



Police & Crime
Commissioner
for Cheshire

Independent Custody Visiting Scheme for Cheshire

Annual Report 2017/18

Introduction

1. In 1981, Lord Scarman commissioned an inquiry into the Brixton and Toxteth riots and recommended that in order to promote public confidence in policing, a system should be developed whereby policing activity should be made more publicly accessible, easily scrutinised and subject to greater questioning and comment. As a result, the concept of Custody Visiting (or Lay Visiting as it was then known) was recommended. Home Office Ministers approved the provision of custody visiting on a voluntary basis on the part of Police Authorities, which subsequently became a statutory requirement when the Police Reform Act 2002 came into effect. In 2012, the Police Reform and Social Responsibility Act transferred the responsibility to Police and Crime Commissioners.
2. Independent Custody Visiting is therefore a statutory requirement of Police and Crime Commissioners of which the purpose is to provide independent oversight of the detention of people in police custody. The aim of this is to provide the public with confidence that the police treat people lawfully and with respect.
3. Police and Crime Commissioners are responsible for maintaining and administering an Independent Custody Visiting Scheme in their area, although the Office of the Police & Crime Commissioner (OPCC) monitors the operation of the Scheme on behalf of the Commissioner. Independent Custody Visitors (ICVs) are members of the local community who volunteer to check on the welfare of people detained in police custody.
4. ICVs visit custody suites unannounced and will report directly to the OPCC detailing any issues that arise during an ICV visit to consider if appropriate action is required. Recommendations made by ICVs can require the police to make improvements for the welfare of detainees. Any issues requiring immediate action are brought to the attention of the Custody Officer at the time of the visit. Consequently, ICVs play a valuable role in maintaining public confidence in this important area of policing.
5. Cheshire OPCC is a member of the Independent Custody Visiting Association (ICVA). ICVA is a Home Office funded organisation that operates to promote and support the effective provision of custody visiting nationally. As a national resource for custody visiting, ICVA works closely with government and criminal justice organisations to:
 - Raise public awareness on the rights, entitlements, health and wellbeing of people held in police custody;
 - Advise on best practice for independent custody visiting schemes nationally; and
 - Provide training, publicity and support to PCCs and ICVs.

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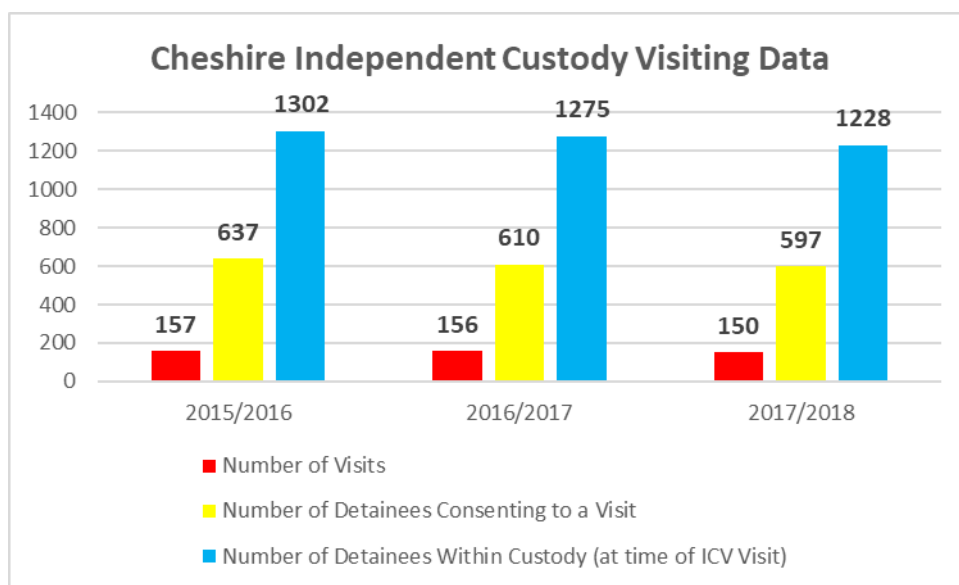
6. This Annual Report captures details of the work of the Independent Custody Visiting Scheme within Cheshire from 01 April 2017 to 31 March 2018 and includes information in relation to volunteers, custody facilities and outcomes from the visits undertaken throughout the year.

