



Report of the Chief Executive

## **REPORT OF INDEPENDENT CUSTODY VISITS 2015/16**

### **Purpose**

This is the annual report for 2015/16 of the Independent Custody Visiting Scheme for the West Mercia Police and Crime Commissioner.

### **Background**

Independent Custody Visiting schemes co-ordinate volunteers, called Independent Custody Visitors (ICVs), to make unannounced visits to police custody to check on the rights entitlements and wellbeing of detainees and the conditions of the custody suite. ICVs will make immediate suggestions to custody staff and will send reports to the Scheme Administrator to raise with senior police officers. ICVs provide a spot check, helping to ensure that custody is a safe environment and providing community reassurance.

At police area level, groups or panels of volunteers must be organised to visit police stations in the area. Every group needs to have its own co-ordinator locally, supported by the Police and Crime Commissioner's staff.

Police and Crime Commissioners have a statutory responsibility<sup>1</sup> for organising and overseeing the delivery of independent custody visiting (ICV), in consultation with Chief Constables. They must ensure they have robust and effective procedures in place for establishing and maintaining an ICV scheme, including the allocation of appropriate resources.

The Commissioner is responsible for recruiting, selecting and appointing Independent Custody Visitors. An adequate number of suitably trained and accredited Independent Custody Visitors must be available at all times. In West Mercia the Police and Crime Commissioner's responsibilities are delegated to the Chief Executive. Overall responsibility for the central administration of the scheme must be given to a nominated officer on the Police and Crime Commissioner's staff, known as the Scheme Administrator, supported as necessary by other personnel and resources.

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<sup>1</sup> section 51(1) Police Report Act 2002

There are 5 Custody Suites in West Mercia:

Police Station	No of Cells
Kidderminster	11
Hereford	16
Malinsgate	15
Shrewsbury	16
Worcester	22

