

POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE

POLICE AND CRIME PANEL

Report of	OFFICE OF THE POLICE AND CRIME COMMISSIONER
Subject	INDEPENDENT CUSTODY VISITING SCHEME SUMMARY ANNUAL REPORT 2021/22
Date	MONDAY 6 MARCH 2023
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Purpose of Report

The purpose of this report is to provide panel members a summary of the annual report of the Commissioner's Independent Custody Visiting Scheme 2021/22. The report covers the period 1 April 2021 to 31 March 2022.

Recommendation

1. Panel members are recommended to discuss and note the contents of the report.

Background

2. Custody visiting in Leicestershire commenced in 1983 as a voluntary scheme following a recommendation from the Scarman report into the Brixton disorders in 1981. One of Lord Scarman's recommendations was that a system be introduced whereby local community members could make independent, unannounced visits to police stations for the purpose of ensuring the welfare of persons detained in police custody. The purpose of this recommendation was to counter growing mistrust of the police at that time and to increase their accountability. Subsequently Section 51(1) to the Police Reform Act 2002 placed independent custody visiting on a statutory basis with responsibility for schemes lying with local policing bodies. As such, the Home Office produced a Code of Practice on the delivery of schemes and National Standards were introduced by the Independent Custody Visiting Association (ICVA).

Organisation of the Scheme in Leicestershire

3. The Police and Crime Commissioner is responsible for the Scheme and receives regular reports on the performance and outcomes from custody visits. The Commissioner has also undertaken a number of custody visits himself during his term of office. The Scheme is overseen by the Head of Performance and Operations with daily management undertaken by the Volunteer Manager.
4. There are currently 19 Independent Custody Visitors (ICVs) in the Scheme. All are recruited from the local community through a recruitment process which includes an application form and an interview. All volunteers are vetted and complete a six-month probationary period during which time all induction training is provided.

5. Leicestershire Police has 3 custody suites located as follows:

Euston Street	-	36 cells
Keyham Lane	-	17 cells
Beaumont Leys	-	14 cells

Euston Street and Keyham Lane are the primary custody suites and Beaumont Leys is a secondary custody suite. Beaumont Leys was closed most of the year and only open when there was demand or when there were refurbishment works taking place at Keyham Lane Custody Suite.

Visits undertaken 1 April 2021 to 31 March 2022

6. ICVs have the locally agreed target to visit each custody suite a minimum of once per week.

During 2021/22 a total of 86 visits were made as follows:

Beaumont Leys	3 Visits
Euston Street	43 Visits
Keyham Lane	40 Visits

7. Due to the Covid-19 pandemic, during April to June visits were undertaken fortnightly, visits resumed once a week from July 2021.

The Independent Custody Visitors contributed an impressive 364 hours of their time volunteering for the OPCC throughout the year, which included time at custody visits, team meetings and training sessions.

Access to the custody suite

8. For each visit undertaken, a record is kept of the time that ICVs attended at the police station to the time they received admittance to the custody suite. Of the 86 visits carried out during the year, immediate access to the custody suite was permitted on 77 occasions. ICVs experienced a delay of 6-15 minutes on 7 occasions, and 2 visits incurred a delay of more than 15 minutes. Delays in access were mainly due to suites being very busy.

Detainees seen, not seen or who refused a visit by Custody Visitors

9. During 2021/22, the total number of detainees in police custody was 14,607 of which 780 were in police cells at the time of custody visits. Of these:-

- 350 detainees were offered a visit, of which 314 agreed to be seen.
- 36 of those offered a visit refused to be seen.

10. In addition to those offered a visit:

- 16 detainees were not offered a visit on advice from the Custody Sergeant due to them being aggressive, intoxicated or health and safety concerns.
- 138 detainees were not available to be visited due to being in an interview, at hospital, or out of cell for other reasons.

- 276 detainees that were asleep, were observed through the spyhole or cell hatch.

Day and Time of Visits

11. To ensure a varied coverage of visits each week is divided into 35 timeslots per custody suite. A varied spread of visits is crucial to ensure that visits do not become predictable. The below tables show the performance for 2021/22.

Euston Street	00:00 07:59	08:00 11:59	12:00 15:59	16:00 19:59	20:00 23:59	Totals
Monday		1	3	3	2	9
Tuesday	1	1	1	1	2	6
Wednesday			1	2	1	4
Thursday	1	1	1	1	2	6
Friday	1	2	1	2	1	7
Saturday	1	1	1	1		4
Sunday	1	2	1	2	1	7
Totals	5	8	9	12	9	43

Keyham Lane	00:00 07:59	08:00 11:59	12:00 15:59	16:00 19:59	20:00 23:59	Totals
Monday		1	2	3	1	7
Tuesday		1		1	1	3
Wednesday		2		2	2	6
Thursday		2	1	1	1	5
Friday		2	2	2	1	7
Saturday		3	2	1		6
Sunday	1	1	2	1	1	6
Totals	1	12	9	11	7	40

Beaumont Leys	00:00 07:59	08:00 11:59	12:00 15:59	16:00 19:59	20:00 23:59	Totals
Monday	1					1

Tuesday						
Wednesday			1			1
Thursday						
Friday		1				
Saturday						
Sunday						
Totals	1	1	1			3

Issues Reported

12. A full list of all issues raised by detainees throughout the year can be found on the Independent Custody Visiting Scheme page, annual report on the Police and Crime Commissioners website. Some examples of issues raised and force response documented below:

