

West Mercia Independent Custody Visiting Scheme Report 2020

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Foreword

My Independent Custody Visitor (ICV) Scheme sees trained volunteers make unannounced visits to all West Mercia's custody suites to check on the welfare and treatment of detainees. They fulfil a crucial role in providing reassurance to communities about how police are handling people under detention. I have accompanied ICVs on their visits on numerous occasions and my deputy attends ICV Panel meetings in order to understand and support their roles and experiences.

The ICV scheme has had to change and adapt dramatically over the last twelve months, in order to operate in a Covid-safe manner. This has meant an overall reduction in visits being undertaken. However, in order to maintain the scheme as best we can, in very difficult circumstances, volunteers have moved to checks being undertaken using technology. The video calls enable social distancing, whilst maintaining the vital contact ICVs have with those in custody.

In 2021, with the advent of the Covid-19 vaccination programme, there looks to be some light at the end of the tunnel. We will continue to evolve the scheme as and when restrictions are lifted, making sure that we get the delicate balance of maintaining the scheme, and the safety of our volunteers and detainees, right.

The work of the volunteers is highly valued and I am always grateful for their contribution to West Mercia. Their visits are crucial to the safety of those held in custody and for providing transparency and confidence in policing.



John Campion
West Mercia Police and Crime Commissioner

Introduction

This report sets out the crucial work that West Mercia Independent Custody Visitors (ICVs) have carried out during 2020, helping to ensure that custody suites across the West Mercia police force area are a safe and dignified environment for detainees.

Custody visiting was set up in response to the Scarman Report of 1981 which followed civil disorders. The scheme gave members of the public from the local area the ability to inspect custody facilities and to make sure detainees are treated properly and in accordance with the law.

ICVs are appointed and overseen by the Office of Police and Crime Commissioner and are totally independent of the police force. They carry out an important and highly valued role that helps strengthen police accountability.

ICVs are volunteers drawn from all walks of life, and they provide an independent check on the welfare of people who are detained in police custody. They do this by making unannounced visits in pairs to police custody facilities throughout the force area, and reporting their findings. ICVs play an important part in the PCC holding the force to account.

The West Mercia Independent Custody Visiting Scheme has four ICV panels across the force area. Each panel is responsible for organising and undertaking the visits to the custody suites local to the panel. South Worcestershire panel visits the Worcester suite; Herefordshire panel visits the Hereford suite; North Worcestershire panel visits the Kidderminster suite and Shropshire panel visits the Shrewsbury and Telford suites.

Despite the challenges over the past 12 months due to Covid-19, the ICV scheme, ICVs, custody staff and OPCC have been able to provide a remote oversight of custody and detainee welfare to help keep custody safe.

Furthermore, ICVs have highlighted issues that needed to be highlighted. From accessing PPE at the start of the pandemic, to challenges with virtual remand hearings and informed consent to remote legal advice.

However, it hasn't been without its challenges with signal and Wi-Fi issues, PPE resources, inability to get a general feel for custody and of course concerns over Covid risks. Not to mention recruitment and training of ICVs.

