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# ESSEX INDEPENDENT CUSTODY VISITING SCHEME 2017/18 ANNUAL REPORT

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Office of the Police, Fire and Crime Commissioner for Essex

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OPFCC  
Kelvedon Park

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## Foreword by Roger Hirst, Police and Crime Commissioner for Essex

Welcome to the 2017 Essex Independent Visiting (ICV) Scheme Annual Report, which covers visits taking place from April 1<sup>st</sup> 2017 to March 31<sup>st</sup> 2018. It is with thanks to the time and dedication given by the scheme volunteers that we can continue to provide public reassurance in respect of the welfare and treatment of those in the care of Essex Police whilst in police custody.

For the year 2017 – 2018 independent custody visitors were able to observe detainees at 8 suites located across the county. ICVs were able to visit 513 detainees at varying times of the week, day and night, ensuring their welfare and dignity.

Following rationalization of the Essex Police estate, the future of where custody suites are around the county is currently under review. As the HMIC report highlighted in February 17, aging estates are an issue. After concerns were raised by HMIC around the safety of the custody estate for detainees, remedial work was immediately undertaken to address the issues. It is imperative the welfare of detainees and the high standards of Essex Police custody staff are maintained.



**Roger Hirst, Police, Fire and  
Crime Commissioner for  
Essex**

With thanks again to the commitment and efforts of all the ICV volunteers without whom this important work would not be possible.

Roger Hirst  
Police, Fire and Crime Commissioner for Essex

## Essex Independent Custody Report 2018

### Introduction

The Essex Independent Custody Visiting scheme gives appointed members of the public opportunities to visit local police stations unannounced in order to observe and report on the treatment of detainees and the conditions in which they are held. The scheme offers protection to both detainees and the police and reassurance to the community at large.

ICVs speak to detainees, asking them about their experiences, and check that they have been given and understand their legal rights and entitlements. ICVs check all areas of custody including cells, kitchen areas, interview rooms, store cupboards, medical rooms, corridors, shower and toilet facilities etc. While there may be an issue with the general environment recorded in one area of custody, the report might also comment on good standards of cleanliness in another area.

ICVs should have immediate access to police custody but accept a short wait is acceptable for certain reasons such as a health and safety issues or if ICVs arrive during operational police handover. ICVs should always expect an explanation and can escalate a concern to the Custody/Duty Inspector if they feel it necessary. They complete visit reports, alerting the scheme manager at Essex OPCC of their findings and raising problems or concerns. The Essex scheme also shares findings, themes and learning with the Independent Custody Visiting Association (ICVA) to represent at a national level, as well other schemes in the Eastern region.

In Essex the issues raised in custody are drawn together and any emerging trends are identified, and channeled through the appropriate police supervisors and at PFCC level through scrutiny boards.



### Custody Suites in Essex

From March 17 to April 18, Essex Police had seven operational custody suites; Clacton, Colchester, Chelmsford and Stansted in the North LPA; Southend and Basildon in the South LPA; and Grays in the West LPA.

Southend custody was the busiest with 4941 detainees in the period April 17 to March 18, followed by Chelmsford and Grays. However, the temporary closure of Basildon custody, which is traditionally the busiest suite, will have impacted on numbers being taken to other suites such as Southend, Chelmsford and Grays. Therefore, numbers going through custody in those suites are liable to change for the financial year 2018/19. Stansted meanwhile has very few numbers going through custody, with no detainees on site on any of the ICV visits.

### Custody Suite Visits by ICVs



Currently Essex ICV scheme has fourteen volunteers who visit eight custody suites across the county three times per month. Custody suites are situated across the county in the following police stations:

- Basildon
- Chelmsford
- Clacton
- Colchester
- Grays
- Harlow
- Stansted
- Southend

Visits take place on different days and times of the week. Following the HMIC report in February 2017, issues with aging custody suites were raised, Colchester closed down for a period of weeks while remedial work was carried out, including addressing issues with ligature points.

Basildon also closed for a time, as police trialed rationalization of the custody estate. However, the extra time taken for officers to escort detainees to other suites, as well as the Crown and Magistrates being located in close proximity to the custody suite meant the decision to reopen Basildon was taken.

