

## **INDEPENDENT CUSTODY VISITORS SCHEME**

### **1. INTRODUCTION**

The Office of the Police & Crime Commissioner for Lancashire, like all other PCC offices in England and Wales, has a duty to implement and co-ordinate an Independent Custody Visiting Scheme. The primary purpose of the Scheme is to provide independent scrutiny of Lancashire Constabulary to ensure that detainees in custody are being treated fairly and in accordance with Code C, G and H of the 1984 Police and Criminal Evidence Act (PACE). The full version of the Act can be found at <http://police.homeoffice.gov.uk>. The Police Reform & Social Responsibility Act placed a statutory obligation on all PCCs in England and Wales to have in place an effective independent Custody Visiting Scheme.

The Commissioner has a dedicated member of his team who is responsible for organising and overseeing the delivery of custody visiting in Lancashire. Arrangements are kept under review and are revised as necessary and in accordance with any changes made to the Code of Practice and National Standards. Volunteers are supported in their role through contact with the office and regular meetings and training.

### **2. INDEPENDENT CUSTODY VISITS AND THE REPORTING MECHANISM**

During this quarter Lancashire Constabulary operated 5 custody centres: Greenbank (Blackburn), Skelmersdale, Preston, Blackpool and Lancaster.

Visits took place to each Custody Suite on a weekly basis.

Issues of immediate concern are raised by the visiting pair with the Custody Sergeant. Unresolved issues or those requiring a response from the OPCC are brought to the attention of the Scheme Manager. Feedback is given to ICVs on comments raised following discussion with the CMIs or, in more serious instances, following discussion with the Custody Liaison Chief Inspector.

### **3. ICV SCHEME OVERSIGHT**

The Police & Crime Commissioner has oversight of the operation of the Scheme and is actively involved in recruitment, meetings, training and thank-you events. Lancashire is part of the North West & North Wales Region and Lancashire's ICV Scheme Manager is their representative on the Independent Custody Visiting Association's National Expert Forum. Scheme Managers from Cheshire, Cumbria, Greater Manchester, Lancashire, Merseyside and North Wales hold regular meetings to share good practice, examine benchmarking data and provide feedback to the Association.

### **4. OVERVIEW OF 2017/18**

#### **Appointment of new ICVs**

In the last quarter, seven new ICVs were appointed and attended an Induction Session in November 2017. They were appointed to our East, Northern, South and Western Panels and are all now settled in and visiting in their own pairings across Lancashire.

## **Training**

This year the Scheme has provided training for its volunteers on a wide range of topics. A full day North West and North Wales Regional Conference was held in October 2018 in Haydock. Over 100 ICVs from across the region attended and received presentations on:

- Personal Safety of a Custody Visitor - Sergeant Frank McCreadie, Merseyside Police
- 'Angiolini Review and Dignity of Detainees - Katie Kempen, ICVA
- Vulnerability And The Role Of The Appropriate Adult - Chris Bath, National Appropriate Adult Network
- Difficulties with Communication – Lesley Rowcroft, Salford Aspire

In addition, three Training Sessions were held covering Equality & Diversity, the OPCC's Ethics training package and the Lead for Victims and Vulnerable People spoke to the ICVs about Lancashire Victim Services which is commissioned by the OPCC.

## **Review of Scheme documents**

The ICV Scheme Handbook has been reviewed and will be rolled out in December 2018. The refresh includes updating the Scheme itself, along with all associated processes and documents. This has included a review of the existing report form which has been in place for a number of years. To assist with this task, a number of ICVs formed a Working Group to review the Scheme's Report Form. This group included newly appointed ICVs and some with many years' experience. The Group's review is to ensure that the documentation used when visiting Detainees is fit for purpose and will improve the Scheme to enable better visits; and ultimately provide reassurance to members of the public.

It is anticipated that the Group will be asked to monitor the use of the new forms to ensure the quality of information recorded on the report forms submitted and will be discussed at panel meetings and training events.

## **Sanitary Packs**

The provision of sanitary packs for female detainees was raised on a national level and ICVs in Lancashire confirmed that they are rarely requested by detainees. ICVs have been asked to check regularly that there is sufficient provision of these sanitary packs within the Custody Suite during their visit. ICVs recognise that some detainees may find it difficult to request these items and ICVs have also been asked to make female detainees aware that they can ask for these personal items.

## **Quality Assurance Framework**

ICVA and Scheme Managers got together to agree performance indicators, and a framework to which all schemes work would help Her Majesty's Inspectorate of Constabulary by providing an evidence base that allows for comparisons and introduces a level of accountability for each scheme.

The six OPCC schemes across the North West and North Wales have all assessed the Framework and have all indicated that they are Code Compliant.

