

**ORIGINATOR: INDEPENDENT CUSTODY
VISITING SCHEME ADMINISTRATOR**

PAPER NO: AP21/39

SUBMITTED TO: ACCOUNTABILITY AND PERFORMANCE PANEL – 2 JULY 2021

SUBJECT: INDEPENDENT CUSTODY VISITING SCHEME – 2020/21

SUMMARY:

The Office of the Police and Crime Commissioner (OPCC) is required to operate an Independent Custody Visiting Scheme to ensure independent checks are made on the welfare of detainees in police custody and produce an Annual Report on the work of the scheme in line with the Home Office Code of Practice Guidelines. This report summarises the work undertaken by the OPCC for Suffolk to support the operation of the Scheme in Suffolk between 1 April 2020 and 31 March 2021 and attaches the Annual Report at Appendix A which will be published following approval at this meeting.

RECOMMENDATION:

It is recommended that the PCC:

- (i) notes the content of the report;
- (ii) approves the Independent Custody Visiting Scheme Annual Report Summary attached at Appendix A.

DETAIL OF THE SUBMISSION

1. INTRODUCTION

- 1.1 The Office of the Police and Crime Commissioner (OPCC) is required to operate an Independent Custody Visiting Scheme to ensure independent checks are made on the welfare of detainees in police custody and produce an Annual Report on the work of the scheme in line with the Home Office Code of Practice Guidelines. This report summarises the work undertaken by the OPCC for Suffolk to support the operation of the Independent Custody Visiting Scheme in Suffolk between 1 April 2020 and 31 March 2021. It also attaches the Annual Report at Appendix A which will be published following approval at this meeting.
- 1.2 Throughout the year the OPCC Scheme Administrator has worked closely with custody colleagues locally, regionally across OPCCs and nationally with the Independent Custody Visiting Association (ICVA) to keep abreast of developments to support Independent Custody Visitors (ICVs) in the safe delivery of their role.

2 PANEL MEMBERSHIP

- 2.1 The Independent Custody Visiting Scheme in Suffolk comprises two designated Panels to ensure that visits are undertaken at the Constabulary's operational custody facilities at Bury St Edmunds and Martlesham.
- 2.2 The total number of ICVs in Suffolk as at 31 March 2021 was 15 (albeit one of those ICVs was not actively visiting at any point during that period as they were shielding). A break-down of the constitution of the Panels is outlined below:

Panel	No. of ICVs in post	Optimum no of ICVs
Bury St Edmunds	8	8-10
Martlesham	7	8-10

- 2.3 During the period 1 April 2020 - 31 March 2021 there was one resignation from the Bury St Edmunds Panel for personal reasons. No appointments were made during the period and no active recruitment activity has taken place. We would like to recruit additional volunteers to both Panels within the next year.

3 IMPACT OF COVID 19

- 3.1 Due to the Covid-19 pandemic the monitoring arrangements have varied throughout this past year and decisions have been taken to reflect national lockdowns, local circumstances and the safety of custody visitors and those in the custody environment. Physical visiting was initially suspended on 17 March 2020. Whilst at the end of March 2020, it was agreed by the Home Office that ICVs were 'Key Workers', safety factors were paramount and therefore the decision was made locally to support ICVs to work remotely.
- 3.2 Between 28 April 2020 and 1 September 2020 ICV Panel Co-ordinators undertook weekly telephone calls to the Police Investigation Centre (PIC) Inspectors to check on the welfare of the detainees held. We are grateful to the Co-ordinators for this commitment and appreciate the work involved. The Constabulary was quick to respond to the pandemic, make changes to procedures and support alternative ways of working with ICVs. Throughout this period the Joint Chief Inspector for Custody provided regular reports on the operation of police custody.

- 3.3 As the lockdown measures were eased in the Summer 2020 we worked with the ICVs and Constabulary to establish a plan for ICVs to return to physical visiting. Risk Assessments were completed for each of the volunteers and specific visiting guidance was developed. The ICVs were keen to have an induction session prior to returning to visiting to understand the new procedures and familiarise themselves with the personal protective equipment (face masks and gloves) they were required to wear. Protocols were also put in place to notify the ICVs of any suspected cases within the PICs so that ICVs may avoid visiting. ICV details were also recorded in the visitors book in line with Test and Trace requirements. By mid-September volunteers on both Panels had returned to physical visiting. The ICVs have been very positive and well engaged throughout the whole period and adapted well to the different ways of working.
- 3.4 From 2 November 2020 the national lockdown position changed so the decision was taken to suspend visiting once again. To support direct conversations with detainees, the ICV Co-ordinators were involved in a trial whereby they spoke with some of the detainees via the intercom system. On the whole this worked well, and allowed direct contact to return for the benefit of detained persons.
- 3.5 From December the ICVs returned to physical visiting, but by 22 December 2020 the national position changed once more and ICVs themselves determined that the visits should be suspended. This position was supported by the OPCC. The weekly calls to the PICs continued and other ICVs were also invited to assist with these, not just the ICV Co-ordinators. Reports from the Chief Inspector were also provided during this period when visits were not taking place. ICVs returned to physical visiting in the week commencing 12 April 2021. The position remains under regular review.

