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| C:\Users\C9268\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\5433SMB6\new_pcc_logo_colour.jpg | **OFFICE OF THE POLICE & CRIME COMMISSIONER FOR THAMES VALLEY** |
| **Report for Information:****Level 1 meeting on 02 July 2021** |

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| **Title: INDEPENDENT CUSTODY VISITOR SCHEME (ICVS)** |

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| **Executive Summary**This report provides an analysis of the ICVS for the period of 1 April 2020 to 31 March 2021. The analysis provides a clear picture of the Scheme running effectively, with all issues highlighted having either been resolved or are currently being monitored whilst in progress. For the entire period covered by this report, High Wycombe Custody Suite was closed.The COVID-19 emergency has had a significant impact upon the Scheme’s work, which will be expanded on in this report, however to summarise, on 17 March 2020, face-to-face Custody Visits were suspended due to the COVID-19 emergency and a temporary telephone visiting service was implemented commencing on 26 March 2020. In summary, throughout the year the ICVS was well placed to continue in its aim of reassurance to the local community of the rights and treatment of detainees in custody together with the conditions of the facilities. The Scheme has successfully met the challenges of the COVID-19 Pandemic head on and all parties continue to work daily to overcome them. **On behalf of the Office of the Police and Crime Commissioner (OPCC), the ICVS Manager would like to extend his personal thanks to all the Custody Visitors (ICVs) for their dedication, hard work and commitment.** |

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| **Recommendation**That the report be accepted and endorsed as providing assurance that the PCC is meeting his statutory obligations under the Police Reform Act 2002 to organise and oversee the delivery of an effective Independent Custody Visiting Scheme in the Thames Valley Police (TVP) Force area. |
| **Police and Crime Commissioner** |
| **Signature Date** 22nd June 2021 |

**PART 1 – NON-CONFIDENTIAL**

1. **Introduction and background**

The ICVS is a statutory scheme borne of section 51 of the Police Reform Act 2002, whereby volunteers of local communities attend custody suites to check on the treatment of Detained Persons (DPs). This includes the conditions in which they are held and ensuring that their rights and entitlements are being observed. The ICVS offers protection and confidentiality to DPs and the police, and provides reassurance to the wider public.

The Thames Valley OPCC is a member of the Independent Custody Visitors Association (ICVA). The ICVA supports Scheme Managers to operate an effective ICV scheme in their respective police force area. The support the ICVA provides includes: an induction day training package for new volunteers to the scheme, bite size training for panel meetings, two annual conferences, weekly updates and a members’ forum which provides a platform for sharing information.

**2**  **Impact of COVID-19**

The COVID-19 Pandemic and subsequent Lockdowns caused considerable disruption and resulted in the ICVS being suspended for short periods. The first suspension began on 17 March 2020 when the UK Government advised against all but essential travel. In late March 2020 the National Police Chief’s Council and Home Office classified ICVs as ‘Essential Visitors’ and recommended that Custody Visiting continue. In response to this, the ICVS Manager considered alternatives to physical visits such as reviewing Custody Records (as recommended by the ICVA), video conferencing and telephone visiting. The most suitable option, which was technically feasible, quick to implement and ensured we continued to speak with Detainees, was telephone visiting. We implemented a telephone visiting service on 26 March 2020 and again on 5January 2021 at the start of the third Lockdown in England.

The telephone service resulted in rapid changes to our working methods, new Custody Visiting Forms, adjustments and teething problems such as difficulty in obtaining phone signals in certain areas of the Custody Suite and calling at times during handovers or emergencies. However, the ICVS Manager would like it to be noted that the Scheme received *full* cooperation from TVP Custody Management and the Custody Staff in each Custody Suite. The ICVs who volunteered to conduct telephone visits have successfully adjusted their methods to account for telephone visits and have been very flexible in their approach. Without these joint efforts, telephone visiting would not have been a success.

