

Independent Custody Visiting Scheme Annual Report 2018/19



Suffolk Independent Custody Visiting Scheme Annual Report

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Introduction by Tim Passmore, Police and Crime Commissioner for Suffolk

This report provides an overview of the Independent Custody Visiting Scheme in Suffolk and includes details of what the volunteers on our two panels have been doing between 1 April 2018 and 31 March 2019.

Independent Custody Visitors (ICVs) are volunteers from our local community who visit the two Police Investigation Centres (PICs) in the county, unannounced and in pairs, 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.

Detainees in Suffolk are held at either the PIC situated in Bury St Edmunds or the PIC at Martlesham Heath. There is a Panel of visitors allocated to each one to ensure visits are made on a weekly basis. Those detained in the Waveney area are taken to the PIC at Gorleston as part of the joint provision of custody services with Norfolk.

I should like to place on record my thanks to the ICVs in Suffolk for their dedication and commitment in undertaking this important role.

I hope that you find this report interesting and informative. I am pleased that ICVs continue to give 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.

Comment from Steve Jupp, 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 Custody Centres 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 ensures we are fully aware of our levels of service and help us to identify how we can continue to improve.

Organisation of the Scheme in Suffolk

As at 31 March 2019, there were 17 ICVs participating in the Scheme across the county, 10 on the Bury St Edmunds Panel and 7 on the Martlesham Panel. Each Panel nominates a 'Co-ordinator', who is responsible for creating a rota of visits which ensure that only the ICVs know what day and time they will arrive to speak to detainees, and provides the Scheme with greater credibility and independence.

The Custody Visiting Scheme seeks to be representative of our communities, including taking account of different ethnic origins, gender and age ranges. When we appoint new members to the Scheme, consideration is given to enhancing this representation.

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

Suffolk ICVs Data		Bury St Edmunds	Martlesham	Total
Gender	Male	2	3	5
	Female	8	4	12
Age	18-29	1	0	1
	30-39	0	0	0
	40-49	3	0	3
	50-59	1	1	2
	60-69	2	2	4
	70+	3	4	7
Ethnicity	White British	16	White Other	1

Details of visits

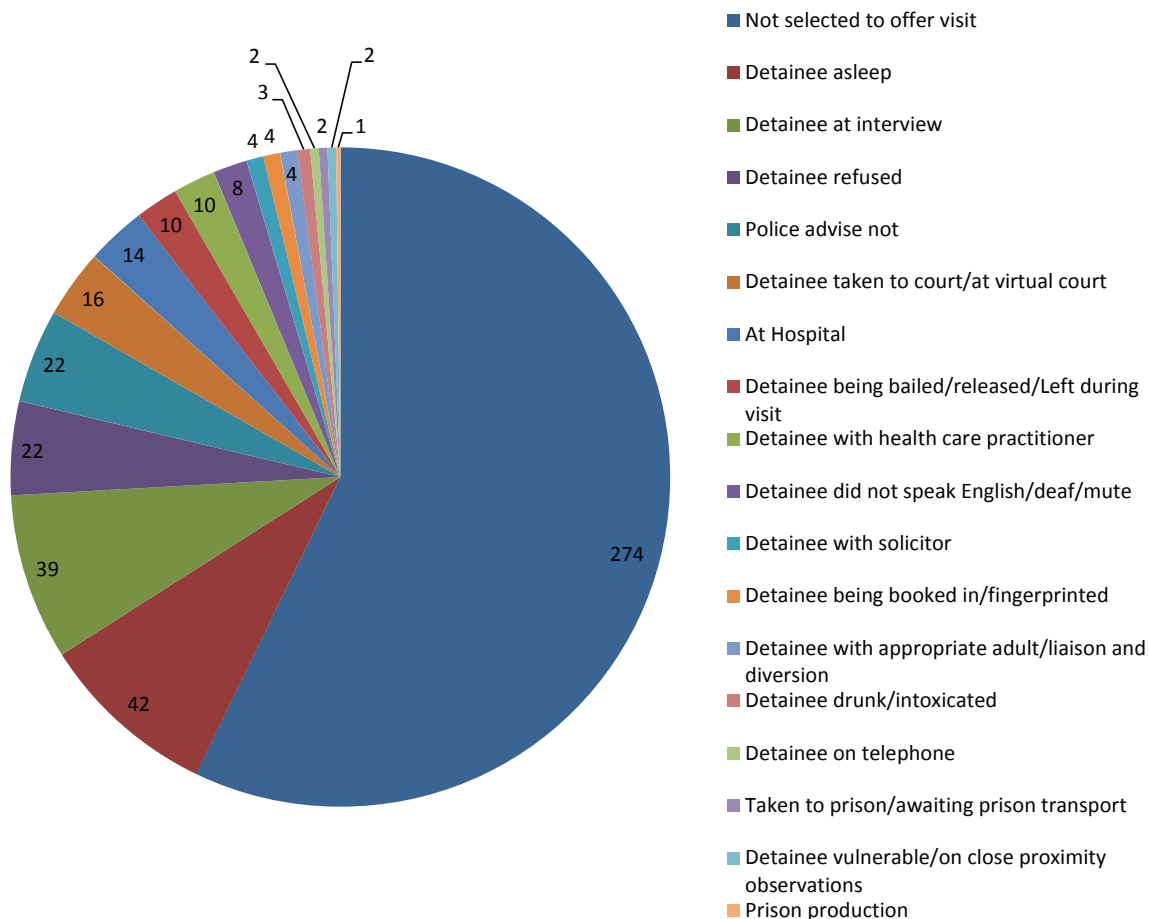
Between 1 April 2018 and 31 March 2019, a total of 97 visits were made by ICVs to the Police Investigation Centres (PICs). 714 persons were detained in custody at the time visits were conducted and 235 of the detainees were visited (the overall throughput for the PICs located in Suffolk for the year was 10,133). Whilst offered a visit, there is no obligation for a detained person to speak with ICVs.