4 ACTIVITY AND FINDINGS OF INDEPENDENT CUSTODY VISITORS DURING 2020/21

- 4.1 The information below captures the data for ICV visits/calls between 1 April 2020 and 31 March 2021. This reflects the mixed approach.

Panel	No. of visits	No. of calls	No. of detainees held	No. of detainees available to visit	No. of detainees visited	No of detainees spoken to (phone visits)	No. of detainees not seen*
Bury St Edmunds	9	41	270	21	13	38	257
Martlesham	10	30	255	28	23	31	232
Total	19	71	525	49	36	69	489

**Note: There are a number of reasons why detained persons are not visited. For example, the detainee might refuse the visit or the police may advise against it for health and safety reasons. The category 'not visited' is broken down in Appendix A showing the reasons detained persons were not visited during the period. 61% of the detainees not seen were 'not selected by ICVs' themselves as they will have selected a sample to speak to whilst undertaking the telephone calls or may have focused their time in custody on more in-depth interviews with fewer detainees and scrutiny of their custody records, rather than brief interviews with all detainees held at the time of the visit.*

- 4.2 Days of the week the visits and calls were carried out.

Monday	16
Tuesday	12
Wednesday	18
Thursday	16
Friday	10
Saturday	9
Sunday	9

4.3 Timing of visits and calls below.

0700 - 1000	11
1000 - 1300	31
1300 - 1600	18
1600 - 1900	15
1900 - 2200	13
2200 - 0700	2

- 4.4 When ICVs undertake visits during 'night-time' hours they often find that the detainees are sleeping and therefore there is less opportunity to speak with them. ICVs are encouraged to vary the times and days of their visits as much as possible.
- 4.5 For each of the visits or calls carried out throughout the year a report was provided to the OPCC detailing what the ICVs had observed or discussed with detainees and/or custody staff at the time of the visit or call. This provided a useful insight into the position in custody, Covid safety arrangements and detainee care. Whether attending in person, or making calls in to the facilities, ICVs were well assisted by custody staff and able to check on the rights and entitlements of detainees.
- 4.6 We were assured by the Chief Inspector for Custody that measures were quickly put in place in relation to Covid procedures and the continuation of partnership services such as Appropriate Adults, legal services and medical services. Regular updates were provided on numbers of detainees, issues arising, changes to processes, safety measures, forensic sampling, staffing, supplies of personal protective equipment, facilities management and safer detention reporting which helped the OPCC to monitor the position during the period ICVs were not able to visit in person.
- 4.7 Given the custody facilities in Suffolk and Norfolk were built in 2011 there were big advantages in terms of the space available for social distancing and the technological systems in place to enable remote monitoring of detainees. The virtual court system and necessary video links are embedded within the custody facilities so relatively small changes to procedures enabled effective continuation of services. Further possibilities are being explored by the Constabulary in relation to in cell video facilities.
- 4.8 In April 2020 the National Police Chiefs' Council and Crown Prosecution Service compiled a joint protocol that allowed for legal advice to be provided remotely subject to certain conditions. One key condition being that informed consent must be sought from the detainee and, if they had one, their Appropriate Adult. The protocol was reviewed on a monthly basis, and temporary changes to PACE (Revision of Codes C and E) were subject to a consultation process on the basis of applying for a 12-month period. ICVs were made aware of the changes and have been proactive in checking that the relevant consents have been sought and recorded appropriately. As the lockdown measures have eased the position has changed. It was determined that as from 17 May children and vulnerable adults should no longer receive remote legal advice in interviews, it must be in person. Any other adults who do receive remote legal advice must give informed consent to it and this must be recorded in the custody record. ICVs are monitoring and reporting on compliance.
- 4.9 In April 2021 Her Majesty's Inspectorate of Constabulary Fire and Rescue Services (HMICFRS) released their national report Policing the Pandemic, which included a specific, and separate, section on Custody services in a Covid-19 Environment. The report reflects that overall, the police reacted well to the difficult circumstances presented by the pandemic and notes that OPCCs continued to provide some external scrutiny of how detainees' needs were being met and had implemented alternative monitoring arrangements. The most significant recommendation for custody services, was that forces must immediately make sure that they clearly and consistently

record on custody records information about how/when/if detainees are informed of the temporary changes to how they can exercise their rights to legal advice and representation. The record must make clear how any consents are obtained about the way in which legal advice and representation are provided.