Operation of the Scheme

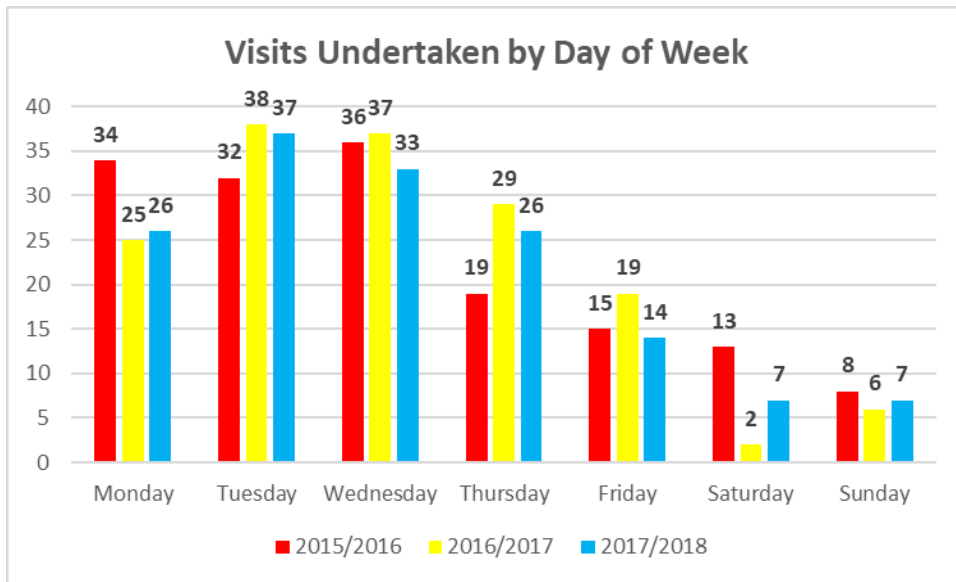
7. ICVs are exclusively members of the local community who volunteer to visit custody suites unannounced to check on the welfare of people detained in police custody. As of 31 March 2018, Cheshire's Independent Custody Visiting Scheme had 26 active ICVs across Cheshire, all of whom are assigned to a local Panel depending upon their home address.
8. Cheshire Constabulary currently has three operational custody suites:
 - Eastern Area Panel - Custody Suite in Middlewich, Macclesfield
 - Northern Area Panel - Custody Suite in Sandymoor, Runcorn
 - Western Area Panel - Custody Suite in Blacon, Chester

Visiting Data

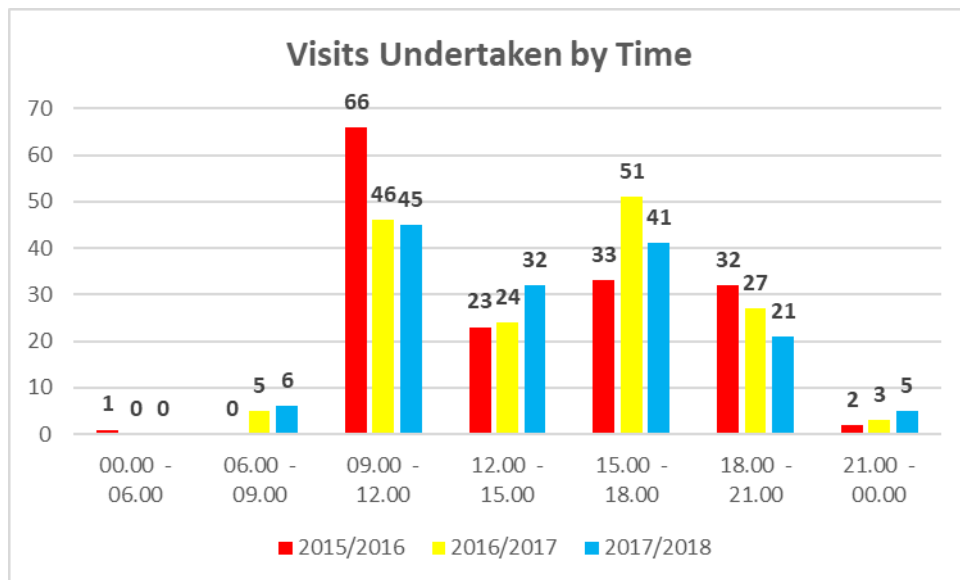
9. Data from 01 April 2017 to 31 March 2018 indicates that a total of 150 visits were completed throughout Cheshire. At the time of such visits, a total of 1,228 people were detained within custody, 597 of which consented to a visit from ICVs.
10. There are a number of reasons why a detainee may not be visited by an ICV. For example, detainees may be in an interview, asleep, intoxicated or custody staff advise against a visit due to safety reasons. In addition, detainees may also decline a visit and 44 detainees exercised this right throughout 2017/18.
11. The graph below presents data from 2017/18 compared with the previous two years in relation to: i) the number of visits; ii) the number of detainees consenting to a visit; and iii) the number of detainees within custody at the time of ICV visit.



12. Throughout 2017/2018, 92% of detainees who were available for a visit and selected were subsequently visited by an ICV. This remains a similar number to 2016/2017 (92%) and slightly lower than 2015/2016 (95%).
13. The OPCC analyses data from visits to ensure that the Scheme remains effective and that visits are completed throughout the week as well as at various times of the day.
14. The graph below indicates what day visits were completed throughout 2017/2018 compared with the previous two years.