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

PIC visited	No. of Visits	No. of detainees held	No. of detainees available to visit	No. of detainees visited	% of detainees visited (of those available)	No. of detainees not visited*
Bury St Edmunds	48	328	135	111	82%	217
Martlesham	49	386	149	124	83%	262
Total	97	714	284	235	83%	479

*Note: There are a number of reasons why detained persons are not visited. For example, the police may advise against it for health and safety reasons. The category 'not visited' is broken down in the following pie chart showing the reasons detained persons were not visited during the period. 57% of the detainees not seen were 'not selected by ICVs' themselves as they 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 479 not seen



Breakdown of visit days and times.

Day of the week	No of visits
Monday	23
Tuesday	19
Wednesday	10
Thursday	17
Friday	11
Saturday	10
Sunday	7

Time of visit	No of visits
07:01 - 10:00	20
10:01 - 13:00	18
13:01 - 16:00	17
16:01 - 19:00	25
19:01 - 22:00	15
22:01 - 07:00	2

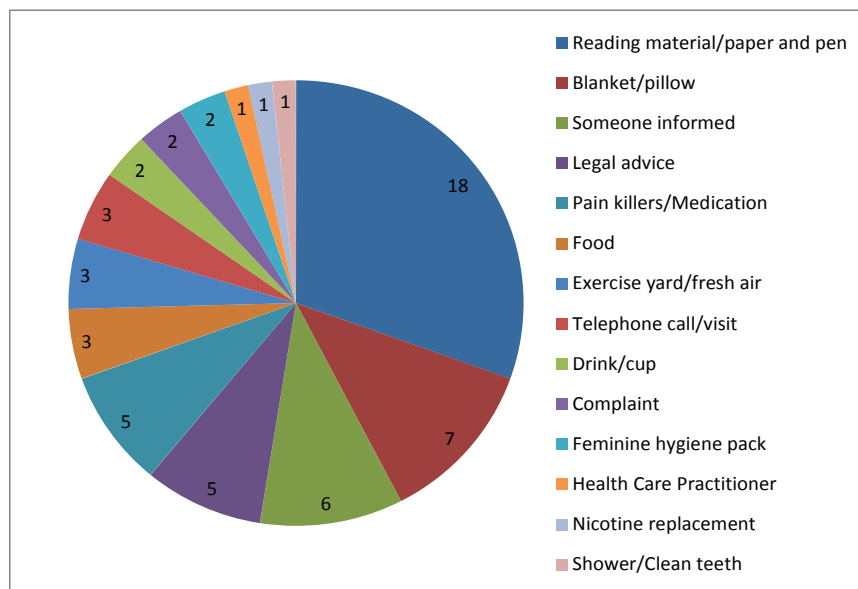
Issues reported from custody visits

For each of the 97 visits carried out throughout the year a report was provided to the OPCC by the ICVs detailing what they had observed and discussed with detainees and custody staff at the time of the visit. ICVs report on the detainees' rights and entitlements, as well as the conditions of the facilities.

