



Independent Custody Visiting Scheme for Cheshire

Annual Report 2021/22

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 whilst in custody.
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 Sergeant 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 2021/22

6. This Annual Report captures details of the work of the Independent Custody Visiting Scheme within Cheshire from 01 April 2021 to 31 March 2022 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 2022, 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
- Northern Area Panel - Custody Suite in Sandymoor, Runcorn
- Western Area Panel - Custody Suite in Blacon, Chester.

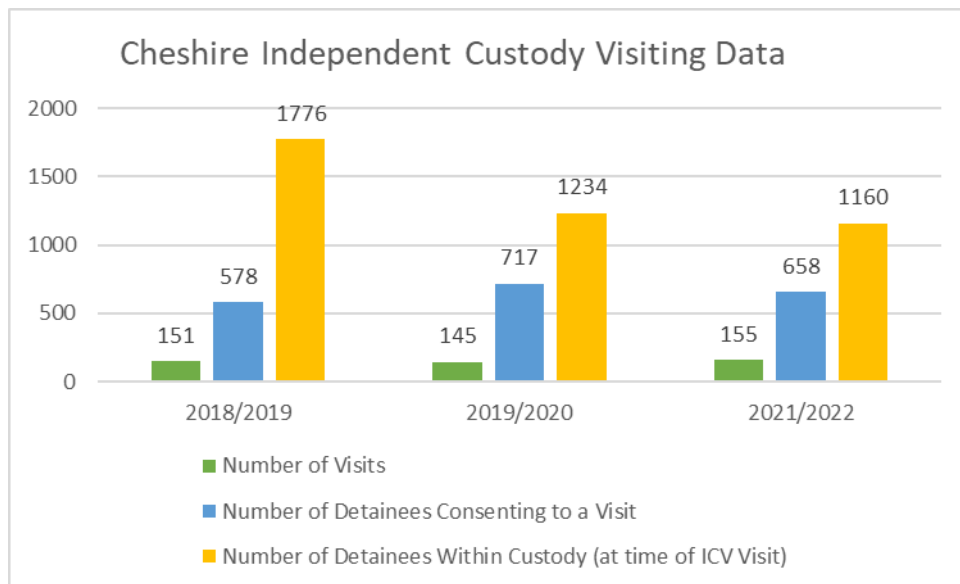
Visiting Data

9. Data from 1 April 2021 to 31 March 2022 indicates that a total of 155 visits were completed throughout Cheshire. At the time of such visits, a total of 1,160 people were detained within custody, some of whom were not available for a visit. From those available to be visited, 658 detainees consented to a visit from ICVs.

10. Typically, the number of visits per reporting period would be compared with the number of visits conducted in the previous year however, such data comparison on this particular occasion, may not present an accurate picture of the number of visits due to the fact that, restrictions in relation to the Covid-19 pandemic required special measures to be put in place and, even though some remote visits (over the phone) have been conducted the physical custody visits have been postponed.

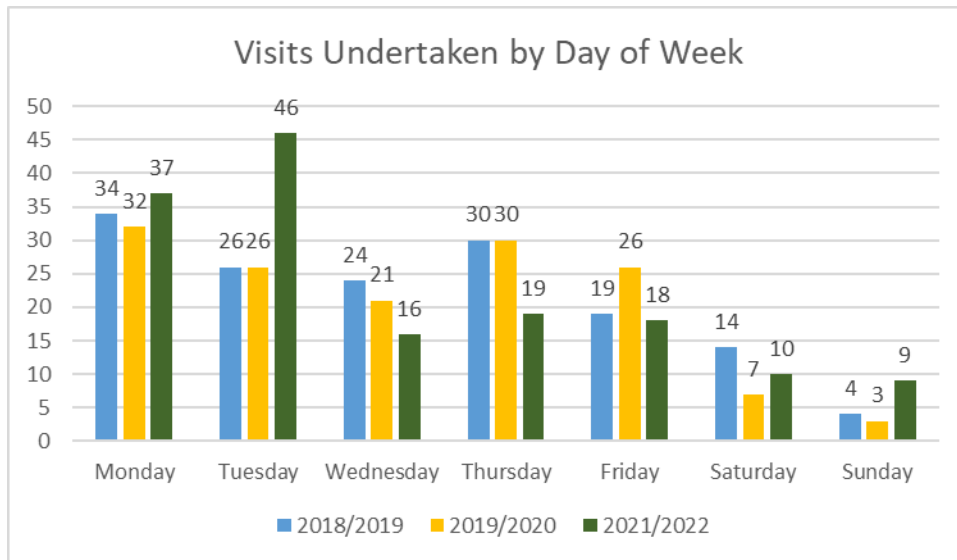
11. There are a number of reasons why a detainee may not be visited by an ICV. For example, detainees may be in an interview, asleep, intoxicated or custody staff advise against a visit due to safety reasons. In addition, detainees may also decline a visit and 49 detainees exercised this right throughout 2021/22.

12. The graph below presents data from 2021/22 compared with the previous two years, for which data had been collated 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.

