



**Lancashire
Constabulary**
police and communities together

REPORT TO : STRATEGIC SCRUTINY MEETING
DATE : 21 NOVEMBER 2019
REPORT BY: IAN DICKINSON – GOVERNANCE AND POLICING LEAD
TITLE: UPDATE ON THE INDEPENDENT CUSTODY VISITOR SCHEME AND APPROPRIATE ADULT SCHEME

Summary

This report provides the Commissioner with an update in relation to the administration of the Independent Custody Scheme and Appropriate Adult Scheme for vulnerable adults in custody for the reporting period April to September 2019.

Decision Required

The Commissioner is requested to review the report and make comments as appropriate.

Background

1. Independent Custody Visiting Scheme

- 1.1.** Assurance and oversight has taken place throughout the year within the Independent Custody Visiting Scheme where 34 volunteer Independent Custody Visitors (ICVs) have sought to ensure detainees in custody are held in safe and appropriate conditions for their best welfare and in accordance with their rights and entitlements.
- 1.2.** The current agreement is for ICVs to visit each of the six Custody Units once every week. This has resulted in 109 visits since 1 April 2019¹. ICVs visited 373 detainees with an additional 218 detainees being unavailable during the visits, such as due to being interviewed. However, others in this category have been asleep and observed via the door hatch.
- 1.3.** There have been no issues reported by the ICVs that relate to unfair or disrespectful treatment of detainees by Custody Officers or Staff.
- 1.4.** ICVs reports of positive findings included:
- Excellent introductions to Detainees by CDOs.
 - Many reports of cleanliness of the Custody Suites are mentioned almost every week. ICVs are very impressed with the care taken to ensure that hygiene is to a very high standard.
 - Custody Sergeants and CDOs are extremely helpful and understanding.
 - There are regular comments from Detainees that they have been treated very well; one detainee said he was going to leave a 5* review on Trip Advisor!
 - Plenty of stocks of meals, blankets, replacement clothing etc
- 1.5.** ICV findings of concern include:
- There are the usual reports of maintenance issues, including blocked toilets, shower not working, cells out of action due to broken lock etc. These incidents are usually dealt with in good time and the CMIs do not have any particular concerns.
 - Not enough interview rooms available at times.
 - Regular unavailability of Romanian and Lithuanian interpreters.
 - Burnley – Concerns that Nurses regularly have to cover Lancaster, Burnley and Greenbank, in one case meaning a 6-hour delay.

¹ Skelmersdale Custody has been closed for the whole of the period from 1st April as the building is undergoing extensive refurbishment. Burnley Custody was closed a couple of years ago and re-opened the second week of July 2019 when visits recommenced.

- Air-Conditioning inadequate during the hot weather and two of the Suites had poor ventilation.
- There was a high concern about the ambient meals during these periods of warm weather.

2. Appropriate Adults Scheme for vulnerable adults in custody

- 2.1.** Similarly, assurance and oversight has taken place throughout the year in relation to the provision of Appropriate Adults for vulnerable adults in police custody.
- 2.2.** In Lancashire, the provision of an Appropriate Adult for all Adults arrested in Lancashire where identified with Learning Difficulties and or Mental Health is provided by Child Action North West (CANW).
- 2.3.** Following the introduction of the Home Office Local Authority-PCC Partnership Agreement, officers have put in place arrangements across the force area for the collection of relevant data, covering both custody suites and voluntary attendance interviews.
- 2.4.** During the 6-month period from the 1 April 2019, there have been 564 referrals, which is a reduction of 37 during the same period last year.
- 2.5.** In 447 cases, the reason for the referral was in relation to 'mental health' issues, whilst 'learning difficulties' accounted for 104 referrals and 'other' accounted for 13 referrals.
- 2.6.** In all cases where the need for an Appropriate Adult has been identified an Appropriate Adult has been secured. Appropriate Adults were either already present in custody at the time of the referral or attended within 1 hour of the referral to CANW.
- 2.7.** Of the 564 detentions and voluntary interviews, involving adults for whom an Appropriate Adult is required under PACE, 477 were male and 87 were female.
- 2.8.** In relation to demand (times of day, days of week, seasonal patterns, etc.) during the 6 month period 268 referrals were made between 9am and 5pm, 269 referrals were made out of hours (5pm-midnight/9am-midnight Weekends/Bank Holidays) and 27 were made in relation to voluntary attendees.
- 2.9.** The proportion of Appropriate Adult demand that is currently met without using an organised scheme e.g. use of family member/legal guardian/other;
- 2.10.** During the 6 month period 80 safeguarding issues were identified by CANW. Scrutiny of the case files show that in all cases interventions and referrals were made to other more appropriate agencies.

4. Implications

Financial:	Nil
Legal:	Nil
Equality Impact Assessment:	Nil
Risks and Impact:	Nil
Link to Police and Crime Plan:	Supporting Vulnerable people