### Independent Custody Visits 2015/16

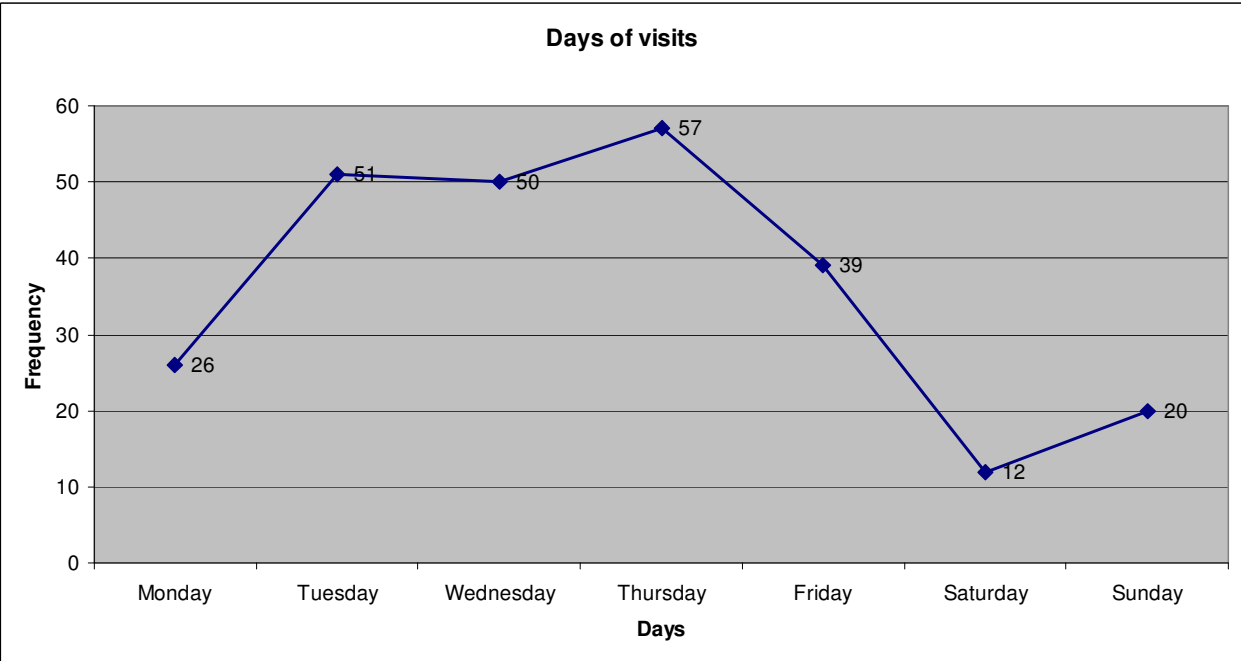
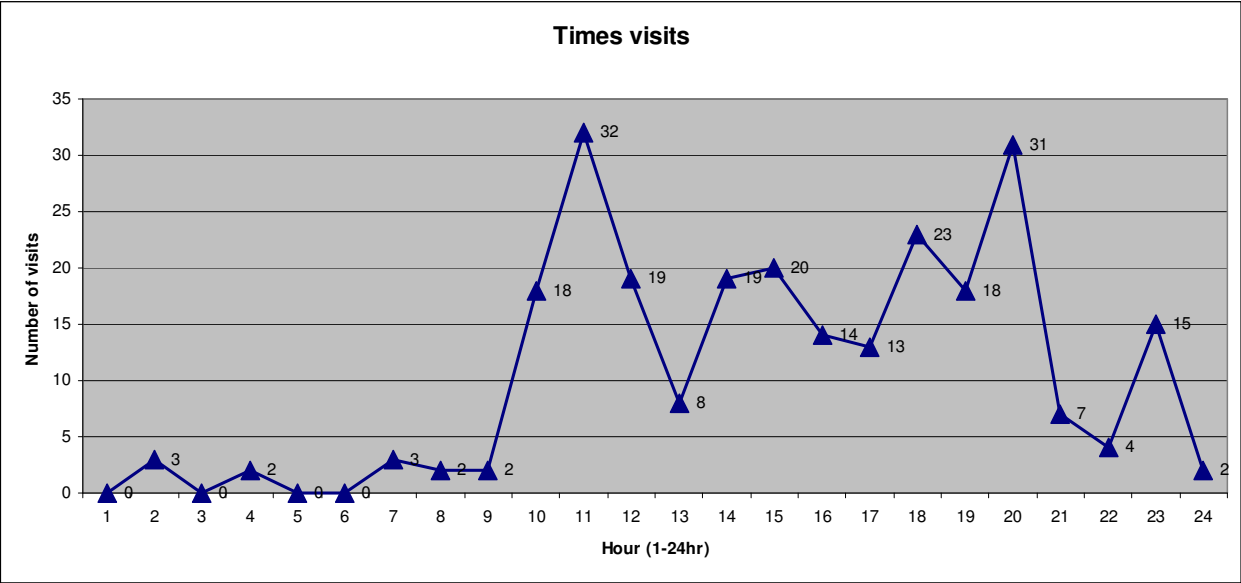
The total number of detainees in Custody during 2015-16 was 18,347.

The total number of visits undertaken by Independent Custody Visitors during the year was 255. There were in total 1,041 people in custody at the time of the visits and of those that were available for visiting 76% consented to meeting with the Independent Custody Visitors.

