

POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE

ETHICS AND TRANSPARENCY PANEL

PAPER MARKED

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Report of	OFFICE OF THE POLICE AND CRIME COMMISSIONER
Subject	INDEPENDENT CUSTODY VISITING SCHEME – QUARTERLY REPORT
Date	TUESDAY 19 DECEMBER 2023 13:00 – 15:00 HRS
Author	HINA SHARMA, OFFICE OF THE POLICE AND CRIME COMMISSIONER

Purpose of Report

1. The Ethics and Transparency Panel members agreed in June 2023, to begin custody record reviewing as part of their TOR and as such this quarterly report has been provided to update and provide background information on the scheme to the Ethics and Transparency Panel members prior to commencing the custody record dip samples.
2. This report is a quarterly update covering the Commissioner's Independent Custody Visiting (ICV) Scheme for the period 1 July 2022 to 30 September 2023.

Recommendations

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

Background

4. 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).
5. As previously presented to the Panel, with the support of the APCC and NPCC, forces/OPCCs have now been asked to consider the introduction of review

panels, alongside Independent Custody visiting Schemes for regular and independent review of detainee treatment. These will be known as Custody Detention Scrutiny Panels (CDSPs).

6. It is intended that the introduction and promotion of CDSPs will help in building trust and confidence in policing within communities by spotlighting good practice and strengthening the approach to learning and service improvement.
7. A paper was taken to the Ethics and Transparency Panel in June 2023 asking members to consider incorporating Custody Record Reviewing into the scrutiny and dip-sampling element of the panel's workstream. A framework is currently being considered for panel members to work towards when dip-sampling custody records in alignment with the CDSPs.

Organisation of the Scheme in Leicestershire

8. 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 Director of Governance and Performance with daily management undertaken by the Volunteer Manager.
9. There are currently 17 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.
10. Leicestershire Police has 3 custody suites located as follows:

Euston Street	-	36 cells
Keyham Lane	-	17 cells
Beaumont Leys	-	14 cells (currently not in use)
11. 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.
12. To ensure a varied coverage of visits each week is divided into a number of timeslots per custody suite. A varied spread of visits is crucial to ensure that visits do not become predictable. A minimum of one visit per week should be undertaken to each of the primary custody suites. Up until now, 100% of scheduled visits have been completed.
13. Visit forms have been received for a total of 27 visits for the period July 2023 – September 2023.

Custody Suite	July	August	September	Total
Euston Street	5	3	5	13
Keyham Lane	4	6	4	14

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

14. During the period July 2023 – September 2023, the total number of detainees in police custody was;

July	1356
August	1396
September	1299
Total	4051

Of these, 309 were in custody at the time of ICV's visiting.

15. The number of detainees who refused a visit, were seen or not seen by ICVs during the period are outlined below:

- 117 detainees were offered a visit, of which 102 agreed to be seen.
- 15 of those offered a visit refused to be seen.
- 19 detainees were not offered a visit on advice from the Custody Sergeant due to them being aggressive, intoxicated or health and safety concerns.
- 173 detainees were not available to be visited due to being in an interview, at hospital or out of cell for other reasons.
- 206 detainees that were asleep, were observed through the spyhole or cell hatch.

16. A summary of the detainees seen, not seen or refused a visit by ICVs is outlined in the table below. A total of 85% of detainees offered a visit at Euston Street and 90% of detainees at Keyham Lane agreed to be seen by ICVs.

	<u>Euston Street</u>	<u>Keyham Lane</u>
Total number of detainees	206	103
Number offered visit	75	42
Number seen	64	38
Number observed	145	61

Number not available for a visit	121	52
Number not offered a visit	10	9
Number who refused a visit	11	4
Custody records seen	0	0
% of those offered visit who agreed to be seen by ICVs	85%	90%

Governance Arrangements

17. 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. The December 2023 meeting was held on the 13th December.
18. Further to this 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
19. 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.
20. An Annual Report for the scheme is produced and brought to the Ethics and Transparency Panel for review alongside the custody record dip sample outcomes.
21. The ICV Annual Report will provide further data on the day and time of visits, examples of issues raised by the detainees and positive feedback and visit summaries from ICVs to Custody Staff from throughout the year. A full list of issues raised by detainees and positive feedback from throughout the year will be presented.

22. The Ethics and Transparency panel will be able to dovetail both elements, dip samples and ICV scheme, together to provide assurance and recommendations to the Commissioner and Chief Constable on the welfare of detainees within custody.

Summary

23. The ICVs were provided with immediate access on most occasions and feedback was received around the Custody Staff being welcoming and helpful. ICVs fed back that the Custody Suites were generally clean and well kept with most issues being resolved at the time of the visit.
24. A total of 58 hours and 47 minutes of volunteer's time was dedicated by the ICVs in the last quarter.
25. The inclusion of the ICV oversight within the Ethics and Transparency panel will provide a more joined up approach regarding the custody record reviews and ICV scheme.

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 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 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

None

Background papers

None.

Person to Contact

Hina Sharma, Volunteer Manager
Email - hina.sharma@leics.pcc.police.uk