

Committee(s)	Dated:
Police Authority Board – for information Independent Custody Visitor Panel – for information	16 May 2019 10 July 2019
Subject: Independent Custody Visiting Scheme Annual Report 2018/19	Public
Report of: Town Clerk	For Information
Report author: Craig Spencer, ICV Scheme Manager, Town Clerk's Department	

Summary

This report completes the requirement to update Members on the progress of the City of London's Independent Custody Visiting Scheme, presenting the Panel's Annual Report and informing Members of some of the recent issues raised by the ICV Panel in relation to custody provision in the City. Issues raised at the Panel meetings over the past year include recommendations from the HMICFRS/HMIP Custody Inspection and the performance of partner services including the appropriate adult (AA) service and custody healthcare.

Recommendation(s)

Members are asked to note the contents of this report.

Main Report

Background

1. The existing Independent Custody Visiting Scheme has been operational, in its current form, since November 2007. As part of the Scheme, Members agreed at the Police Committee in May 2009 that a regular report would come to Committee on an annual basis, and this report fulfils that requirement.
2. Members may recall that Independent Custody Visitors (ICV) make unannounced visits in pairs to custody suites to monitor and report on the treatment and conditions of individual detainees on an entirely independent and confidential basis. They are there to look, listen and report on conditions in custody at the time of their visit, and report what they see through to the Force and the ICV Panel, which is made up of all the visitors.
3. The City Visitors have all been trained in conjunction with the Independent Custody Visiting Association and the Mayor's Office of Policing and Crime. Further refresher training is given to the Panel, which meets quarterly, on specific topics such as mental health. ICVs have also attended police training on issues such as vulnerability, restraint and use of force.

4. The visits take place on a three in two weeks basis for Bishopsgate Police Station as agreed between the Scheme and the City of London Police (CoLP). The visitors will also visit if Snow Hill Police Station, and now Brewery Road (as part of the collaboration with the British Transport Police), are used as an overflow or a reserve facility.
5. Each visit is recorded by the two visitors who complete a short form covering any issues for concern following interviews with the detainees. The forms now adhere to the recently produced national standards and reporting guidance. Copies of each completed form are then sent to the Custody Manager, the Scheme's Administrator in the Town Clerk's Office, and the Superintendent for action if necessary. The Panel should be commended for completing over 97% of visits over the previous year with more detainees interviewed than ever before.
6. Meetings of the ICV Panel continue to take place on a quarterly basis and are attended by all Custody Visitors together with representatives from the Town Clerk's Department, City of London Police (normally the custody manager) as well as the Board's representative Nick Bensted-Smith.
7. The Panel reviews the record of visits since the last meeting and visitors are able to ask detailed questions of the representatives of the Force, including the custody manager, about any issues which concern them. Finally, the Panel considers more general policy aspects and the administration of the Scheme such as the visit rota and availability.
8. The ICV Panel would like to put on record its thanks to Richard Lewartowski, who unfortunately passed away in 2018. Richard had joined the Independent Custody Visitor scheme in March 2016 and his work ethic and important contributions have supported its recent progress, including in his role of Vice-Chairman.
9. The Panel also records their thanks to Chairman Godfrey Baillon-Bending and Heather Thomas who was elected Vice-Chairman in October 2018. Craig Spencer, the Scheme Manager, has continued the role on the National Board for the Independent Custody Visitor Association as a Member Director, but will resign the post later this year due to a change of role.
10. The Panel has been rated as a Silver scheme by the National Association as part of their assessment framework. Considering the size of the scheme this is essentially the highest level the scheme could receive and shows the scheme as a lead in best practice. The process also provided some best practice from other PCCs which has been adopted, including performance monitoring for ICVs to ensure consistent standards across the Panel.

Panel Issues in 2018/19

11. This year the Panel has produced its ninth Annual Report, which is attached at Appendix A. This reports on the Panel's performance over the last 12 months, provides information about the visits made and issues raised as a result and,

finally, sets out the Panel's objectives for 2019/20. Key issues raised at the Panel meetings include the following:

- a) **HMICFRS/HMIP Custody Inspection** – The Chairman of the ICV Panel and the Scheme Manager were interviewed as part of the process and the ICV Panel was praised within the report for their input and also how the custody team reacted to issues raised by the Panel. The primary issues highlighted were poor record keeping, lack of strategic oversight and the current provision of facilities available (including a lack of an exercise yard) at Bishopsgate. However, it should be acknowledged that this was an encouraging inspection and the culture within custody was highlighted as a positive. The Panel will now work with the CoLP to address some of the recommendations and ensure ICVs are checking some of the more crucial points raised in the report.
- b) **Voluntary Attendance** – A concern was raised from the Panel and ICV Scheme Manager that PACE (Police and Criminal Evidence Act) and the current Health Care Professional contracts do not currently cover voluntary attendance, which is being increasingly used across the country. Work is starting to look at how ICVs can protect welfare of those under voluntary attendance. The new AA contract will also consider voluntary attendance within this.
- c) **Custody Healthcare** – The service has improved throughout the year after ICVs raised issue about the availability of healthcare professionals within custody. The service, although not embedded, is now performing well and is working effectively with the liaison and diversion service.
- d) **Appropriate Adults** – The Panel and the custody manager have been concerned with the provision of AAs out of hours and for vulnerable adults. The contract is commissioned by Community and Children's Services and is currently being revised to appropriately address out of hours and vulnerable adult provision. The HMIC report raised two issues around AAs including the identification of vulnerable adults and the issue of AAs not being present for checking-in of detainees.

Legal Implications

12. In accordance with Section 51 of the Police Reform Act (2002), the City Corporation is required to have in place an Independent Visitors Scheme.

Conclusion

13. The Independent Custody Visiting Scheme is now well-established, and the Panel is pleased to present its annual report to the Police Authority Board. The areas that custody and ICVs now cover has broadened but the Panel has continued to be a critical friend for the Force. Further updates on this Scheme will continue to be provided to Members on an annual basis.

Appendices

- Appendix 1 – ICV Annual Report 2018/19

Background Papers

Annual Custody Report – November 2018 Police Committee
ICV Guidelines – January 2017 Police Committee

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