- 4.10 Regular ICVs panel meetings were held throughout the year by virtual means. These allowed ICVs to meet with the PIC Inspectors to discuss their reports for that period and the Constabulary responses and action in respect of any queries they raised. Updates on the Covid position, management of detainees, Covid questioning, partner services, staffing (including self-isolation in line with Test and Trace requirements), lateral flow testing for staff and changes to PPE were all provided at those meetings. We are satisfied that any issues raised by ICVs from their visits and calls were considered and addressed. One specific area of concern is the lack of availability and provision of hospital beds for those held under the Mental Health Act. ICVs continue to report their observations relating to this and work is being done by the Constabulary at Chief Officer level to address this. In the meantime, the custody team are looking at what can be done to improve the care of such detainees whilst they are held in custody.
- 4.11 On 16 June 2020 ICVs from Suffolk and Norfolk were invited to a virtual session with the Joint Head of Custody, Chief Inspector Louis Provart. That session was well attended and provided a useful brief for the ICVs on what was happening in custody and how things were being managed. In September 2020 Chief Inspector Nick Paling took over as the Head of Custody so a further session was arranged for November 2020 for ICVs to meet him, receive a further update on the custody position, ask questions and hear about the new Chief Inspectors' priorities for custody development.
- 4.12 The Scheme Administrators for Suffolk and Norfolk have worked closely throughout the year with the joint custody function and met with the Chief Inspector on a quarterly basis. A regular topic considered at those meetings is issues arising from the safer detention and adverse incident reporting. Monthly ICV visiting statistics and findings are also shared with the Chief Inspector so that significant or strategic issues can be addressed.
- 4.13 The ICV Scheme Guidelines were updated and issued to ICVs in April 2021. This brings the guidance up to date to reflect changes to the Scheme and included reference to visiting arrangements during the national pandemic or other such serious events. In addition, as outlined in the next section, ICVs have regularly attended national events and learning opportunities.
- 4.14 Throughout the year ICVs have regularly commented on the professionalism of staff in dealing with detainees and ICVs. There have also been a number of very positive comments, particularly about the care of vulnerable detainees, young people and detainees in custody for the first time. Subject to suitable risk assessment there are 'comfort boxes' available to such detainees which include distraction items such as balls or games. Additional items have recently been added to those boxes and ICVs will continue to report on whether those items are utilised appropriately and effectively.
- 4.15 Since 2018, ICVs from Norfolk and Suffolk have been involved in the scrutiny of Strip Search to consider any disproportionality issues. Significant improvements in the quality of the information was achieved over the period. The role of the panel has recently been expanded to include the review of the issue of rip-proof clothing and use of force in custody as well as strip search. Scrutiny will continue throughout 2021.

5. IMPROVING APPROACHES IN CUSTODY

- 5.1 During the Covid-19 pandemic the ICVA team has provided information and support to schemes to aide local decisions and practices. The weekly/monthly monitoring processes allowed ICVA to collate and share data on the national position with visiting and key detainee care factors. We have utilised the ICVA updates and 'bitesize' training modules to keep ICVs engaged and updated.

- 5.2 An ICVA online scheme managers conference took place in November 2020 and focused on young people in custody. There was a presentation from a young person that had been in and out of custody explaining how the 'Divert' service had helped him to progress his life in a more positive way. Dr Miranda Bevan, post-doctoral fellow at the London School of Economics, detailed her research and findings into Children and Young People in police custody and resources were provided to Scheme Managers to share with ICVs. Scheme Managers were also provided with an update on the national position on visiting.
- 5.3 An online Appropriate Adult Safeguard training event was arranged in January 2021. The Cardiff School of Law and Politics presented its research and explained the AA safeguard and its importance in protecting children and vulnerable adults during various stages of custody. The challenges and barriers, particularly for vulnerable adults where vulnerability can be hard to identify was acknowledged and that ICV schemes have an important role in overseeing the AA safeguard and its uptake. Five Suffolk representatives attended the training session, local information was shared with ICVs to ensure that they all knew about the local services available and we have arranged an information session for all ICVs in June 2021.
- 5.4 ICVs were offered the opportunity to attend two Anti-Racism Training events in early February 2021 to consider and respond to the key issues for custody that were part of the Black Lives Matter protests earlier in the year. The two webinar sessions were led by Yolanda Copes-Stepney from the 'Speak On' organisation and the training was developed by community activists, film and media producers and a psychologist. The sessions encouraged attendees to consider how to apply anti-racism practices, the importance of representation, diversity and inclusion and the psychological effects of racism. These sessions were thought provoking and the content was explored further with the ICVs at the panel meetings in March which included looking at Suffolk deaths in custody data and the ethnicity of those detainees.
- 5.5 The NHS Liaison and Diversion provision, came into operation in May 2015 and has teams working across all six PICs to conduct enhanced risk assessments on detainees. The teams have access to multiple referral routes for detainees with the emphasis on removing the influences that cause them to commit crime therefore reducing reoffending. The normal operating hours for this service are from 8am-7pm, 7 days a week but it was recognised that often the services would be useful in the evening hours. From October 2020 a trial to provide a new Twilight Liaison and Diversion service was introduced, based at the Martlesham PIC, offering the same service throughout the evening hours, primarily focusing on female and juvenile detainees in the first instance. Feedback from the Constabulary is that the additional service has been extremely valuable.