Euston Street Issue Tag	ICV Comments	Inspector Comments
Adequate food not offered	The first mention of food on the custody record is at 14:56, nearly 24 hrs after detention started. Detainee has complained very clearly to us about this.	I accept that the first log to mention food is at 14:56 - this states that the detainee has been refusing food as he thinks officers will spit in it. there are a number of logs where he has engaged with officers and I will send a reminder to log when food and drink offered. Eventually the Sgt gives him food which is accepted and then a number of subsequent meals are recorded
DP claims use of force	Has numb thumb due to handcuffs and is still not ok. Custody staff advised.	Did not tell the custody staff about the injury at booking in. Health Care Practitioner went to see DP after the custody visit at 16:55.
Not offered to have someone notified of arrest	Asked to check if mum aware of detention. Custody officer informed	A section 56 notification was completed at 16:36hrs on the request of the detainee. It does not state on the log whether the female contacted was the mother of the detainee but it would be fair to assume that this is the case. S56 completed.
Other	Waiting solicitor but not happy with cell intercom contact as he cannot understand when it is used.	Spoke to solicitor at 16:22 during ICV visit. It is difficult to hear sometimes on the cell intercom however unable to resolve the issue as it's due to the set-up of the suite.

Other	Believes his arrest is racially motivated. Custody staff advised.	<p>There was a standard Review of detention completed by the Inspector and no mention of a complaint then.</p> <p>Then an entry re him wishing to complain about the arresting officer. Note here that so a custody officer is not tied-up taking a complaint (and thereby impairing our capacity to deal with other detainees) it is standard practice to give info to the d/p around how to make a complaint to Professional Standards Department or IOPC. This was done here, which is a decision I support for reasons around capacity and responsibility to other detainees.</p>
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Keyham Lane Issue tag	ICV Comments	Inspector Comments
Medication not received/requested	Request medication	Detainee advised custody of regular medication but didn't want it collecting as it was an anti-depressant missing one dose would not have an effect whilst in custody and could be managed once released.
Other	Update requested	I have checked the custody logs and there is no mention of conversations with the detainee regarding the requirement for interview, however the detainee does get interviewed contrary to notes earlier in the custody record stating that an interview was not required due to overwhelming police evidence and the type of offence. It is likely that the case was passed between officers and subsequently led to a change in the investigation plan, not ideal for the detainee but unfortunately this is unavoidable from time to time.

Positive feedback and visit summaries from ICVs to Custody Staff

13. Feedback from ICVs during the year have included a number of complimentary comments as a result of their visits to custody suites. A full list of all visit summaries throughout the year can be found on the Independent Custody Visiting Scheme page, annual report on the Police and Crime Commissioners website. Some examples of visit summaries documented below:

Visit ID	Suite	ICV Comments
201	Euston Street	Busy suite very helpful detention officer (DO) who took us round. Kitchen and exercise yard clean and tidy. Screens for viewing records not working but DO allowed us to view his screen. Delayed time before entering suite.
203	Euston Street	Kitchen clean and tidy, detention officers kind and helpful.
210	Euston Street	Both yard checked clear. All showers clean. Kitchen clean food in date Probe no longer provided CCTV working Staff very busy at times during visit but still very helpful.
224	Euston Street	Staff helpful. Yard, kitchen and showers clean. Sanitary items well stocked. Unable to view custody record on screen had printed redacted copy.
232	Euston Street	Waited 22 minutes to enter due to custody being busy which led to us not being able to see every detainee. Prioritised females, juveniles and vulnerable. Kitchen clean and food in date. Yard satisfactory. Accompanying officer unsure of proceedings but happy to learn from us, she was very helpful. Computer screens not available at present, is this an ongoing issue? Paper copies of records given for viewing. We advised officer to take personal information off the written reports before viewing.
246	Euston Street	Food and drink observed throughout, kitchen and yard clean. Female products were well stocked in cupboard. Shower needed cleaning but in progress. Escorting officer was inexperienced dealing with ICV visits but was helpful and polite at all times.
199	Keyham Lane	On arrival only, PPE available is masks and gloves at custody suite however staff very helpful and cooperative. Taken to arrival area when prisoners in vans. Suite very busy initially unable to trace iPad and when eventually found battery dead had to put on charge. Kitchen, yard, showers are clean. Food all in date. Female sanitary products stocked
202	Keyham Lane	Kitchen, yard check all fine. Staff very helpful and supportive.
255	Keyham Lane	Exercise yard, kitchen and supply cupboard checked all clean and tidy. Everywhere seen tidy and maintained with no real issues raised. Staff all polite and helpful and showed us respect and kindness.
269	Keyham Lane	Everything clean and tidy, all areas visited and checked. Staff helpful and polite as always. Quickly let in and show round and iPad was fully charged. Records viewed and everything working fine.
272	Keyham Lane	Pleasant visit with helpful staff. Kitchen and exercise yard checked. Good to see that Sergeant has made provision for M2 who is vulnerable

		and has mental health issues. Staff allowed for him to sit in a side room as opposed to cell with his appropriate adult.
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Current Custody Visitors

14. At the start of April 2021, there were 23 ICVs registered with the Scheme with 4 leaving during the year for various reasons. These included other commitments and health reasons.
15. Feedback from exit questionnaires was received as follows: -

Comments made on exit interview forms	Response
Thank you for the opportunity and thank you for the opportunity to become a co-ordinator, it was a tough decision to leave the scheme. Appreciated support from the Volunteers Manager.	Volunteer Manager thanked the ICV for their commitment and contribution to the ICV Scheme.
Well thought out volunteering scheme, thorough training and regularly reviewed. Happy with the processes of the scheme.	Volunteer Manager agreed that the training programme was thorough to equip ICVs to fulfil their role.
I thought that the training I received when I first became an ICV was very helpful and informative and additional training was always welcome.	
Amazing relationship with the team, all other interactions very positive.	Volunteer Manager passed the feedback onto the ICVs.
I have really loved being an ICV and if my health was better I still would be. The role took me out of my comfort zone which I am grateful for and I would like to thank all concerned for giving me this great opportunity to see the other side of policing.	Volunteer Manager thanked the ICV for their commitment to the ICV Scheme.
I feel that the Memorandum of Understanding is a great way of knowing exactly what is required of an ICV and the OPCC.	Volunteer Manager will continue to keep the Memorandum of Understanding in place and regular review it.