The table below provides comparison with the previous two years

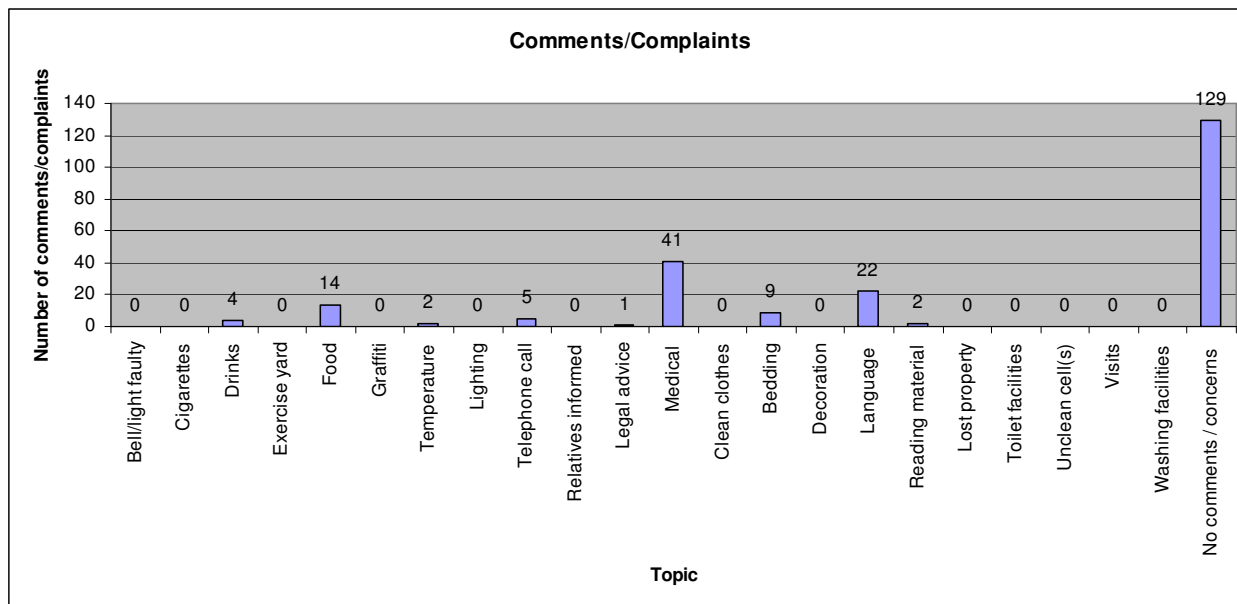
	2015/16	2014/15	2013/14
The total number of visits undertaken	255 ↓	278	261
Number of people in custody at time of visits	1041 ↑	967	800
Percentage of detainees who were available for visiting who consented to meeting with the Independent Custody Visitors			
- Total	76% ↓	82%	90%
- Herefordshire Custody Suite	84% ↓	88%	85%
- Malinsgate Custody Suite	68% ↓	86%	77%
- Kidderminster Custody Suite	66% ↓	73%	83%
- Shrewsbury Custody Suite	79% ↓	85%	86%
- Worcester Custody Suite	79% ↓	82%	83%

Custody Visitors aim to make unannounced visits to custody suites at any time of day or night day. A breakdown of the times and days when visits were made is shown below:



## Comments/Complaints

A summary of the individual comments/complaints from persons in custody spoken to is shown below.



Any individual issues that were raised by the visitors were rectified as soon as possible, either at the time or in correspondence with the local Police Inspector and/or discussed at the Panel meetings.

Appendix A provides comparison with previous years. The top three issues are the same as in previous years i.e. 1) medical 2) Language 3) Food. Of particular note there has been an increase in the number of:

- Medical comments – this reflects the impact the national shortage of medical care professionals is having on the ability of the contractor to meet attendance times. This issue is closely monitored and is a regular agenda item at the Strategic Custody Users Forum (SCUF). This year, to assist with the ongoing monitoring of the Healthcare contract ICVs have started to include in reports the impact that missed attendance times have had that they become aware of during their visit. In addition the Herefordshire Panel agreed to assist with piloting a health survey.
- Language – this reflects the increase in the number of detainees speaking other languages.

During this year the national Independent Custody Visitors Association (ICVA) has requested and collated data nationally on custody visits, which is shared with the Home Office. Appendix B provides a summary of the issues, concerns and successes reported to the ICVA.

## Visiting Rotas

Each of the five custody suites within West Mercia are visited unannounced on a weekly basis apart from Worcester, which has one extra visit per month due to the higher number of detainees held at that station. Below is a summary of the total actual visits carried out compared to those that were scheduled in the rotas

	2015/16	2015/14	2014/13
Total No. of actual visits	255	278	261
Total No. schedules for by rota	272	272	
Total % of rota visits achieved:	94%	102%	100%

The figures for each Panel and Custody Suite are set out below:

ICV Panel	Custody Suite	No. of actual visits	No of rota visits scheduled	2015/16 % of rota visits achieved	2014/15 % of rota visits achieved	2013/14 % of rota visits achieved
Herefordshire	Hereford	52	52	100%	96%	100%
North Worcestershire	Kidderminster	48	52	92%	127%	100%
Shropshire	Malinsgate	45	52	87%	100%	100%
	Shrewsbury	47	52	90%	100%	100%
South Worcestershire	Worcester	63	64	98%	94%	100%

The percentage of rota visits achieved was lower than previous years partly because of ICV numbers falling across all Panels. Difficulties maintaining scheduled visits arose from illnesses and availability combined with a delay in recruitment whilst vetting and other pre-commencement arrangements were completed.

## Panel Make Up

	ICVs as at 31 March 2016	West Mercia Population <sup>2</sup>
Full Strength	56	
No of ICVs	51	
Males	59%	49%
Females	41%	51%

During this year 8 ICVs resigned and by December 2015 the number of ICVs had reduced to 42. However, this had improved to 51 by 31 March 2016 and is on course to increase to full strength by September 2016.