### **Terrorism (TACT) suites**

There is a designated TACT suite serving each of the following regions: North East, North West, West Midlands, South East, London. In addition, some PACE custody suites are 'TACT-enabled', meaning that they can be used for TACT detentions prior to a transfer to a dedicated suite. These suites will also require TACT-trained AA coverage, though this is rarely called upon. Essex has a TACT facility at Southend Custody Suite. The scheme has two TACT vetted ICVs but they have not yet been called upon to visit given the County's close proximity to London.

### **ICV scheme findings 2017**

#### **Common themes of issues raised by detainees.**

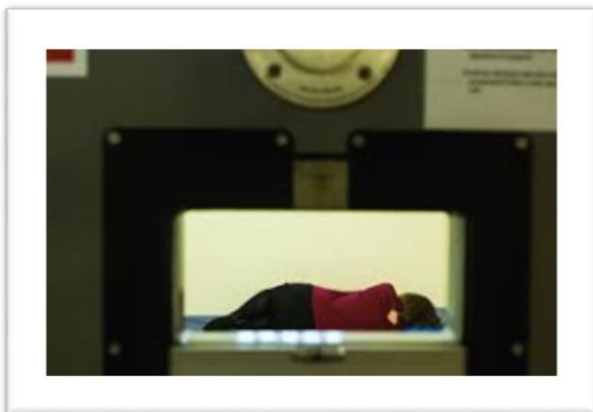
Generally detainees indicated they were satisfied with their treatment in custody, had been offered food and drink and had been told their rights and entitlements.

Of those who raised concerns the main areas were:

- Lack of access and delays to medics/medication
- Translators/Flash cards being unavailable
- Food and drink – asking for additional meals and drinks
- Blankets – requiring additional blankets
- Telephone/alerting someone they were in detention

### **Dignity of Women in Custody**

In 2016, the Essex OPCC raised concerns over the dignity of females in custody suites. In two cases females who had been deemed at risk were put in anti-rip suits while menstruating, but were denied under wear as items were perceived as a self-harm risk. The Essex OPCC scheme coordinator contacted ICVA and regional schemes asking for advice as to whether this was standard practice and if there was underwear available for those deemed at risk of self-harm. ICVA discovered that there was no standard in the country and that in most cases there was poor menstrual care for women in the custody environment. Consultation work took place with other schemes and this resulted in the issue being raised with the Home Office.



In Essex we worked with the custody command team to highlight the issue. It is now standard practice to allocate a female officer and to ask whether they need a feminine hygiene pack at the earliest and most appropriate time – (it was found the booking in time could be crowded and noisy and not appropriate). If female staff were not available in custody, female officers would be allocated elsewhere and brought in if required.

It was also decided at one of the quarterly panel meetings, that ICVs would begin recording gender in custody and ask if they had been offered a female officer and a feminine hygiene pack. Since this will be brought in post March 18, results will be monitored over the following quarters and highlighted in the 2018 ICV Annual Report.

### Section 136 in Custody

Since April 2017 in Essex the number of s136 being taken into custody has been considerably reduced. While there are still issues gaining access to Health Based Places of Safety this is a huge step in the right direction. The law came into force on 11th December 2017 that police stations (not just custody) will be almost entirely phased out as places of safety in England and Wales. Essex Police with funding from the OPFCC implemented a street triage programme in order to provide the best possible care to people with mental health issues. Four street triage cars staffed by trained officers and mental health professionals from the South Essex NHS Partnership Trust (SEPT NHS) and North Essex Partnership University NHS Foundation Trust are available across the County from 6pm to 2am. This allows those in crisis to get the help they need and reduces demand on policing.

### The Big Word – Translator Service

In 2017 following a procurement procedure, the translation contract was awarded to The Big Word. While initial feedback was positive, the standard of the service began to slip in August 2017, with custody officers often having difficulty in obtaining a translator for detainees. Dialogue with the service indicated a change in contract had led to some staff members leaving. In some cases the failure to obtain a translator meant detainees were having to be released or bailed as the 24 hour custody window had expired.

The issue of accessing translators was still outstanding as of March 2018, with meetings between Essex Police and Big Word taking place. The PFCC is monitoring the issue closely alongside Essex Police.

### State of Aging Custody Suites

A number of custody suites are aging and in need of repair. As highlighted in the foreword, The HMIC report in February 2017 highlighted a number of environment issues particularly

in Colchester, Harlow and Clacton. Colchester was closed or several weeks while repairs were made. Aside from potential self-harm issues such as ligature points and flaking paint, cells in the older suites have out of date buzzer systems and CCTV equipment that is out of date making accessing parts problematic leading to delays in repairs. Mitigation for this takes place with at risk detainees put in cells with working CCTV and diversion of detainees to other suites where necessary.