Meetings

16. Quarterly team meetings take place, which are chaired by the Volunteers Manager and are attended by the Force Custody Inspector and team of Independent Custody Visitors. These meetings took place on 8 June 2021, 21 September 2021, 8 December 2021 and 16 March 2022. Items discussed in the last 12 months included, outcomes from custody visits and Force response, developments within the scheme and custody, legislative changes and system and staff updates within custody. Most of the meetings took place virtually via

'Circuit' – online meetings platform. The December 2021 meeting was held face to face at Force Headquarters and a thank you buffet was provided for the Volunteers. Since April 2022, the team meetings have returned to a face to face format.

Developments during 2021/22

Investing in Volunteers Award

17. The Scheme is accredited and has achieved the Investing in Volunteers Award for the fourth consecutive time and has held this award since 2012.

Recruitment

18. Approximately 25 ICVs is considered appropriate to provide the required level of resilience to ensure visits take place and to maintain the interest of the visitors. A review of ICV numbers has recently taken place and therefore a recruitment campaign for new ICVs is in progress. Targeted advertising has been carried out to ensure the diversity of the team reflects the local community.

Independent Custody Observers Pilot (ICOP) 2021/2022

19. The Leicestershire ICV Scheme was involved in a pilot scheme 'Independent Custody Observers Pilot' (ICOP). The pilot involved scrutinising custody records of vulnerable detainees to obtain a fuller understanding of what is happening in custody suites and assists with identifying issues and trends. This pilot ensured that individuals were dealt with fairly and to a recognised and agreed standard whilst in custody. A team of 6 Independent Custody Visitors scrutinised a total of 93 custody records (48 young people, 45 detainees with MH vulnerabilities). The pilot ended in April 2022 and proposals are being considered to include custody record reviewing as part of the Ethics Committee workstreams.

20. A full list of queries raised as part of the Independent Custody Observers Pilot is attached at 'Appendix 1' to the report.

Bitesize training – Distance learning

21. ICVA produced 'straight to ICVs' bitesize training sessions to be completed via distance learning. All ICVs were sent the materials and support provided in person to those that preferred to complete them at force headquarters.

Future development

Animal Welfare Scheme

22. The PCC launched the Animal Welfare Scheme (AWS) on 1 April 2022. The operation of the AWS is the responsibility of the Office of the Police and Crime Commissioner (OPCC) and is exercised in consultation with the Chief Constable. Once a month AWS visitors make an unannounced visit in pairs to the Leicestershire Police Dog Unit. They check on the conditions in which the dogs are housed, trained and transported. They will also observe dog training in progression and will provide feedback on all visits via an electronic visit report form. Feedback from their visits will be shared with the OPCC Volunteers Manager and the Sergeant of the Dog Unit.

The AWS visitors, all members of the public who have volunteered to dedicate their time to the scheme, have received training and upon visiting the kennels have been impressed with the variety of enrichment activities on offer for Leicestershire's canine cops which include a sandpit, pool and open space to explore.

