



**OPCC**

**INDEPENDENT CUSTODY VISITING  
SCHEME**

**ANNUAL REPORT  
APRIL 2015- MARCH 2016**

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## **Annual Report 2015**

This is the ICV report for the year April 2015 – March 2016

### **Custody Visiting Mission Statement**

Independent Custody Visiting is an established scheme whereby volunteers attend custody suites across Essex to check on the treatment of detainees and the conditions in which they are held and that their rights and entitlements are being observed. The scheme offers protection to both detainees and the police and reassurance to the community at large. The remit of the scheme is to ensure detainees are given the best treatment possible whilst in custody, to improve conditions where required and to measure success by recording how issues raised have led to improvements and best practice.

Essex Independent Custody Visitors (ICVs) are appointed from the community. They give up their time to visit and check on the health and welfare of detainees in police custody. They strive to ensure that people detained in police custody are looked after appropriately and in accordance with national standards and guidance.

Over the past few years our volunteers have helped influence on behalf of detainees and custody staff by raising concerns on a number of health and safety and maintenance issues such as possible harm issues, out of use equipment, inappropriate replacement clothing.

As our ICVs are sourced from different backgrounds and age groups we have a diverse base from which we can challenge and support standards and processes in custody and develop the conditions for detainees within the custody environment.

### **Essex OPCC ICV Scheme**

Essex committed to increasing the number of ICVs during a recruitment drive in March 15 with a view to boosting the visits to custody suites and the number of detainees visited. The number of ICVs as of March 2016 is 21 who visit eight custody suites situated throughout the county; Basildon, Chelmsford, Clacton, Colchester, Grays, Harlow, Rayleigh & Stansted.

Southend custody suite is due to reopen in October 2016 following large scale refurbishment at which point the Rayleigh suite will close.

As of March 2016, the scheme took on Harwich Border Force Custody Suite, following a request by Border Force to provide scrutiny in an ICV capacity. The custody suite is often not in use due to the nature of the detainees, and it has been agreed that the custody officer will ring coordinators when a detainee is in custody and a visit will be made the same day where possible.

As of January 2016, ICVs visit each custody suite three times per month in pairs with the exception of Stansted, which is visited once per month. Where possible, geographical considerations are taken into account to reduce costs and the impact of travel time. However, volunteer partnerships are varied on a monthly basis and so too the police stations visited. This practice ensures a degree of objectivity, reduces familiarity and ensures a spread of expertise and experience.

After each visit a report form is completed by the ICVs. It records that a visit had taken place and provides a record of the number of detainees present and seen, issues arising and conditions in the custody area at the time of the visit. The information on the report forms is analysed and escalated where necessary (see later paragraph in this report).

### **Monitoring the ICV Scheme**

The scheme is monitored by the scheme administrator, the two group coordinators and the Police Custody Commander to discuss issues and policy in respect of the scheme. Custody reports are produced on a monthly basis, scrutinised by the scheme administrator and sent to the Police Custody Commander to follow up and comment on outstanding actions. Concerns raised during the month that are considered urgent are raised with the Police Custody Commander at the time. The Custody Commander is required to provide feedback in a prompt and timely manner, and will follow-up if outcomes are not satisfactory.

### **Liaison Meetings of ICVs**

The OPCC scheme administrators regularly have contact with the scheme coordinators and volunteers and regional OPCC scheme administrators. The OPCC organises workshops and quarterly meetings, the last of which took place in February 2016. The quarterly meetings are also attended by the Custody Commander, and feedback on how the scheme is shared including statistics and patterns of visits. ICVs are encouraged to raise concerns and share experiences.

Volunteers are strongly encouraged to attend the regional training days, with one in March 2016 being attended by four volunteers.

### **ICV Report Forms**

ICVs complete a standard form for each visit that is sent electronically to the coordinators for compilation. Using the PAM online system, each custody suite report is uploaded by one of the coordinators. The OPCC Scheme Administrator collates the reports onto a central record which is then sent to the Custody Commander each month. Completed centralised reports are also circulated to the ICVs following comments received by the Custody Commander.

### **Custody Visiting Statistics**

Set out below are details of the custody visits carried out to PACE designated stations during the year.

