



**OFFICE OF THE POLICE & CRIME
COMMISSIONER FOR THAMES VALLEY**

**Report for Information:
Level 1 meeting on 25th July 2018**

Title: INDEPENDENT CUSTODY VISITOR SCHEME (ICVS)

Executive Summary

This report provides an analysis of the ICVS from 1 April 2017 to 31 March 2018. The analysis provides a clear picture of the scheme running effectively with all issues highlighted having been resolved.

Currently the scheme is well placed to continue its aim of reassurance to the local community of the rights and treatment of detainees in custody together with the conditions of the facilities.

Recommendation

The report be endorsed as a true record of activities for the reported period.

Police and Crime Commissioner

Signature

Date

PART 1 – NON-CONFIDENTIAL

1 Introduction and background

The Independent Custody Visitors Scheme (the scheme) is a statutory scheme borne of section 51 of the Police Reform Act 2002 whereby volunteers of local communities attend custody suites to check on the treatment of detained persons (DPs), the conditions in which they are held and that their rights and entitlements are being observed. The scheme offers protection and confidentiality to DPs and the police, and provides reassurance to the wider community.

The Thames Valley PCC is a member of the Independent Custody Visitors Association (ICVA), paying an annual membership fee. ICVA support scheme administrators to operate an effective scheme in their respective police force area. The support ICVA provide includes an induction day training package for new volunteers to the scheme, bitesize training for panel meetings, two annual conferences, weekly updates and a member's forum to share information.

2 Volunteer numbers and recruitment

At the start of the reporting period the scheme had a total of 64 visitors visiting eight designated stations across the Thames Valley (locations below). During the reporting period ten visitors left the scheme. The OPCC held two induction days, following recruitment, in July 2017 and March 2018 and this added 14 new visitors to the scheme. This resulted in a net increase of four scheme members with volunteer visitor numbers therefore standing at 68 at the end of the reporting period. 19 of the 68 have completed 10 or more years volunteering service.

I wish to place on record a thank you for the enthusiasm and work of the current visitors and to those who left the scheme during the reporting period.

Recruitment of new volunteers continued to be challenging during the year. The main portal for advertising is the national volunteering website 'Do-it'. Other avenues used are social media (Twitter & Facebook), local parish council newsletters and Thames Valley Alert. This targeted advertising resulted in receiving 15 applications for 3 posts in Milton Keynes during May and June. Of 36 enquiries received during the year, via the Do-it website, only seven proceeded in returning completed application forms. The number of enquiries was slightly up from the previous year.

The eight custody suites in the Thames Valley area are located at Abingdon, Aylesbury, Banbury, High Wycombe, Loddon Valley (LV), Maidenhead, Milton Keynes (MK) and Newbury. In addition Newbury is a compliant and designated suite for holding terrorist detainees. LV, Maidenhead, Abingdon and MK are generally twice as busy as the other four.

We have 6 coordinators looking after these eight suites with a panel of visitors. There are two coordinators each looking after 2 suites which are Abingdon with Banbury and LV with High Wycombe. The coordinators produce a rota and the visitors agree a date and time to conduct each visit always in pairs.

3 Scheme training

Training is provided in three main ways: a quarterly bulletin, a training day and panel meetings.

Four panels held one meeting during the reporting period, Aylesbury, Banbury, Maidenhead and MK. Of the 4 others, in 2, Newbury and Wycombe the coordinators hold quarterly rota meetings where issues can be discussed. Meetings have been held in May and June for Abingdon and LV respectively. Further meetings are being arranged for the autumn to ensure all suites have a formal meeting to raise and discuss issues.

The training morning was held on Saturday 11th November 2017 at Police HQ in Kidlington. It was attended by 27 visitors, (the best level of attendance for five years) and included presentations on changes to Mental Health legislation, Police Use of Force and the role and training of Custody Sergeants. Training is also available once a year via the ICVA National Conference. The conference this year was held in London on Saturday 24th March 2018 and was attended by four visitors.