COVID-19 had a large impact upon TVP’s human resources and as COVID-19 secure measures were introduced for each TVP Custody Suite. As a result, there were last minute closures of Custody Suites at very short notice and High Wycombe has been closed since March 2020. The ICVS Manager ensured that these changes were communicated to the ICVs as soon as they were identified. This has required the ICV Manager to take on flexible working outside normal business hours in the evenings, weekends, during annual leave and on public holidays. The positive outcome of this is that only a handful of visits were missed or aborted because of short notice closures.

The ICVS Manager put in place a short online training session, followed by accompanied visits with an experienced ICV. Further to this, as ID cards could not be produced in person at TVP HQ South, the ICVS Manager secured agreement with the ID card unit that photos could be emailed to them for the ID cards to be printed and then collected by the ICVS Manager. Due to their sensitive nature the ICVS Manager has travelled (and will continue as necessary) to the appropriate Custody Suite to personally deliver the new starter’s ID card.

**3. Volunteer numbers and recruitment**

At the start ofthe reporting period, the scheme had a total of 67 ICVs visiting 8 designated Custody Suites across the Thames Valley (locations below). Following the initial switch over to telephone visiting, the number of active ICVs reduced to 12, however this dedicated group managed to conduct a telephone visit every week throughout the Lockdowns. Once the first Lockdown was lifted, the OPCC provided all ICVs with the option to conduct telephone or physical visits. The OPCC produced an online guide to COVID-19, updated information on COVID-19 procedures and requested that all those choosing to conduct physical visits sign a Disclaimer. The purpose of the Disclaimer is to confirm that the ICV is aware of COVID-19, agrees to adhere to the relevant Custody procedures and that they are conducting visits entirely of their own choosing. The Disclaimer in no way affects an individual’s statutory rights, however it must be noted that ICVs who were extremely clinically vulnerable (shielding) were not permitted to conduct physical visits. After the first Lockdown was lifted, 25 ICVs chose to return to physical visiting, with a further 6 opting to continue with telephone visits leaving a total of 31 ICVs. During the second Lockdown in November 2020, the Scheme continued to allow ICVs to conduct physical and/or telephone visits.

In light of the emergency of the third Lockdown in January 2021 and the extra precautions in the Custody Suites, the decision was taken to again suspend physical visits and revert to telephone visiting only. This again reduced the number of active ICVs to 12 and as a result, the ICVS Manager covered all telephone visits for the Milton Keynes area due to the Panel Coordinator resigning in January 2021 and no volunteers in MK willing to carry out telephone visits. This ensured an unbroken service in the Milton Keynes Custody Suite.

6 ICVs have resigned during this reporting period, each one citing COVID-19 as the reason. We are hopeful that many of our existing ICVs will return later in 2021 and the ICVS Manager has made it clear that they would be welcome to return should they wish to in future.

A focussed effort has been made to recruit new ICVs in order to maintain optimum numbers and one of the portals used for this was the national volunteering website ‘Do-it’. Communications highlighting the recruitment of new ICVs were also posted (by the OPCC Communications Team) throughout 2020/21 on the OPCC Website, Twitter and Facebook pages.

The recruitment drive received 14 expressions of interest, which resulted in a series of online interviews conducted by the ICVS Manager. The Scheme Manager is pleased to report that the Scheme has recruited 8 individuals who submitted completed applications (despite the COVID-19 Pandemic). As above, physical training days have been unable to proceed due to COVID-19, therefore the Scheme has adapted an online training package alongside accompanied training at the Custody Suite with an experienced ICV. The ICVS Manager has also regularly kept in touch with the new candidates.

There are 8 custody suites in the Thames Valley area, which are located at the following locations:

|  |  |
| --- | --- |
| **Custody cells** | **Cell capacity** |
| Abingdon  | 30 |
| Aylesbury  | 24 |
| Banbury | 12 |
| High Wycombe  | 12 (closed since March 2020)  |
| Loddon Valley  | 28 |
| Maidenhead | 26 |
| Milton Keynes  | 24 |
| Newbury | 13 |

The Scheme has 6 Panel Coordinators looking after these 8 suites, each with a panel of ICVs. There are two coordinators each looking after two suites, which are Abingdon together with Banbury and Loddon Valley together with High Wycombe. The Panel Coordinators produce a rota and the ICVs agree a date and time to conduct each visit.