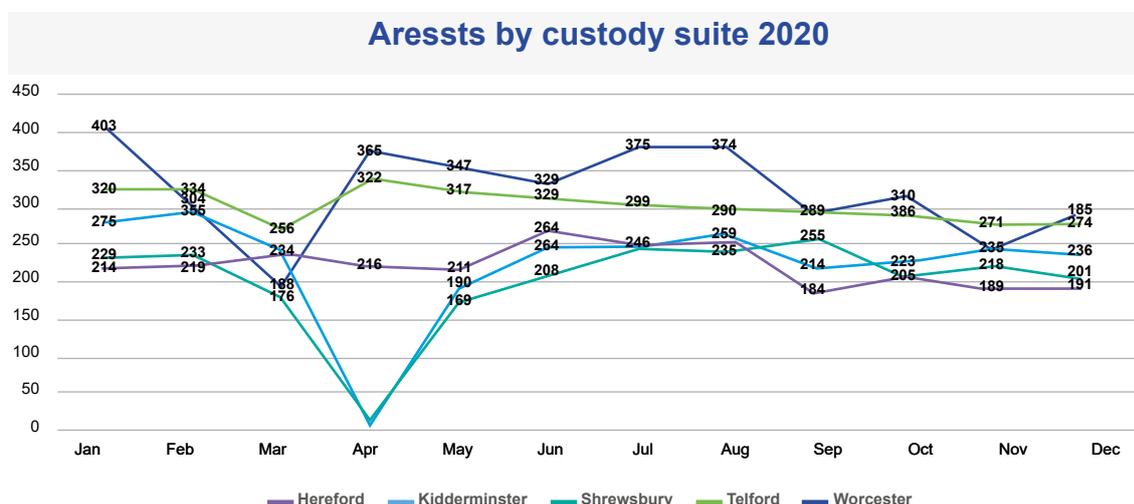
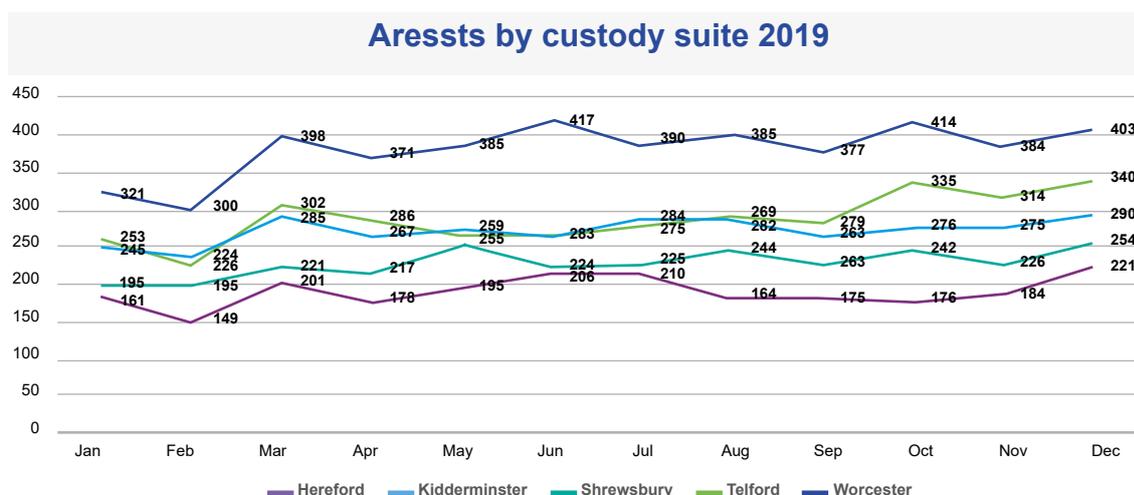
The impact Covid-19 has had on the scheme has been massive and can be seen in many of the tables to follow, this will make for an unusual annual report for 2020.

An overview of custody facilities in West Mercia

There are 5 Custody suites in the West Mercia force area located at main police stations. The number of cells available at each is:



The following tables show the number and demographic of detainees going through custody this year. During 2020 in response to the Covid pandemic the custody suites at Shrewsbury and Kidderminster were closed between 27 March and 28 April. The impact of the closure can be seen in the 2020 graph.



How the ICV Scheme operates

Each ICV panel has a coordinator and deputy coordinator. Part of their role is to produce a rota of visits, this ensures that each suite is visited on a weekly basis. Members work in pairs and make on average one visit to custody each week. ICVs report their findings, which are generally resolved by custody staff or Custody Inspectors.

There are currently 37 ICVs in the West Mercia scheme, with ages between 18 and 88 years old, including two ICVs who each have over 25 years' experience of custody visiting.

Due to the extra stress and risk associated with COVID we have seen 12 ICV members retire or leave the role during 2020. However, we have also received several applications from members of the public who are currently going through the recruitment process.

In March 2020, general ICV visits were suspended as a result of Government guidance surrounding the COVID-19 pandemic. This was for the safety of our ICVs, staff and others coming into custody. During this time, the OPCC agreed for the ICV Scheme manager to conduct dip samples of custody records along with a weekly phone call to custody inspectors for an overview of detainee care, safeguarding and access to appropriate support. This also encompassed a check on whether the custody suite had adequate stock of key provisions including blankets and meals etc.

In June 2020, the OPCC arranged for each custody suite to have an electronic tablet so virtual visits to custody may take place. Virtual visits took place once a week, per custody suite. The need for two ICVs per visit was suspended and virtual visits allowed one ICV per call. To minimise the risk in terms of GDPR,

ICVs conduct these calls in a private place in their home, free from others listening to the call and other interruptions.