ICVA held their annual Scheme Administrator's conference on 14th November 2017. This was attended by the OPCC scheme administrator.

4 Visit frequency

The agreed number of visits to achieve is 52 per year, per custody suite. A written report, produced by the visitors at the end of each visit, records findings and actions taken and matters for further investigation. The chart below shows the actual number of visits achieved during the reporting period which totals 392 against the desired target of 416. On average 3 detainees were seen on each visit.

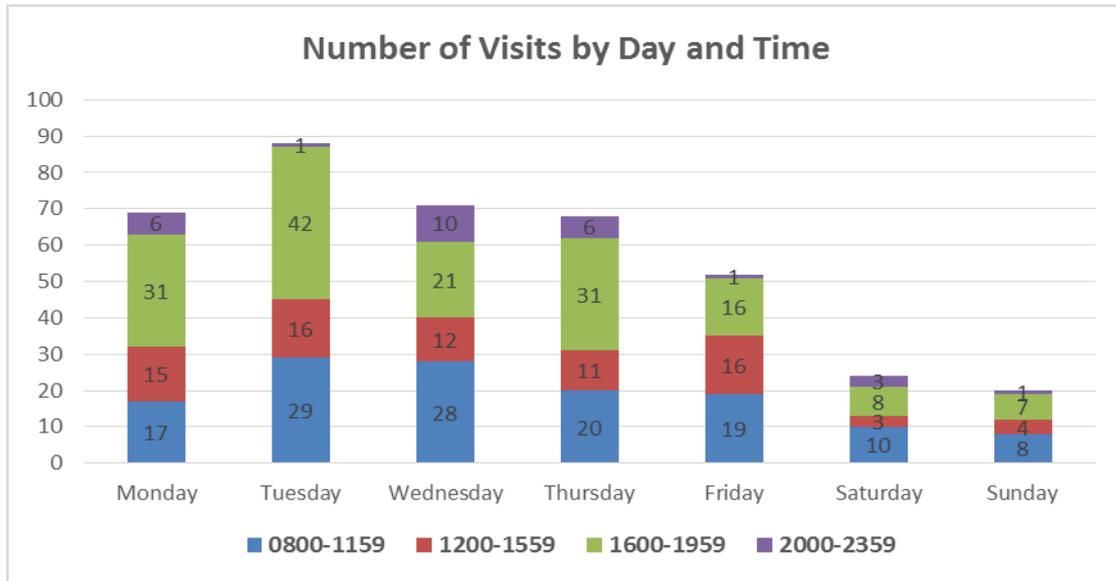
April 2017 to March 2018			
Custody Suite	Expected visits	Actual visits	Variance
Abingdon	52	47	-5
Aylesbury	52	51	-1
Banbury	52	50	-2
High Wycombe	52	52	0
Loddon Valley	52	51	-1
Maidenhead	52	46	-6
Milton Keynes	52	43	-9
Newbury	52	52	-0

Abingdon had a change of coordinator during the year. Maidenhead was closed for 2 weeks. MK had a new coordinator and there were issues with visitors not arranging their visits which has now been addressed.

Custody visits can take place at anytime of the day or night, seven days a week. The graph below shows what time of day visits took place during the reporting period. Only 11% of visits took place at weekends; the scheme administrator is encouraging visitors to undertake more visits over weekends, when statistics show there will be a higher percentage of DPs held in custody. The total figures are:

Time of day	Number of visits
0800hrs - 1159hrs	131 (33%)
1200hrs – 1559hrs	77(20%)
1600hrs – 1959hrs	156 (40%)
2000hrs – 2359hrs	28 (7%)

There was one earlier visit at 07.29. However within the range above the earliest was at 08.05hrs and the latest at 21.34hrs.