6. LOOKING AHEAD

- 6.1 We will continue to review the national position and work with the Constabulary as the lockdown restrictions are eased to ensure that suitable monitoring arrangements are in place. We will also continue to closely monitor the position with regard to legal advice and representation and await more details on custody developments, particularly the work around supporting young people and addressing the issues faced in managing detainees held under the Mental Health Act.
- 6.2 Due to the nature of the role, recruitment is ongoing as required and we recognise the need to recruit some additional volunteers in the 2021/22 period. We will try to improve the diversity of the panels to better reflect the community of Suffolk through that recruitment process. Continuous training is also essential so we will continue to utilise the ICVA training materials as well as provide local training inputs. Joint Suffolk and Norfolk ICV Training sessions are planned for July and October 2021. ICVs are pleased to be back making physical visits, looking forward to when they can return to meeting together as a group and start to observe elements of custody training once again.

- 6.3 A local Appropriate Adults information event, which will be delivered virtually, has been arranged for June 2021.
- 6.4 The next ICVA Regional Meeting will take place at the end of June 2021.
- 6.5 A Joint Suffolk and Norfolk ICV Panel Co-ordinators meeting with the Chief Inspector for custody has been arranged for September 2021.
- 6.6 Between January 2021 and April 2021 the government consulted on reforming the Mental Health Act, proposing a wide range of changes to rebalance the Act in order to put patients at the centre of decisions about their own care and to ensure everyone is treated equally. We await more information on this in due course to see how this might impact on police custody.

7. BUDGET POSITION AND FINANCIAL IMPLICATIONS

- 7.1 The budget spend for 2020/21 was £1,310. This represents an underspend of £3,189 against the budget of £4,500. The underspend is a consequence of reduced travel costs, which is usually the biggest proportion of the budget spend. This is due to physical visits being restricted for much of the year and meetings, training and national events taking place virtually.

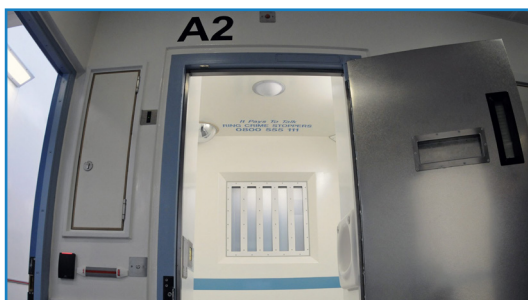
- 7.2 Costs are broken down as follows:

Annual subscription to ICVA	£1,000
Mileage claims	£179
Printing, postal costs and other incidentals	£131

- 7.3 The budget for 2021/22 will remain at £4,500.
- 7.4 The financial implications in respect of the production and design of the ICV Annual Report is expected to be minimal given that the design has been undertaken in-house and the document will be made available electronically.

8. OTHER IMPLICATIONS AND RISKS

- 8.1 None.



Independent Custody Visiting Scheme

Annual Report 2020-21

Police Investigation Centre



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Introduction by Tim Passmore Police & Crime Commissioner for Suffolk

This report provides an overview of the Independent Custody Visiting Scheme in Suffolk and details what the custody visitors have been doing between 1 April 2020 and 31 March 2021.

Independent Custody Visitors (ICVs) are volunteers from our local community who visit the two Police Investigation Centres (PICs) in the county to check on the welfare of detained persons and the conditions in which they are held. They help me to fulfil my responsibility to ensure that policing in Suffolk is carried out fairly, in accordance with relevant legislation and Home Office guidance, and with respect for the human rights of all those coming into contact with the police. I am very grateful to the ICVs in Suffolk for their dedication and commitment in undertaking this important role. I would also thank the Constabulary for their co-operation and facilitating the successful



operation of the Scheme. ICVs continue to give me reassurance that, in Suffolk, the treatment of detained persons is fair and in accordance with the Police and Criminal Evidence Act (referred to as PACE) and the Safer Detention Guidelines.

A handwritten signature of Tim Passmore in black ink. The signature is written in a cursive style, with the first name 'Tim' and the last name 'Passmore' clearly legible.

Comment from Suffolk's Chief Constable

One of the most significant actions my officers can take is to deprive someone of their liberty. Their treatment within one of our PICs is, quite rightly, subject of scrutiny by the ICVs.