ICVs comment on a broad range of matters which are followed up by the OPCC ICV Scheme Co-ordinator with the relevant PIC Inspector. ICVs have quarterly panel meetings whereby they meet with the local Police Inspector 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. This process also enables the volunteers to share their experiences with fellow volunteers and feel assured that their reports are considered and progressed. On a monthly basis the ICV visiting statistics and a summary of their findings are also shared with the Joint Chief Inspector for Custody so that any more significant or strategic issues can be highlighted and addressed.

Throughout the year ICVs have regularly commented on the professionalism of staff in dealing with detainees and ICVs. There have been a number of very positive comments this year, particularly about the care of vulnerable detainees and detainees in custody for the first time. Where ICVs have noted any concerns we are satisfied that the Constabulary has addressed these appropriately. By way of some examples; ICVs have commented on the timeliness of reviews and the detainees being informed of those reviews, particularly if this happened whilst the detainee was sleeping. This has been addressed by the Constabulary by way of guidance and as part of the shift handover process. Where concerns have been raised by the detainee about the welfare of dependents or animals these have been followed up by the Constabulary and the detainee updated. Nationally and locally there has also been greater focus on female care and detainee dignity. ICVs have commented on various matters such as the range of sanitary products available and provision of toilet roll and good progress has been made to improve local provisions and procedures. There have been a number of occasions where ICVs have noted that there were delays in getting interpreters which has impacted on the detention process. This has been raised with the Constabulary who are working with the service provider to try to address this.

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



The custody facilities were built in 2011 so there have been few issues reported by ICVs regarding the conditions of the facilities themselves. ICVs have commented upon various repair and maintenance works that have been carried out throughout the year and where items have needed to be re-stocked this has been appropriately addressed.

Disruptions to the Athena IT system have arisen on a number of occasions throughout the year. As additional police forces in the region have also adopted the system this has caused technical issues but these have been managed and contingency measures are now well embedded for when any problems occur. The Constabulary continually review whether they are making best use of the system, issuing guidance to staff where necessary to improve data recording and use of the system. The PCCs for Suffolk and Norfolk have been updated on issues relating to the Athena system when necessary.

ICVs continue to report on occasions whereby detainees have been held in police custody for a period of time following the virtual court process awaiting collection for transport to prison. This issue remains under review and has been raised at a national level. Locally additional resources have been invested to ensure there is more capacity for the processes within custody and the Norfolk and Suffolk Constabularies are engaged in the Video Enabled Justice programme as part of a consortium of South East forces.

Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) and Her Majesty's Inspectorate of Prisons (HMIP) carried out an unannounced inspection of Police Custody in Norfolk and Suffolk out between 14 and 25 May 2018. Some of the ICVs had the opportunity to speak to the Inspectors whilst they were at the Martlesham PIC carrying out their inspection and the Scheme Co-ordinators for Norfolk and Suffolk also met with the Inspectors. There were two main recommendations from HMICFRS/HMIP relating to 'compliance with legislation and guidance, including quality assurance processes' and 'governance of Use of Force'. A detailed action plan was produced following the Inspection and shared with the Suffolk and Norfolk OPCCs. Regular updates on progress with the action plan have been shared with the OPCCs and ICVs. A formal update on the inspection and action plan was provided at the Accountability and Performance Panel in October 2018. HMICFRS re-visited on 6 June 2019 to review the progress and the OPCCs were updated following that meeting. A further report will be provided to the Accountability and Performance Panel in September.

The Home Office AA PCC - Local Authority Agreement (voluntary) was published in July 2018 and suggested that PCCs should have greater oversight of the Appropriate Adult provision, be aware of the rate of recorded need and ensure that the relevant data is being recorded by the Constabulary. ICVs have been encouraged to report on the AA service provision in terms of their visits so the OPCC can get a clearer picture of the service provision. The OPCC is also provided with the minutes of the Contract Review Meetings from Suffolk County Council to aid oversight of the performance of the service.

Activities during 2018/19

The ICV panels met on a quarterly basis with the relevant Custody Inspector to discuss visiting data and issues arising. This is particularly useful to raise queries and get updates on new developments.