During this year work has commenced on improving the make up of Panels to better reflect the population of West Mercia in terms of gender, age and ethnicity. There has been a particular focus on improving the make up in terms of age. Following a review of the recruitment process a recruitment exercise was run over the Christmas period

<sup>2</sup> Source: mid year estimates 2015, Nomis

resulting in 10 new ICVS joining their Panels in March 2016. Rather than traditional newspaper adverts, the recruitment was promoted predominately by: social media, media articles and word of mouth (e.g. Police Independent Advisory Groups, ex Police Cadets and attendees of Police Citizens Academies).

A further recruitment exercise commenced in March 2016, which successfully targeted areas where interest had been poor via Facebook adverts. The use of Facebook has had the added benefit of promoting wider general awareness of the scheme. Since the recruitment closed a register of interest has been set up, with those registering being notified if recruitment starts within 12 months.

### **Sharing Practice, Concerns and Updating Knowledge**

Work has been undertaken this year to enhance the opportunities for ICVs to update their knowledge, share practice and discuss concerns, this included:

- Regular emailed updates from the Scheme Administrator to all Panel members.
- The Strategic Custody Users Forum attended by ICV Panel Co-ordinators.
- Panel meetings which are attended by the Custody Inspector and Scheme Administrator. The Autumn meetings including training on Equality and Diversity.
- September 2015 ICVA Regional Seminar, hosted by Staffordshire Police and Crime Commissioner – including updates on Healthcare provision, and language line demo.
- October 2015 Joint Warwickshire and West Mercia ICV Scheme Annual meeting, Hindlip Hall.
- January 2015 ICVA National Conference, Birmingham

In particular training was provided on:

- Equality and Diversity
- Vulnerable people in custody
- Police use of force
- Initial training for new recruits and as refresher for existing ICVs.

### **The ICV Scheme - Of Note in 2015/16:**

- A considerable work has been initiated to update the ICV Scheme and this would not have been possible without the continued support of the four ICV Co-ordinators and their Deputies. They have a wealth of experience and knowledge and have kept their Panel members motivated and open to change. At the same time there have been significant changes in Custody and they have sought to keep abreast of the latest developments. They have also taken an active role in the recruitment and training of new recruits.
- In April 2015 Tracy Edwards took over the role of Scheme Administrator following the retirement of Peter Jones.
- In February 2016 Suzanna Grunsell took over as the Acting Herefordshire ICV Panel Co-ordinator.
- Work has been undertaken to strengthen relationships between the Police and ICVs. This has included ensuring ICVs get feedback on how their comments have been acted upon, are made aware of changes effecting Custody and have the opportunity to discuss, question and influence decisions. In particular:
  - The Scheme Administrator meets with the Head of Custody Quarterly in addition to ad hoc contact as required.

- Membership of the Force Strategic Custody Users Forum (SCUF) has been extended to include each ICV Panel Co-ordinator in addition to the Scheme Administrator.
- ICV Panel Co-ordinators from Warwickshire and West Mercia along with Scheme Administrators meet informally over coffee following the SCUF meeting.
- The Custody Inspector attends each Panel meeting.
- The Scheme Administrator provides regular Email Updates to ICVs.
- All Panel agendas and minutes are prepared by the Scheme Administrator in consultation with the Panel Co-ordinator.
- All correspondence is now by default sent by email, unless there is good reason to send by another method.
- All ICVs were vetted to NPPV Level 2 and received new ID cards
- Information on West Mercia is now provided to the national ICVA for collation providing a national picture of issues identified across the country, which is shared with the Home Office
- Work began on harmonising policies and procedures across both Warwickshire and West Mercia ICV Schemes where there was benefit in doing so. Work to date includes:
  - A virtual joint working group set up to assist this work. The particular focus is on assisting the development of a new joint handbook and electronic visit reporting. It is made up of representatives from each of the 6 Panels, the Head of Custody and both Scheme Administrators. .
  - Expense payments and claim forms were harmonised across Warwickshire and West Mercia Schemes, in line with HMRC guidelines.
  - A joint annual training programme published and implemented.
  - A joint annual meeting and training day was held.
  - Service Awards and a Leavers Certificate were introduced.
  - A review of the recruitment process was undertaken, resulting in the production of new documents, including a memorandum of understanding, which new recruits have signed.
  - A joint custody app, which has been developed to improve custody visit reporting. It is currently in the testing phase.

