

POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE

PAPER MARKED

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Report of	OFFICE OF POLICE AND CRIME COMMISSIONER
Subject	INDEPENDENT CUSTODY VISITING SCHEME ANNUAL REPORT 2019/20
Date	WEDNESDAY 27 MAY 2020 - 6.30 p.m.
Author	SHAMEERA MANDHU, VOLUNTEER MANAGER

Purpose of Report

1. The purpose of this report is to provide Co-ordinators with the annual report of the Commissioner's Independent Custody Visiting Scheme 2019/20. The report covers the period 1 April 2019 to 31 March 2020.

Recommendation

2. Co-ordinators are recommended to discuss and note the contents of the report.

Background

3. 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

4. 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 Executive Director with daily management undertaken by the Volunteer Manager. A volunteer Co-ordinator and two volunteer deputies support the daily running of the Scheme.

5. There are currently 21 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.

6. Leicestershire Police has 3 custody suites located as follows:-

Beaumont Leys	-	14 cells
Euston Street	-	36 cells (18 cells in operation mid-week)
Keyham Lane	-	17 cells

Visits undertaken 1 April 2019 to 31 March 2020

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

8. During 2019/20 a total of 140 visits were made as follows:-

Beaumont Leys	45 Visits
Euston Street	50 Visits
Keyham Lane	45 Visits

9. Throughout the year, there were a number of temporary closures and some aborted visits which resulted in less visits than planned.

Closures

10. Beaumont Leys and Keyham Lane closed on separate occasions for a total of 9 weeks to complete CCTV and cell call system installations. Beaumont Leys closed again later in the year for 2 weeks due to work to be carried out on the heating system. Keyham Lane closed on another occasion for 2 weeks due to work on the power systems and a subsequent electricity outage.

Aborted Visits

11. During the first week of September 2019, two ICVs attempted to visit Beaumont Leys. On arrival, the custody officer informed them that they had an exceptionally violent detainee who was out of his cell for interview and a Taser crew was on standby due to the level of risk. The Inspector advised the ICVs abandon the visit in order to protect their safety. The ICVs agreed with the advice and informed the Volunteer Manager as soon as possible.

12. Due to the Covid-19 crisis, 4 visits were aborted towards the end of March 2020 as ICVs rostered during these weeks fell into high risk categories. A decision was also being made in regards to the frequency of visits during the crisis.

Access to the custody suite

13. 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 140 visits carried out during the year, immediate access to the custody suite was permitted on 122 occasions. ICVs experienced a delay of 6-15 minutes on 10 occasions, and 2 visits incurred a delay of more than 15 minutes. Delays in access were mainly due to suites being very busy,

detainees waiting to be booked in, staff handover time and some detainees on CCTV watch.

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

14. During 2019/20, the total number of detainees in police custody was 13,168 of which 1026 were in police cells at the time of custody visits. Of these:-

- 449 detainees were offered a visit, of which 421 agreed to be seen.
- 28 of those offered a visit refused to be seen.
- 88 detainees were not offered a visit on advice from the Custody Sergeant due to them being aggressive, intoxicated or other health and safety concerns.
- 109 detainees were not available to be visited due to being in an interview, at hospital or out of cell for other reasons.
- 380 were observed through the spyhole or cell hatch.

Day and Time of Visits

15. To ensure a varied coverage of visits each week is divided into 35 timeslots per custody suite. Over the year visits have been undertaken across almost all times of the day and days of the week. A varied spread of visits is crucial to ensure that visits do not become predictable and occur at regular or set times. The below tables show the performance for 2019/20.

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	2	1	2	2	8
Tuesday	1	3	2	3	1	10
Wednesday	1	1	1	1	2	6
Thursday	1	1	1	1	2	6
Friday	1	1	2	1	0	5
Saturday	0	0	1	1	0	2
Sunday	1	1	2	2	2	8
Totals	6	9	10	11	9	45

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	1	2	1	2	7
Tuesday	1	1	3	2	3	10
Wednesday	2	2	1	1	2	8
Thursday	1	2	2	1	2	8
Friday	1	2	1	1	2	7
Saturday	1	2	0	1	1	5
Sunday	1	1	1	1	1	5
Totals	8	11	10	8	13	50

Keyham Lane

	00:00 - 07:59	08:00 - 11:59	12:00 - 15:59	16:00 - 19:59	20:00 - 23:59	Totals
Monday	2	1	1	3	2	9
Tuesday	1	1	1	1	1	5
Wednesday	1	1	2	1	1	6
Thursday	2	1	1	1	1	6
Friday	1	1	1	1	2	6
Saturday	1	2	2	1	1	7
Sunday	1	1	2	1	1	6
Totals	9	8	10	9	9	45

Requests and Issues raised by detainees

16. From conversations with detainees held in police custody, the following requests were received. All requests were reported to the Custody Detention Officer with the majority being fulfilled at the time of the visit:

<u>Issues Raised</u>	<u>Custody Suite</u>		
	<u>Beaumont Leys</u>	<u>Euston Street</u>	<u>Keyham Lane</u>
Appropriate Adult requested/awaited	3	2	3
Blanket requested/awaited		1	4
Clothing/footwear removed		1	
Unsanitary Condition of Cell	1	1	1
Drink Requested/awaited	2	5	2
Food requested/awaited	2	4	3
Have someone notified	5	1	2
Legal Advice/Solicitor requested/awaited	8	8	5
Medication requested/awaited	2	5	1
Nurse requested/awaited	2	3	7
Phone call requested/awaited	1	3	
Reading Material requested/awaited	3	3	1

