



Police & Crime
Commissioner
for Cheshire

Independent Custody Visiting Scheme for Cheshire

Annual Report 2018/19

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.

Annual Report 2018/19

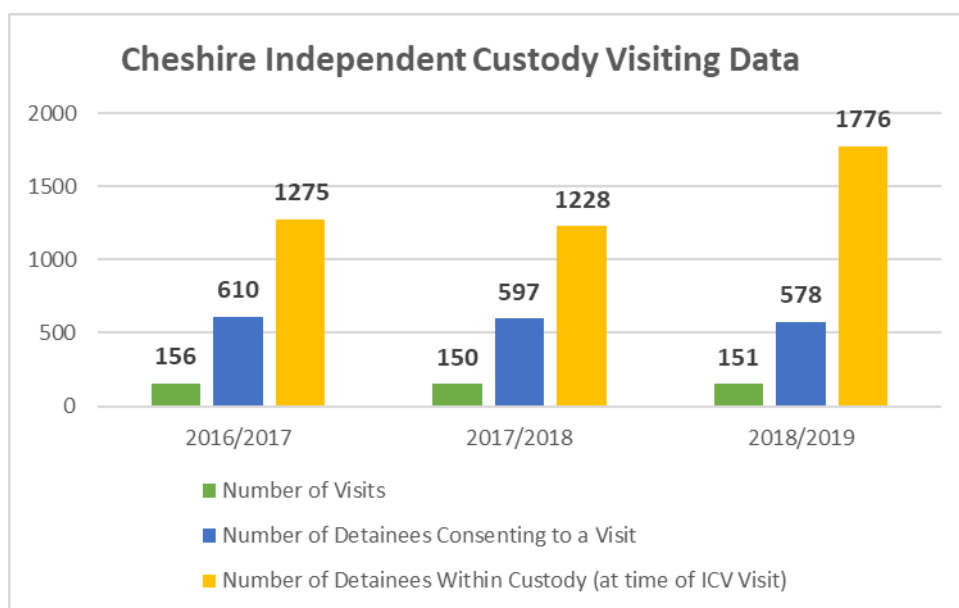
6. This Annual Report captures details of the work of the Independent Custody Visiting Scheme within Cheshire from 01 April 2018 to 31 March 2019 and includes information in relation to volunteers, custody facilities and outcomes from the visits undertaken throughout the year.

Operation of the Scheme

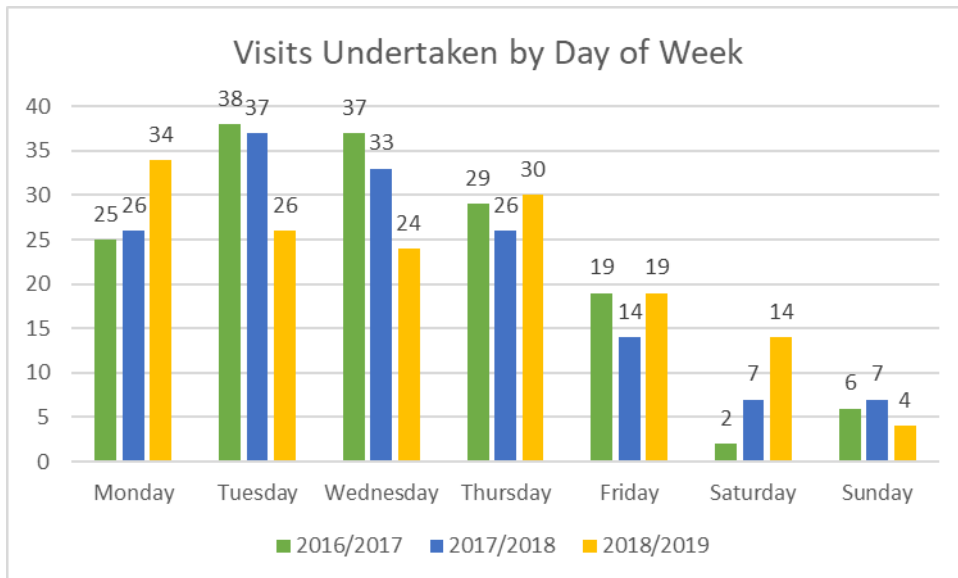
7. ICVs are exclusively members of the local community who volunteer to visit custody suites unannounced to check on the welfare of people detained in police custody. As of 31 March 2019, Cheshire's Independent Custody Visiting Scheme had 17 active ICVs across Cheshire, all of whom are assigned to a local Panel depending upon their home address or preferences.
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