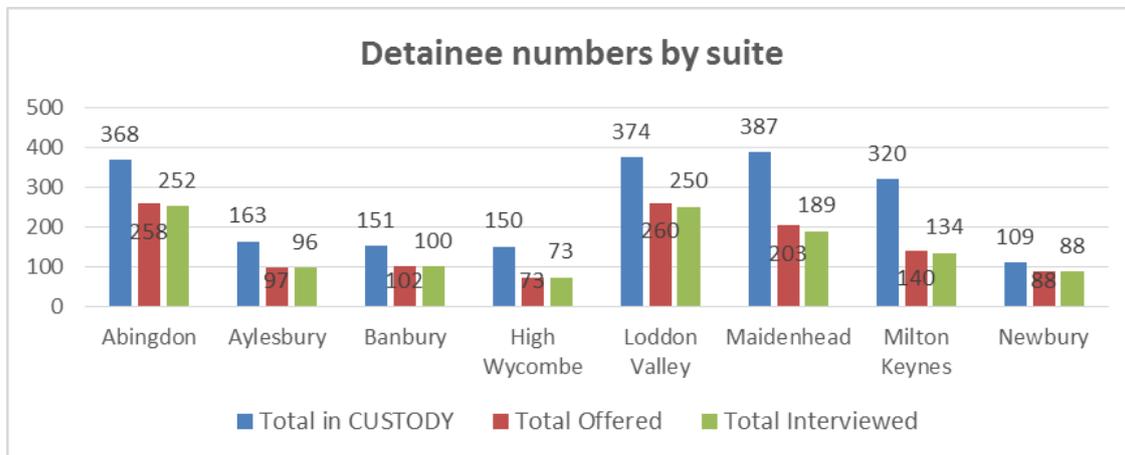


The average time each visit took was 45 minutes with the shortest being 8 minutes and the longest 3 hour 8 minutes. The average delay to entering the suite upon arrival at the front desk was 9 minutes with the longest wait being 45 minutes. Dependent on detainee numbers custody visitors will prioritise visits to children and vulnerable DPs.

5 Detainee response

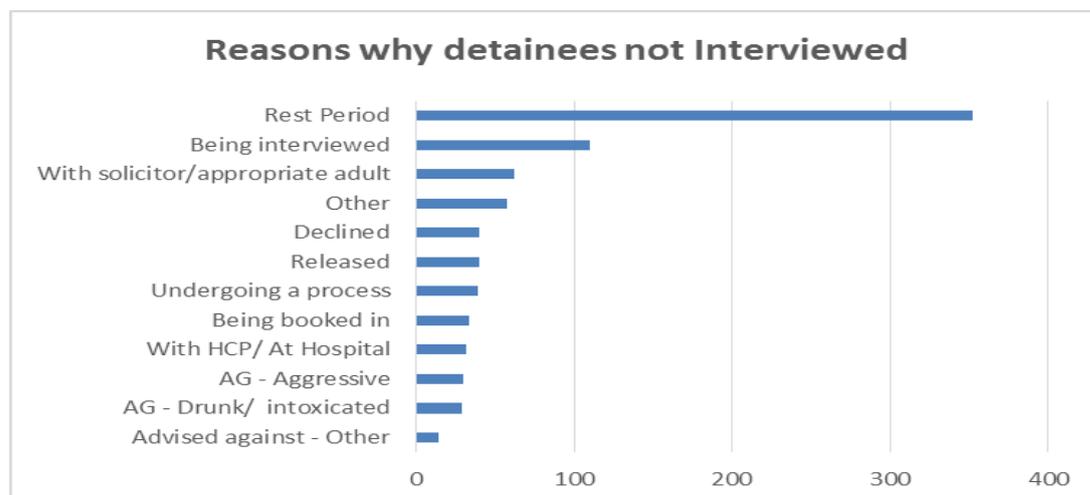
The following statistics show the total number of DPs in custody at the time of the visits, over the reporting period and the breakdown by each custody suite.