## Awareness of ICVs

A number of ICVs regularly present an input to the Custody Sergeants' Refresher Training Programme to make them aware of the practices and procedures of the Scheme.

The ICV Scheme Manger continues to provide an input to Civilian Detention Officer's initial and refresher training along with Custody Sergeants' Refresher training to explain the relationship between volunteers, the police and custody staff.

Feedback received from the Sergeants and CDOs confirmed they found these sessions an invaluable section of their ongoing training.

## **5. INDEPENDENT CUSTODY VISITORS**

The scheme currently has 38 Independent Custody Visitors with an additional 4 currently awaiting vetting clearance. Seven new Custody Visitors joined the Scheme during the year 2017-2018 and 5 left the Scheme for a variety of reasons. Potential applicants who express an interest in the Scheme are invited to interview to fulfil future vacancies. Wherever possible, recruitment needs to be specifically targeted towards groups that are underrepresented on panels, especially young people and individuals from black and minority ethnic communities.

Currently there are 16 male visitors and 21 female, spanning a range of ages and backgrounds. Only 1 ICV is from BME background and ideally the ratio should be increased.

Lancashire's ICVs also attended quarterly Panel Meetings of our 4 Panels covering the whole of Lancashire.

## **6. VISIT STATISTICS FOR QUARTER 2 (1<sup>st</sup> July to 30<sup>th</sup> September 2018)**

**58** visits to custody have taken place and **185** interviews have been held in the period 1<sup>st</sup> July to the 30<sup>th</sup> September 2018.

A percentage of detainees were unable to be interviewed for a variety of issues such as the detainee being asleep, in a police interview, at hospital or receiving medical treatment; in some cases a recommendation from the custody staff that an individual was not safe to interview led to visual observations only being made.

**91** detainees refused the offer of a visit with the ICVs out of **425** who were available to be interviewed.

This level of refusals will need to be addressed. Often this is a case of the detainee refusing to interact with the ICV, and this can be for a number of reasons: lack of understanding due to language difficulties, general unhappiness at being detained or tiredness. In some cases, ICVs have felt that the introduction by the Escorting Officer has been lacking in enthusiasm. This rarely happens, but in each and every instance, custody staff needs reminding of the agreed wording to achieve the best possible outcome., ie uptake of an ICV visit.

We are also introducing an information leaflet to be distributed to each detainee on arrival giving details about ICVs and explaining their role. We hope that this will increase the uptake of offers of visits as detainees will be more aware of the reason for their presence.

Custody records can be viewed by visitors with permission from the detainee or if ICVs are concerned about the detainee's welfare but are unable to gain direct permission due to incapacity. It is planned to deliver specific training on the viewing of custody records, explaining 'what to look for and why', in order to make this a routine part of the visiting regime and improving the quality of visits.

ICVs are aware of different vulnerabilities of detainees and focus particular attention on those.

Below is a breakdown of the visits undertaken by ICVs.

<b>Frequency of Visits - Quarter 2 - July to September 2018</b>						
<b>Days of the Week</b>						
	<b>Greenbank</b>	<b>Skelmersdale</b>	<b>Preston</b>	<b>Lancaster</b>	<b>Blackpool</b>	<b>Total</b>
Monday	1	5	5	4	2	<b>17</b>
Tuesday	2	2	1	1	2	<b>8</b>
Wednesday	1	2	1	1	1	<b>6</b>
Thursday	3	1	5	2	3	<b>14</b>
Friday	2	2	0	3	1	<b>8</b>
Saturday	0	1	1	0	0	<b>2</b>
Sunday	1	0	0	2	0	<b>3</b>
<b>Time of Visits</b>						
	<b>Greenbank</b>	<b>Skelmersdale</b>	<b>Preston</b>	<b>Lancaster</b>	<b>Blackpool</b>	<b>Total</b>
00:00 - 01:59	0	0	0	0	0	<b>0</b>
02:00 - 03:59	0	0	0	0	0	<b>0</b>
04:00 - 05:59	0	0	0	0	0	<b>0</b>
06:00 - 07:59	0	0	0	0	0	<b>0</b>
08:00 - 09:59	2	1	0	1	1	<b>5</b>
10:00 - 11:59	1	3	4	4	0	<b>12</b>
12:00 - 13:59	1	2	0	0	0	<b>3</b>
14:00 - 15:59	3	2	4	3	1	<b>13</b>
16:00 - 17:59	2	1	0	0	5	<b>8</b>
18:00 - 19:59	1	2	2	5	2	<b>12</b>
20:00 - 21:59	0	1	3	0	0	<b>4</b>
22:00 - 23:59	0	1	0	0	0	<b>1</b>

At the October cycle of Panel Meetings the ICV Scheme Manager has asked ICVs to vary the times and days of the week to maintain the sporadic and adhoc nature of visits.

