implemented.

3.0 Independent Custody Visiting Scheme in Sussex

- 3.1 The ICVS in Sussex has approximately 50 dedicated and specially trained volunteers who make unannounced visits to the detainees held in each of the five police custody centres in Sussex: Brighton, Crawley, Eastbourne, Hastings and Worthing. The volunteers are made up of a range of individuals, with diverse backgrounds and experience, from geographical communities throughout Sussex.
- 3.2 Unannounced visits are made by pairs of volunteers at varying times of the day and night to ensure a random pattern of visits. The ICVs monitor detainee dignity and how the detainees feel they have been treated during their stay. ICVs achieve this by speaking to all available [and willing] detainees, asking them about their experiences, checking they have been given their legal rights and entitlements and reviewing the conditions of the individual custody suites, with custody staff asked to resolve any immediate issues or concerns.
- 3.3 After every visit, the ICVs complete a written inspection report, alerting the PCC to their findings and raising any further problems or concerns identified. These reports are submitted to the ICV Scheme Manager at the Office of the Sussex Police and Crime Commissioner (OSPCC) for review and action as appropriate. The scheme will also share findings, themes and learning with the Independent Custody Visiting Association (ICVA) to represent these at a national level and international level where appropriate.
- 3.4 The ICVS in Sussex has a collaborative working relationship with Sussex Police, with the work and oversight of the ICVs valued by the Custody Inspectors in terms of delivering public reassurance that detainees are treated properly in police custody and contributing positively towards the continuous improvement of the custody environment.
- 3.5 The responsibility for initial and ongoing training lies with the PCC and a structured plan with clear objectives has been developed in consultation with Sussex Police. To ensure independence, the ICVs are not remunerated for undertaking this role, although they are entitled to be reimbursed for any legitimate expenses incurred.

- 3.6 In 2021/22, the scheme introduced a hybrid model to scrutinise the custody environment and safeguard those individuals detained in police custody, in response to the easing and removal of the national coronavirus restrictions introduced for the pandemic. This consisted of a combination of remote custody record inspections, unannounced physical visits and online audits completed at a range of times during a 24-hour period, with inspection reports submitted after the visits.
- 3.7 The following table provides information about the number of detainees in police custody, visits undertaken by the ICVs, and interviews conducted with the detainees across each of the past four financial years:

Financial year	Number of detainees held in police custody	Number of visits undertaken by ICVs	Number of detainee interviews conducted by the ICVs
2018/19	23,171	164	646
2019/20	24,909	144	577
2020/21	16,197	21*	N/A
2021/22	18,381	136**	125
2022/23***	15,207	135	419

*The national lockdown restrictions meant that no physical visits were undertaken during 2020/21. The remote visit facility was established on 28 January 2021, with 21 remote visits completed before 31 March 2021.

**This comprised 112 remote inspections and 24 physical visits.

***Between 1 April 2022 – 28 February 2023.

- 3.8 In addition to checking on the welfare, rights, entitlements and dignity of the detainees held in police custody, the ICVs also review the timeliness of the booking in processes [including access to solicitors, appropriate adults and healthcare professionals], custody record reviews [to scrutinise record keeping, compliance and changes to processes] and the availability and provision of religious items, food to meet dietary requirements, replacement clothing, visual health aids [reading glasses] and distraction items [to pass the time].
- 3.9 Sussex Police formally introduced several changes to the operating model for police custody to improve the effectiveness of the detention provision in Sussex during 2022/23. This has included an uplift in police officer and staff numbers in custody, the introduction of detention officers [to replace custody assistants and detention supervisors] and the formation of a Central Support Team to expedite the journey through the custody process in the interests of efficiency and timeliness of police investigations.
- 3.10 The ICVs will play an essential role in monitoring the implementation of this change programme through the independent review and inspection process to ensure that these changes are embedded expeditiously, whilst maintaining and upholding the high levels of safeguarding and welfare standards previously demonstrated for detainees.
- 3.11 Further information about the role of the ICVs, the scheme in Sussex and the national ICVA can be viewed through the following links:
<https://www.sussex-pcc.gov.uk/get-involved/volunteer/>
<https://icva.org.uk/>