Regional Collaboration

23. Volunteer Managers from Schemes within the East Midlands meet on a quarterly basis. The group discuss:

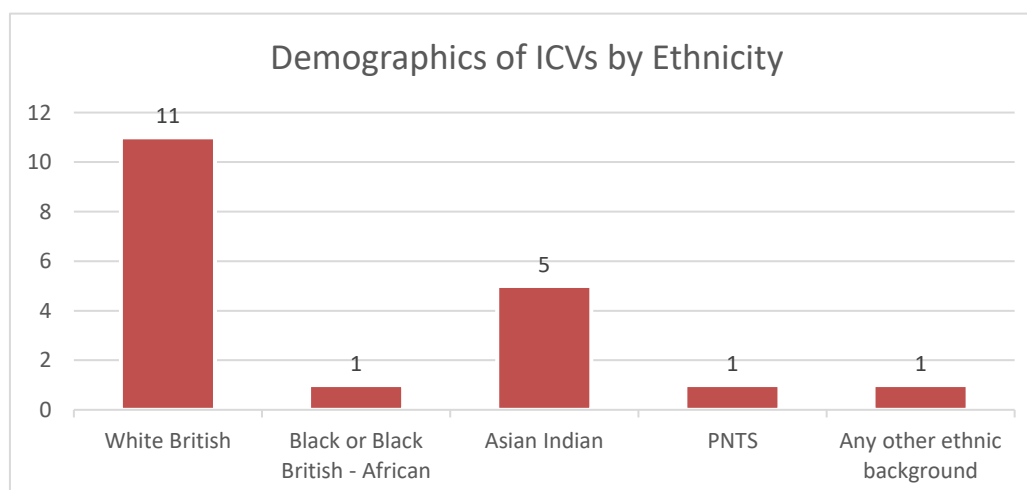
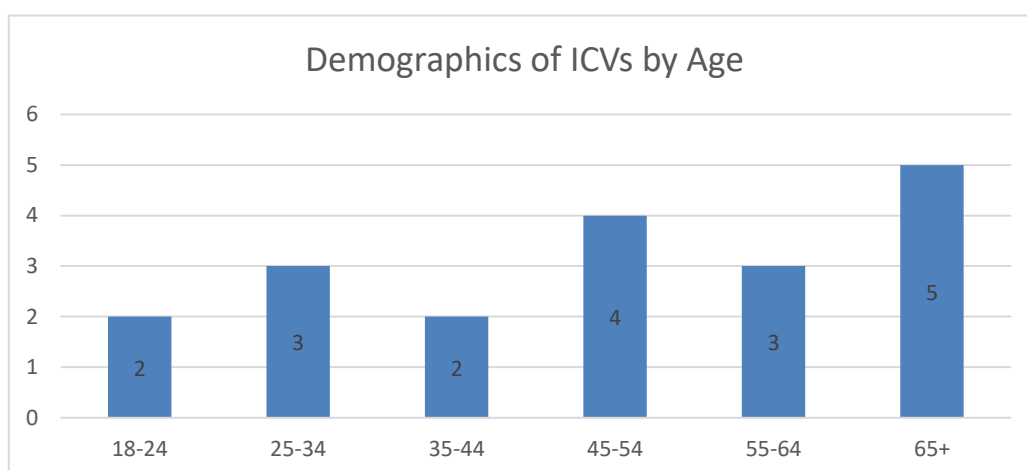
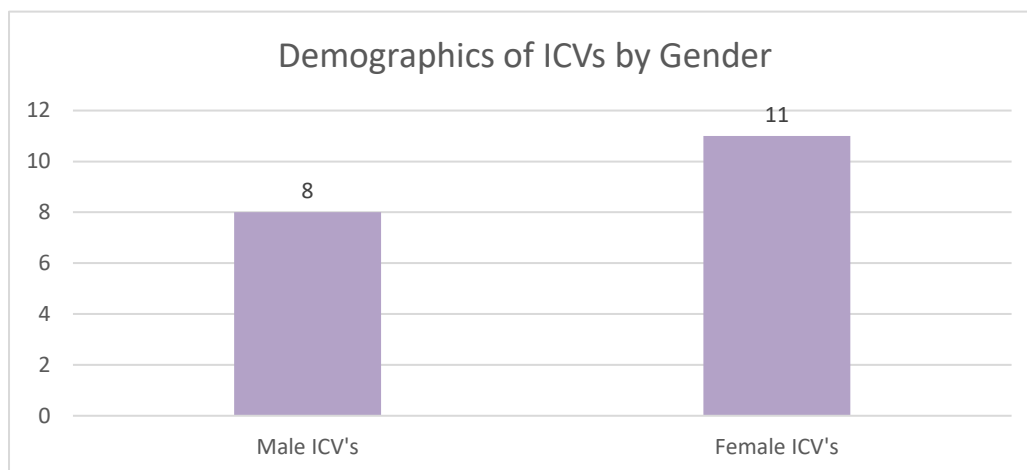
- Matters arising
- Key Performance Indicators – monitored around frequency and coverage of visits, access to custody suites and the number of detainees visited
- Recruitment updates
- East Midlands Criminal Justice Service (EMCJS) Custody Operational Leads
- Independent Custody Visiting Association (ICVA) updates
- Risk Assessment Documents
- ICV Advanced Regional Training
- Electronic reporting
- Further developments within Schemes such as the Independent Custody Observers Pilot (ICOP)
- National Experts Forum (NEF) updates