Detention officers facilitating the virtual visit the detainee who must consent to talking to an ICV, and the role of the ICV is explained by the detention officer.

Where possible, the detention officer stands away from the detainee, not listening into the conversation, or speak up at any time, unless asked a direct question by the detainee or ICV. This may mean them standing outside the door.

By October 2020, physical visits were able to resume in line with government guidelines and one of our Independent Custody Visitors retired after 25 commendable years, an extraordinary example of dedication to the scheme. Deputy PCC Tracey Onslow visited the ICV at their home address and presented them with a certificate.



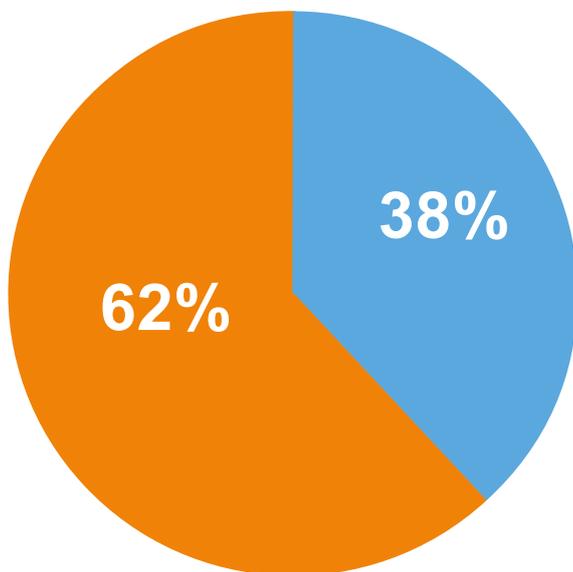
Since November 2020, physical visits were suspended once again and due to signal issues within the custody suites when using the tablets, the OPCC agreed that phone calls into custody would be the most efficient way to conduct successful virtual visits and this continues to be in place.

Custody visiting data

There are a variety of reasons that a detainee might be unavailable to see ICVs e.g. in an interview with the police, consulting with a solicitor, being examined by a healthcare professional or sleeping. Some detainees may simply not wish to speak to ICVs despite being available to see them.

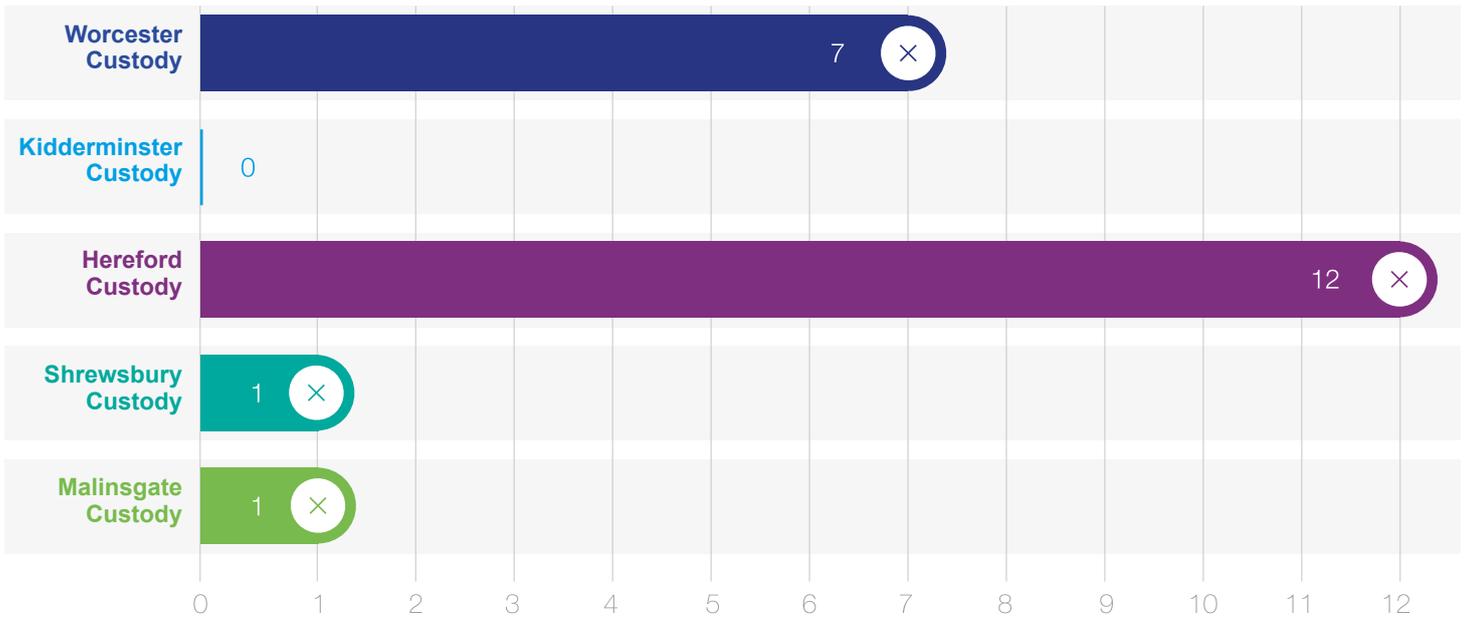
In 2020 ICVs have conducted both physical and virtual visits due to lockdown restrictions put in place by the government. There have been no high impact findings during any visits that have taken place. General issues reported during visits have included, blocked drains, damage to cells, requests to see a healthcare professional, requests for medication, requests for phone calls from detainees, issue with stock of bedding or food and personal protection requests for staff, ICVs and detainees.

