



Police & Crime
Commissioner
for Cheshire

Independent Custody Visiting Scheme for Cheshire

Annual Report 2019/20

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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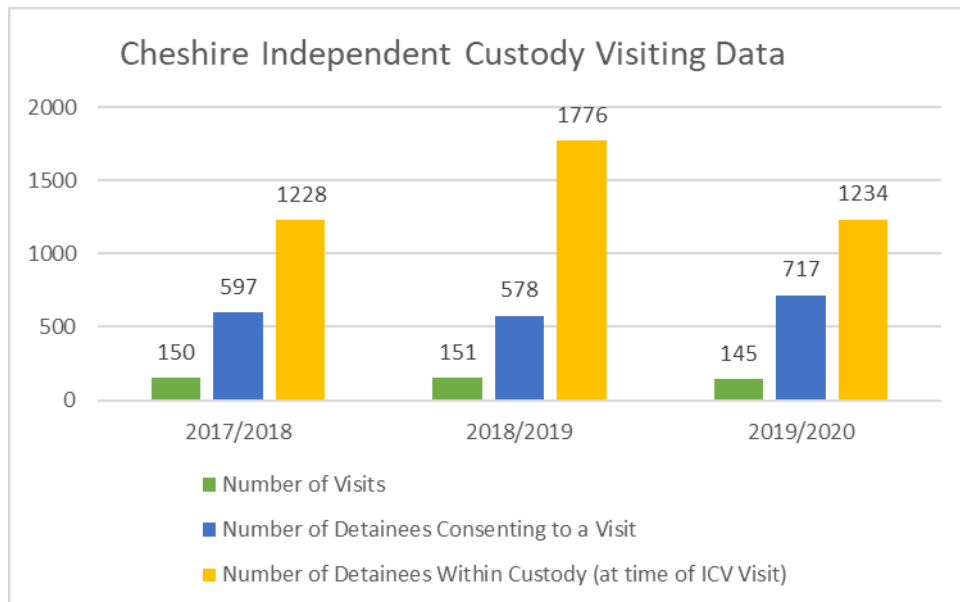
6. This Annual Report captures details of the work of the Independent Custody Visiting Scheme within Cheshire from 01 April 2019 to 31 March 2020 and includes information in relation to volunteers, custody facilities and outcomes from the visits undertaken throughout the year.

Operation of the Scheme

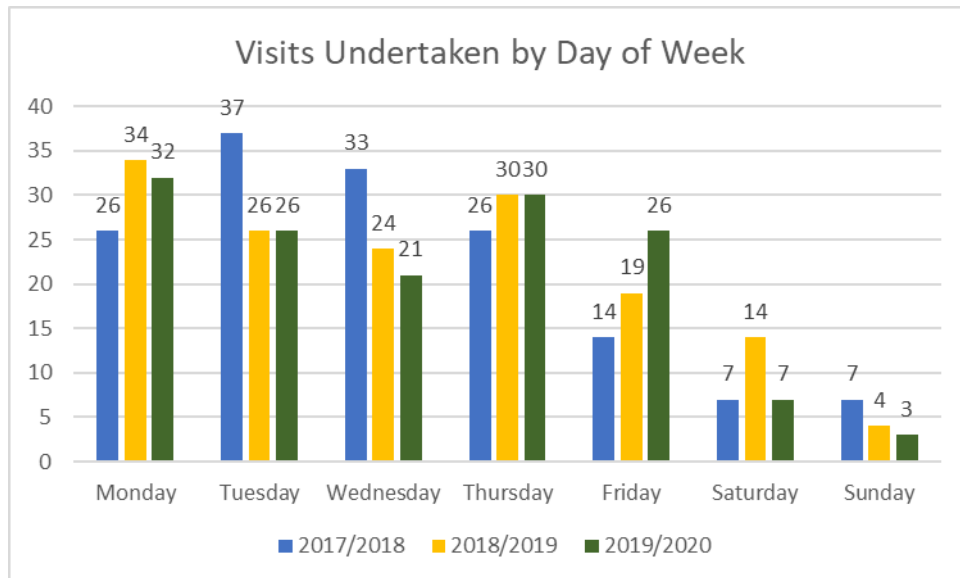
7. ICVs are exclusively members of the local community who volunteer to visit custody suites unannounced to check on the welfare of people detained in police custody. As of 31 March 2020, Cheshire's Independent Custody Visiting Scheme had 21 active ICVs across Cheshire, all of whom are assigned to a 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