Suffolk Constabulary prides itself on how we interact with our communities. Transparency surrounding such a sensitive part of our business is welcomed, it helps ensure that we are fully aware of our levels of service and contributes to identifying ways in which we can continue to improve.



Steve Jupp, Chief Constable



Comment from Chief Inspector Nick Paling Head of Custody for Norfolk and Suffolk Constabularies

Norfolk and Suffolk have six PICs across the two counties and I am incredibly proud to be the head of this important department.

I took command of this position in September 2020 following a long career in local policing. The facilities which we operate in create a professional environment for criminal investigations and the facilities are recognised as being amongst the best in the country.

In the last 12 months Custody has continued to operate throughout the Covid pandemic. Everyone involved in our operation has responded positively to this challenge and this has enabled us to remain open and available to support colleagues investigating crimes in the county of Suffolk.

Throughout the pandemic, the dedicated team of ICVs have remained committed to their role and continued to speak with detainees throughout. I really welcome the scrutiny our ICVs provide me on our operation and I am always grateful for their honest feedback as it allows me to continue to deliver a first-class custody provision.

As we begin to look at Covid in the rear-view mirror, I am looking forward to implementing several improvements to our operation which will improve the custody experience for all.



Organisation of the ICV Scheme in Suffolk

As at 31 March 2021, there were 15 ICVs participating in the Scheme across the county, 8 on the Bury St Edmunds Panel and 7 on the Martlesham Panel.

The following table provides a summary of the custody visitors by gender, age and ethnicity:

Suffolk ICVs		Bury St Edmunds	Martlesham	Total
Gender	Male	1	3	4
	Female	7	4	11
Age	18-29	0	1	1
	30-39	1	0	1
	40-49	1	0	1
	50-59	1	0	1
	60-69	2	2	4
	70+	3	4	7
Ethnicity	White British			14
	Asian - Indian			1

During the period 1 April 2020 - 31 March 2021 one volunteer left the Scheme.

Details of Visits

Due to the Covid-19 pandemic the monitoring arrangements have varied throughout this past year. The decision was taken to suspend physical visiting on 17 March 2020 and look for alternative ways for ICVs to work remotely.

Between 28 April 2020 and 1 September 2020 ICV Panel Co-ordinators undertook weekly telephone calls to the PIC Inspectors to check on what was happening at the centre and the present position with the welfare of the detainees held. We are very grateful to the Co-ordinators for this commitment and appreciate that there was a lot of work involved in this. The Constabulary was quick to respond to the pandemic, make changes to procedures as necessary and support alternative ways of working with ICVs. Throughout this period the Joint Chief Inspector for Custody provided regular reports on the operation of police custody, including numbers of detainees, Covid questioning, issues arising, changes to processes, safety measures, forensic sampling, staffing, supplies of personal protective equipment, facilities management and safer detention reporting.

As the lockdown measures were eased in the Summer 2020 we worked with the ICVs and Constabulary to establish a plan for ICVs to return to physical visiting. Risk assessments were carried out and an ICV induction arranged prior to their return in September 2020. Protocols were also put in place to notify the ICVs of any suspected Covid cases within the PICs so that

ICVs may avoid visiting during any period that such detainees were held. ICV details were also recorded in the visitors book in line with Test and Trace requirements. The ICVs have been very positive and well engaged throughout the whole period and adopted well to the different ways of working.

From 2 November 2020 visiting was suspended once again and at this point the ICV Coordinators were involved in a trial whereby they spoke with some of the detainees via the intercom system. On the whole this worked well, albeit there were some technical issues but it allowed that direct contact to return and detainees were then more aware that the ICVs were checking on them.

From December the ICVs returned to physical visiting once again but for only a short period until 22 December 2020. From 23 December 2020 the weekly calls to the PIC and reports from the Chief Inspector were re-instated.

ICVs returned to physical visiting again in the week commencing 12 April 2021. The position remains under regular review as necessary.