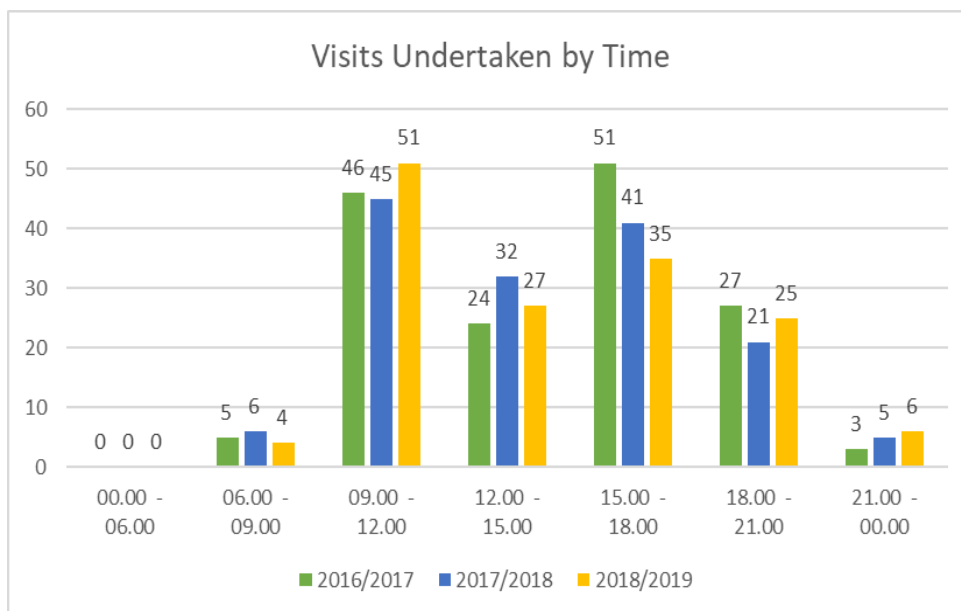
9. Data from 01 April 2018 to 31 March 2019 indicates that a total of 151 visits were completed throughout Cheshire. At the time of such visits, a total of 1,776 people were detained within custody some of whom were not available for a visit. From those available to be visited, 578 detainees consented 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 60 detainees exercised this right throughout 2018/19.
11. The graph below presents data from 2018/19 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 2018/2019, 89.7% of detainees who were available for a visit and selected were subsequently visited by an ICV. This is slightly lower than in 2016/17 and 2017/2018 which sat at 92% in both years.
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 2018/2019 compared with the previous two years.



15. The graph below indicates the time visits were completed throughout 2018/2019 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 the ICV report forms and in some cases logged on the custody record. 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 578 detainees visited throughout 2018/2019, 451 (78%) detainees raised 423 matters mainly relating to their detention such as medical issues; requests for food/drink; additional

blankets; updates on release 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.

Training & Development

19. The North West and North Wales ICV schemes hold a regional conference for ICVs on an annual basis, the last of which was held on Saturday 13th October 2018 at Haydock Park Racecourse. The conference programme focused on topics including: i) staying safe in custody; ii) dignity of detainees; iii) vulnerability and the role of the appropriate adult and; iv) difficulties with communication. 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.
20. 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.

HMICFRS Inspection

21. Her Majesty's Inspectorate of Constabulary and Fire & Rescue Service (HMICFRS) and Her Majesty's Inspectorate of Prisons (HMIP) joint report, published 01 February 2019, which sets out the findings of the unannounced inspection visit to police custody suites in Cheshire between 03 September 2018 and 13 September 2018. Inspectors found that the Constabulary was properly focused on the good treatment of detainees, particularly given that detainees are, at times, some of the most vulnerable people in which the police come into contact with and 'overall this was a very good inspection.
22. Inspectors also commented upon the effective Independent Custody Visiting Scheme that the OPCC administers. The findings of this report are testament to the hard work of police officers and staff who work within the custody environment and to the dedication of volunteer Independent Custody Visitors (ICVs) who give up their free time to ensure detainees are treated with respect and have access to appropriate facilities.

ICVA Quality Assurance Framework

23. During 2018/19, ICVA introduced the Quality Assurance Framework (QAF). The QAF is a tool that outlines what quality independent custody visiting schemes should look like with a range of levels from Code Compliant to Silver, Gold and then Platinum. Within each level, there are a set of criteria covering areas such as recruitment and training, managing volunteers, communications, holding the force to account, transparency and public reassurance and detainee welfare. The Quality Assurance awards were introduced by ICVA to help schemes
 - Reflect on how they comply with the Code of Practice
 - The legislation that underpins custody visiting
 - Celebrate areas of strength
 - Promote custody visiting and the achievements schemes have made
 - Drive performance and increase sharing of good practice

For the first year, Cheshire Independent Custody Visiting Scheme achieved Code Compliant level – a level based on the Code of Practice for Independent Custody Visiting. As ICVA recognise, the Code of Practice for Independent Custody Visiting is a demanding document and it takes a significant amount of resource, resilience and determination to run a scheme whilst managing a large number of volunteers in a high risk area of policing.

Contact

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

Sarah Tilling (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

The Independent Custody Visitors Scheme (ICV) provides a valuable service to the Constabulary in giving independent scrutiny in the way detainees are being treated whilst in police custody. Members of the scheme meet formally with the Head of Criminal Justice & Custody and the OPCC quarterly to review themes and to work towards providing those detained with the highest level of care. This has recently included a training session for ICV's on identifying the most vulnerable being held and ensuring that correct safeguarding measures are in place for them.

Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service (HMICFRS) report, published in February 2019 documented that the Constabulary was properly focused on the good treatment of detainees and upon the effective ICV scheme that the OPCC administers, which are a "testament to the hard work of police officers and staff who work within the custody environment and to the dedication of volunteer Independent Custody Visitors (ICVs) who give up their free time to ensure detainees are treated with respect and have access to appropriate facilities."

The Constabulary echoes these comments and is cognisant of the value the scheme brings.