Shower requested/awaited		3	
Toilet Pixilation Not Explained	5	4	3
Update on case requested	2	3	3
TOTAL NUMBER OF ISSUES RAISED	36	47	35

Issues Reported

17. A full list of all issues raised by detainees throughout the year is attached at 'Appendix 1' to the report. Examples from the appendix are as follows:-

Beaumont Leys

- *Detainee requested toothbrush and toothpaste as had tooth condition.*
Outcome - ICV raised with custody officer and force informed that they stock toothbrushes, paste and other hygiene kits which are provided on request. The detainee was provided with a toothbrush and paste. No tooth condition was disclosed at the time of booking in.
- *Detainee still awaiting call back from Solicitor, as asleep when previously rang.*
Outcome - Custody officer was informed. Solicitor called twice but was unable to speak with the detainee. They called again later and the detainee spoke to them on the telephone and later had a face to face consultation before the interview.

Euston Street

- *Detainee requested medication.*
Outcome - ICVs informed custody staff and Sergeant to check medication with the nurse. Medication was reviewed and given as necessary by the Health Care Practitioner (HCP).
- *Detainee not informed of toilet pixilation.*
Outcome – ICV explained to detainee. Force Custody Inspector has also taken feedback into consideration as this issue continues to arise all custody staff have been reminded about PACE changes.

Keyham Lane

- *Detainee requested blanket.*
Outcome – ICVs informed custody officer, who said a blanket will be given. The detainee had a blanket and was provided with another one prior to going on rest period.
- *Detainee wanted someone notified, wanted a Solicitor and wanted body mapping photos to be taken of her.*
Outcome – The detainee was provided with an opportunity to speak with her grandfather and a Solicitor was provided for her during detention. Force informed that body mapping is a forensic investigation tool, not a right or entitlement for a detainee which can only be requested by the investigating officer or separately organised by defence counsel on behalf of a defendant.

Health and Safety Issues Identified

18. In addition to speaking to detainees, ICVs also check on health and safety issues within the custody suite. These have been reported as follows:-

Beaumont Leys

- *ICVs noted the bin in the kitchen was full to the brim and those along the corridors were overfull and the lid would not close.*
Outcome – Volunteer Manager informed Force Custody Inspector and custody staff were also informed. Volunteer Manager requested ICVs to monitor and report if the issue continues.
- *Cups in cells observed.*
Outcome – cups were removed.
- *Some meals in kitchen out of date.*
Outcome – ICVs raised, meals removed from cupboard and binned.

Euston Street

- *ICVs noticed on various occasions that cells were full of cups.*
Outcome – ICVs informed custody staff. Volunteer Manager also informed Volunteer Manager that issue keeps arising and has informed custody staff. An area of continuous monitoring.
- *No hand sanitiser at desk.*
Outcome - Volunteer Manager raised with Custody Admin directly who advised that due to the current situation regarding Covid-19 and high demand, they were still awaiting orders for bottled hand sanitisers. Therefore custody visitors could use wall mounted hand sanitisers and soap and water could also be used. Custody now have enough stock of bottled hand sanitiser for visitors.

Keyham Lane

- *Limited stock of sanitary products, due to stock next morning.*
Volunteer Manager asked ICVs to check stock on next visit, sanitary products were still low. This was raised and checked again, stocks were replenished.
- *Food reaching expiry date.*
Outcome – ICVs informed custody staff and Volunteer Manager requested ICVs to monitor this. Food reported all in date at the next visit.

Current Custody Visitors

19. At the start of April 2019, there were 29 ICVs registered with the Scheme with 8 leaving during the year for various reasons. These included other commitments, being part of the Scheme for a long period of time and health issues.

20. Feedback from exit questionnaires was received as follows:-

Comments made on exit interview forms	Response
Custody staff have always received ICVs well and over time have developed their understanding of custody visiting.	Message forwarded onto Force Custody Inspector.
Flexible times for training and team meetings.	Timing of training dates and team meetings is flexible and as far as possible are planned for the maximum attendance. Dates for induction training are provided months in advance.
Self-protection guidance for doing custody visits late at night, e.g. Someone from health and safety or the force doing a talk on this.	Volunteer Manager agreed this is a good idea and will arrange to be included in the next induction programme.
Custody staff have been fantastic, have always been polite and taken their time to see ICVs. Have always been aware of ICV safety.	Message forwarded onto Force Custody Inspector.
A bank of 'available' ICVs to be utilised when ICVs are unable to attend visits unexpectedly.	Will be considered.

21. There were no negative comments regarding the management of the Scheme or the training provided.

Meetings

22. The Volunteer Manager meets on a quarterly basis with Volunteer Co-ordinators and the Force Custody Inspector. These meetings took place on 29 May 2019, 4 September 2019, 27 November 2019 and 5 March 2020. Items discussed included outcomes from custody visits and Force responses, developments within the scheme, legislative changes and system and staff updates within custody.
23. Quarterly team meetings also take place, which are chaired by the Volunteer Co-ordinator and attended by the Volunteer Manager and Force Custody Inspector. These took place on 18 June 2019, 19 September 2019, 11 December 2019 and 19 March 2020. Meetings provide the opportunity for all ICVs to discuss issues that arise from custody visits, any changes in legislation and how this fits into their role, changes to the rota of visits, developments within the scheme and further training exercises are occasionally delivered.
24. Regular reports on the Scheme are provided to the Strategic Assurance Board to update the Commissioner. In addition, the Volunteer Manager also informs the Commissioner on an ad hoc basis as and when issues arise.