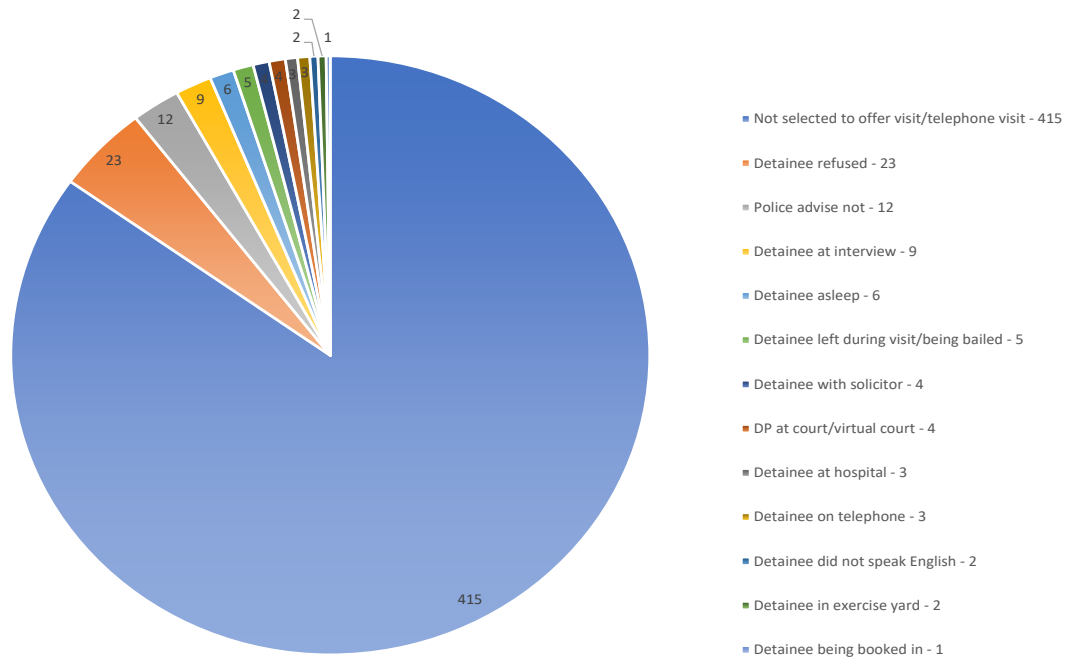
Between 1 April 2020 and 31 March 2021, a total of 90 visits or calls were made by ICVs to the PICs. 525 persons were detained in custody at the time visits/calls were conducted and 105 of the detainees were visited or spoken to. The overall throughput for the PICs located in Suffolk for the year was 8,780 (a reduction when compared to 9,589 the previous year). Whilst offered a visit, there is no obligation for a detained person to speak with ICVs.

More detail in respect of visits and calls to the Bury St Edmunds and Martlesham Centres is provided below:

Panel	Number of visits	Number of calls	Number of detainees held	Number of detainees available to visit	Number of detainees visited	Number of detainees spoken to (phone visits)	Number of detainees not seen*
Bury St Edmunds	9	41	270	21	13	38	257
Martlesham	10	30	255	28	23	31	232
Total	19	71	525	49	36	69	489

**Note: There are a number of reasons why detained persons are not visited. For example, the detainee might refuse the visit or the police may advise against it for health and safety reasons. The category 'not visited' is broken down in the chart on page 7 to show the reasons detained persons were not visited during the period. 61% of the detainees not seen were 'not selected by ICVs' themselves as they will have selected a sample to speak to whilst undertaking the telephone calls or may have focused their time in custody on more in-depth interviews with fewer detainees and scrutiny of their custody records, rather than brief interviews with all detainees held at the time of the visit.*

Breakdown of reasons detainees not visited – Total 489 not seen:



The chart above reflects the fact that the ICVs were working remotely and therefore there was less direct contact with detainees this year than in previous years.

Breakdown of visit/calls days and times:

Monday	16		
Tuesday	12	0700 - 1000	11
Wednesday	18	1000 - 1300	31
Thursday	16	1300 - 1600	18
Friday	10	1600 - 1900	15
Saturday	9	1900 - 2200	13
Sunday	9	2200 - 0700	2

ICVs are encouraged to vary the times and days of their visits as much as possible.

Findings of Independent Custody Visitors during 2020/21

For each of the visits or calls carried out throughout the year a report was provided to the OPCC detailing what the ICVs had observed or discussed with detainees and/or custody staff at the time of the visit or call. This provided a useful insight into the position in custody, Covid safety arrangements and detainee care. Whether attending in person, or making calls in to the facilities, ICVs were well assisted by custody staff and able to check on the rights and entitlements of detainees.

The updates provided by the PIC Inspectors and the information provided by the Chief Inspector were extremely useful. We were assured that measures were quickly put in place in relation to Covid procedures and the continuation of partnership services such as Appropriate Adults, legal services and medical services. The regular information provided on numbers of

detainees, issues arising, changes to processes, safety measures, forensic sampling, staffing, supplies of personal protective equipment, facilities management and safer detention reporting was also essential for the OPCC to monitor the position throughout the period ICVs were not visiting in person.

Given the custody facilities in Suffolk and Norfolk were built in 2011 there were big advantages in terms of the space available for social distancing and the technological systems in place to enable remote monitoring of detainees. The virtual court system and necessary video links are embedded within the custody facilities and further possibilities are being explored by the Constabulary in relation to in cell video facilities.