Total in suite	DPs offered to visit	DPs visited	% take up visited to offered
2,022	1,221	1,182	96.8%



During the reporting period a recorded total of 31,237 were booked into custody. Therefore the total number of DP's in custody during the visitors visits represented 6.5% of all DPs.

There are 12 recorded reasons why 840 DPs were unavailable to be spoken to, with the largest number being 352 (42%) who were asleep or in their eight hour rest period, and 110 (13%) who were being interviewed by the police/solicitor. Custody Visitors introduce themselves to the DP and the number of DPs who declined to talk with them was only 40 (3.2%). The full details are shown in the chart below.



6 Issues identified by visitors

The majority of issues identified by visitors are dealt with during the visitor's time in the suite, directly with the custody staff, or immediately afterwards; examples being additional blankets, a DP needing a drink, a DP requiring a phone call, a medication need and a solicitor requirement. Those issues highlighted as requiring further investigation are recorded separately, and totalled 9. These have all been resolved by the Scheme Administrator in conjunction with the Inspector of the relevant custody suite and/or the Force Chief Inspector of Custody.

Four examples of issues identified from the reporting period are:
(DP = Detained Person, HCP = Health Care Professional)

High Wycombe (5 visits from Feb 2018)

Report – Consecutive reports noted the arrows pointing to Mecca following repainting of the cells had not been stencilled to the ceiling.

Response – The 'Stencil' man is lagging behind the decorators. I chase them up weekly to get them done and I have copied your email (scheme administrator) to the Head of Property Services to give them a nudge.

Loddon Valley (Mar 2018)

Report – DP had suffered a heart attack, was revived and 999'd to A&E. The hospital discharged the DP back to custody in an hour and, not surprisingly, the HCP advised the Sergeant to return the DP back to hospital for monitoring. The Sergeant was rightly concerned the hospital discharged so quickly. Are there guidelines?

Response – The appropriate action was taken relying on the initial risk assessment. The experience and knowledge of the Custody Sergeant and HCP Nursing staff provided the necessary advice about any welfare concerns for the DP.

Abingdon (Feb 2018)

Report – Timing of handcuffs and spit hood used. Were shower and hygiene pack offered?

Response – The handcuffs were put on the DP at the time of arrest as she was violent. When placed in the rear of the Police Van she spat at a PC and within 2 minutes of the arrest a spit hood was applied which was removed upon arrival in Custody and before she was placed in a cell. A hygiene pack was offered to enable the DP to wash and brush her teeth, which she accepted.

Maidenhead (Feb 2018)

Report – Was the DP reassured about the welfare of his children.

Response – A little before the DP's release, at the DP's request, the staff contacted his nomination and confirmed his children were with them and OK at the request.

Report – DP complained to ICVs of assault and strip search. Was a complaint made by the DP or was it resolved when the solicitor arrived? Did he try to self-harm subsequently?

Response – The DP was charged and remanded so was released to court. The PACE Inspector reviewed the DP with his solicitor present. He raised his issues with the Inspector but stated he did not want to make a complaint. The DP was advised about other ways he can make a complaint but I believe one has not been made at this time. The Sergeant has given a rationale of the DP's own welfare for the strip search as he had items (toilet paper) that he was using to obscure the camera which is appropriate.

7 Death in custody

On 3 April 2017 there was a death in custody at Loddon Valley. The IPCC (from January 2018 the IOPC) attended and conducted initial enquiries and the custody suite reopened later in the day on 3 April. No custody visitors were involved in or around the time of the incident. This is an ongoing case and at present nothing further to report.

8 HMICFRS Unannounced Inspection of Custody

Her Majesty's Inspectorate of Prisons and Constabulary and Fire and Rescue Services conducted a full unannounced inspection of Custody Facilities in Thames Valley between 5th and 16th February 2018.

The purpose of the inspection is primarily to look at improvements to how custody suites operate in connection with PACE (Police and Criminal Evidence Act).