## Children and vulnerable people in custody

ICVs ensure children in custody are visited and record understanding of rights and entitlements, an Appropriate Adult has been obtained and any welfare issues. Previously there have been a mismatch of an Appropriate Adult service for children across the county, where different local authorities had differing service level agreements which served as a blocker to children getting access to an AA. In 2017 a charity, Open Road, was appointed as the Appropriate Adult providers by Essex County Council, while the two Unitary Authorities Southend and Thurrock used their Social Care system. ICVs learned AA cover was difficult to obtain out of hours in Essex and there was a patchy service in Thurrock and Southend.

In January 2015, the Home Secretary and Secretary of State for Education wrote to all local authorities, lead members of Children's Services across England. In this letter they highlighted the issue of many police forces and local authorities failing to comply with the relevant legislation - The Police and Criminal Act 1984 and The Children's Act 1989 which stipulates that children and young people charged with an offence and refused bail are transferred to local authority accommodation. Subsequently, a joint protocol was agreed by Essex Police, Essex County Council, Southend Borough Council and Thurrock Council that to avoid confusion the Local Authority in whose area the child resides will be the responsible authority and the initial call from Essex Police will be made to that relevant local authority or Emergency Duty Service/Team.

In Essex, child arrest figures for Essex Police have been falling steadily since 2010.

2010: 7,739  
2011: 5,870  
2012: 4,237  
2013: 3,931  
2014: 3,718  
2015: 2,635  
2016: 2,588  
2017: 2,155

Age	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18
10	1	0	0	0	1	0	1	0	0	0
11	1	0	1	2	1	1	0	1	1	1
12	5	5	7	3	3	3	3	2	4	2
13	12	23	2	11	3	7	7	11	14	16
14	19	32	15	18	12	24	19	23	29	22
15	42	26	21	20	19	24	33	37	35	44
16	58	46	43	49	40	51	53	43	53	52
17	60	53	51	51	35	57	54	50	62	58
Total	198	185	140	154	114	167	170	167	198	195

The below details the number of PACE Bed requests that were made as per the A661 forms submitted. In July four requests were made for Local Authority accommodation but only one transfer was made. Since August 2017 to now, only 14% have been transferred.

	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	TOTALS
Number of PACE Bed Requests	14	6	6	2	0	2	3	3	6	6	7	4	59
Number Transferred	0	2	1	0	0	0	1	0	1	0	2	1	8
Percentage Transferred	0%	33%	17%	0%	0%	0%	33%	0%	17%	0%	29%	25%	14%



## Custody Visit Statistics April 2017 to March 2018

There overall percentage of detainees visited is dependent on a number of factors; if they are asleep, in interview, advised not to visit as violent (etc), or refused an interview. While ICVs can observe sleeping detainees through cell doors, in Essex we do not record this as a detainee 'being visited'.

STATION	Total number in custody at time of visit	number visited	number who declined an ICV visit	Number of children in custody at time of visit	Number of s136	number not visited	Actual able to visit = (detainees less not visited)	% Visited
BASILDON	91	60	0	3	0	31	60	100.00
CHELMSFORD	175	102	3	13	0	70	105	97.14
CLACTON	136	66	4	10	0	66	70	94.29
COLCHESTER	85	39	7	8	1	39	46	84.78
GRAYS	159	83	4	9	2	72	87	95.40
HARLOW	133	62	3	9	2	68	65	95.38
SOUTHEND	272	109	7	29	5	156	116	93.97
<b>TOTAL</b>	<b>1051</b>	<b>521</b>	<b>28</b>	<b>81</b>	<b>10</b>	<b>502</b>	<b>549</b>	<b>94.90</b>