ICVs have been encouraged to report in greater depth on children held in custody and those experiencing mental health issues. Changes to sections 135 and 136 of the Mental Health Act came into effect on 11 December 2017 as introduced by the Police and Crime Act 2017. These changes mean that children and young people (CYP) will not be held in police custody as a place of safety and adults only in exceptional circumstances. ICVs are alert to reporting on this.

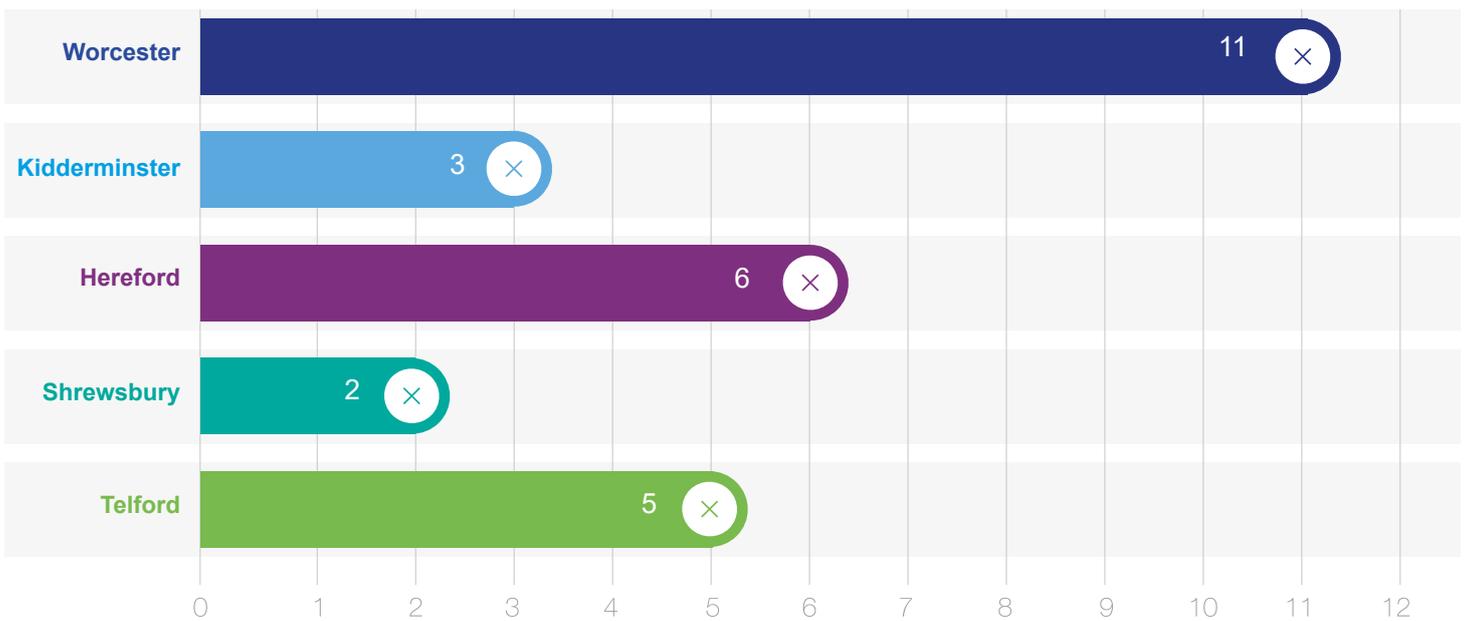


- Number of virtual visits
- Number of physical visits

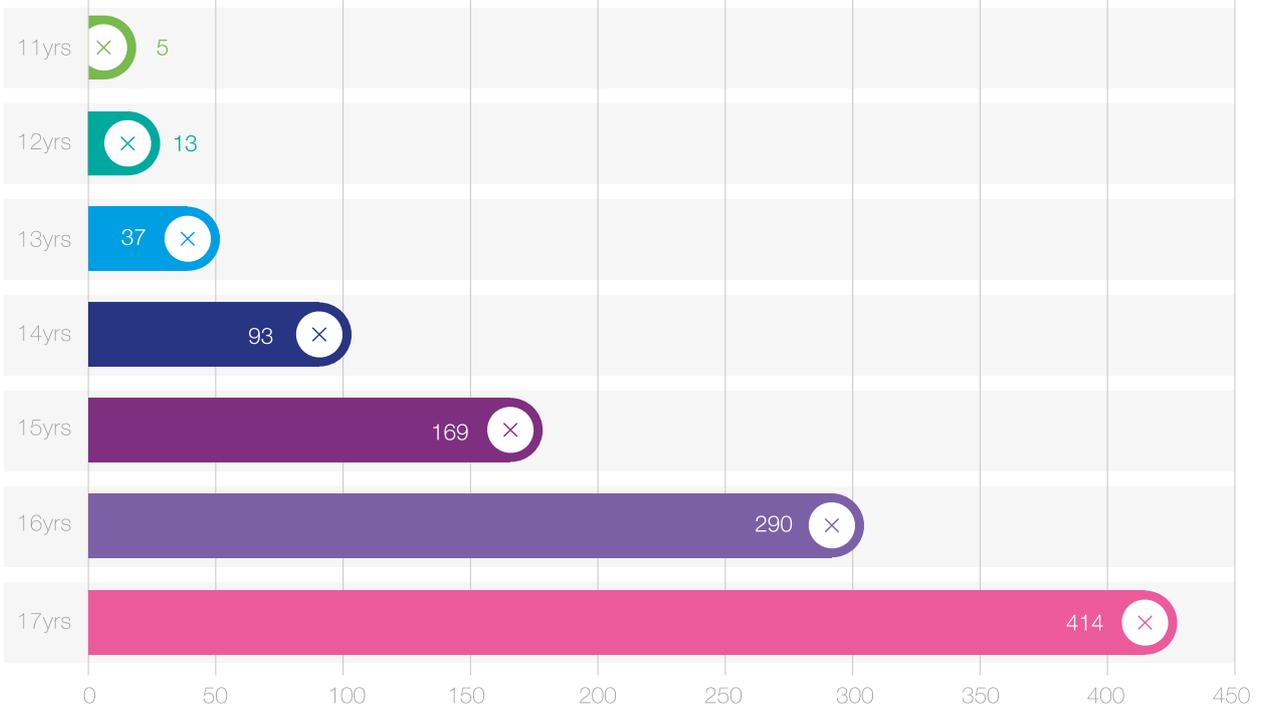
S.136 Arrests 2019



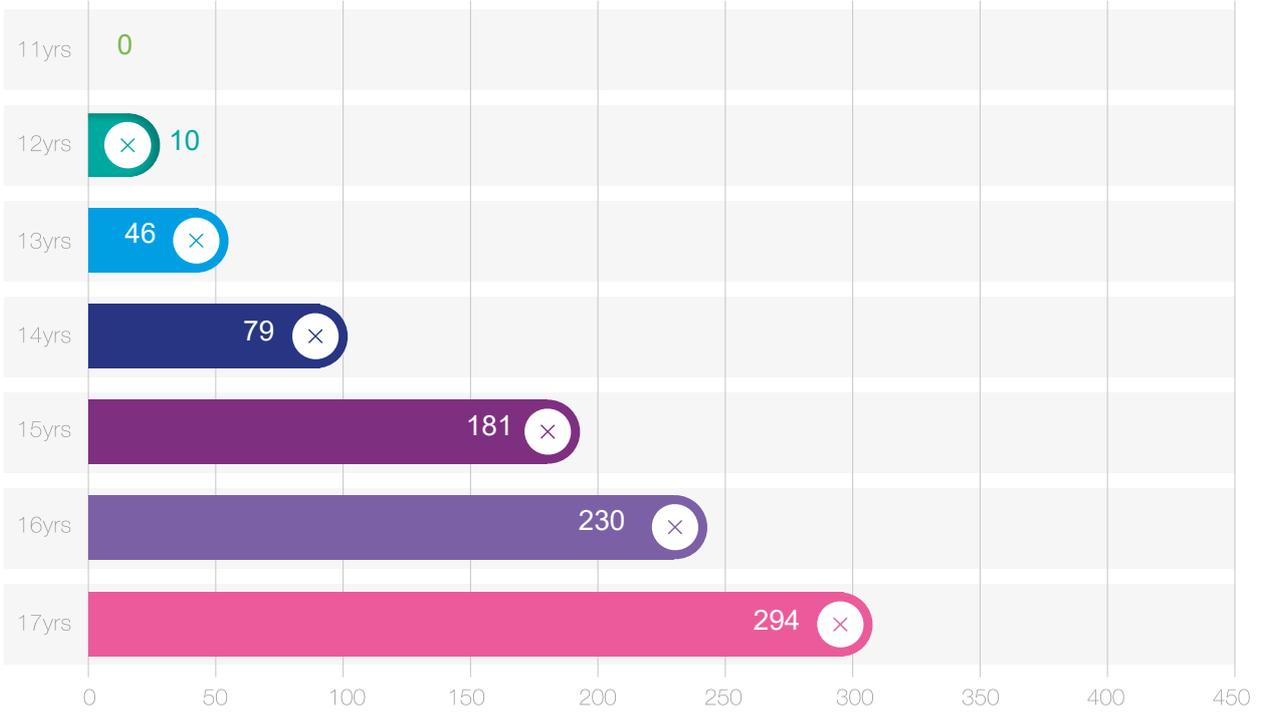
S.136 Arrests 2020



CYP Age Ranges 2019



CYP Age Ranges 2020



About the ICVs

As at 31 December 2020, there were 37 ICVs participating in the Scheme, each panel nominates a 'Co-ordinator', who is responsible for creating a rota of visits which ensures that only the ICVs know what day and time they will arrive to speak to detainees, and provides the Scheme with greater credibility and independence.