At the start of the reporting period, there were the following numbers of ICVs assigned to each panel: Abingdon 8, Banbury 7, Newbury 7, TACT 13, Aylesbury 9, Milton Keynes 9, Loddon Valley 10, High Wycombe 10, Maidenhead 9. (Please note that some ICVs will provide support to more than one panel).

ICVs can also take on specialist roles, including TACT (Terrorism Detainees) which require a greater level of training and expertise. In addition, some ICVs will provide support and advice to other Force areas and support the ICVS Manager in recruitment and training delivery.

**4. Scheme training**

Training is provided in three different ways: a quarterly bulletin, an annual training day and panel meetings.

The ICVA had scheduled their National Annual Conference for all ICVs on 26 March 2020; again, the focus of the conference being ‘Dignity in Custody’. Unfortunately, due to the COVID-19 emergency it was necessary to postpone this event.

The Thames Valley ICVS Annual Training Day was scheduled for 25 April 2020, to be held at TVP HQ South in Kidlington. The theme of the Conference was ‘Vulnerability in Custody’ – with speakers arranged representing the Home Office, Nottingham University’s “Autism in Custody” project, the Appropriate Adults service in Oxfordshire and the TVP Head of Criminal Justice. Unfortunately, due to the COVID-19 emergency it was necessary to postpone this event.

A Thames Valley ICVS training day is planned for autumn 2021, with the main focus being on tackling issues and problems caused by COVID-19, including checking on the length of detention of COVID-19 suspected Detainees. This follows a recommendation made by Her Majesty’s Inspectorate of Constabulary in April 2021.

The ICVS Manager has also offered ICV awareness training to Mountain Healthcare, as part of their training and support for the Health Care Professionals (HCP). The purpose of this is to improve communication, understanding and cooperation between ICVs and HCPs in Custody.

New Custody Sergeants and Detention Officers undergo training at the Thames Valley Police Training College in Sulhamstead. The ICVS Manager has been attending each course to provide training about the Scheme. Prior to 2020, one of the ICVs delivered this training, however given the COVID-19 pandemic the ICVS Manager was asked to provide the training. The ICVS Manager delivers one training session per month for either new Custody Sergeants or new Detention Officers.

**5. Visit frequency**

The desired number of visits for each Custody Suite is 52 per year, which equates to one visit per Suite per week. However, during this reporting period visits have been suspended on 3 occasions due to national Lockdowns and working around short notice closures to Custody Suites. Therefore, the target number for this reporting period was **45.**

A written report, produced by the ICVs at the end of each visit, records findings, actions taken and matters for further investigation. This sent to the ICVS Manager who disseminates it to the relevant Custody Suite.

The chart below shows the actual number of visits achieved during this reporting period.

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| --- |
| **1 April 2020 to 31 March 2021** |
| **Custody Suite** | **Expected visits**  | **Actual visits**  | **Variance** |
| Abingdon | 45 | 53 | 8 |
| Aylesbury | 45 | 46 | 1 |
| Banbury\*\* | 45 | 42 |  -3\*\* |
| High Wycombe | n/a | n/a | n/a |
| Loddon Valley | 45 | 56 | 11 |
| Maidenhead | 45 | 49 | 4 |
| Milton Keynes | 45 | 49 | 4 |
| Newbury\* | 45 | 25 | -20\* |

\*Newbury was closed for several weeks for building works.

\*\*Banbury closed for COVID-19 isolation work

Custody visits can take place at anytime of the day or night, seven days a week.

The graph below shows what time of day visits took place during this reporting period. 22% of visits took place at weekends (a 6% increase on last year) and the number of weekend visits continues to improve.

The total numbers are:

|  |  |
| --- | --- |
| **Time of day** | **Number of visits** |
| 0400hrs - 1159hrs |  152 (46%) |
| 1200hrs – 1559hrs |  89 (27%)  |
| 1600hrs – 1959hrs |  68 (21%) |
| 2000hrs – 2359hrs | 18 (6%)  |

Within the range above, the earliest visit was at 07:00hrs and the latest at 21.00hrs. The ICVS Manager would like it noted that visits also took place on Boxing Day, New Year’s Eve and Christmas Eve.