## Reports from ICV Panels

### ● Herefordshire ICV Panel

During the year we have maintained our record of 100% visits achieved.

Unfortunately two Custody visitors have left our panel. One of these being our co-ordinator Mike Cooke. We are grateful for his dedicated service to our panel for the past years and will miss him. We were however fortunate that this coincided with interest and subsequent interviews with three new applicants. It is hoped to offer these three people appointments to our panel in the next month.

The panel has shown dedication and flexibility during the last months of reduced numbers. We look forward to new faces on the panel and sharing the visits with them.

The custody suite staff have been supportive of our visits and a survey of medical services offered to detainees has been completed as part of our visits.

On the whole structural faults reported in the cells have been repaired in reasonable time.

We thank Tracy Edwards and Inspector Beer for their continued support and assistance to our panel.

*Susanna Grunsell*  
*Acting Herefordshire ICV Panel Co-ordinator*

- **North Worcestershire ICV Panel**

This year we have lost a larger than normal number of visitors. This strained the remaining 6 to breaking point. Fortunately we welcomed three new visitors and have new recruits coming on board very soon.

Everyone on the panel can congratulate themselves on a job well done. Dedication, determination and a willingness to step in at short notice when someone has been unable to make a visit are hallmarks of the panel.

Most detainees have made only minor complaints or no complaints at all. I am pleased to say that the condition of the custody suite has been maintained at a high-level over this year.

The introduction, and continued use, of custody assistants continues to contribute to a much smoother running and less stressed atmosphere in the custody suites.

I would like to thank the police staff for the continued support for our work. As in previous years I can report the excellent reception given to members by station staff. Finally, I must give my thanks to Tracy Edwards for her assistance since she took over Peter Jones's role.

*Tony Atkinson*  
*North Worcestershire ICV Panel*

- **Shropshire ICV Panel**

The Shropshire Panel have during the last reporting year undertaken a recruitment drive that has successfully seen an increase in numbers, this also enabled the replacement of two members that resigned due to career progression and time restraints. The panel are very strong, diverse and have a balanced range of skills with vast skill strengths from the sectors they have and do work in.

Again a busy and proactive year of custody visiting at Shrewsbury and Telford Custody suites. The panel make unannounced visits to each custody unit at least once a week, once a month a late evening call is made to one of the units. The panel has also participated in two Police Inspector quarterly custody suite reviews.

Attendance at the panel meetings has also been very high indicating the enthusiasm of the members who participate within the scheme.

The panel report and commend for the fifth consecutive year that the Custody units in Shropshire continue high in quality of control and administration of detainees under PACE and we are happy to declare that no known infringements of PACE were recorded within the last year by the ICV. There have been no complaints of note conveyed to the visitors by people in custody that have not been answered by the



information entered and recorded on the detainee's custody files.

The panel enjoy a good working relationship with the Police and other agencies working alongside them in custody units, they remain courteous and professional at all times, We also extend out thanks to Tracy Edwards of the Police and Crime Commissioners office and all the backroom staff at Redwood House for their assistance and support throughout the year.

The panel have also noted that a reduction in category 136 detainees has dropped over the last reported period.

#### **Matters of concern within the reporting period**

- **CCTV Shrewsbury custody unit.**

Due to the need of ICVs to study CCTV footage of events that took place in Shrewsbury Custody unit it was noted that the quality of the footage, the faults on the viewing system and the lack of knowledge on how to recover footage meant that the system was not fit for current standards. It was stated that the redundant system within Market Drayton Custody unit would be utilised and used as a replacement appears not to have materialised.

- **Exercise Yard Shrewsbury**

The lack of an exercise yard and the right of a person in custody (PIC) to fresh air within a twenty four hour period remained an ongoing discussion and concern at Shrewsbury throughout the year, we note that the proposed area indicated to us has been withdrawn as a possible action due to cost and expenditure restraints.

- **Resource Contractors**

Members have been concerned by the lack of training and understanding that new recruits joining the Resource team have of the ICV role. We do acknowledge that the majority of existing staff are good, we have recorded and documented issues and suggested removal of some of the almost redundant languages.

*Graham Oliver*

*Shropshire ICV Panel Coordinator*

- **South Worcestershire ICV Panel**

I am pleased to report that, thanks to a very successful recruitment campaign, the panel is up to full strength with the appointment of five members, three of which have started their probationary visits and two will start in September.