STATION	DETAINEES	VISITED	DECLINED	*136	Not Visited either; Sleeping, Interview	% Visited
BASILDON	221	119	14	23	88	53.85
BRAINTREE	56	33	5	1	18	58.93
CLACTON	142	80	6	14	56	56.34
COLCHESTER	194	91	14	8	89	46.91
GRAYS	190	117	10	6	63	61.58
HARLOW	153	70	12	1	71	45.75
RAYLIEGH	138	74	5	5	59	53.62
STANSTED	8	5	0	0	3	62.50
CHELMSFORD	187	105	14	6	68	56.15
TOTAL	1289	694	80	64	515	53.84

The first table gives details of the number of custody visits made to each of the stations from April 2015 to March 2016, the number of detainees held at the time of the visit and the number of detainees visited by the custody visitors for 2015. This information was extracted from the report forms completed and submitted by ICVs. \*136 detainees are those identified as having mental health issues and thus detained under different procedural requirements.

The number of detainees visited is approximately the same as the previous year 2014 - 54%. Detainees who were not visited were either asleep, being interviewed, under the influence of drugs or alcohol, undergoing medical examinations, potentially violent or told the ICVs they did not wish to be interviewed.

Scheme administrators had raised a potential issue in that the timings of the visits were generally carried out at set times and it was felt important that more randomised times were encouraged. Therefore the timings on rotas were scheduled into three blocks with rotas stipulating which visits need to be factored into those time frames. The success of this system will be monitored as to efficiency.

### **Timings/Days of Visits**

In the rota for January to March 2016, ICVs were allocated three visits per month. They were also instructed to visit in three shifts so as to cover early morning/morning, mid-afternoon to evening, late evening to night. ICVs understood the reasoning and although not all could visit at night due to personal circumstances, several did. The data is still being collected on this as to whether it proves more effective in gaining access, although initial reports suggest in most cases the detainees are asleep.

It was also noted that there were far less weekend visits and ICVs have since been encouraged to visit at weekends to even out the visits made over the seven day period. Again this will be monitored over the next quarter to see if visits have increased

The following tables show the timings of when visits were made and the days they were made.

Member name	Total number of detainees through custody April 15-Mar 16	Number of visits April 15–Mar 16	Total number of detainees in custody at time of visit April 15-Mar 16	Total number of detainees agreeing to visit / interview	Percentage
1. Bedfordshire	12314	91	752	592	78.72%
2. Cambridgeshire	12318	124	699	445	63.66%
3. Essex	33346	233	1286	693	53.88%
4. Hertfordshire	20674	111	1275	683	53.56%
5. Norfolk	25123*	202	1355	614	45.31%
6. Suffolk	13317*	100	600	273	45.50%
<b>TOTAL FOR REGION</b>		861	5967	3300	55.30%

Times	Basildon	Braintree	Chelmsford	Clacton	Colchester	Grays	Harlow	Rayleigh	Stansted	Totals
<b>Earliest Visit</b>	9.00	9.25	10.00	2.00	2.00	9.30	10.00	9.15	10.55	
<b>Before 09.00</b>				1	1					2
<b>9.00 – 12.00</b>	9	4	8	20	16	9	6	8	6	78
<b>12.00 – 15.00</b>	2	1	5	3	2	3	3	1	1	19
<b>15.00 – 18.00</b>	3	2	3	2	4	4	1	3	2	22
<b>18.00 – 21.00</b>	10	5	3	4	10	10	6	12	1	50
<b>21.00 - midnight</b>	2	2	1		2	2	2	2	1	12
<b>Latest Visit</b>	21.15	21.30	21.30	20.20	22.30	20.35	22.25	22.30	21.15	

## How Essex compares regionally to other ICV Schemes

Essex is slightly below average compared to other regional OPCCs in how many detainees are seen in custody (e.g. 54% compared to Beds at 79%). This is something that will require further analysis, and may be down some areas have only two custody suites with greater numbers of detainees as opposed to the eight suites in Essex which hold less detainees. This would inevitably have an impact on the percentage gained access to.