Given that this reporting year was exceptional due to the mixture of telephone and physical visits, the chart below shows the split between the two types of visits.



The average time each visit took was 35 minutes, with the shortest visit being 5 minutes and the longest visit being 2 hours. The average delay in entering all Custody Suites upon arrival was 7 minutes, with the longest wait being 2 hours and 30 minutes. Delays entering Custody can occur for a number of reasons but are often due to a critical safety incident occurring at the time of the ICVs’ arrival, making it unsafe for them to enter. Telephone visits can experience delays due to technical issues with poor reception, engaged phone lines or shift handovers. The longest delay time was during a telephone visit with numerous technical issues; however, the Custody Staff did return the call to the ICV and did not keep them waiting.

Dependent on DP numbers, ICVs will prioritise visits to children and vulnerable persons.

**6. Detainee response**

The following statistics show the total number of DPs in custody at the time of the visits during the reporting period, and the breakdown by each custody suite.

|  |  |  |  |
| --- | --- | --- | --- |
| Total in suite | DPs offered to visit | DPs visited | % take up visited to offered |
| 1967 | 1103 | 974 | 88.3%\* |

**\***this figure is 7% lower than last year and a direct result of the circumstances caused by telephone visits; it is not a reflection on the Custody Visitors or Custody Staff.

During the reporting period a recorded total of 30,857 DPs were booked into TVP custody Suites, therefore the total number of DPs visited represented 1% of all DPs.

There are 14 recorded reasons why 924 DPs were unavailable to be spoken to, with the largest number being 272 (29%) of DPs who were either asleep or in their eight hour rest period, and 146 DPs (16%) who were being interviewed by the police/solicitor. During a visit ICVs introduce themselves to the DP and stress that they are independent from TVP and that they are there to check on the welfare and treatment of DPs. The number of DPs who declined to talk with them was 102 (11%) – an increase from last year, which was 6.4%. The full details of DPs not spoken to are shown in the chart below.

**7. Issues identified by visitors**

During their visits, the ICVs will look at and check the following matters:

* the DP is satisfied with their treatment in custody,
* cells and toilets have been maintained,
* CCTV is present and working,
* reasonable temperatures are maintained within the cells and centre,
* any medical attention or medication required has been provided,
* any visible injuries have been explained,
* female detainee hygiene concerns are addressed,
* washing facilities and access to fresh clothing have been provided,
* the food preparation areas and bedding are in a clean, tidy and hygienic condition,
* a reasonable period of time to rest has been given, if detained overnight,
* with the consent of the detainee, ICVs check the custody log to confirm the detainee’s account of their detention,
* sufficient COVID PPE stocks,
* COVID safety protocols applied by Custody Staff,
* SAFER protocols applied by Custody Staff, (more detail in section 8),
* quarterly spot checks by the ICVS Manager.

The majority of issues identified by ICVs are dealt with during their time in the suite, directly with the Custody staff, or immediately afterwards. Examples of issues raised include (but are not limited to): additional blankets needed, a DP needing a drink, a DP requiring a phone call, a need for medication, translation services for those who do not speak English and a solicitor, Appropriate Adult service and drugs toilet detainee extra checks.

Those issues highlighted as requiring further investigation are recorded separately, totalling six during this reporting period, which are summarised below:

* An issue with the HCP refusing to cooperate with ICVs at Abingdon Custody. This was escalated to TVP Custody Management and TVP Procurement. The matter was handled by Mountain Healthcare and an apology received.

Note: As a result of this complaint, the ICVS Manager has offered to provide a training session to Mountain Healthcare employees on the role and function of ICVs.