Developments during 2019/20

Electronic Visit Reporting

25. Since April 2019, all ICV visits are recorded electronically using a handheld device which is available in each custody suite. The transfer from paper report forms to electronic reporting has enabled the Scheme to become more efficient in several ways. For example, once an ICV completes a visit and submits their report form, the Volunteer Manager and Force Custody Inspector receive a copy instantly, allowing them both to review the visit and action any issues almost immediately. Once reviewed, the Force Custody Inspector signs them off and the ICVs that attended the visit receive an update of any actions taken. Electronic reporting also provides up to date user information, a rota management system, ease of access to report forms and the ability to generate a wide range of comprehensive reports based on a variety of data sets.

Independent Custody Observers Pilot (ICOP)

26. Custody visiting is restricted to those in police custody at the time ICVs are undertaking their visits and it will not be known beforehand who will be available for a visit and who will consent. In order to obtain an understanding of the care given to detainees, ICVs must therefore consider the duration that the detainee has been detained. ICVA and Derbyshire OPCC worked alongside stakeholders such as the Home Office and the National Police Chief's Council (NPCC) to successfully complete a 6 month "Vulnerability Pilot" whereby ICVs scrutinised custody records on a separate occasion from the custody visit, using a provided aide memoire with pre-set criteria. The Pilot enabled the office to identify problems such as detainee mental health, access to mental health beds, provision of Appropriate Adults (AA's) and female detainee care.
27. Alongside 5 other Schemes, Leicestershire took part in the Pilot and 8 ICVs participated from the Scheme. The Pilot has enhanced the knowledge of ICVs as well as provided them with an opportunity to understand the full journey of a detainee from arrest to release, particularly those with mental health issues and young people (under 18). It is a flexible method of oversight and can be used to explore different priorities and vulnerabilities. As the ICVs have solid evidence of what has occurred in the detainee journey, this can be taken to third parties and stakeholders when considering issues such as secure accommodation and also assists the OPCC in holding the force to account. Further, it has enabled the Scheme to identify trends and issues that would not be recognised in custody visits alone, for example the quality of recording of events or lengthy delays in the arrival of AA's.
28. As the Pilot approaches its completion, ICOP Schemes are working with an external organisation named 'Confluence' to complete an evaluation based on processes and findings. The evaluation will inform the decision on whether reviewing custody records becomes national across all ICV Schemes. Leicestershire's participation in the Pilot has meant that they are considered an ICOP 'Champion' Scheme, which has further developed the Scheme's effectiveness and will enable it to assist other Schemes in implementing such processes if they do become national.

Recruitment

29. Approximately 30 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 will be undertaken in 2020. Targeted advertising will be carried out to ensure the diversity of the team reflects the local community.

Translation Sheets in Custody Suites

30. Translation sheets for conversations between non-English speaking detainees and ICVs became available in the last few years and were uploaded on the force website. ICVs would request them when required via the custody officer but during the start of 2019, custody officers struggled to locate the sheets and many languages were unavailable. The Volunteer Manager has expanded the translation sheet catalogue to include over 60 languages and a catalogue is now also available in each custody suite where each language sheet has been printed and laminated, so that it can be photocopied and disposed of after use. Depending on the detainee's risk assessment, the custody officer hands over a pencil for them to complete the translation sheet or they can point to the appropriate answers.

Female Detainee Care and Dignity

Police and Criminal Evidence Act 1984 (PACE) Changes

31. After receiving reports of some police forces routinely ignoring the needs of menstruating detainees, ICVA pushed for new rules to strengthen menstrual health care in police custody. This led to PACE changes, which were introduced to ensure that the menstrual needs of female detainees, and the health, hygiene and welfare needs of all individuals in police custody are protected. They were placed before Parliament through a written statement by the Minister of State for Policing and Fire Service and the revisions came into force on 21 August 2019 (see 'Appendix 2').
32. All ICVs were made aware and received updated copies of PACE, new checklists and updated aide memoires. Bitesize training was delivered by both the Force Custody Inspector and Volunteer Manager at the Team Meeting in September 2019, which covered the changes in great detail and what ICVs should look out for from the custody suite, the custody record and conversations with detainees.