4.0 Quality Assurance Framework

- 4.1 The ICV Scheme successfully achieved 'Platinum' status – the highest possible award – for its Quality Assurance Framework (QAF) awarded by the Independent Custody Visiting Association. Sussex was one of only two schemes in England and Wales to achieve this status, the other being the Office of the Derbyshire Police and Crime Commissioner.
- 4.2 The QAF covers several areas including: recruiting and training; managing volunteers; communications; holding the force to account; transparency and public reassurance; detainee welfare and investing in and supporting scheme managers. The four categories of award are: Code Compliant, Silver, Gold and Platinum.
- 4.3 The PCC is seeking again to secure the highest level of accreditation for the ICV Scheme in Sussex through the Framework. The re-accreditation process is currently underway with the outcome to be confirmed in 2023/24.

5.0 Improvements made by the ICV Scheme in Sussex nationally recognised and adopted

- 5.1 The ICVS in Sussex is recognised to be leading the way in terms of improving the dignity, wellbeing and welfare of those detained in police custody.
- 5.2 Adjustments made to night-time lighting levels in custody cells
 - 5.2.1 As part of their visits, the ICVs made observations regarding the suitability of the overnight light settings in police cells, with detainees routinely observed to have asked detention staff to adjust the lighting levels or having actively attempted to block out the brightness of the night lights by covering their heads with available blankets and/or clothing.
 - 5.2.2 It is recognised that overnight lighting levels need to be sufficient to ensure the safety and security of the detainees, custody officers and staff, with three different lighting settings previously available, whilst accepting that detainees should be given the opportunity to rest and sleep.
 - 5.2.3 The observations made by the ICVs were highlighted to the ICVA, College of Policing and National Police Estate Group. Following formal consultation with all police forces in England and Wales, an updated night-time lighting standard was approved nationally that will maintain the safety and security of detainees and custody staff. This standard will be introduced across all custody centres in Sussex from January 2023 onwards.
 - 5.2.4 The ICVS has shared this best practice with the UK National Preventive Mechanism (NPM) to ensure that their approaches to night-time lighting in detention centres are consistent.
 - 5.2.5 The NPM will also consider whether there is any learning that can be extended to the independent monitoring of international detention centres in respect of this area.

5.3 Support for detainees with the menopause – influencing national policy

- 5.3.1 As part of their unannounced visits, the ICVs regularly report on the care of women in custody, including monitoring rights, entitlements and welfare in relation to overall health, pregnancy and menstruation. However, no consistent approach existed across the custody centres in relation to additional considerations for detained females experiencing the menopause nor the identification of vulnerabilities linked to menopausal symptoms.
- 5.3.2 The menopause is a natural biological progression that all women in their 40s and 50s [sometimes earlier] will experience. It is recognised that peri-menopausal, menopausal and post-menopausal symptoms can, at times, be debilitating and result in the potential for unseen vulnerabilities. If left unaddressed, there is a risk that Article 3 of the European Convention on Human Rights [prohibition of torture, inhuman or degrading treatment or punishment] could be breached. There is also the potential to compromise any judicial proceedings should a person with vulnerabilities not be identified as such during the criminal justice process.
- 5.3.3 In June 2022, the PCC submitted a briefing report to the National Police Chiefs' Council (NPCC) highlighting areas of concern and best practice for responding to women in the menopause transition in police custody. This report generated multiple actions and recommendations for police forces in England and Wales including: the offer of a health screening to all women in custody aged 40 years and over, the introduction of specific health care plans tailored to the needs of women affected by the menopause, the provision of menopause training for officers and staff in police custody, signposting to healthcare pathways and referral processes to menopause services, the issuing of menopause hygiene packs and the delivery of risk assessments on departure.
- 5.3.4 In January 2023, the PCC attended a roundtable event held at the Houses of Parliament to share in a discussion of the impact of the menopause transition on women in the criminal justice system. In April 2023, the OSPCC will attend a further roundtable event, led by the NPM, to share the best practice identified in Sussex with other providers to try and improve consistency in the independent monitoring of detention centres and compliance with international standards.