* Lack of Nicotine patches in Custody. Escalated to TVP Custody Management, who have advised that they have a working group looking at the medical issues surrounding Nicotine patches, hence why they have been temporarily withdrawn. Nicotine Lozenges are currently being trialled by TVP Custody Management.
* ICVs were kept waiting for 20 minutes at Milton Keynes Custody Suite and then turned away. This was reported to the ICVS Manager and quickly escalated to TVP Custody Management. The Milton Keynes Custody Inspector quickly (in 24hrs) corrected Custody Staff as to their duty to admit ICVs.
* Low stock of COVID PPE (early in April 2020) in one of the Custody Suites. ICVS Manager immediately escalated this matter which was resolved in 48hrs and stocks replenished.
* Partial hot water failure in a Custody Suite escalated to Custody Management and resolved by the next visit a few days later.

The ICVS Manager, in conjunction with the Inspector of the relevant Custody Suite and/or the Force Head of Custody, has resolved all of the issues that required further investigation.

The ICVS Manager would like to emphasise that he considers that the Thames Valley ICVS has an excellent working relationship with TVP Custody Management. This relationship has been enhanced by a new scheme whereby the ICVS Manager directly provides feedback to the custody suites following visits, especially positive feedback where the ICVs have complimented the Custody Staff on their professionalism and care. In turn, TVP Custody Management have worked closely with the ICVS Manager in terms of adapting to challenges caused by the Coronavirus (COVID-19) emergency, details of which are referred to earlier in this report. Evidence of the positive relationship is that TVP Custody Management approached the ICVS Manager to test their new SAFER initiative in each custody suite- further details are provided later in the report.

Examples of issues identified in this reporting period are below and listed per custody suite. These examples highlight the value and support that monitoring by Custody Visiting provides to DPs. They also assist in ensuring Custody Staff are aware of procedures and continue to maintain professionalism and high standards at all times.

**High Wycombe** (N/A due to closure)

**Loddon Valley** (March 2021)

**Report –** DP reported suicidal thoughts to ICV.

**Response –** Reported to Custody Staff and appropriate action taken to ensure DP’s cell does not contain any harmful materials.

**Aylesbury** (September 2020)

**Report –** 3 x requests from DPs for solicitors, all passed on to Custody Staff.

**Response –** 3 x Duty Solicitors arranged by Custody Staff, ensures DP’s rights have been upheld.

**Abingdon** (December 2020)

**Report –** DP has been sectioned, previously violent and aggressive.

**Response –** ICVs monitored via CCTV and observed the handover process with the Medical Team, DP remained calmed throughout.

**Milton Keynes** (February 2021)

**Report –** DP very distressed as had no blanket.

**Response –** ICV spoke with Custody Staff, blanket had been offered but DP refused, was in an agitated state. Blanket provided immediately.

**Banbury** (December 2020)

**Report** – Out of date food identified on Custody Visit.

**Response** – All food items checked, out of date food items disposed of.

**Maidenhead** (December 2020)

**Report** – Taps broken resulting in 2 cells out of use.

**Response** – Fixed and resolved by next visit 05 Jan 2021.

**Newbury** (July 2020)

**Report** – Juvenile DP, awaiting overnight accommodation. Health issues checked, Appropriate Adult and legal representation, check treatment is correct.

**Response** – ICVs advised despite a very busy suite the juvenile DP was looked after properly by Custody Staff.

**8 Service Improvements**

In order to expand the service and increase the cooperation between the ICVS and TVP Custody Management, the ICVS Manager has encouraged ICVs to note exceptional service and good practice by individual Detention Officers and Custody Sergeants. This positive feedback is passed on to TVP Custody Management and each respective Custody Suite as examples of excellence by the Custody Staff.

In 2020, TVP and Mountain Healthcare put in place the SAFER Initiative which was in response to extra checks recommended for DPs who are intoxicated. (SAFER = Sleep on side, Appropriate Rousing, Food withheld initially, Encourage fluids, Remember – can they walk or talk?). TVP Custody Management requested that the ICVS help test the SAFER Initiative and as a result, the ICVS Manager implemented two new measures. Firstly, ICVs were informed of SAFER and encouraged to make random enquires and report back. Secondly, the ICVS Manager personally visited all the Custody Suites unannounced and queried a member of the Custody Team about SAFER, asking a number of questions. He is pleased to report that all the answers and responses were complete, correct and consistent with the SAFER initiative’s processes and procedures.