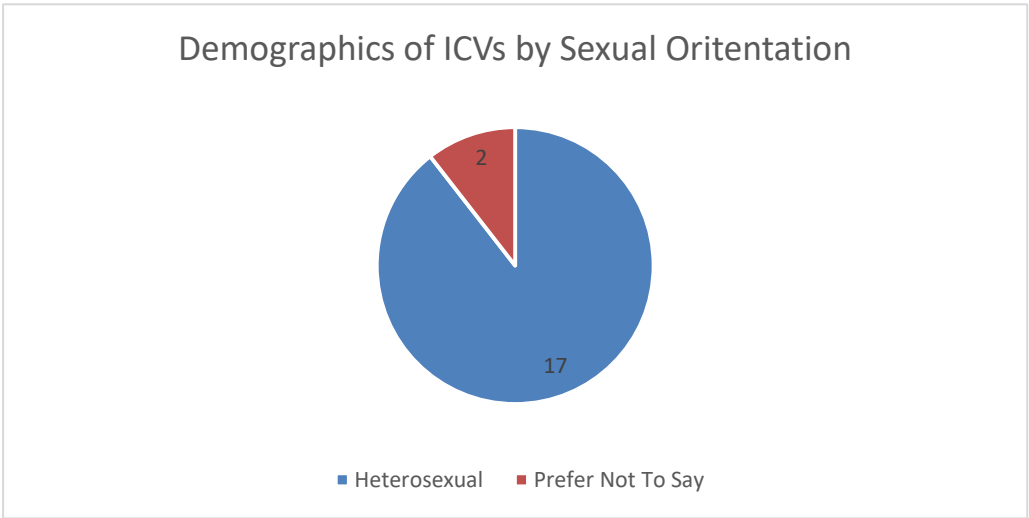
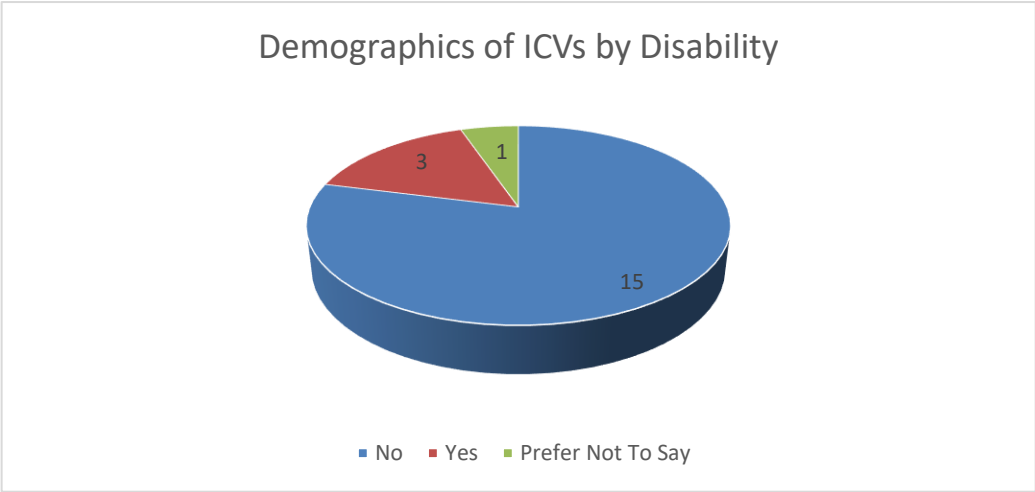
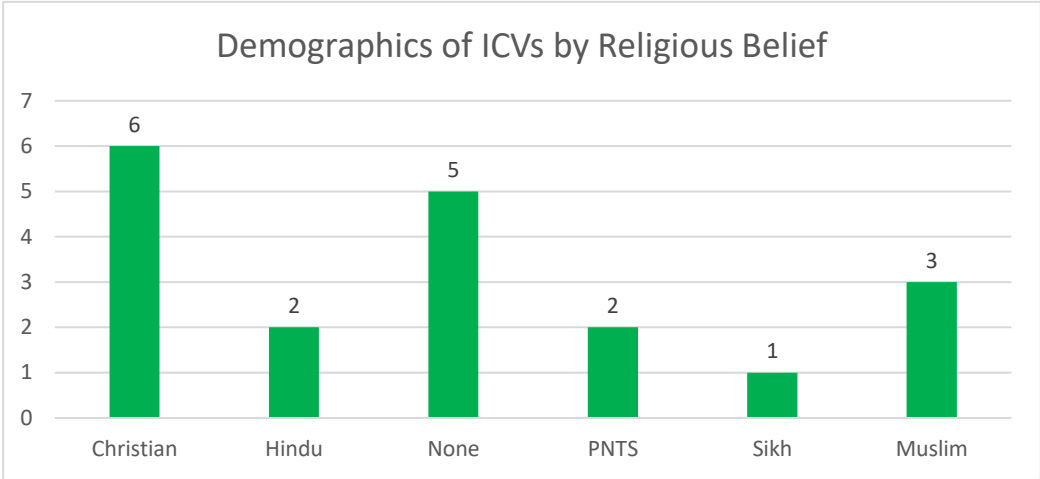
24. The meetings provide an opportunity to share good practice with each other and discuss any new developments in the Scheme. Opportunities are also identified for future collaboration.

25. The Volunteer Manager from Leicestershire represented regional colleagues at the EMCJS Strategic Custody Operational Leads Group.

Equality monitoring data as of 31 March 2022

26. The demographics of the ICVs as of 31st March 2022 are shown in the charts below: Total number of ICVs – 19.

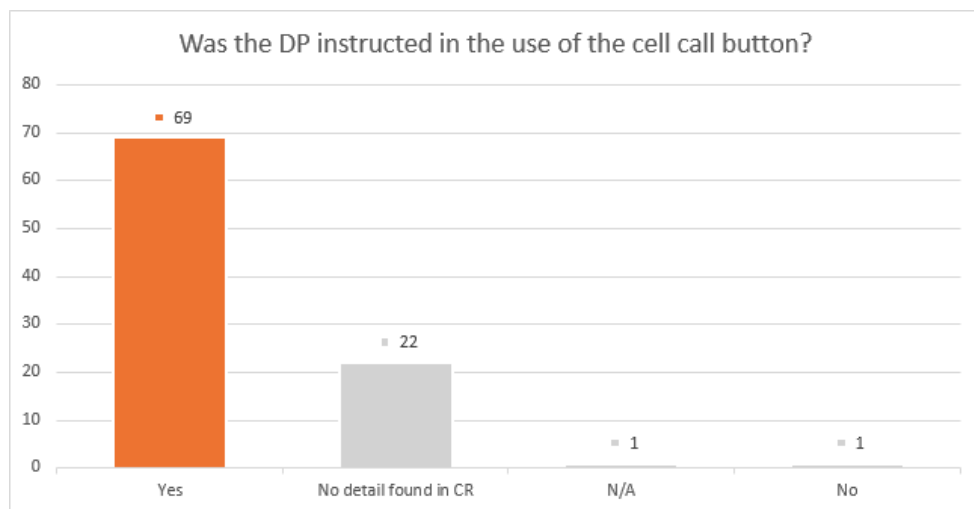
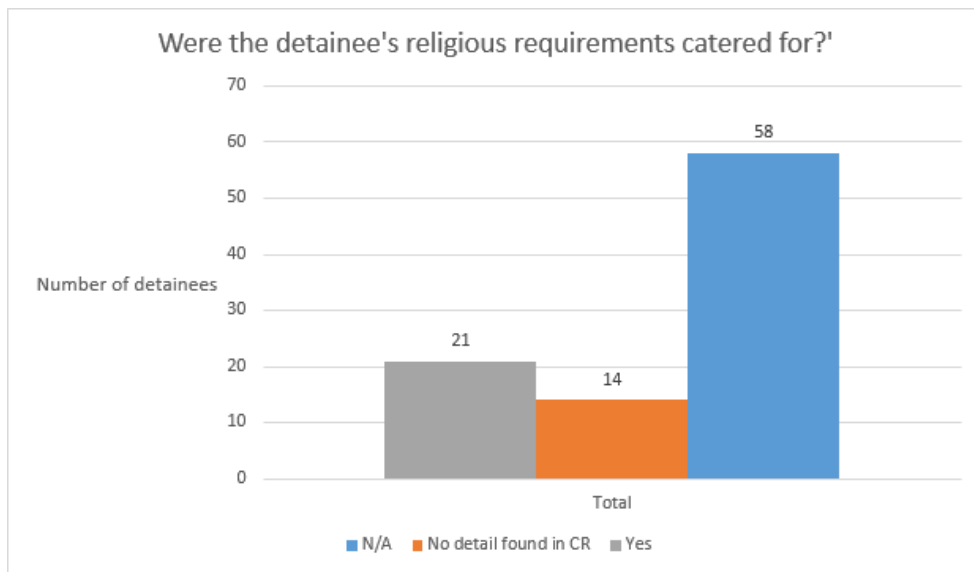