5.4 Detainees with visual health needs

- 5.4.1 Any positive improvements identified by the ICVs during their unannounced visits and, subsequently, introduced by the scheme can make a positive difference to the care of detainees in local communities. These local improvements can also be delivered on a national scale when good practice is proactively shared across all police force areas in England and Wales.
- 5.4.2 An example of this was developed by Norfolk Constabulary following an ICV visit to a detainee in police custody and the apparent challenges around the ability of the detainee to read the translation cards provided. Without reading glasses, this was not achievable and presented further challenges regarding appropriately ensuring that all rights and entitlements were adhered to. In response, reading glasses were introduced across all custody centres in Norfolk.

Agenda Item 5

Appendix A

5.4.3 The ICVS has since introduced approved reading glasses across each of the five custody centres in Sussex. Assisting with the visual health needs of detainees contributes positively towards improvements in the ability to access information about rights and entitlements and also assists individuals to understand information displayed on posters, read books and magazines or engage in other activities whilst detained in police cells. This change in working practice has already made a positive contribution to the detainee experience of police custody in Sussex.

5.5 Provision of distraction items

5.5.1 The ICVs are trained to understand that being arrested and detained in a police cell can be an overwhelming experience, with detainees having been observed to experience high levels of stress and anxiety whilst in custody. This can lead to an increased risk of self-harm and aggression towards detention officers.

5.5.2 To minimise the risk and conflict within police custody regarding the welfare of detainees and staff, ICVs proactively monitor the supply and use of distraction items introduced to assist the detainees with their mental wellbeing and to manage the time whilst investigation processes are completed. Examples of these distraction items include word searches, sudokus, colouring books and puzzles.

5.5.3 To develop and improve the support that is provided in this area, individual cell designs have recently been updated to include target circles on the walls. This initiative has provided detainees with an optional soft ball game to function as a calming mechanism for detainees and to support them to engage fully in the investigative process.

5.6 Further local improvements delivered by the ICV Scheme

5.6.1 Additional changes have also been introduced across the five custody centres in Sussex as a direct result of the ICVS. These have included doubling the thickness of the mattresses available in all custody suites, introducing green painted cells to promote calmness [for those suffering with neurodiverse issues] and improving the drinking water provisions to enable detainees to 'self-serve' in suitable cells.

5.6.2 Further improvements have included implementing a wider range of reading materials [including low literacy material] in all custody suites, introducing decaffeinated drinks to assist with calming anxiety and stress, increasing the range of self-care items for detainees [including deodorant wipes, under garments and other personal items] and promoting the availability of 'easy read' guides about the police custody process for all detainees.

5.7 Each of the successes and improvements demonstrated by the scheme in Sussex are promoted by the PCC, OSPCC and Sussex Police locally, with national coverage delivered through ICVA and the NPCC.

6.0 Accountability

- 6.1 It remains a statutory responsibility for the PCC to hold the Chief Constable to account for delivering efficient and effective policing in Sussex that is responsive to the needs of the public.
- 6.2 The PCC has continued to use her monthly webcast Performance and Accountability Meetings (PAMs) to provide oversight and to challenge the Chief Constable about the arrangements in place to safeguard those individuals detained in police custody on behalf of members of the public.
- 6.3 The previous report published by HMICFRS and HMIP following their unannounced inspection of police custody in Sussex was raised most recently as a theme at the PAM on 17 February 2023.
- 6.4 This area of policing was also raised at the PAMs on 24 January 2020 [Children in custody], 15 February 2019 [HMICFRS/HMIP – Unannounced inspection of police custody] and 19 October 2018 [Children in custody]. These sessions are archived and can be viewed on the PCC's website through the following link: www.sussex-pcc.gov.uk/get-involved/webcasting/
- 6.5 Further oversight and scrutiny around the custody arrangements and the Sussex Police response to this area is also provided through OSPCC attendance at the Strategic Performance Partnership Meeting [weekly], Custody Legitimacy & Safety Meeting [monthly] and the Strip Search Audit Meetings [monthly]. This accountability is further strengthened by ICVS Panel Meetings held at each of the custody centres [tri-annually].

