

## **Police and Crime Panel for Lancashire**

Meeting to be held on the 7th December 2020

### **Independent review of deaths and serious incidents in custody**

Contact for further information: David Fairclough, Secretary to Police & Crime Panel, [david.fairclough@blackburn.gov.uk](mailto:david.fairclough@blackburn.gov.uk)

#### **Executive Summary**

To agree how the Commissioners response on the independent review of deaths and serious incidents in custody be presented to the Panel

#### **Recommendation**

The Panel is asked to consider this report and agree if and how scrutiny be conducted.

#### **Information**

The independent review of deaths and serious incidents in custody chaired by Dame Elish Angiolini DBE QC - <https://www.gov.uk/government/publications/deaths-and-serious-incidents-in-police-custody> reported in January 2017.

In the report pages 160-164 it refers to the PCC's statutory duty to have an Independent Custody Visitors scheme in place, and to ensure that appropriately trained medical staff are available in police station custody suites.

In a communication in September 2020, it was suggested by NAPFCP that Police and Crime Panels may wish to scrutinise the work of the PCC in custody and how he holds the Chief Constable to account for the operational running of custody. The purpose of this report is therefore to ascertain if members wish to explore these issues further.

If so, the Panel may wish to establish a Task and Finish Group to investigate this specific issue and a potential terms of reference is attached. The Police and Crime Panel will need to identify nominations for this Task and Finish Group at this meeting. The outcome would be a report for the panel to approve, with recommendations (if appropriate) for the Commissioner. As previously defined, task and finish groups should be brief, targeted, proportionate and focused.

The objective would be for the Group to conclude its work prior to the scheduled March 2021 budget meeting. The principle objective of the Task and Finish Group is to ask the Police and Crime Commissioner to provide assurances about the position in Lancashire and how this is monitored and assured in his scrutiny of the Chief Constable.

Should Members decide the Task and Finish option, the Secretary will update the Forward Plan accordingly.

### **Consultations**

N/A.

### **Implications:**

This item has the following implications, as indicated:

### **Risk Management**

The requirement for an Independent Police and Crime Panel for Lancashire is in accordance with the provisions of the Police Reform and Social Responsibility Act 2011. The role of the Panel is to scrutinise.

### **Legal Implications**

The role of the Panel includes the scrutiny of the actions of the PCC in respect of his Police & Crime Plan and use of resources to deliver effective Policing across Lancashire. This report is in accordance with those responsibilities.

### **Local Government (Access to Information) Act 1985 List of Background Papers**

NAPFCP Note and documents

September 2020

David Fairclough  
Secretary to the  
Police & Crime Panel

Reason for inclusion in Part II, if appropriate N/A

## **DRAFT TERMS OF REFERENCE FOR THE INDEPENDENT REVIEW OF DEATHS AND SERIOUS INCIDENTS IN CUSTODY TASK AND FINISH GROUP**

Relevant Police and Crime Plan Priority:

### **Priority 4**

Developing Safe and Confident Communities

- Ensuring the Chief Constable and his policing team deliver the highest professional and ethical standards in their service to the public
- Ensuring that the public have an accessible, open and transparent policing service
- Ensure the public has confidence in their police service

**OBJECTIVE:**

To ascertain from the Police and Crime Commissioner the position in Lancashire as regards:

- The PCC providing details on how he is fulfilling his statutory responsibilities for ICVs;
- How many incidents visits have taken place during the year by district and how has the PCC responded to this data;
- How many deaths and serious incidents in police custody have taken place in the last 3 years and how has the PCC responded to this data;
- For the PCC to provide the panel with assurance that sufficient and adequately trained medical staff are in place when required to attend custody suites and how he ensures and assures this position across Lancashire.

**WHO?**

TBA

**How?**

Session 1 – To receive information on The Independent Review of Deaths and serious incidents in custody chaired by Dame Elish Angiolini DBE QC - <https://www.gov.uk/government/publications/deaths-and-serious-incidents-in-police-custody-reported-in-january-2017>.

To received data from the OPCC on:

- How many incidents visits have taken place during the year by district and how has the PCC responded to this data;
- How many deaths and serious incidents in police custody have taken place in the last 3 years and how has the PCC responded to this data;

Session 2 – For the PCC and his office to feedback on:

- How the PCC is fulfilling his statutory responsibilities for ICVs;
- And, provide the panel with assurance that sufficient and adequately trained medical staff are in place when required to attend custody suites and how he ensures and assures this position across Lancashire.

Session 3 - Prepare report with observations/recommendations to the Police and Crime Panel

## **WHEN?**

Members will report back to the Police and Crime Panel in March 2021