The ICV Scheme seeks to be representative of our communities, including taking account of different ethnic origins, gender and age ranges. When we appoint new members to the Scheme, consideration is given to enhancing this representation.

The following table provides a statistical summary of the custody visitors by gender and age.

Panel Membership	Herefordshire		North Worcestershire		Shropshire		South Worcestershire		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Ideal no of visitors	10		10		18		12		50	
Actual no of visitors	7		8		15		7		37	
In recruitment process	0		0		0		0		0	
Vacancies	2		2		3		5		13	
No of male visitors	3	43%	6	75%	8	53%	3	43%	20	54%
No of female visitors	4	57%	2	25%	7	47%	4	57%	17	46%
Age 18-24	0	0%	0	0%	0	0%	1	14%	1	3%
Age 25-39	0	0%	0	0%	0	0%	1	14%	1	3%
Age 40-54	0	0%	1	13%	3	20%	1	14%	5	14%
Age 55-69	1	14%	4	50%	6	40%	4	57%	15	41%
70+	5	71%	3	38%	6	40%	0	0%	14	38%

About the ICVs

Future Plans

Actions for the scheme over the next year will include:

- Establishing a full number of ICVs in each suite
- Implementing any necessary improvements to work towards achieving a silver ICVA Quality Assurance Framework rating
- Increasing the scheme's social media profile
- Returning back to physical visits when possible and provide refresher training to all ICVs

Further Information and Contact Details:

Scheme Administrator

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Other Resources

Further details about the West Mercia Independent Custody Scheme can be found on the PCC's website:

<https://www.westmercia-pcc.gov.uk/working-together/independent-custody-visitors/>

Details about the Independent Custody Visiting Association can be found at the following website:

<https://icva.org.uk/>



To contact your Police and Crime Commissioner:

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