I was pleased that, once again, my deputy coordinator and I were involved in the interview process. I thank Tracy Edwards for making this so successful.

We have continued to do weekly visits together with one extra monthly, providing a total of 64 annually. The panel still considers this to be adequate in relationship to the number of detainees held in custody during the year at Worcester.

During the visits, a professional working relationship with the custody staff has been maintained and I thank them for their help in making the visits effective.

Communication with the custody inspectors has been good and I am pleased to say that very few issues have needed to be raised.

I and my deputy have continued to attend the quarterly custody inspections and attend the SCUF meetings.

I thank the Panel members for their continued support and commitment and welcome those new to the panel, which I am sure, will be a rewarding experience.

*Chris Rayner,  
South Worcestershire ICV Panel Coordinator*

Appendix A

**Comments/Complaint Analysis of persons in detention spoken to by independent custody visitors**

Code	Description	2015-16		2014-15		2013-14	
		No	%	No	%	No	%
A	Alleged assault	0	0.0%	1	0.3%	2	0.8%
B	Bell/light faulty	0	0.0%	0	0.0%	0	0.0%
C	Cigarettes	0	0.0%	1	0.3%	0	0/0%
D	Drinks	4	1.7%	5	1.7%	6	2.4%
E	Exercise yard	0	0.0%	6	2.1%	2	0.8%
F	Food	14	6.1%	7	2.4%	9	3.6%
G	Graffiti	0	0.0%	2	0.7%	1	0.4%
H	Temperature	2	0.9%	5	1.7%	6	2.4%
I	Lighting	0	0.0%	0	0.0%	1	0.4%
J	Telephone call	5	2.2%	6	2.1%	4	1.6%
K	Relatives informed	0	0.0%	0	0.0%	2	0.8%
L	Legal advice	1	0.4%	1	0.3%	5	2.0%
M	Medical	41	17.9%	9	3.1%	21	8.3%
N	Clean clothes	0	0.0%	2	0.7%	1	0.4%
O	Bedding	9	3.9%	6	2.1%	6	2.4%
P	Decoration	0	0.0%	4	1.4%	1	0.4%
Q	Language	22	9.6%	8	2.8%	13	5.2%
R	Reading material	2	0.9%	3	1.0%	4	1.6%
S	Lost property	0	0.0%	0	0.0%	0	0.0%
T	Toilet facilities	0	0.0%	0	0.0%	3	1.2%
U	Unclean cell(s)	0	0.0%	0	0.0%	3	1.2%
V	Visits	0	0.0%	0	0.0%	0	0.0%
W	Washing facilities	0	0.0%	3	1.0%	1	0.4%
X	No comments	129	56.3%	163	56.8%	149	59.1%
Y	No report	0	0.0%	0	0.0%	2	0.8%
Z	MISCELLANEOUS	16	7.0%	55	19.2%	10	4.0%

**Issues, concerns and successes reported by ICVs in their visits – reported to the ICVA**

**January to March 2015**

- Medical Professionals Attendance in Custody - The national shortage of doctors is impacting on provision. Over the past year ICVs have reported concerns that on occasions contractual obligations have not been met; that is for a medical professional to attend within one and half hours of a request, unless an appointment has been scheduled. Attendance times are documented and addressed by the Force through performance meetings. Therefore from 10 March 2016 ICVs will assist by reporting on any consequences of delays in attendance longer than the contractual obligations.
- Following concerns raised by ICVs CCTV footage was viewed by the Scheme Administrator, Panel Co-ordinator and ICVs, with the Custody Inspector. This highlighted inadequacies in the quality of the CCTV footage. As a result the system was replaced. An earlier report on a review of CCTV across the force area, which will form part of a larger review of the Custody estate, was shared with the OPCC and Panel Co-ordinators.
- Lack of awareness of ICV role by new recruits and detention officers – This had been highlighted at recent ICV Panel meetings as was raised at the Force Alliance 'Strategic Custody Users Forum' (SCUF). As a result Custody Inspectors undertook to make sure posters were on display not just in custody suites, but within the station and front counter areas. The Head of Custody put out an article on the 'vital role of ICVs' in the Alliance newsletter for all police officers and staff and Resource undertook to look at the training of its Detention Officers. SCUF meets quarterly and is made up of representatives of all organisations involved in custody. The Scheme Administrators and ICV Panel Co-ordinators from Warwickshire and West Mercia attend and the meeting is chaired by Assistant Chief Constable for Local Policing.