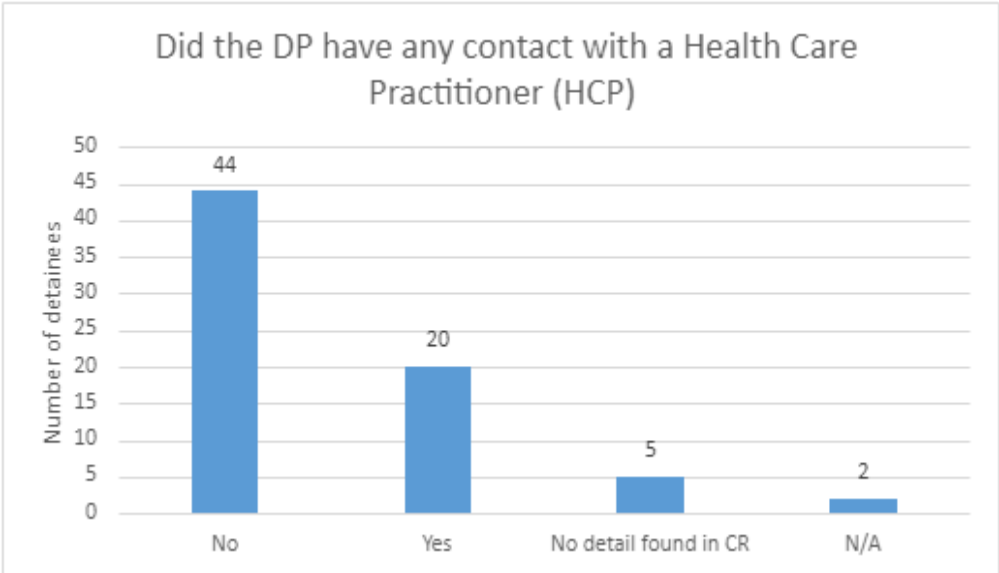
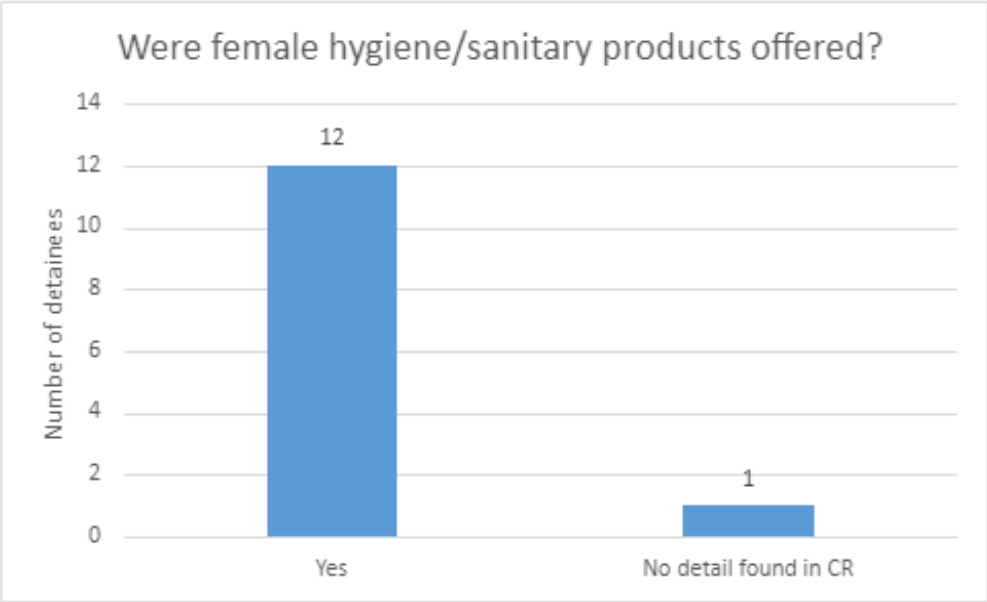
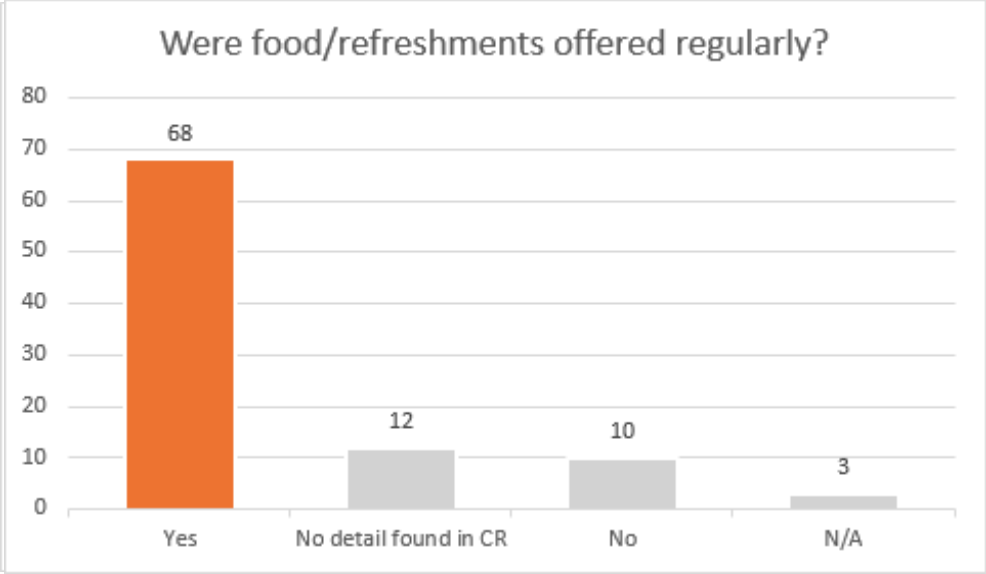