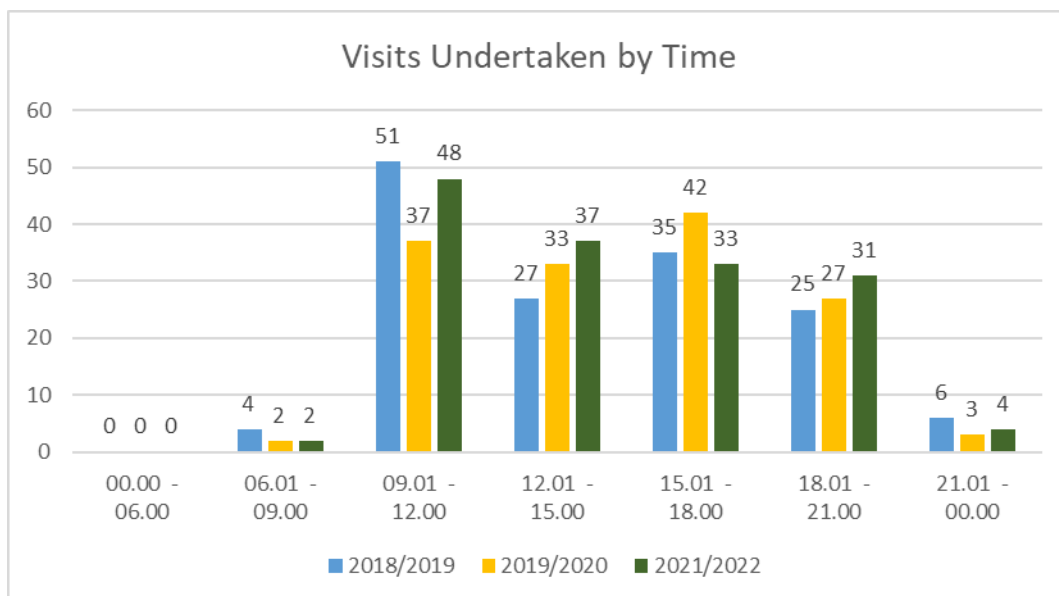


13. The OPCC analyses data from visits to ensure that the Scheme remains effective and that visits are completed throughout the week as well as at various times of the day.

14. The graph below indicates at what day of the week visits were completed throughout 2021/2022 compared with the previous two years, for which data had been collated:



15. The graph below indicates the time visits were completed throughout 2021/2022 compared with the previous two years, for which data had been collated:



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 and/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 panel meetings, which are attended by OPCC staff and a representative from Cheshire Constabulary (usually the Chief Inspector for Custody).

18. Of the 658 detainees visited throughout 2021/2022, 288 (44%) detainees raised 381 matters mainly relating to their detention such as medical issues; requests for food/drink; additional blankets; updates on release and telephone calls. Some of the ICVs commented on low staffing numbers at the custody suites, however ICVs also noted that, despite understaffing, in majority of cases, custody suites operated efficiently, and staff remained well organised. 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. ICVs 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 and answer any questions the ICVs may have.

20. Typically, ICVs would also participate in the annual training organised by OPCC Cheshire and regional conference held by the North West and North Wales ICV schemes; however, due to the restrictions in relation to the Covid-19 pandemic, all these events had been put on hold. Nevertheless, ICVs have been encouraged to utilise training resources and materials available online at the Independent Custody Visiting Association website.

Contact

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

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22. 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 provide a key role in ensuring the highest standards of safety within the Constabulary’s Custody Suites. The team of 15 Volunteers who currently make up the ICV scheme in Cheshire have continued to support by undertaking unannounced visits at each of the Custody Suites to observe and report on the care and treatment of Detained Persons. The numbers of arrests in Cheshire have continued to increase during the course of 2022 with the highest numbers recorded passing through our Custody suites since 2017, (Total of 16,646 Arrests May’21 – Apr’22; 1726 Arrests for May’22).

Arrest Numbers by Area and Detention Unit – May’21 – Apr’22

Arrest Location	Detention Unit			Total Arrests
	Middlewich	Blacon	Runcorn	
East	4590	79	107	4776
West	1432	3629	97	5158
North	53	149	4846	5048
OOE/Motorway/No Location	509	528	627	1664

It is more important than ever we keep focus on the highest standards of service delivery and last year the ICV’s assisted with this completing 155 visits and engaging with 658 detained persons in Custody. During the last 12 months we experienced the continued challenges presented as a result of the Covid-19 Pandemic. Despite these challenges the IVC’s adapted how they worked undertaking virtual/phone visits where physical visits were not possible to ensure the necessary scrutiny and support continued. The Custody team continued to adapt working practices during the pandemic to keep everyone safe whilst ensuring the Custody and Criminal Justice processes continued to operate effectively. This included the increased use of Video and other technology to support Interview and Court processes in line with National guidance.

The regular three monthly meetings with the head of Custody continue to provide an effective and constructive forum for dialogue to give confidence around the areas highlighted by the ICV’s as well as providing opportunity to update the ICV’s on changes within the Custody business. The ICV’s are also represented at the Monthly Custody Performance and scrutiny meetings providing an independent perspective on the Constabulary’s Service delivery.

Earlier this year the Constabulary was subject to a HMICFRS Inspection around the thematic area of Child Protection. This Inspection included scrutiny of our Custody processes relating to Young people with areas identified to further improve and develop our service. In addition the Constabulary commissioned its own comprehensive internal Inspection of Custody which was undertaken in April 2022 to identify areas for continued development and improvement in how we provide our Custody Services. This work has provided a framework for continued improvement for the Constabulary and will include continued support from the ICV scheme in ensuring effective delivery. Additional focus and scrutiny is rightly in place around the detention of Young people and those who are vulnerable with multi-agency support as well as the additional scrutiny provided by the ICV scheme.

The Constabulary has a positive and constructive relationship with the ICV’s who’s time and commitment is invaluable in providing much needed public scrutiny to our work. Their continued support is quite rightly recognised and welcomed by the Constabulary.