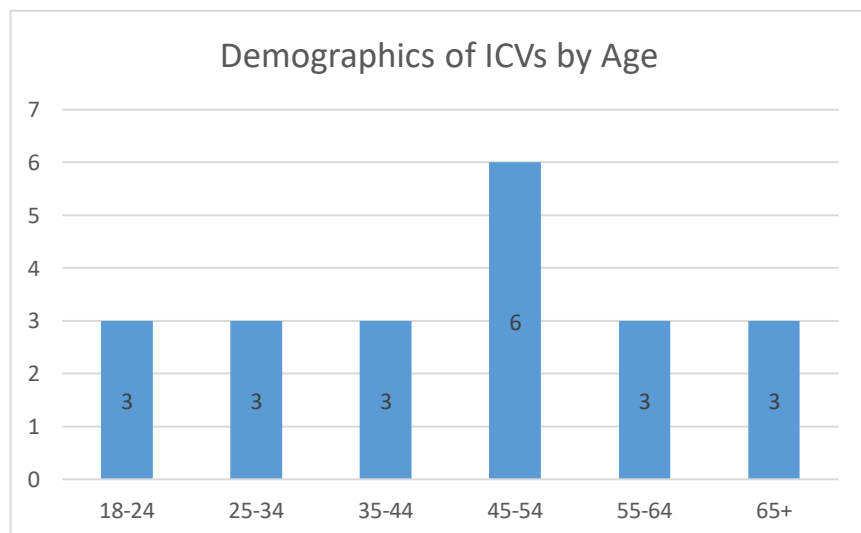
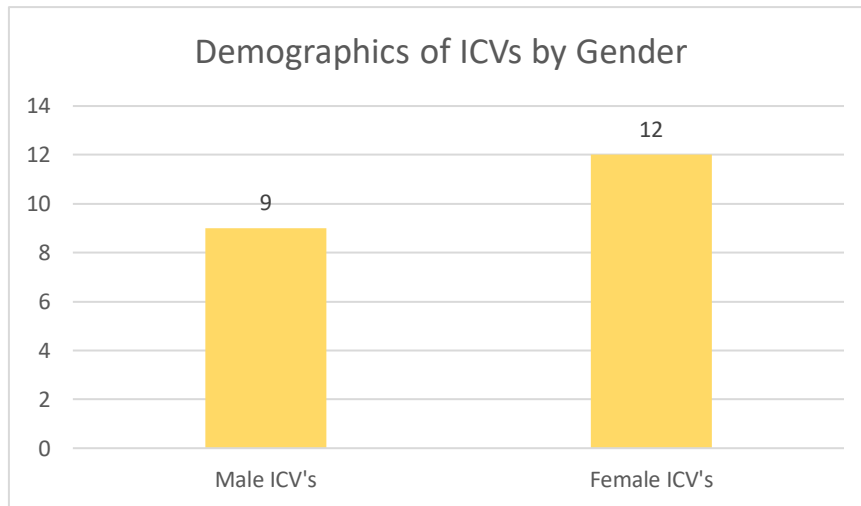
Regional Collaboration

33. 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) Strategic Custody Group updates
 - Independent Custody Visiting Association (ICVA) updates
 - Risk Assessment Documents

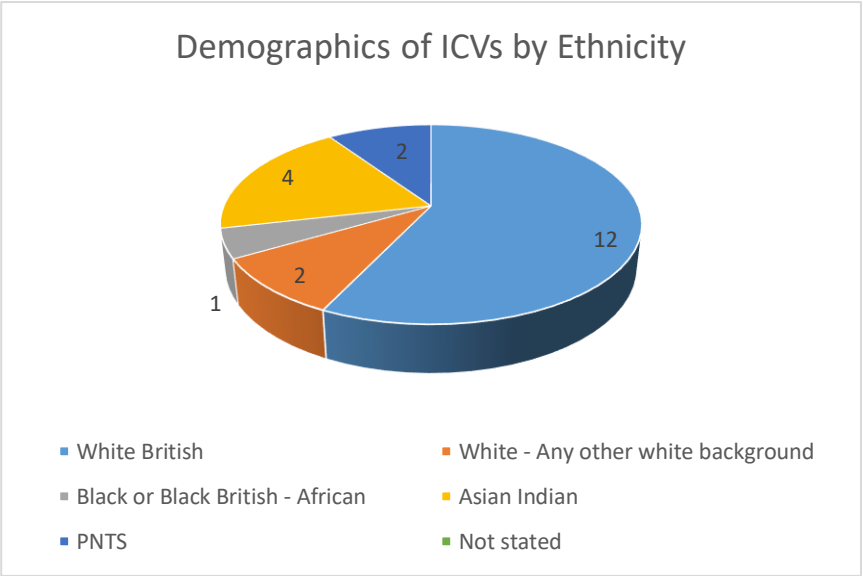
- ICV Advanced Regional Training
 - Electronic reporting
 - Further developments within Schemes such as the Independent Custody Observers Pilot (ICOP)
 - National Experts Forum (NEF) updates
34. The meetings provide an opportunity to share good practice with each other and discuss any new developments in the Scheme. Opportunities are also identified for future collaboration.
35. The Volunteer Manager from Leicestershire represents regional colleagues at the EMCJS Strategic Custody Group who meet on a quarterly basis.

Equality monitoring data as of 1 April 2020

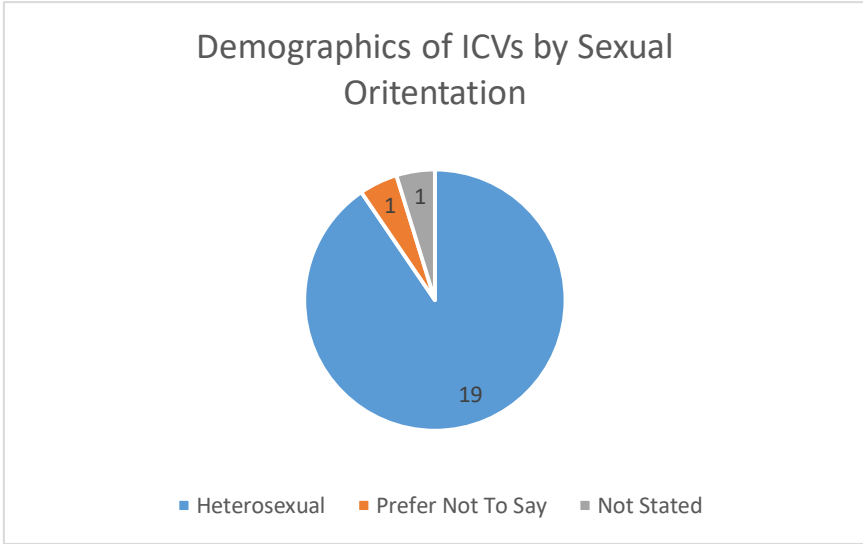
36. The demographics of the ICVs as of 1st April 2020 are shown in the charts below:-