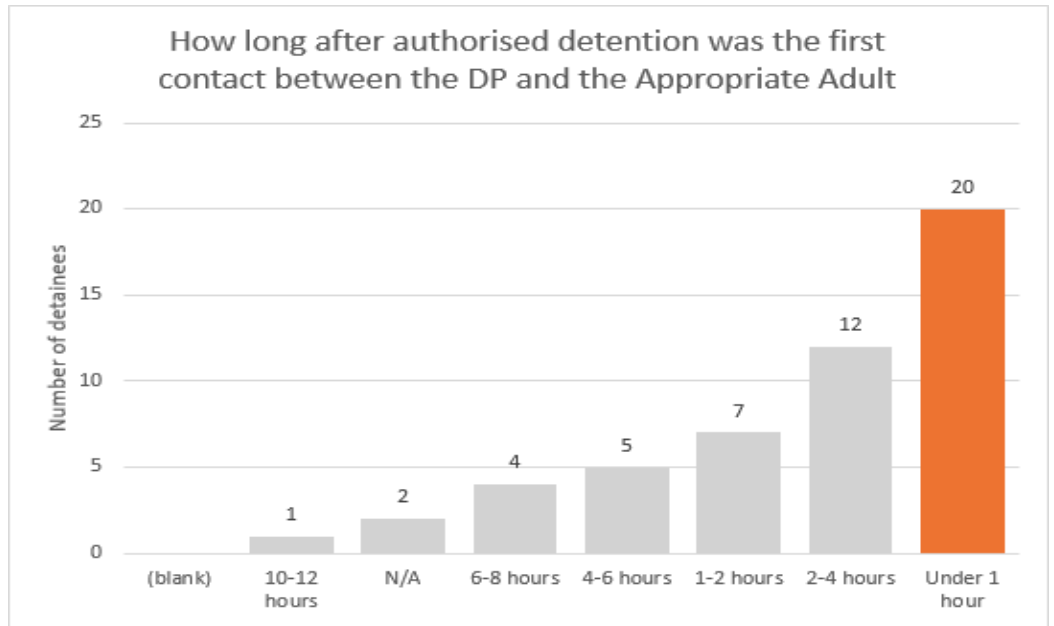
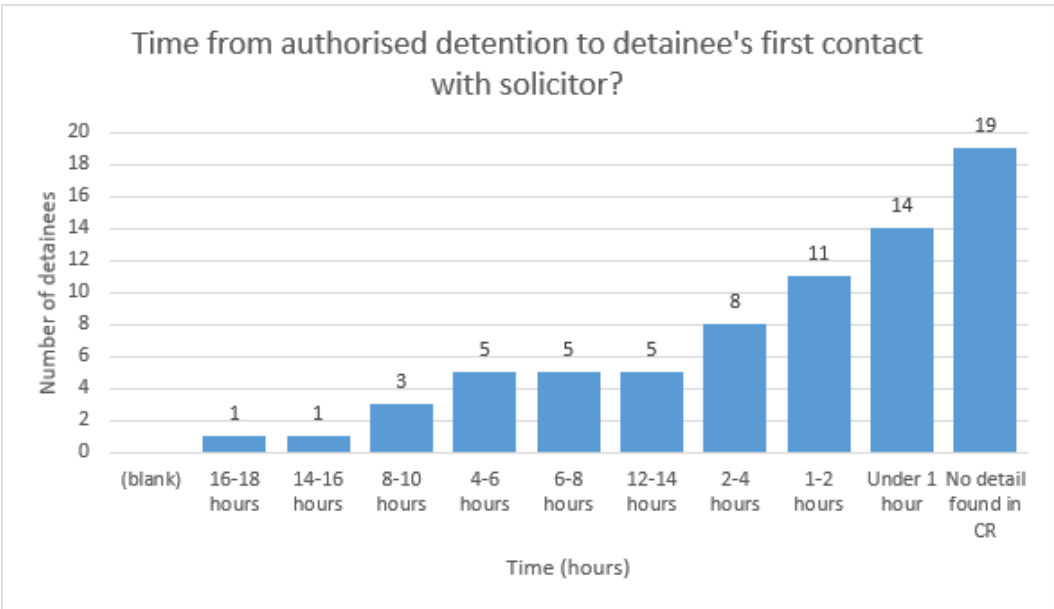
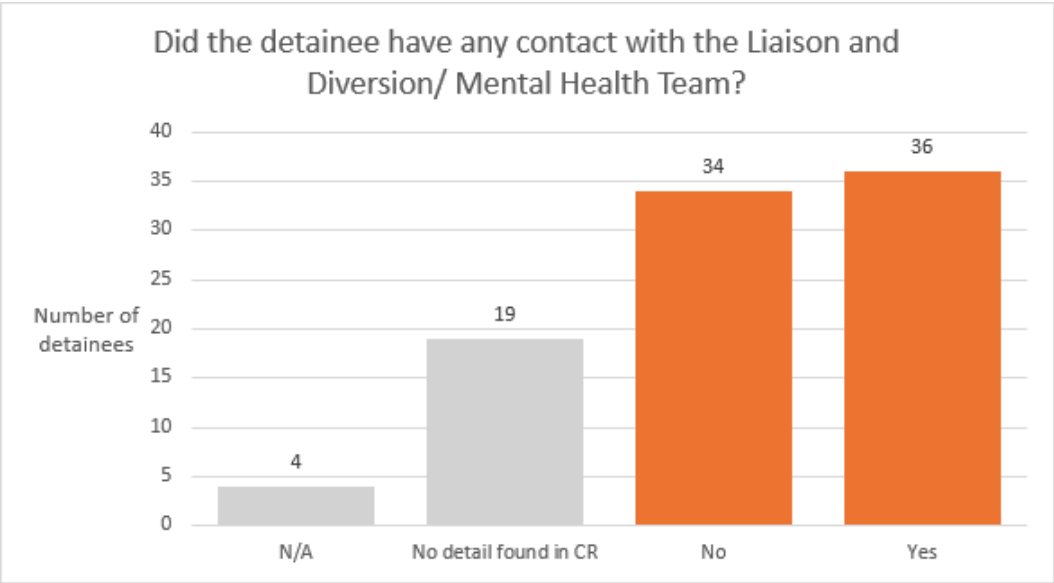
Conclusion