Regular ICVs panel meetings were held throughout the year by virtual means. These allowed the opportunity for ICVs to meet with the PIC Inspectors to discuss their reports for that period and the Constabulary responses to any queries they raised, alongside any necessary action taken by the Constabulary to address those points. Updates on the Covid position, management of detainees, Covid questioning, partner services, staffing (including self-isolation in line with Test and Trace requirements), lateral flow testing for staff and changes to PPE were all provided at those meetings so ICVs were kept well informed. We are satisfied that any issues raised by ICVs from their visits and calls were considered and addressed. One specific area of concern is the lack of availability and provision of hospital beds for those held under the Mental Health Act. ICVs continue to report their observations relating to this and work is being done by the Constabulary at Chief Officer level to address this. In the meantime, the custody team are looking at what can be done to improve the care of such detainees whilst they are held in custody.

On 16 June 2020 ICVs from Suffolk and Norfolk were invited to a virtual session with the Joint Head of Custody, Chief Inspector Louis Provar. That session was well attended and provided a useful brief for the ICVs on what was happening in custody at that time and how things were being managed. In September 2020 Chief Inspector Nick Paling took over as the Head of Custody so a further joint session was arranged for November 2020 for ICVs to meet him, receive a further update on the custody position, ask questions and hear about the new Chief Inspectors' priorities for custody development.

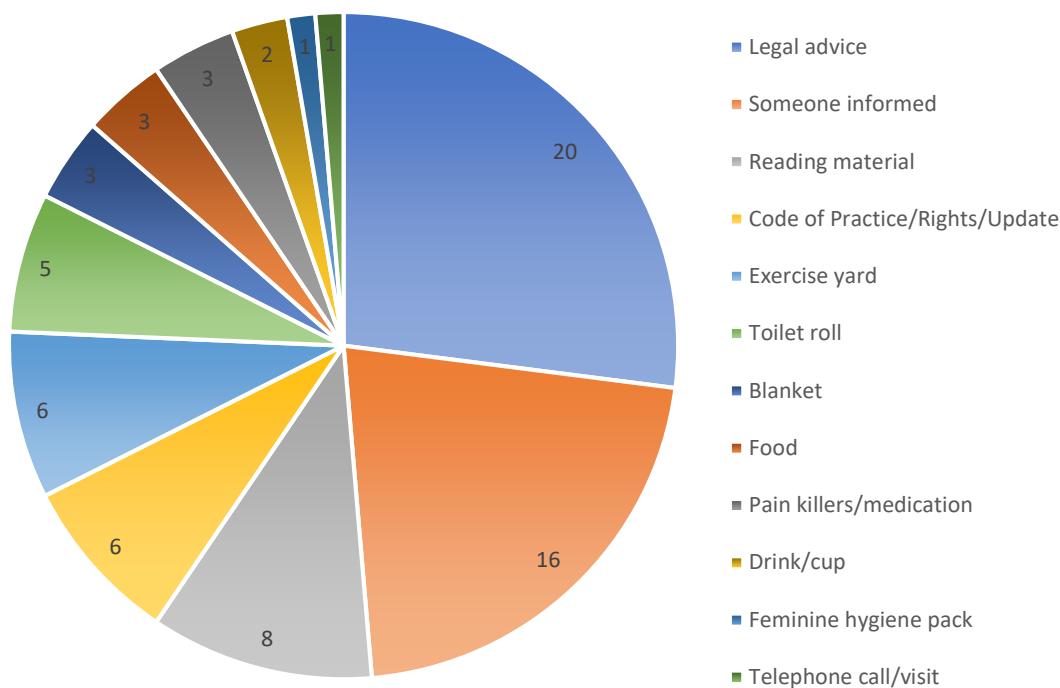
The Scheme Administrators for Suffolk and Norfolk have worked closely together throughout the year as working with the joint custody function and met with the Chief Inspector on a quarterly basis. One of the regular items considered at those meetings is any issues arising from the safer detention and adverse incident reporting. On a monthly basis the ICV visiting

statistics and a summary of their findings are also shared with the Chief Inspector so that any more significant or strategic issues can be highlighted and addressed.

The ICV Scheme Guidelines were updated and issued to ICVs in April 2021. This brings the guidance up to date to reflect changes to the Scheme and included reference to visiting arrangements during the national pandemic or other such serious events.

Throughout the year ICVs have regularly commented on the professionalism of staff in dealing with detainees and ICVs. There have also been a number of very positive comments, particularly about the care of vulnerable detainees, young people and detainees in custody for the first time. Subject to suitable risk assessment there are 'comfort boxes' available to such detainees which include distraction items such as balls or games. Additional items have recently been added to those boxes so the ICVs will continue to report on whether those items are utilised appropriately and effectively.