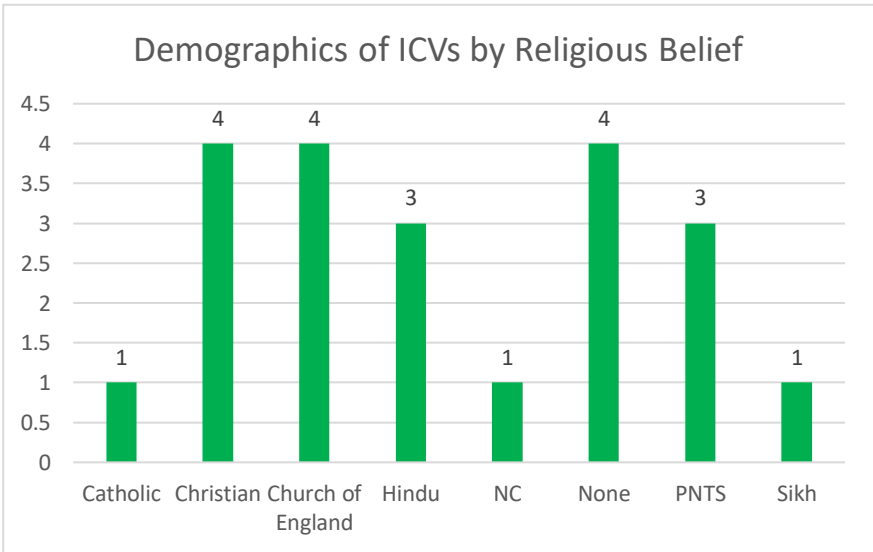
Demographics of ICVs by Ethnicity

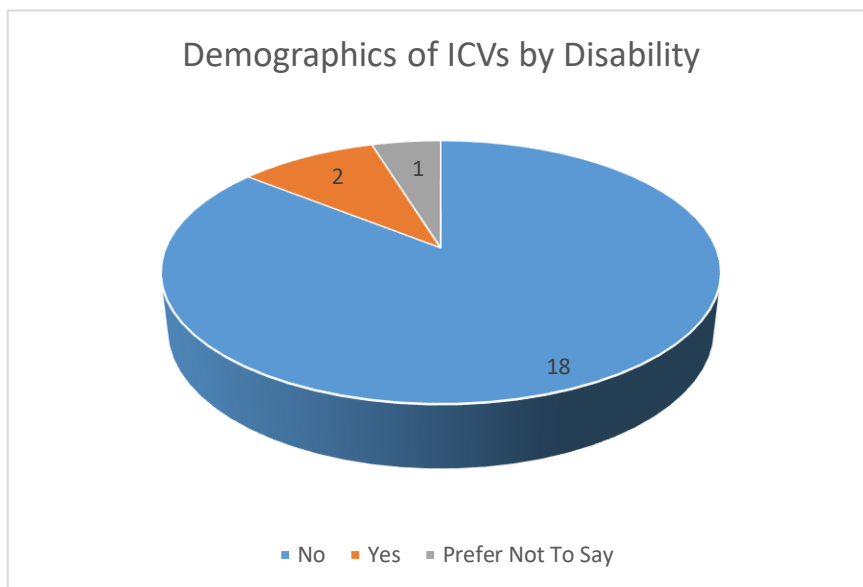


Demographics of ICVs by Sexual Orientation



Demographics of ICVs by Religious Belief





Positive feedback from ICVs to Custody

37. Feedback from ICVs during the year has included a number of complimentary comments as a result of their visits to custody suites, examples are as follows:

“Detainee complimented staff on his treatment”

“Female being booked in by female officer respectfully”

“There were no problems we encountered. The custody staff were very helpful despite being very busy”

“Staff commended by detainee for being helpful”

“Custody staff very helpful regardless of busy time of arrival”

“Custody officer was great, professional and friendly. Kitchen clean and tidy. Good visit”

“Clean cells and prompt admittance”

Conclusion

38. It has been an interesting year for the ICV Scheme due to the successful implementation of electronic reporting, the Independent Custody Observers Pilot and changes to PACE. Various closures of custody suites also took place which reduced the number of visits planned from 156 to 140.
39. Team meetings, and meetings with Co-ordinators and 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 has been outstanding. They have adapted well to electronic visiting and several ICVs participated in the Pilot to obtain a large amount of useful data which will be used towards an evaluation and decision on whether the process of reviewing custody records becomes a national procedure across all ICV Schemes.
40. Finally Lord Bach continues to be seated on the Independent Custody Visiting Association Board of Directors. This has proved to be an effective mechanism

for Leicestershire, as a voice on national improvements and developments for custody visiting.