The initial de-brief was generally positive for the force and on page 5, under the heading of Accountability, was this wording:

'ICV visits applied appropriate scrutiny and were well recorded. Frequent visits identified issues which on an individual basis were appropriately responded to'

Here is a list of key areas noted in the debrief which custody visitors can monitor and comments/answers on initial progress from the Head of Custody.

- Reference to staff shortages – Detention Officer numbers have increased considerably and are almost at normal so fewer closures. Resource have also implemented a system whereby they respond to any closure so even when we do close the times are now limited to (predominantly) less than an hour.
- Lack of toilet paper provision - Will be remedied in the action plan
- Little emphasis on DPs right to complain - Again, this will be in the action plan to work with Professional Standards Department to provide posters etc.
- Potential ligature points within cells in 5 suites - These were predominantly gaps in the doors and hatches, which had already been identified by property

services and a programme in place to sort. Sergeants are aware of the increased risk in the meantime. Some were also excessive – in that HMIC now use a 3mm drill– so the Home Office approved sinks are now no longer approved. They will of course be replaced.

- Showers were offered and used infrequently - Yes, this is something we really do need to focus on going forwards – it will be in the action plan as it is something we have continually complained about.
- Footwear removed with at times no replacements being offered - This is in the action plan to be resolved by purchasing better footwear for all.

Some delays in obtaining the services of Appropriate Adults for vulnerable adults – This is an area which our force (and most others) have been deficient in for many years and continues to be work in progress.

9 Financial comments

The scheme budget for 2017/18 of £10,677 was underspent by £3,703. This relatively large variation is explained by the timing of claim forms and more of the new visitors are choosing not to claim compared to those who have left the scheme. The budget covers the cost of mileage claims, honorarium payments for coordinators and costs associated with induction training, the annual training day and the ICVA national conference. The number and frequency of claims varies from year to year. The budget for 2018/19 is £10,933.

10 Legal comments

As summarised above, under section 51 of the Police Reform Act 2002, Police and Crime Commissioners in England and Wales are required to organise and oversee the delivery of an independent custody visiting scheme in their force area. The contents of this report would indicate that the PCC is meeting his statutory obligations under the 2002 Act.

11 Equality comments

The gender split at the start of the period was 27 male (42%) to 37 female (58%). The gender split at the end of the period was 29 male (43%) to 39 female (57%). The age demographic as at 31 March 2018 is as follows:

18-25yrs	26-35	36-45	46-55	56-65	Over 65
1	7	7	9	20	24

The demographic is little changed from last year with 65% aged 56 or over. Those visitors aged 56 and over generally have better flexibility to conduct visits and are able to offer greater life experience to the scheme.

Ethnicity and disability information of scheme visitors is provided below.

White			Black		Asian			Mixed
British	Irish	Other	African	Caribbean	Indian	Pakastani	Bangladeshi	Caribbean
57	1	1	1	2	3	1	1	1

There are 4 visitors who are disabled within the meaning given by the Equality Act 2010.

Public access to information

Information in this form is subject to the Freedom of Information Act 2000 (FOIA) and other legislation. Part 1 of this form will be made available on the website within 1 working day of approval. Any facts and advice that should not be automatically available on request should not be included in Part 1 but instead on a separate Part 2 form. Deferment of publication is only applicable where release before that date would compromise the implementation of the decision being approved.

Is the publication of this form to be deferred? No

Is there a Part 2 form? No

Name & Role	Officer
Head of Unit	Chief Executive
Legal Advice	Governance manager
Financial Advice	PCC Chief Finance Officer
Equalities and Diversity	Chief Executive

PCC CHIEF OFFICERS' APPROVAL

We have been consulted about the proposal and confirm that financial and legal advice have been taken into account in the preparation of this report.

We are satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner.

Chief Executive

Date

Chief Finance Officer

Date