## Custody Visit Statistics for April 2016 to March 2017

STATION	NUMBER OF VISITS	DETAINEES	VISITED	DECLINE D	JDR	136	Not Visited; as either sleeping, interview etc	% Visited
BASILDON	36	223	140	3	19	6	80	97.90
CHELMSFORD	36	184	98	1	15	4	85	98.99
CLACTON	34	135	64	4	9	3	67	94.12
COLCHESTER	31	141	79	1	13	1	61	98.75
GRAYS	34	150	98	4	16	2	48	96.08
HARLOW	35	179	104	1	14	1	74	99.05
RAYLEIGH	29	172	90	6	15	3	76	94.78
SOUTHEND	6	42	10	0	3	0	23	93.75
STANSTED	11	6	5	0	0	0	1	100.00
<b>TOTAL</b>	<b>246</b>	<b>1232</b>	<b>688</b>	<b>20</b>	<b>104</b>	<b>20</b>	<b>515</b>	<b>95.95</b>

### Detainees through custody April 2017 to March 2018

Quarter	Total numbers through custody
Apr/Jun 17	5820
Jul/Sep 17	5937
Oct/Dec 17	5804
Jan/Mar 18	5666

The total number of detainees passing through custody are as follows:

### The table below gives the total number of detainees by custody suite April 2017 to March 2018

Basildon suite was closed for a number of months in 2017 with detainees being directed to the most appropriate suites available.

	Clacton	Chelmsford	Colchester	Southend	Basildon	Grays	Harlow	Stansted	TOTAL
<b>Apr-17</b>	285	305	68	354	273	290	291	20	1886
<b>May 17</b>	264	321	169	346	286	315	275	40	2016
<b>Jun-17</b>	304	396	33	363	188	308	293	33	1918
<b>Jul-17</b>	249	314	266	550	-	369	300	31	2079
<b>Aug-17</b>	259	331	219	501	-	329	308	10	1957
<b>Sep-17</b>	211	326	282	462	-	329	268	23	1901
<b>Oct-17</b>	205	295	274	511	-	369	280	22	1956
<b>Nov-17</b>	203	304	269	520	-	311	272	10	1889
<b>Dec-17</b>	202	345	285	498	-	348	267	14	1959
<b>Jan-18</b>	218	353	287	452	49	301	291	18	1969
<b>Feb-18</b>	184	308	254	91	400	248	246	8	1739
<b>Mar-18</b>	281	362	118	293	364	297	240	3	1958
<b>TOTAL</b>	2865	3960	2524	4941	1560	3814	3331	232	23227

### Breakdown of gender and children (where recorded) April 2017 – March 2018

	Children	Males	Female	Not Recorded	Unspecified	TOTALS
<b>TOTAL</b>	2155	18833	3399	24	6	22262

### Breakdown of Ethnicity where given April 2017 – March 2018

	Asian	Black	Chinese, Japanese or SE Asian	Middle Eastern	Unknown	White - North European	White - South European	TOTAL
Apr-17	58	171	3	6	52	1476	48	1814
May-17	50	200	7	13	49	1579	55	1953
Jun-17	62	190	3	12	49	1487	50	1853
Jul-17	70	189	12	8	42	1623	61	2005
Aug-17	70	215	7	15	37	1505	41	1890
Sep-17	64	188	7	22	32	1452	55	1820
Oct-17	63	200	4	12	26	1526	33	1864
Nov-17	50	173	13	17	26	1488	34	1801
Dec-17	72	176	5	9	20	1541	58	1881
Jan-18	49	186	6	23	27	1505	45	1841
Feb-18	47	129	6	14	15	1414	40	1665
Mar-18	67	189	9	11	30	1522	47	1875
<b>TOTAL</b>	<b>722</b>	<b>2206</b>	<b>82</b>	<b>162</b>	<b>405</b>	<b>18118</b>	<b>567</b>	<b>22262</b>

## Looking Ahead



The scheme will be looking to increase visits to custody suites from three to four per month. This will require additional ICV recruitment which takes account of equality and diversity of the scheme members that better reflects the local demographics of the county.

The scheme will also closely monitor the dignity of females in custody, including the allocation of female officers and that

female hygiene packs have been offered. Furthermore, ICVs will look to ensure dignity of all detainees is an embedded culture within custody suites.

Food available in custody is also under review as the present meals offer in general only 250 calories per portion. Some meals are far less popular than others resulting in food wastage. Independent Custody Visitors have been involved in trialing food supplied by potential service providers, looking at greater nutritional ingredients and calorific content. A new contract is due to be awarded in 2019.

We will continue to monitor the environment in custody. Many of Essex custody suites are aging and can offer potential hazards such as peeling paint, ligature points and worn buzzers and broken CCTV equipment. The estates programme for the future of custody is currently being undertaken with full input from the Police, Fire and Crime Commissioner.

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