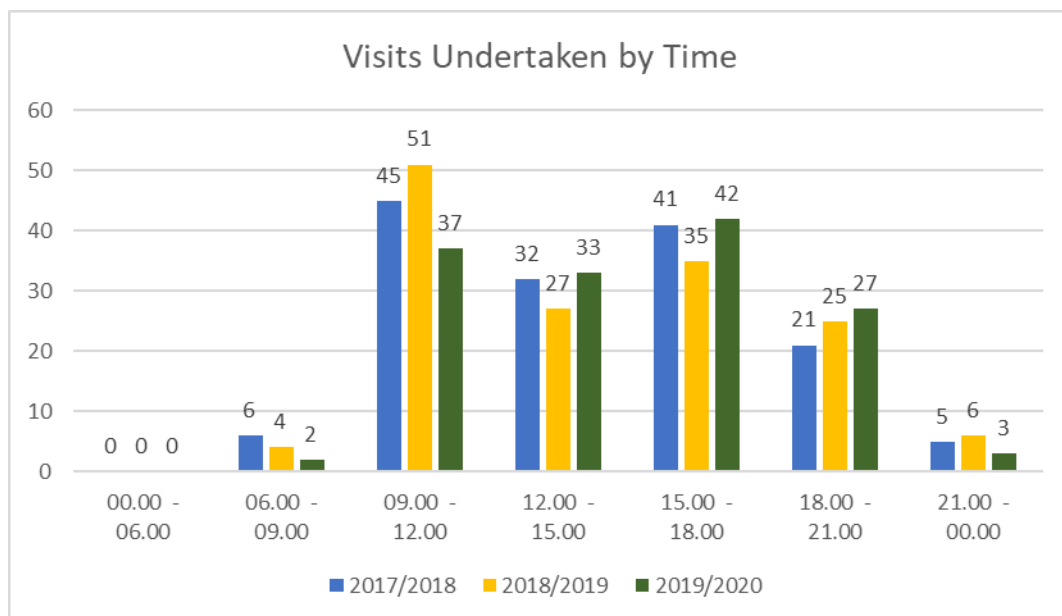
9. Data from 01 April 2019 to 31 March 2020 indicates that a total of 145 visits were completed throughout Cheshire. At the time of such visits, a total of 1,234 people were detained within custody some of whom were not available for a visit. From those available to be visited, 717 detainees consented to a visit from ICVs.
10. The number of visits is lower than in previous years due to the postponement of physical custody visits. As a result of the Covid-19 pandemic, all physical visits stopped 3 weeks prior to the end of the normal reporting period and the total visits include visits up to the 16th March 2020.
11. 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 90 detainees exercised this right throughout 2019/20.
12. The graph below presents data from 2019/20 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.



13. Throughout 2019/2020, 92.2% of detainees who were available for a visit and selected were subsequently visited by an ICV. This is slightly higher than in 2017/18 when 92% were seen and higher than in 2018/2019 when 89.7% were seen.
14. 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.
15. The graph below indicates what day visits were completed throughout 2019/2020 compared with the previous two years.



16. The graph below indicates the time visits were completed throughout 2019/2020 compared with the previous two years.



Issues Raised

17. 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.
18. 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).
19. Of the 717 detainees visited throughout 2019/2020, 316 (44%) detainees raised 313 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

- 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 on Saturday 12th October 2019 at Haydock Park Racecourse. The conference programme focused on topics including: i) children and young people in custody; ii) Mental health; iii) Transgender awareness and; iv) Unconscious bias. 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 and feedback from the event stated that ICVs felt this was the best conference to date.
- 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. The Constabulary are able to provide updates on changes to operations at these meetings answer any questions the ICVs may have.

Contact

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

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- 23.** 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 Visitor Scheme (ICV) continues to form a key role in ensuring the highest standards of safety through the checks it provides to the Constabulary's Custody Suites and the support it provides. The time offered by its members is quite rightly recognised and welcomed. Members of the scheme meet at regular three monthly intervals with the head of custody to have professional discussions and outline measures which ensure those in custody continue to receive the highest standards of care.

ACC Burton opened the last visitor conference where he discussed the ICV role with them, took questions and explained how important their role was to the Constabulary. The ongoing coronavirus pandemic provided new and unique issues in ensuring detainees still receive independent scrutiny as to their treatment whilst in custody, and special mention goes to Sarah Tilling from OPCC who has been central achieving this.