Recommended – That the Police and Crime Panel note the report.

Mark Streater
Chief Executive and Monitoring Officer
Office of the Sussex Police and Crime Commissioner

This page is intentionally left blank



Quarterly Report of Complaints

24 March 2023

Report by The Clerk to Sussex Police and Crime Panel

Focus for Scrutiny

That the Panel considers any complaints against the Commissioner, and any action that the Panel might take in respect of these.

1. Background

- 1.1 In accordance with the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2011, Sussex Police & Crime Panel (PCP) is responsible for the initial handling of complaints against the Sussex Police and Crime Commissioner (PCC).
- 1.2 At its meeting of 26 November 2012, the Panel decided to delegate its initial handling duties to the Clerk to Sussex Police and Crime Panel, and to consider a report of the complaints received, quarterly.
- 1.3 Complaints deemed to be serious (those alleging criminal conduct) are referred to the Independent Office for Police Conduct (IOPC). However, IOPC guidance recommends that a Panel makes an initial assessment of the complaint (before making a referral to the IOPC) to decide whether or not it meets the definition of a "serious complaint".
- 1.4 Regarding non-serious complaints, a sub-committee can meet to consider any of these which in the Panel's view require informal resolution.

2 Correspondence Received from 16 January to 8 March 2023

- 2.1 The Panel takes the view that all correspondence raising issues with policing in Sussex should be recorded, whether or not the issues fall within the Panel's statutory remit.
- 2.2 During the subject period, two people contacted the Panel to raise matters (either directly, referred via the IOPC, or referred by the Office of the Sussex Police and Crime Commissioner (OSPCC)).

3 Complaints

- 3.1 During the subject period communication was ongoing with one person who previously raised issues which could constitute a serious complaint, as defined by the Regulations (see 3.1.4 below). One person contacted the Panel around operational policing matters and the associated complaints process (see 3.1.1 below).

Correspondence Recorded, but not Considered by the Clerk to be a Complaint within the Panel's Remit:

- 3.1.1 One person contacted the Panel directly regarding operational policing issues matters outside the Commissioner's remit. The complainant was directed to the provision for raising complaints against Sussex Police officers, and to the provision for appealing against the findings of such complaints.

Correspondence Recorded, and Considered by the Clerk to be a Non-Serious Complaint within the Panel's Remit:

- 3.1.2 None received

Serious Complaints (allegations of criminal conduct)

- 3.1.3 No new matters

Updates from Matters Previously Reported.

- 3.1.4 Further to the complaint set out under paragraph 3.1.3 of the Quarterly Report of Complaints considered by the Panel at its meeting on 27 January 2023, further correspondence was received during the present reporting period. The initial assessment of this new correspondence is ongoing (see 1.3 above).

4 Resource Implications and Value for Money

- 4.1 The cost of handling complaints is met from the funds provided by the Home Office for the operation and administration of Sussex Police and Crime Panel.

5 Risk Management Implications

- 5.1 It is important that residents can have confidence in the integrity of the system for handling complaints against the Sussex Police and Crime Commissioner and their Deputy (where one has been appointed).

6 Other Considerations – Equality – Crime Reduction – Human Rights

- 6.1 Not applicable

Tony Kershaw

Clerk to Sussex Police and Crime Panel

Contact: Ninesh Edwards

Telephone: 0330 222 2542

Email: ninesh.edwards@westsussex.gov.uk