

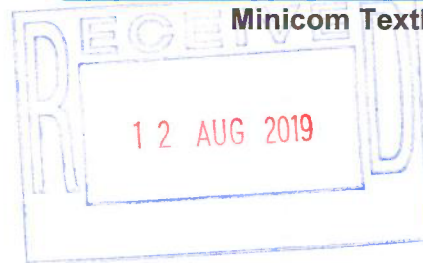


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9 August 2019

Our ref: BS/pad

Dear Ms Harrold

Regulation 28 – Report to prevent further deaths

I am writing on behalf of the Chief Constable in relation to the death of Michael Shaun Folley in order to outline the actions we have taken, or are taking, in response to your report.

Before I outline these actions, I'd like to clarify two areas documented in the Regulation 28 Report:

1. Under Section 5, at paragraph 1(b) the report outlines that the officers completing the Prisoner Escort Record (PER) did not have access to the data held on Police (both internal and external) and other agency systems. The officers completing the PER did have access to Hampshire Constabulary internal systems and the Police National Computer but would not have had direct access to other police force internal crime or intelligence recording systems.
2. Under Section 5, at paragraph 1(c) it outlines that, 'Detention officer PER training may not have been completed....' However, all detention officers have received *PER* training over the last two years. [REDACTED] stated that detention officer *initial training* may not have been completed if the detention officer had many prior years of experience in policing. The difference here is between initial training and PER training.

I now turn to the three areas for action:

- (i) **Ensuring key information is included in the PER and ensuring procedures are adequately followed**
Hampshire Constabulary will mandate that all Custody Officers and Detention Officers undertake the force endorsed electronic self-learning package on PERs, irrespective of when they last completed it. The content of the course will be reviewed annually by the Force Custody Senior Management Team (Force Custody) to ensure it remains accurate and fit for purpose thereby ensuring that officers are appropriately trained in



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response to the issues raised in this Regulation 28 Notice and any other report or publication identifying essential learning. Compliance with this mandate will be tracked to ensure 100% completion by staff. Consideration is being given to requiring all Custody Officers and Detention Officers to complete this training package on an annual basis as part of their mandatory continued professional development. If this is adopted this will also be tracked to ensure 100% compliance with local Custody Managers held accountable.

PER training is already included in the initial custody course for both Custody Officers and Detention Officers. A recommendation will be made to the Learning and Professional Development department who deliver the course to review the current lesson plan and course content to ensure it meets the requirements of this Regulation 28 Notice and guidance contained within the College of Policing Authorised Professional Practice.

In conjunction with the Learning and Professional Development department, Force Custody will conduct a review to establish those Detention Officers who never undertook an initial custody course. Consideration is being given to ensure that those identified undertake the course at the earliest opportunity.

Force Custody publishes a quarterly newsletter to all custody officers and detention officers. The next publication is due in September 2019 and will reinforce the issues addressed in this Regulation 28 Notice.

Through the newsletter we will remind all officers of their obligations in respect of PERs. This will include:

- Where the Custody Officer delegates the initial completion of the PER to a Detention Officer, the Custody Officer must endorse the custody record to this effect.
- When the PER has been completed it must be inspected by the Custody Officer who maintains overall responsibility for its completion and accuracy.
- How and when the Suicide and Self-Harm warning page is to be used.

Hampshire Constabulary has previously designed and produced a PER envelope which includes a record of content. Through the newsletter, staff will be reminded of the requirement to ensure that the PER and all associated documents are placed within the PER envelope and that the contents list is correctly completed.

Force Custody is currently conducting a full review of our Force Policies and Procedures. The issues raised in this Regulation 28 Notice will be reviewed and added to relevant policies and procedures if not already included.



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(ii) Linking intelligence held on other systems

Through the newsletter we will remind staff of their responsibility to ensure that all identified risks are added to the internal system and the national system (PNC) as a warning marker/signal. Whilst it has not been identified in this Regulation 28 Notice that Hampshire Constabulary has failed to do this, we recognise the importance of adding such markers to ensure colleagues from elsewhere are provided with the information to allow them to manage and mitigate any identified risk.

Through the newsletter we will equally remind staff to consider the potential external sources of information available to them, including information held on other police force and agency systems when managing risks and completing PERs. This will be dependent on individual case by case circumstances as it is impracticable for data to be obtained from each outside agency on every occasion. Officers must rely on each force or agency adhering to its responsibilities to ensure relevant data is included on the national PNC system to which all forces have access.

(iii) Progressing the pilot to reform the PER nationally

██████████ represents Hampshire Constabulary as a stakeholder in the regional HM Courts and Tribunal Service working group. This group includes members of various organisations including HM Prison Service, Prisoner Escort Contract Service and the Lay Observers. PERs are a permanent agenda item and the progression of the PER document reform nationally is discussed. The issues identified in this Regulation 28 Notice will be added as an agenda item for the next meeting in October 2019 with Hampshire Constabulary driving the group to push the reform forward.

██████████ represents Hampshire Constabulary as a stakeholder in the working group reforming the current PER document. Hampshire Constabulary will raise the issues identified in this Regulation 28 Notice and request that the development of the new paper version and electronic version is expedited. If it cannot be expedited then our recommendation will be that an interim solution should be implemented to mitigate the issues raised in the Notice.

We have been greatly assisted by the content of the Regulation 28 Notice. I hope you will be reassured by the actions, plans and associated rigour in positively tracking compliance we have put in place and take this as a sign of the seriousness with which we take this.

Yours sincerely

B.D. Snuggs
Assistant Chief Constable (Crime, Criminal Justice and Intelligence)



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