Implications

Financial:	None
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 Impact Assessment:	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 any under-represented communities are targeted.
Risks and Impact:	Link to Police and Crime Plan: The maintenance of the ICV Scheme is a statutory requirement of the PCC.
Links to Police and Crime Plan:	Viable Partnerships

List of Appendices

Appendix 1 - List of issues raised in 2019/20 and Force Response
Appendix 2 - PACE changes

Person to Contact

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**INDEPENDENT CUSTODY VISITING SCHEME
LIST OF ISSUES RAISED AND POSITIVE COMMENTS
1 APRIL 2019 TO 31 MARCH 2020**

BEAUMONT LEYS**Issues**

Date of Visit	Custody Visitor Concerns	Action/Response from force
17/04/2019	Detainee wanted socks and underwear	We don't provide socks and underwear (except underwear to women as part of hygiene packs).
30/04/2019	No wipes in kitchen for temperature food probe.	Wipes provided 01/05/2019.
21/05/2019	Translation sheets difficult to locate and unable to reuse as no eraser available.	OPCC requested laminated catalogue of translation sheets to be kept at Custody Suites. Authorised by Inspector 11/07/2019. Laminated catalogues distributed in Custody Suites by OPCC Volunteer Manager Sept 2019.
16/06/2019	Detainee requested toothbrush and toothpaste as has tooth condition.	We stock toothbrushes, paste and other hygiene kits and these are provided upon request. The detainee was provided with a toothbrush and paste, no tooth condition was disclosed to police at the time of booking in.
07/10/2019	Detainee requested phone call to mother.	ICVs informed custody staff to arrange request. Call completed, no reply. Detainee did not want to leave a message.
07/10/2019	Bin in kitchen full to the brim and those along corridors overfull and lid not able to close.	Raised with Custody Inspector and custody staff informed. ICVs to monitor.
20/10/2019	Detainee requested shower.	There is no record that a shower was provided, this will be raised with the CDO service provider G4S. OPCC requested outcome of above conversation. Awaiting response from force. Custody Inspector discussed with CDO who couldn't recall what had happened. All custody staff advised to ensure they attend to all issues raised by ICVs or an explanation is input on the custody record if this cannot be done.
01/11/2019	Detainee still awaiting call back from solicitor, as asleep when previously rang.	Custody staff informed. City criminal law called the station at 0038hrs and the detainee was asleep and did not speak to the solicitor. They called back again at 12.32 stating they would call back later, they did not speak to the detainee. The detainee spoke to the solicitor at 1343hrs on the telephone and spoke to a solicitor in person at 1440hrs prior to interview.
01/11/2019	All detainees reported not being told about toilet pixilation on this visit.	ICVs explained and informed custody staff who said they were told when booked in.

		Custody Inspector has taken feedback into consideration and has reminded all custody staff about PACE changes. OPCC to monitor.
07/11/2019	Cups in cell observed.	Cups removed.
12/12/2019	3 meals in kitchen out of date.	Removed from cupboard and binned.
13/11/2019	Detainee claimed hadn't been offered food or drink.	ICVs checked custody record, nothing on there until after their visit to cell. DP arrived at 1am. Was offered breakfast at recognised meal time at 9am, did not request ad hoc food in between. Offers of food are made at recognised meal times and at reasonable request.
25/01/2020	Detainee was awaiting solicitor from London.	The detainee had 2 telephone conversations with the solicitor and they attended from London for interview later that day.
27/01/2020	Detainee awaiting nurse for burn on hand.	Detainee was seen by nurse and appropriate treatment given.
15/03/2020	Detainee awaiting Solicitor.	Legal requested and arranged. Telephone consultation shortly afterwards.

EUSTON STREET **Issues**

Date of Visit	Custody Visitor Concerns	Action/Response from force
17/04/2019	Majority of cells had cups, plates, waste paper, some cells had up to 6 cups. G4 officer informed at time of visit, stated he did not like to disturb detainees at night.	Noted comments re cups stacking up and response from senior detention officer.
22/05/2019	Booked to see nurse.	Nurse saw detainee at 9am.
30/05/2019	Cups needed removing.	Cups removed.
24/06/2019	Diabetic detainee.	Police said offered food and aware of diabetes. Was offered food and drink at 0910hrs and declined it. Was seen by HCP during booking procedure regarding diabetes.
24/06/2019	Detainee wanted update regarding arrangements for grandson and arrangements for visits to father.	Custody said would update detainee. Detainee was offered her requested phone call at 0951 which she then refused to make.
10/07/2019	Puddles along corridor.	Floor was mopped.
14/07/2019	Yellow phone outside police station smashed and not working.	Phone repaired and working.
25/07/2019	Side 2 exercise yard lock broken, paper towels in microwave with food residue.	Lock has been repaired and microwave cleaned.
10/09/2019	Shower wing 1 blocked – Reported 04/09/2019. Light switch outside cell 10 badly damaged.	11/09/2019: Light switch to be addressed during CCTV installation as light switches are being moved. Awaiting update regarding shower wing 1.
10/09/2019	Detainee requested medication.	Detainee was provided with medication by the nurse.

23/09/2019	Holding cell bench out of use due to vandalism.	24/09/2019: The holding cell bench is a known issue and is awaiting repair.
23/09/2019	Detainee requested medication.	Sergeant to check medication with nurse. Medication was reviewed and given as necessary by the HCP.
01/10/2019	Detainee requested solicitor.	ICVs informed detainee that one has been requested. Detainee later spoke to a solicitor on the telephone.
25/10/2019	Detainee said not informed of toilet pixilation.	ICVs commented that the detainee was initially detained at Lincoln police station and was violent at the time. CCTV coverage and Toilet Pixelation is explained when a detainee is booked into custody , Custody Officers have been informed of this requirement following PACE Changes in August 2019 the custody officer concerned omitted to mention this and will be advised of this feedback.
07/11/2019	Detainee not informed of toilet pixilation.	ICV explained. Custody Inspector has taken feedback into consideration and has reminded all custody staff about PACE changes.
15/11/2019	Inside top of microwave not clean and no kitchen wipes. Several cups laying on cell floors.	Custody Inspector noted the issues with the kitchen cleanliness and cups laying on cell floors and that the site was operation at full capacity at the time. G4S are regularly reminded to clear cells of cups and plates and a further reminder will be put out. Custody Inspector arranged for a deep clean on microwaves 08/01/2020.
05/01/2020	Detainee requested medication for leg.	Detainee was seen by custody nurse and given pain relief. Following ICV visit, was seen by mental health nurse – no further medication was given.
19/01/2020	Detainee requested Solicitor.	ICVs checked custody record which showed that Solicitor was requested by staff at 00.51am. Custody Inspector confirmed that detainee spoke to legal rep at 6.21am.
28/01/2020	Detainee awaiting Appropriate Adult.	Appropriate Adult attended a short while later at 10.30.