## 7. ISSUES ARISING FROM VISITS

Most of the issues raised by ICVs are dealt with promptly at the time of the visit. By their nature, they tend to be low level issues relating to a detainee's comfort and general level of satisfaction. Any issues of a more significant nature and which relate to a detainee's rights or entitlements would result in an ICV consulting the custody record (where permission is granted).

Any issues which cannot be rectified at the time of the visit are highlighted on the visit report form and escalated by the Scheme Manager to the Custody Management Inspector for that Division. This is done immediately upon receipt of the form and the matter is also raised at the Quarterly Panel Meeting. Feedback on all comments is made by the Scheme Manager to the ICVs individually, and where the issue relates to other custody centres, as an email to all. In the past, issues of a significant nature and/or where comments raised by ICVs have remained unresolved over a period of time, have been escalated by the PCC's office and have resulted in action by the Force. These instances have become less frequent as a result of an increased level of understanding of the ICV role by the Force and challenges to the relevant Facilities Department in relation to maintenance issues.

In Q2, the following matters have been raised:

### **Greenbank:**

The **medical room** is frequently left 'on the latch'. These doors should always be locked if not in use. ICVs have raised this frequently and the Custody Inspector has advised that he will ensure staff are reminded it should always be locked when not in use.

There have been a couple of reports that there is **limited choice of meals**. Not stock levels but the different choices. For example, vegetarian option would tend to have only wedges and beans so potentially three meals a day with only that one option. The Constabulary have agreed to review the ordering.

There was a serious concern around the **panic alarm panel** not accurately reflecting the area and information coming up on the panel. At the time of the visit on the 16<sup>th</sup> August, the duty Sergeant commented that they were aware of the issue with the panic alarm and it had been raised as a priority with ICT by the Custody Inspector. The panel was repaired and is now functioning properly.

There were several comments regarding CDO introductions to detainees being done through the hatch rather than the Escorting Officer entering the cell. The Scheme Manager raised a query with the ICVs and the Custody Inspector whether this was becoming commonplace but it became apparent that these comments were at the time when the panic alarm above was faulty and extra precautions were being taken.

### **Lancaster:**

The major concern around Lancaster in Q2 related around staffing changes where reductions had been made to a section of the afternoon shift. This was raised repeatedly over several weeks and both the Constabulary and the CDO County Manager reinstated the original staffing levels due to the considerable impact on Custody and the concerns around detainee and staff welfare.

### **Preston & Skelmersdale:**

There has been regular comments regarding concerns around the **flooring** at Skelmersdale for almost a year. The issue has been that paint has been peeling from the floor of both the corridors and cells. Constabulary have kept the OPCC informed about the planned schedule for repairs and the reasons for the delay. The Custody Inspector also advised that this was an eyesore rather than being a risk at that stage. Skelmersdale Custody Suite will close between the 11<sup>th</sup> and 19<sup>th</sup> November for refurbishment and these works will be completed during this closure.

At Skelmersdale there were a couple of concerns raised around staffing and the Custody Inspector confirmed that staff would be brought in should the demand become excessive for those on shift. ICVs advised that they have been aware of this happening.

There have been a number of maintenance issues around lighting and plumbing repairs which have all been successfully repaired however, some of these were not dealt with as promptly as expected. This can cause problems, particularly when camera cells are out of action due to maintenance delays. The Custody Inspector welcomes the ICVs reports as these help raise the urgency.

### **Blackpool**

The main concerns at Blackpool this quarter have been around ICVs gaining access. This is a brand new build Divisional Headquarters and the custody Suite was opened during the first week of August. Home Office Code of Conduct states that ICVs should be given immediate access to Custody. It is understood that they may not be able to be escorted around the suite immediately, but they must be within the Custody Suite to observe. The OPCC is working closely with the Custody Management Teams to ensure that these delays are resolved.

As this is a brand new building, there are very few maintenance issues other than teething problems.

In addition to the above issues, pertaining mainly to the fabric of the custody areas, detainees around the County raised a number of common issues including:

- Wanting someone informed of their presence in Custody
- Concerns around medication
- Requests to see the nurse
- Requests for food and drinks
- Extra blankets

These matters are addressed by the ICVs whilst in the Custody Suite, they are noted on their reports and the Custody Sergeants and Escorting Officers sign to acknowledge the contents of the report before ICVs leave the Suite.

Any issues which cannot be dealt with at the time are escalated and reviewed by the ICV Scheme Manager and the appropriate Custody Management Inspector. When necessary this is further raised with the Custody Liaison Chief Inspector.