Regular updates and support from the Independent Custody Visiting Association are beneficial to keep abreast of national matters. Further bitesize training materials have been made available during the year and ICVA have recently started offering distance learning packages for Scheme Co-ordinators/Managers.

The Suffolk OPCC took part in the new ICVA Quality Assurance Framework for the first time this year. The Framework was introduced to help schemes reflect on how they comply with the Code of Practice, celebrate areas of achievement, promote custody visiting, drive improvements in performance and increase sharing of good practice. The Suffolk Scheme applied for and was awarded the 'Code Compliant' level which reflects that the scheme meets statutory requirements and necessary volunteer standards. Within each level, there were more than 25 key areas such as holding the force to account.



L-r-Christopher Jackson, Chief Executive, Sarah McNulty, ICV Scheme Co-ordinator and Tim Passmore, PCC

A Norfolk and Suffolk custody visitors' training day took place in Martlesham on 13 October 2018. The day focused on the ICVA Bitesize modules on children in police custody, mental health and custody, vulnerability, equality and bias, transgender detainees, assertiveness, use of force and the Angioloni independent review of deaths and serious incidents in police custody.

Throughout the year the Panel Co-ordinators (either Suffolk or Norfolk) have provided an input to the Detention Officer and Custody Sergeants training courses to help improve staff awareness of the Scheme and the ICV role.

A number of ICVs have observed the Constabulary's Use of Force Training to gain a better understanding of the procedures and what they should look for in the police records. The Use of Force training programme has been updated this year so custody teams will be trained together and some elements have been more specifically tailored to the custody environment.

In June 2018 the Suffolk OPCC and Norfolk OPCC were approached by the Joint Chief Inspector from Custody to ask if some of the Independent Custody Visitors from the two counties would be willing to form an Independent Strip Search Scrutiny Panel given their independence coupled with experience of reviewing custody records. They were asked to review the Constabularies' recording of Strip and Search powers and consider any disproportionality issues. Terms of Reference for the Group were agreed when the panel first met in August 2018. Further meetings were held in October 2018, January 2019 and April 2019. The feedback from the panel is considered by the Joint Chief Inspector for custody and fed back to the relevant PIC Inspectors. Improvements in the quality of the information are apparent and most recently a change has been made to remove some pre-filled text from the Athena IT system which will make it essential for officers to clearly detail their reasoning for authorising the use of the powers.

Two volunteers from the Martlesham Panel attended the ICVA National Conference in London on 23 March 2019. Presentations included an update from ICVA and from Professor Nicholas Hardwick, Professor of Criminology at Royal Holloway University and previously Chief Inspector of Prisons regarding his observations on custody, detainee welfare, equality and diversity in a custodial setting. Attendees heard from Tony Herbert, father of James Herbert whose death was the subject of the report "Six Missed Chances". He spoke about the death of his son James in custody in 2010 and the learning and work that has arisen from James' tragic death. Gamal Turawa, a former police officer for the Met Police spoke about unconscious bias and how that can relate to custody by drawing on his life experiences. Feedback from the Conference has been shared with all custody visitors.

This year we hosted the ICVA Regional Conference in Suffolk on Saturday 6 April 2019. 60 volunteers from the region attended this event. The Police and Crime Commissioner for Suffolk opened the event with his presentation and there was an update on police custody in Norfolk and Suffolk and a presentation from ICVA. There was also an input on use of force and round table discussions on dignity and vulnerability. A selection of delegates from Herts, Beds and Cambs also had the opportunity to take a tour of the Police Investigation Centre in Martlesham. Feedback from the event was discussed at the June round of volunteer panel meetings.



Looking ahead

Due to the nature of the role, recruitment is ongoing as required. We recognise the need to try to improve the diversity of the panels in order to better reflect the community of Suffolk. Continuous training is also essential so we will continue to utilise the ICVA training materials.

We will continue to work closely with the Norfolk Scheme as we have a joint custody function. Together we will review what is required to achieve a higher level of ICVA Quality Assurance Framework award (Silver), monitor the progress made in addressing the HMICFRS/HMIP recommendations and areas of improvements and support the Strip Search Scrutiny Panel.

We will also work with closely with regional counterparts to share best practice and plans. The ICVA Regional Conference will be hosted by the OPCC for Essex in 2020.

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) 782773
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 the Annual Report in any other format, please contact us.