11/02/2020	CDO commented that detainees at risk of self-harm are left unclothed for around 20 minutes to 'calm down'.	OPCC raised with ACC, response as below: The CDO who made comments regarding individuals being left in custody naked for significant lengths of time has been identified. He has been spoken to and stated that his words were taken out of context. My understanding was that he was being flippant. As a result he has been provided with management advice about his comments and how we work with partners and individuals visiting our custody suites. Clearly his actions fell way below our standards. This has now been recorded on his HR record.
11/02/2020	Detainee in dry cell and ICVs advised not to speak. Explanation not clear.	Volunteer Manager OPCC to seek guidance. Having read the record I note ICV visit was recorded, detainee was extremely high risk to other having been arrested for violent offences, ICVs would have been at risk of harm from the DP. If ICVs have any concerns about access to a DP being restricted this should be raised to the custody officer and if the answer is not satisfactory this should then be raised to the Duty Custody Inspector.
29/02/2020	Detainee requested phone call and not informed of toilet pixilation	ICVs explained toilet pixilation. Detainee was released shortly after, no phone call was made.
29/02/2020	Detainee requested phone call, wanted to speak to wife.	No phone call was made was reviewed by Inspector shortly after ICV visit. No further request for phone call was made.
13/03/2020	No hand sanitiser at custody desk.	OPCC informed Custody Admin directly as force rep on annual leave. Custody visitors can use wall mounted sanitisers in custody suites and bottled hand sanitisers currently on order but due to high demand, still awaiting delivery. OPCC informed ICVs and advised that soap and water can also be used.
13/03/2020	Water on floor between cells identified, potential hazard.	ICVs raised with escorting officer. ICVs noted that water was from cups knocked over in cell so cups requested to be removed from cell and floor wiped.
28/01/2020	Awaiting Appropriate Adult.	Appropriate Adult arrived and had rights and private consultation with detainee.
29/02/2020	Detainee not informed of toilet pixilation.	ICVs explained toilet pixilation.
29/02/2020	Detainee requested to speak to wife.	Sec.56 had been completed to wife prior to ICVs visit. Food given. Detainee then interviewed and

		released shortly after IC visit. No record of additional call.
03/03/2020	Detainee awaiting Solicitor. Toilet pixilation not explained.	Solicitor attended for detainee. ICVs explained that toilet area is pixelated.
03/03/2020	Detainee unhappy with delay in arrival of Solicitor.	ICVs informed detention officer. Solicitor en route and detainee had been informed.
13/03/2020	ICVs observed cell full of cups that needed cleaning.	ICVs informed detention officer.

KEYHAM LANE
Issues

Date of Visit	Custody Visitor Concerns	Action/Response from force
09/04/2019	Detainee requested nurse.	ICVs raised, nurse had left 5 minutes earlier. A request for the nurse was logged at 2pm and he saw the nurse around 2.20pm who provided medication for his stay. This was provided at 3.30pm, shortly after the ICV visit at 3pm.
23/04/2019	Detainee requested blanket.	Officer said blanket will be given. Detainee had a blanket and was provided with another prior to going on rest period.
23/04/2019	Detainee wanted to have someone notified.	Officer said detainee just booked in and will be offered for someone to be notified. Detainee was permitted a call later that evening following the completion of searches.
23/04/2019	Detainee declared on medication.	Officer said they were not aware but would call nurse. Was Seen by HCP twice.
23/04/2019	Detainee requested nurse.	Officer said nurse will be called. Detainee was seen by the HCP 3 times.
23/04/2019	Detainee says has mental health issues.	Nurse to be arranged. Detainee was seen by HCP later that day.
23/04/2019	Detainee requested legal advice.	Officer said solicitor called. Detainee was provided with legal advice.
09/04/2019	Detainee requested to see a nurse.	Nurse left 5 minutes earlier. A request for the nurse was logged at 2pm and he saw the nurse around 2.20pm who provided medication for his stay which he was given at 1530 shortly after the ICV visit at 1500.
05/07/2019	Detainee requested to see a nurse.	Medication could not be given as the tablets were not labelled in detainee's name, so cannot be given as per policy.
05/09/2019	Limited stock of sanitary products, due to stock next morning.	Awaiting update from ICVs. ICVs checked stock, sanitary products still low. Spoke with escorting officer who replaced stock 04/10.