In order to fill gaps in the visitor rotas the ICVS Manager has personally undertaken Custody Visits during the reporting period. Furthermore the ICVS Manager has made quarterly ‘spot check’ visits to each Custody Suite where the facilities have been inspected (especially during the third Lockdown) to ensure that the high standards are being maintained. The ICVS Manager has also tested the COVID-19 procedures and PPE on entering the Custody Suite to reassure ICVs that these have been implemented.

Visiting each Custody Suite periodically has allowed the ICVS Manager to take time to speak to Custody Staff and listen to any issues regarding ICVs, as well as clarifying their role. Feedback has been used to improve our understanding of Custody procedures and adapt the ICVs role to the changes. More importantly, this has improved the working relationship between the ICVS and TVP Custody which in-turn ensures a better, more efficient service to the public. This has been the ICVS Manager’s overriding priority during this year.

In addition, as explained previously in this report, in order to improve the working relationship between Healthcare Professionals (HCPs) and ICVs, the ICVS Manager has offered training to all HCP’s.

The ICVS Manager has taken on responsibility for organising the necessary paperwork for vetting and security checks of ICVs, which was previously the responsibility of the Panel Coordinators. The reason for this is to reduce the administrative burden on them thus allowing them to concentrate on organising their Panel Members and visit rotas. It also allows for a better working relationship with the TVP Vetting Department, making the process more streamlined by working via one person.

To assist other PCC areas with their ICV Schemes during the Lockdowns, Thames Valley ICVS shared all of our documents via the ICVA Members Forum. Furthermore, the ICVS Manager was contacted by three other PCC areas to provide advice and support for their alternative arrangements to physical visiting. Furthermore , the ICVA confirmed that the Thames Valley ICVS was the first to implement an alternative telephone visiting service during the first Lockdown.

**9. Financial comments**

The ICVS budget for 2020/21 of £11,353 was underspent by £7968. This is the largest underspend in the past 8 years and is entirely due to the impact of COVID-19 and its effect on Custody Visiting, resulting in fewer ICVs available and telephone visiting being implemented.

**10. Legal comments**

As summarised above, under section 51 of the Police Reform Act 2002, Police and Crime Commissioners in England and Wales are required to organise and oversee the delivery of an Independent Custody Visiting Scheme in their Force area. The contents of this report demonstrate that the PCC is meeting his statutory obligations under the 2002 Act.

**11. Equality comments**

The gender split of ICVs at the end of the period was Male 30 (44%) to 39 female (56%).

The age demographic as at 31 March 2021 was as follows:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **18-25yrs** | **26-35** | **36-45** | **46-55** | **56-65** | **Over 65** |
| 3 | 3 | 3 | 14 | 23 | 23 |

Ethnicity and disability information of ICVs is provided below:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **White** |   |   | **Black** |  | **Asian** |  | **Mixed** |
| **British** | **Irish** | **Other** | **African** | **Caribbean** | **Indian** | **Bangladeshi** | **Caribbean** |
| **57** | **1** | **1** | **1** | **1** | **2** | **0** | **0** |

There are three ICVs who are disabled as defined in the Equality Act 2010.

**12. Final Comments**

The ICVS,during this reporting year has successfully operated and adapted to changes caused by the COVID-19 Pandemic, which is a completely new challenge, never experienced before. The ICVS Manager is confident that the Scheme has risen to the challenge and would like to add that none of it would have been possible without the excellent team work and support he has received- most notably from the ICVs and Panel Coordinators who have continued throughout the year. The ICVS Manager would also like to recognise the help and support of the new Deputy ICVS Manager, Alysha Jhutti who has quickly taken up her new role in assisting with the ICVS and settled in very well. Finally, the Governance Manager Sierra Reid and the Head of Governance and Compliance Vicki Waskett, both of whom have shown confidence and belief in the ICVS Manager and Scheme itself, and have been on hand throughout to help resolve any issues or problems that have occurred.

**Jim Katouzian**

**ICVS Manager and Governance Officer**

**July 2021**