27. ICV's were unable to view custody records on the screen for many visits due to IT issues. Leicestershire Police have reassured us that this will be resolved as soon as possible.
28. Team meetings with the Force Custody Inspector for Criminal Justice have been particularly informative and productive, and have provided the OPCC with the opportunity to discuss issues arising and developments within the Scheme. ICV commitment and contribution has been outstanding.
29. Detainees looked after well in custody, being offered meals and drinks, dietary requirements met and religious requirements met.
30. Rights and entitlements provided, solicitors contacted in a timely manner.
31. Female detainees provided female officer and hygiene products offered on most occasions.
32. Some delays in the arrival of Appropriate Adults, rationale documented on most custody records.
33. Improvements required regarding documentation of rationale for delays of over 30 mins from time of arrival to authorised detention.
34. Seems to be some difficulty around arranging alternative accommodation at times, a regular theme and was also noted throughout the year.
35. ICV's and the Volunteers Manager have been supporting Leicestershire Police with Trauma Informed Approaches within custody and sharing their feedback on distraction materials. This work will be ongoing over the next 12 months to support and develop Trauma Informed Suites and good practice for vulnerable detainees to support their overall wellbeing.
36. The Independent Custody Visitors contributed an impressive 364 hours of their time volunteering for the OPCC.

Independent Custody Observers Pilot (ICOP) findings
Total 93 detainees







General Comments
This detainee had significant mental health issues and he was detained for the minimum possible period.
Appears to be an appropriate response from officers to consider DPs social circumstances (to call social services in the morning, taken to friend's house).
Panic attack whilst in custody, addressed by HCP and mental health issues addressed by Liaison and Diversion.
Well documented medical record throughout detention.
Detention not authorised and released from custody under one hour.
The detainee's mental health was considered and good practice was put in place. It is not clear whether there was or could be referral or follow up post release.
Detailed record of analysis by CJLD worker, record suggests this analysis around exploitation was shared with custody sergeant.
Staff showed great patience in dealing with this detainee.
No evidence in record of fitness for interview carried out specifically but wasn't considered fit to go through justice system.
Identified as alcohol dependant and declined arrest referral worker.
The only evidence of mental vulnerability was self harm as a child and it is considered that this low risk was addressed.

Query raised	Force Response
Is there any follow up or drug and alcohol services (turning point) on release?	The detainee would not be automatically referred to Turning Point.
Lack of record of any medical practitioner contact.	The detainee does have some documented medical issues but has not requested to see the HCP. None of the conditions stated by the detainee required any immediate attention.
Because of detainee's mental health and involvement of Respite what was rationale for not needing an appropriate adult.	The detainee stated on booking-in that he suffers anxiety and depression but is not medicated. It is the decision of the custody officer based on whether they feel the detainee can effectively communicate as well as understand the situation, consequences and outcomes. I have not identified any information to indicate that the detainee could not effectively communicate.
Food and drink provision review	Quite often detainees are booked in during the night and will tend to go straight to sleep, this meaning they are not offered food during this period of rest. There has been a documenting issue where detention officers are not recording when food is offered to the detainees, Inspector has sent an email to ensure better compliance in this area.
Unclear as to follow up for this juvenile following release	Nothing documented on the release log other than the juvenile was transported home by the investigating officers. Inspector will feed this lack of information back to the custody officer concerned.

Implications

Financial:

Expenses relating to the ICV Scheme are contained within the OPCC budget.

Legal:

It is a statutory requirement under Section 51 of the Police Reform Act 2002 for Police and Crime Commissioners to have a Custody Visiting Scheme in place.

Equality Assessment:	Impact	The ICV scheme is constantly monitored to ensure those involved in the scheme are representative of the local community. Equality impact assessment is undertaken prior to recruitment to ensure that recruitment is targeted.
Risks and Impact:		Link to Police and Crime Plan: The maintenance of the ICV Scheme is a statutory requirement of the PCC.

List of Appendices

Appendix 1 – Findings from the Independent Custody Observers Pilot and Force Response

Person to Contact

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