13/10/2019	<p>Detainee wanted someone notified and wanted solicitor.</p> <p>Detainee also wanted body mapping photos to be taken of her.</p>	<p>Detainee was provided with opportunity to speak with her grandfather and a solicitor was provided for her during detention.</p> <p>Body mapping is a forensic investigation tool not a right or entitlement for a detainee. This can only be requested by the investigating officer or separately organised by defence counsel on behalf of a defendant. This does not fall under the treatment and welfare of detainees and therefore cannot be commented upon.</p>
27/10/2019	<p>Detainee requested doctor, but had just seen a nurse.</p>	<p>ICVs informed custody officer.</p> <p>The contracted service is a nurse led service therefore doctors are not provided for detainees unless there is a clinical referral to hospital by a health care professional which was not required for this person. This was explained to the detained who was seen on 5 occasions by a health care professional.</p>
27/10/2019	<p>Food expiry date end of October. Yard untidy, spilt food and empty cups.</p>	<p>ICVs informed custody staff and OPCC requested ICVs to monitor. Food reported all in date at next visit. OPCC to report untidy yard and monitor as this issue previously raised in Q1 (cups).</p>
12/12/2019	<p>Kitchen checked. Coffee and sugar containers were uncovered, opened milk cartons left on worktop – packaging states should be stored in the fridge.</p>	<p>ICVs raised with custody staff who said they usually throw the coffee lid away but can put a lid on. Milk put in the fridge at time of visit.</p>
23/12/2019	<p>ICVs noticed messy cell with spilt drinks, tissues, bits of food stuff on floor.</p> <p>Also noticed that yard had loose plastic cups lying around.</p>	<p>Custody advised of the observation by ICVs. Escorting officer advised would not be able to clean up the cell until detainee had left.</p> <p>Raised with Custody Inspector and OPCC to monitor.</p>
10/02/2020	<p>Detainee requested nurse.</p>	<p>CDO informed that he had been seen at 04.20 and meds given.</p> <p>ICVs checked custody record and there was no entry to reflect that the detainee was seen by the nurse at this time – the sergeant informed that it was present on the medical log.</p> <p>Custody Inspector confirmed that the detainee was seen by a nurse 5 times during the detention period.</p>
10/02/2020	<p>Detainee not informed of toilet pixilation.</p>	<p>ICVs explained and Sergeants informed of their responsibility to notify detainees of toilet pixilation.</p>
01/03/2020	<p>Detainee requested medication.</p>	<p>Custody officer advised ICVs that nurse requested and medication given.</p>
01/03/2020	<p>Cell doors D2 & D4 recently replaced but not locking easily.</p>	<p>ICVs raised and custody staff aware of this. No further update received 04/05/2020.</p>
03/03/2020	<p>Detainee wanted to make a complaint because he said he was abused by police. ICV advised that</p>	<p>ICV advised that detainee can make a complaint by speaking with the Sergeant.</p>


	he can make a complaint by asking the sergeant.	ICV comments showed that the detainee made requests for food, drink, nurse and medication which were all fulfilled.
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Revision of the Police and Criminal Evidence Act 1984 ('PACE') Codes of Practice C and H: Written statement - HCWS1796

WS Home Office

Made on: 23 July 2019

Made by: **Mr Nick Hurd** (The Minister of State for Policing and the Fire Service)

 HCWS1796

▶ Revision of the Police and Criminal Evidence Act 1984 ('PACE') Codes of Practice C and H

I am today laying before the House an order under section 67(7A) of the Police and Criminal Evidence Act 1984 ('PACE') to amend PACE Codes C and H, which govern the detention, treatment and questioning of suspects by the police. Copies of the revised Codes C and H will also be laid.

These revisions, which will come into operation on 21 August 2019, are being introduced to ensure that the menstrual needs of female and transgender detainees, and the health, hygiene and welfare needs of all individuals in police custody are protected. The new codes include the following revisions:

- Each female detainee must be asked if they require or are likely to require any menstrual products whilst they are in custody. They must be told that they will be provided free of charge and that replacement products are available.
- Custody officers must ask all detainees if they wish to speak in private with a member of custody staff about any matter concerning their personal needs relating to health, hygiene and welfare; if the detainee wishes, this member of staff may be of the same sex. These changes provide an opportunity for female detainees to raise issues about their menstrual needs and also for all detainees to raise issues relating to other health and hygiene needs such as products that may be required for incontinence. If detainees wish to take this opportunity to raise health and hygiene needs, necessary arrangements should be provided/made as soon as practicable.
- The changes highlight that the clothing and personal effects that detainees may retain include menstrual and other health, hygiene and welfare products. A decision to withhold any such products must be subject to a further specific risk assessment.
- Access to toilet and washing facilities must now also take account of the detainee's dignity. For example, in cells subject to CCTV monitoring, privacy in the toilet area should be ensured by any appropriate means and detainees should be made aware of this when they are placed in the cell.
- The changes make it explicit that strip searches and intimate searches of detainees must take due regard of their dignity. This includes the detainee's health, hygiene and welfare needs including menstruation.
- The above provisions around health, hygiene and welfare products take into account the possible needs of transgender individuals.

These revisions were prompted by concerns raised by the Independent Custody Visiting Association (ICVA) that in some cases women were being left without basic menstrual products in police cells.

They received overwhelming support following a public consultation last year, and we have subsequently sought and secured the agreement of my Rt Hon Friend the member for Normanton, Pontefract and Castleford, in her role as Chair of the Home Affairs Select Committee, that these straightforward revisions to the Codes can be brought into force as soon as possible, as per the commitments made by the then government during the introduction of section 67(7A) of PACE in 2003, without the approval of a resolution by each House.

I am grateful for the work and support of partners across the policing system, ICVA, and dedicated custody staff across the country. We all share a commitment to ensuring the dignity of detainees, and these changes will help ensure the needs of individuals are met across the board.

This statement has also been made in the House of Lords: [HLWS1760](#)