### Issues Raised by ICV Visits

ICVs are aware of matters raised and how they are resolved as they are sent a grid detailing actions and outcomes. The problems or issues raised by ICVs on their report forms have been divided to reflect either matters relating to the custody or cell environment or related to individual detainees. Recurring themes related to issues around the estate include:

- CCTV being out of use for a period of time
- Buzzers not working in the cells due to parts being obsolete
- A long term leak in Grays Custody Suite following a refurbishment that meant the exercise yard is out of use
- Sharp sills in exercise yards resulting in potential self-harm risk

	Basildon	Braintree	Chelmsford	Clacton	Colchester	Grays	Harlow	Rayleigh	Stansted	Totals
<b>Monday</b>	3	2	4	4	9	5	3	5	2	37
<b>Tuesday</b>	5	4	2	11	6	3	2	3	1	37
<b>Wednesday</b>	6	3	4	2	8	4	3	5	1	36
<b>Thursday</b>	3		4	4	4	7	6	4	3	35
<b>Friday</b>	8	1	2	4	3	5	4	6	4	37
<b>Saturday</b>	2	3	1	1	4	1		3		15
<b>Sunday</b>	1	1	1	4	1	2				10

- Sewage drainage issues.

Recurring themes relating to detainees include:

- Access to appropriate adults (AA) for juveniles can be patchy in some locations, particularly Grays
- Female detainees on suicide watch are given paper suits but cannot have access to underwear due to elastic in the garment.

Concerns are documented by ICVs on their report form and the result of action taken by the police is included on the same form. That way all issues have an audit trail.

### **Youths in custody**

There has also been a trend to move away from detaining young people in custody suites as it is felt there are more suitable places for them to be taken. This has resulted in a lot of work being done by EP to work with local partners to locate other facilities for vulnerable young people to be looked after, except where there has been a violent or serious crime committed.

Generally issues relating to PACE were always addressed at the time and dealt with, or an explanation was given to the ICV if the matter remained unresolved. These may refer to a request for refreshment, an extra blanket, a phone call to a solicitor, etc.

It is important to note that the ICVs and in particular the coordinators were extremely diligent in raising issues outstanding to the OPCC. The staff in the custody suites were also comfortable disclosing outstanding issues or concerns they might have around staffing levels for example. It is also encouraging that the majority of visits the custody suites and the detainee's rights were in order.

### **Conclusion**

Following a large recruitment drive in 2015, the OPCC currently has around 21 volunteers covering eight custody suites which are now visited three times per month. Rota capacity will be monitored to see if more ICVs will need to be recruited in the near future.

Essex ICV scheme continues to have a good rapport with custody staff who are open and transparent and on hand to answer questions and check on issues raised. The OPCC is keen to continue a good working relationship as it has enabled challenges to be dealt with at the time, or where necessary escalated to the Custody Command, where again issues are dealt with in a timely and comprehensive manner.

The OPCC is continuing to work closely with volunteers, other schemes in the eastern Region and ICVA to continue to develop the ICV programme and to deliver the highest quality ICV scheme, and extends its thanks and gratitude to the volunteers for their work and commitment.

## **INDEPENDENT CUSTODY VISITING SCHEME**

### **STRATEGY PLAN 2016/17**

#### **OUR MISSION**

To deliver an effective and efficient Independent Custody Visiting Scheme.

#### **STATEMENT OF PURPOSE**

- The ICVs and administrator will seek to increase the number of detainees seen in custody.
- The Essex Independent Custody Visiting Scheme will continue to check on the treatment of detainees and the conditions in which they are held, and that their rights and entitlements are being observed.
- The Essex ICV scheme will look to provide an independent assessment of the welfare of detainees and the conditions in which they are held, which offers protection to both detainees and the police and reassurance to the community at large.
- To promote and protect Human Rights within the Criminal Justice System.

#### **SCHEME AIMS**

- To recruit, select and appoint volunteer members of the community to act as Independent Custody Visitors, paying due regard to duties around equality and diversity.
- To ensure appropriate training provision, (to include equality, diversity and human rights) for Independent Custody Visitors.
- To ensure appropriate management support for Independent Custody Visitors.
- To visit custody suites in accordance with the Scheme guidelines and training.
- To properly complete the Independent Custody Visitor Report Form on the findings of these visits and ensure distribution in accordance with the Scheme guidelines.