**April to December 2015**

**Welfare Issues**

*Shropshire Panel*

- Queried contractual arrangements for doctors. After becoming aware that a detainee had requested to see a doctor at 7.50 pm who had arrived but was called away to an emergency. The detainee was still waiting at 10.55 pm.
- Detainee had not been offered shower facilities but after the ICV raised the issue the detainee was offered a shower.
- Concern regarding detention officer not dealing with a detainee very professionally – The incident is being looked into by the Custody Inspector and a response awaited.

- Concerns raised regarding the mental health state of a detainee – the nurse had taken control (she was also an Appropriate Adult) and staff aware that the detainee needed support.
- Two incidents of asthmatics who were concerned that they did not have their medication. After ICVs raised their concerns with detention staff.
  - 1) staff explained that the detainee's mother could bring in their inhaler.
  - 2) the detainee saw the doctor.
- ICVs were safeguarded when two violent people were brought into custody and put into cells during their visit.

#### *Kidderminster Panel*

- It was noted that blockages in the courts meant that detainees were spending a longer time in police custody.

#### *Hereford Panel*

- A detainee waited for a blood test for over 1 hr 25 mins, which appeared to be in breach of contractual arrangements.. The Custody Inspector subsequently advised that all healthcare contract issues are being monitored/ reviewed and acted upon at performance meetings.

### **Health and Safety Issues**

#### *Shropshire Panel*

- Sink water pressure is causing water to spray and fall on floor resulting in a potential safety hazard (previously reported and addressed).
- Sink not working, cells out of order, chair needs replacing as cover torn in medical room, cells out of use for a number of weeks due to fault with buzzers.
- A computer hardware problem had resulted in only 4 cells in working order.
- A long standing concern for the Panel is the lack of exercise yard at a Shrewsbury Custody suite, which had also been raised by HMIC. At the Autumn Panel meeting the Custody Inspector reported that he had submitted a business case for consideration by the Police Command Team. The business case was unsuccessful as a decision has yet to be made on the future of the Alliance wide custody estate.
- 3 packs of out of date food removed.
- An ICT fault caused issue with custody record PIC had left but record could not be closed and was therefore person was still logged as being in custody. Problem reported and solved whilst ICVs still in custody.
- Informed by doctor that medical packs out of date. ICVs inspected and did find some out of date packs and involved the Detention Officer.
- Severe shortage of clothing recorded in Telford on 10 Nov and 16 Nov when it was noted that re-stock is taking longer than normal. Stock was awaiting unpacking during visit on 26 Nov.

#### *Worcester Panel*

- Three cells out of use, for three several weeks. One was due to damaged caused by a detainee punching holes in ceiling whilst sitting on the windowsill.

#### *Kidderminster Panel*

- Beds too small or mattresses too large in male block.
- Shower gel packets left on floor of shower room, Some cells are very smelly possible extraction fans, Yard floor needs jet washing, rubbish bin in

medical room needs emptying. Intox room handles need tape to edges, and loft hatch needs securing.

#### *Herefordshire Panel*

- It was noted that the Tazer notice was missing from the medical room - after enquiries the Custody Inspector reported that Primecare had taken the notice down as they did not need it.
- 16 September the kitchen for repairing detainees food was closed due to an infestation of silverfish and the closure was reported on weekly visit reports and the subject of Panel meeting with the Custody Inspector. The kitchen was not in use until 18 January 2016. Concerns regarding the temporary kitchen were raised by ICVs and it was included in the Police quarterly inspection.
- Extractor fan in staff toilet out of action.

#### **Successes**

- New process in place to offer information on check in about showers, food, blankets etc– introduced as result of concerns raised by ICVs. *Shropshire Panel*
- ICVs from all Panels take part in police quarterly inspections of custody suites, which includes health and safety leads, estate and custody personnel.
- In general when ICVs raise requests from detainees with detention staff e.g. phone calls, food, drink, blanket, reading material the requests are dealt with promptly whilst the ICVs at the station.
- Queried policy for administering medication as a result Primecare representative attended next Panel meeting to explain policy and force subsequently reviewed policy for medicine management and invited ICVs to comment on the draft.
- Concerns raised regarding access to ventolin inhalers. Police to check the procedure and make sure that custody staff know that detainees can have their ventolin.