As a result of their conversations with detainees the following matters were raised with custody staff and subsequently dealt with:



Developments during 2020/21

The most significant developments in custody in 2020/21 were:

Temporary Changes to PACE (Codes C and E) – Provision of Legal representation and advice

In April 2020 the National Police Chiefs' Council and Crown Prosecution Service compiled a joint protocol that allowed for legal advice to be provided remotely subject to certain

conditions. One key condition being that informed consent must be sought from the detainee and, if they had one, their Appropriate Adult. The protocol was reviewed on a monthly basis, and temporary changes to PACE (Revision of Codes C and E) were subject to a consultation process on the basis of applying for a 12-month period. As the lockdown measures have eased the position has changed. It was determined that as from 17 May children and vulnerable adults should no longer receive remote legal advice in interviews, it must be in person. Any other adults who do receive remote legal advice must give informed consent to it and this must be recorded in the custody record. Custody staff are well aware of these latest changes and ICVs have been proactive in checking that the relevant consents have been sought and recorded appropriately. This was also picked up by Her Majesty's Inspectorate of Constabulary Fire and Rescue Services (HMICFRS) in their report Policing the Pandemic, which included a specific, and separate, section on Custody services in a Covid-19 Environment.

Independent Scrutiny

In June 2018 ICVs from Suffolk and Norfolk were invited to join an Independent Strip Search Scrutiny Panel to review the Constabularies' recording of Strip and Search powers and consider any disproportionality issues. There have already been positive outcomes from this work and the role of the panel has recently been expanded to also include the review of the issue of rip-proof clothing and use of force in custody. Initial meetings of the panel took place in April and May 2021 and a further meeting is planned for July 2021.

Twilight Liaison and Diversion Service

The NHS Liaison and Diversion provision, came into operation in May 2015 and has teams working across all six PICs to conduct enhanced risk assessments on detainees. The teams have access to multiple referral routes for detainees with the emphasis on removing the influences that cause them to commit crime therefore reducing reoffending. The normal operating hours for this service are from 8am-7pm, 7 days a week but it was recognised that often the services would be useful in the later hours. From October 2020 a trial to provide a new Twilight Liaison and Diversion service was introduced, based at the Martlesham PIC, offering the same service throughout the evening hours, primarily focusing on female and juvenile detainees in the first instance. Feedback from the Constabulary is that the additional service has been extremely valuable.

Independent Custody Visiting Association (ICVA)

The Independent Custody Visiting Association (ICVA) team has been providing support to schemes and sharing information to aide local decisions and practices. The weekly/monthly monitoring processes allowed ICVA to collate and share data on the national position with visiting and key detainee care factors. We have also continued to utilise the ICVA updates and 'bitesize' training modules. ICVA has also offered a variety of online training events throughout the year which have been well attended and easily accessible. The online scheme managers conference took place on 25th November 2020 and focused on young people in custody, an Appropriate Adult Safeguard training event was held on 13 January 2021 and two Anti-Racism Training events held in February 2021. Learning from of these events has been shared with ICVs and explored locally.

Looking forward

We will continue to review the national position and work with the Constabulary as the lockdown restrictions are eased to ensure that suitable monitoring arrangements are in place. We will also continue to closely monitor the position with regard to legal advice and representation and await more details on custody developments, particularly the work around supporting young people and addressing the issues faced in managing detainees held under the Mental Health Act.

Due to the nature of the role, recruitment is ongoing as required and we recognise the need to recruit some additional volunteers in the 2021/22 period. We will try to improve the diversity of the panels to better reflect the community of Suffolk through that recruitment process.

Continuous training is also essential so we will continue to utilise the ICVA training materials as well as provide local training inputs. A local Appropriate Adults information event has been arranged for June 2021 and joint Suffolk and Norfolk ICV Training sessions are planned for July and October 2021. ICVs are pleased to be back making physical visits, looking forward to when they can return to meeting together as a group and start to observe elements of custody training once again.

Conclusion

Custody Visiting continues to be essential in providing independent scrutiny of the treatment of detained persons and the conditions in which they are held. As well as the mutual level of assurance it offers, the Scheme helps to build partnerships between the police and the communities they serve, and raise public confidence generally.

If you are interested in becoming an Independent Custody Visitor or would like more information please contact:

The Independent Custody Visiting Scheme Administrator
Office of the Police and Crime Commissioner for Suffolk
Police Headquarters, Martlesham Heath, Ipswich IP5 3QS
Telephone: (01473) 782774 or E-mail: spcc@suffolk.pnn.police.uk

For more information on the role of ICVs and that of the Police and Crime Commissioner for Suffolk visit www.suffolk-pcc.gov.uk.

For more information regarding the role of the Independent Custody Visiting Association visit www.icva.org.uk and for more information on the National Preventative Mechanism visit www.nationalpreventivemechanism.org.uk.

If you require the information in this Annual Report in any other format, please contact us.



contact us:
www.suffolk-pcc.gov.uk