

Swyddfa Comisiynydd yr Heddlu a Throseddau, Gwent
Office of Police and Crime Commissioner, Gwent

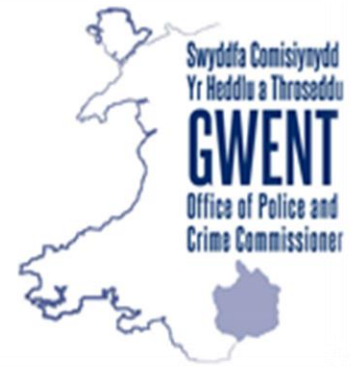
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Comisiynydd Heddlu a Throseddau Gwent | Police and Crime Commissioner for Gwent:
Jeff Cuthbert B.Sc., MCIPD



The Rt Hon Priti Patel MP
Home Secretary
Home Office
2 Marsham Street
LONDON
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28th May 2021

Dear Home Secretary

Custody services in a COVID 19 environment

As required by statute, I am writing to you to respond to the Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) inspection report entitled, 'Custody services in a COVID 19 environment'.

Custody is a challenging environment at the best of times, and I am extremely proud of the officers and staff working in this area at this difficult time. This is re-iterated by the Chief Constable in her comment below:

'I welcome this report from Her Majesty Inspectorate of Constabulary and Fire and Rescue Services that examines how custody services operated during the Covid-19 pandemic.'

Custody is a challenging environment and has been even more so during the pandemic. Gwent Police worked quickly to make changes to the custody estate and to implement processes to ensure that we are able to safely detain people and allow our staff to work in a safe environment to prevent the spread of the virus. These changes included close working with partners, including the Crown Prosecution Service, Her Majesty's Courts and Tribunals Service and Legal representatives to implement new and often innovative processes.

Some of these changes are unsustainable in the long-term and I am pleased that the inspectorate recognise this in their report. I commit to working through the recommendations made by the inspectorate to enhance the service delivered to victims of crime.

I remain concerned by the backlog within the Criminal Justice System and the length of time that some cases will take to reach court as a result of the challenges presented by the pandemic. Such delays will impact victim and witnesses, many of whom will have experienced

traumatic events. I will work with our partners to provide whatever assistance we can to ensure that justice delayed is not justice denied’.

As referenced by the Chief Constable, we both remain concerned over the backlog in the courts and continue to work with our criminal justice partners to ensure the best service possible is provided to both victims and detainees in Gwent. In Wales, the criminal justice services have worked with determination and in partnership to address the impact of COVID 19 on our criminal justice system, victims and offenders. This has meant that Wales has not experienced the same delays in court re-openings as our English counterparts have. It must also be noted that virtual courts were only used in Wales to allow remand hearings to take place for detainees with, or suspected of having, COVID 19. We are working with our criminal justice partners to ensure that lessons are learnt from the partnership strategies adopted during the pandemic and to determine what remote services can continue where they bring clear benefit to victims and offenders. We are working to establish virtual court options to enable victims and witnesses to engage with the criminal justice system in a more supportive way.

I have been updated throughout the pandemic about the excellent work undertaken to make our custody suites as safe as possible for officers, detainees and visitors. Gwent Police worked hard to ensure there was plenty of PPE available as well as making physical changes to the suites such as the installation of perspex screens as well as ensuring that there are separate cells allocated for those suspected of having COVID 19. Any confirmed cases were transported to our custody suite in Ystrad Mynach. The introduction of screens at an early stage was commended by the Law Society.

My Chief Executive attended daily Gold Meetings, during which custody services provided a regular update and I was also pleased that my Scheme Manager for the Independent Custody Visiting Scheme was able to re-assess the way that the crucial role provided by volunteers on the Scheme was still able to take place, albeit remotely, ensuring our statutory duty to check on the welfare of detainees was still met. Despite the many changes that were implemented in custody, I am reassured that no major issues of concern have been raised by the custody visiting volunteers.

The Criminal Justice Department, which has responsibility for the management of the custody service within Gwent Police, also shared their business continuity plan with my office to ensure we were sighted on the local plans for managing custody during the pandemic. I have also been assured that for those detainees who need them, Appropriate Adults have continued to attend the custody suite to provide support, whilst any diversion workers and solicitors have mostly made contact via electronic means.

I also include below an update to the relevant recommendations contained within the report:

Recommendation 1

To help clarify the custody information that forces collect and use, we recommend that force:

- **Track the numbers of detainees with, or suspected of having, COVID 19;**
- **Record and monitor the length of time detainees remain in police custody, and any additional detention times due to waits for virtual remand hearings;**
- **Record and monitor the way in which detainees receive their legal rights, and how many receive them by virtual means rather than a solicitor attending in person; and**

- **Record the use of bail and released under investigation and assess any increases in pre-charge bail.**

I have been advised that Gwent Police is looking to progress this recommendation and is currently devising the mechanisms to be able to obtain and review this information.

We further recommend that:

- **The police service should evaluate the advantages and disadvantages of using virtual remand hearings. It should use this information to help the wider Criminal Justice System learn from its experience and develop better working arrangements that meet the needs of justice and make best use of public money.**

Virtual remand hearings placed additional demand on the policing service to undertake what is essentially a function of Her Majesty's Courts & Tribunals Services (HMCTS) but the police did so in the interest of the public health response to prevent those infected going to court. I am advised that Gwent Police is willing to work with Criminal Justice partners to scope the future of court hearings to ensure they are sufficiently resourced and add value to the delivery of justice for both victims and suspects.

I am immensely proud of the professionalism of all officers and staff who have worked tirelessly throughout the pandemic. I am also deeply committed to delivering a one public service approach to our services and recognise the impact and benefits that have been achieved through our effective partnership with Her Majesty's Prison and Probation Service, HMCTS and the Crown Prosecution Service; I commend to you the collaboration working undertaken by the criminal justice agencies in Wales. I will now continue to provide support to the Chief Constable as Gwent Police focuses on recovery from the pandemic.

Yours sincerely



Jeff Cuthbert B.Sc., MCIPD
Police and Crime Commissioner for Gwent