15. The graph below indicates the time visits were completed throughout 2017/2018 compared with the previous two years.



Issues Raised

16. ICVs have a number of mechanisms through which to raise their concerns for a detainee's welfare or for those working within the custody environment. Firstly, ICVs complete a Custody Visiting Scheme Reporting Form on each and every visit. This report captures any issues, concerns or good practice identified during the visit.
17. The majority of issues are remedied immediately by custody staff and observed by ICVs during their visits. This is evidenced on both the detainees' custody record and ICV report forms. Other issues, for example facilities or equipment, may not be immediately resolved and are addressed in due course. Such issues are monitored by the OPCC and ICVs are regularly updated on the Constabulary's progress until resolved. Additionally, ICVs can also raise issues at quarterly meetings which are attended by OPCC staff and a representative from Cheshire Constabulary (usually the Chief Inspector for Custody).
18. Of the 597 detainees visited throughout 2017/2018, 278 (47%) detainees raised 424 matters mainly relating to their detention such as medical issues; requests for food/drink and telephone calls. The majority of issues raised by detainees were resolved at the time of the visit by custody staff. Issues which were not resolved by the Custody Sergeant were referred by the OPCC to the Chief Inspector responsible for custody for consideration and appropriate action.

The vast majority of reports received from ICVs were complimentary about the custody staff and the conditions within the custody suites.

19. During January 2018, the Commissioner supported ICVA to campaign to the Home Secretary and the Minister for Women and Equalities to take urgent action to protect the dignity of female detainees, in particular menstruating females in police custody. Since the launch, Cheshire ICVs have remained vigilant during custody visits, ensuring that female detainees are being treated in line with Constabulary procedures and that appropriate sanitary protection is both available and fully stocked in all custody suites. ICVs are encouraged to undertake such checks and report as standard procedure, indicating both the issues that need to be addressed and examples of good practice.

Training & Development

20. The North West and North Wales ICV schemes hold a regional conference for ICVs on an annual basis, the last of which was held in October 2017 at Haydock Park Racecourse. The conference programme focused on topics including: i) preventing death in custody; ii) the children's concordat; iii) a national picture of custody visiting delivered by ICVA; iv) a demonstration of arrest and restraint techniques; and v) group work. This provided ICVs from across the region an opportunity to share best practice and network. The event was well received by all ICVs in attendance.
21. ICVs also meet on a quarterly basis throughout the year to discuss training needs and emerging issues. The OPCC Scheme Administrator and a representative from Cheshire Constabulary (usually the Chief Inspector for Custody) both attend the quarterly meetings to discuss issues that have been raised by ICVs and the actions undertaken to remedy such issues. This provides an effective forum to identify the training needs of ICVs and also improves their knowledge and understanding on custody related issues.
22. Throughout the past year, ICVs have been provided with training on: i) body language and Communication; ii) disability in custody; iii) appropriate adults; and iv) mental health in custody. ICVs are regularly encouraged to inform the ICV Scheme Administrator of any areas of training which they consider would be beneficial, as and when they arise. The translation booklet provided to ICVs to assist in communication with non-English speaking detainees has also been updated to include additional languages and subsequently distributed for use across all custody suites.
23. Throughout 2017/2018, the Scheme Administrator has participated in regular correspondence and meetings with regional ICV Scheme Managers in order to develop plans to deliver TACT training to ICVs in a regional capacity. Subject to approval from North West PCCs, this is scheduled to take place during 2018/2019. In the meantime, the Scheme Administrator has attended a TACT training session in order to remain substantially informed on the procedures and requirements for TACT visiting.

Contact

24. For further information in relation to the Independent Custody Visiting Scheme, please contact:

Matt Walton (Scheme Administrator)
Office of the Police & Crime Commissioner, Stockton Heath Police Station, Grappenhall Road, Stockton Heath, Warrington, WA4 2AF.
E-mail: police.crime.commissioner@cheshire.pnn.police.uk
Tel: 01606 364000

25. For additional information in relation to custody visiting nationally, please visit the Independent Custody Visiting Association website www.icva.org.uk
Twitter @CustodyVisiting



Cheshire Constabulary Management Response

- 26.** The ICV Scheme remains a valuable asset to the Constabulary and we welcome their valuable independent insight that strengthens transparency within custody and so build our public legitimacy. The report reflects comments made by the national inspection team that have recently visited Cheshire. Although their final report has not been published it also comments on the positive culture and care of detainees, specifically in relation to women, children and those with mental health issues.
- 27.** The Constabulary welcomes the positive comments made in relation to the structures in place to ensure any issues raised are immediately addressed or plans put in place to rectify them, with an ability to track any recommendation and notes no outstanding issues. The Constabulary seeks to continually review its processes in line with new guidance, legislation or recommendations and look forward to sharing the learning from the national inspection when it is made publically available.