- To interact regularly with Essex Police Custody Command and discuss findings of the Independent Custody Visitors and other issues arising through operation of the scheme.
- To ensure that Independent Custody Visitors have the opportunity to meet together to discuss their work and promote best practice.
- To ensure that the OPCC is compliant with the Police Reform Act 2002, updated 1<sup>st</sup> September 2013 following the issue of the Code of Practice on Independent Custody Suite Visiting by the Home Office in the running of the Independent Custody Visiting Scheme.

## **OUR VALUES**

In seeking to achieve our aims the Essex Independent Custody Visiting Scheme will abide by a number of core values. These are:

- To be customer focused and put people at the heart of what the Scheme does and to value their views.
- To treat all individuals with respect and dignity and value differences
- To ensure that people are properly trained and developed and where appropriate recognise their achievements
- To work in partnership with others to improve the work of the Scheme and the way in which it achieves its aims.
- To be fair and strive to work ethically at all times.
- To be accountable to all stakeholders and strive for excellence in management practice and operation of the Scheme.

## **Scheme Administration**

Overall responsibility for the central administration of the Scheme is held by the Independent Custody Visitor Scheme Central Administrator and the Chief Executive in the OPCC.

## **Independent Custody Visiting Scheme Policy and Guidelines**

The Essex Independent Custody Visiting Scheme is based on the Home Office Code of Practice on Independent Custody Visiting issued under Section 51(6) of the Police Reform Act 2002 which can be found on the following link <http://www.legislation.gov.uk/ukpga/2002/30/section/51>

## Police Reform Act 2002 – New Statutory Scheme

Section 51 of the Police Reform Act 2002 placed Independent Custody Visiting (ICV) on a statutory basis. Every PCC has a statutory duty to run an Independent Custody Visiting scheme. The schemes co-ordinate local volunteers, called Independent Custody Visitors (ICVs), to make unannounced visits to police custody to check on the treatment and wellbeing of detainees as well as the conditions they are held in.

ICVs speak to detainees, asking them about their experiences and check that they've been given their legal rights and entitlements. ICVs can access all areas of custody and will check on the conditions of the custody suite. ICVs will ask custody staff to resolve any immediate concerns or issues. They complete visit reports, alerting the PCC to their findings and raising problems or concerns. Schemes also share findings, themes and learning with the

Independent Custody Visiting Association (ICVA) to represent at a national level.

PCCs, police forces, ICVA and partners promote their schemes to deliver public reassurance that detainees are treated properly in police custody. Under these provisions every OPCC must make arrangements for detainees to be visited by ICVs and keep these arrangements under review as the OPCC thinks fit. The Act makes it clear that any persons appointed under the new arrangements must be independent of both the OPCC and the Chief Constable.

### Recruitment of Independent Custody Visitors

Although ICVs leave the scheme, mainly through changes in personal circumstances, there are always new applicants waiting to come onboard.

It is a requirement that all ICVs must be over 18 years of age and have no direct involvement in the criminal justice system. A criminal record check is undertaken on all successful applicants prior to appointment, this now being a requirement in the new Code of Practice. ICVs are appointed on a voluntary basis and as such there is no facility for financial remuneration. However, all reasonable expenses incurred on custody visiting matters are reimbursed by the OPCC. ICVs are insured in respect of any legal liability for injury or damage to property whilst carrying out their duties.

Training is given to all ICVs and during the year 2015/16 the scheme began to use a new training package purchased from the national association for custody visiting. The material consisted of a DVD which contained various scenarios a custody visitor may face, together with a comprehensive student handbook.

Custody Visiting owes its origin to Lord Scarman, whose report on the Brixton riots in 1981 envisaged a statutory system of independent, unannounced inspection and supervision of interrogation procedures and detention in police stations. The Home Office subsequently approved a non-statutory "Lay Visiting" scheme but excluded supervision of interviews at police stations. From the earliest days, it was recognised that schemes needed to evolve to suit local circumstances and accordingly there existed differences in composition of schemes throughout the country.

### Independent Custody Visiting Association (ICVA)

The OPCC for Essex is a member of ICVA, a national organisation which works with PCCs and the Home Office in support of custody visiting schemes.

As part of the Eastern Region (Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Norfolk and Suffolk), the Scheme Administrator takes part in a conference call with other scheme administrators on a quarterly basis.

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