



City of London

Independent Custody Visiting Scheme

Annual Report

May 2019

Foreword, by the Chairman of the ICV Panel (Godfrey Baillon-Bending)

The City of London Independent Custody Visiting scheme has had a successful year adapting to policy, changes in personnel and details about how the Panel is run. I have been well assisted by the Vice-Chair Heather Thomas and other Panel members who have made 2018-19 a successful year for the Panel. The City of London Police Force main custody suite continues to be located at Bishopsgate Police Station. The second custody suite at Snow Hill Police Station is now rarely used, even as an overflow. The collaboration with the British Transport is now active and we are investigating about how custody visitors can support this arrangement in future.

Visits to Bishopsgate continue, on the whole, to be excellent with good support from the officers in the custody suite. This was backed up by the HMICFRS/HMIP inspection which took place which outlined the positive culture within the Force and many areas where they lead on best practice. The inspection also highlighted the value of our scheme and the readiness for officers to respond to our concerns. The inspection report did also raise some issues that the Panel will now check upon more regularly: ensuring appropriate adults are present for the check in process and for vulnerable adults; the use of CCTV during strip searches and also some of the facilities within the suite. With the impending introduction of spit guards and leg restraints, the Panel are to be involved in the initial training to ensure that the equipment is used in a proportionate manner.

The healthcare service has improved throughout the year with thanks to the visitors for continuing to raise this issue; additionally, the liaison and diversion service has been very valuable when observing their input to a detainee's welfare. It has also been encouraging to see that maintenance problems are being reported less by the ICVs and that the contractor is performing stronger in this area.

The relationship with the custody staff has continued to be extremely positive this year with comments from all visitors on the friendliness of the staff when conducting their visits. I have been involved in training new custody staff aiding this relationship further. Additionally, given previous staffing issues associated with custody last year, I am glad to say that these problems have improved but this will be something that the Panel will be kept aware of over the ensuing year. There has, however, been turnover in the role of custody manager and this is something I continue to raise with senior leadership to ensure the high-risk area of custody gets the appropriate level of attention it requires.

In my first year as Chairman, we have been able to introduce a new national reporting form which has improved the current processes for escalating issues. We have also provided training on several issues for the Panel including mental health, young persons in custody and the use of restraint techniques. The scheme also received the Silver Award from National Association outlining the effectiveness of the scheme and I look forward to picking up the award later this year. This process allowed us to develop best practice from other schemes including our developing relationship with the MOPAC scheme.

I give my thanks to my fellow custody volunteers for their hard work this year, and especially to our new visitors who have fitted in seamlessly. I would also like to thank the City of London Police and Civilian Detention Officers for enabling us to successfully carry out our responsibilities in 2018-2019.

I would also like to thank Craig Spencer, the Scheme Manager and Richard Holt, the Scheme Administrator for their hard work throughout the year. It is likely to be their last year working on the scheme due to changing work priorities, so a huge congratulations to Craig and Richard for their work on the Panel over the last few years and the healthy position the Panel is now in is down to their hard work.

Finally, I would like to pay tribute to Richard Lewartowski, who unfortunately passed away in 2018. Richard had joined the Independent Custody Visitor scheme in March 2016 and his contribution and support have aided the Panel's recent progress, including in his role of Vice-Chairman.

Welcome to the 2018-19 annual report of the City of London Independent Custody Visiting Scheme.

The Court of Common Council, as the police authority for the Square Mile, has a responsibility for securing an efficient and effective police service in the City of London and holding the Commissioner of the City of London Police to account. Under paragraph 51 of the Police Reform Act 2002, the City of London is required to have in place an Independent Custody Visitors Scheme.

Independent custody visiting schemes have been around since the 1980s following the Lord Scarman Report and became mandatory in 2003. The Scarman Report recommended a system of independent unannounced inspection of detention arrangements in police stations by local community members. Custody Visiting Panels remain a vital important means of

securing police accountability for the local communities they serve.

City Visitors are volunteers who give up their free time to provide independent scrutiny of the treatment of those held in police detention and the conditions in which they are held. They continue to play a vital role in bringing together police and communities closer together and enhancing public perception of police procedures and practice in relation to custody.

We would like to thank all the City's Visitors for their commitment to the Scheme. The Police Committee appreciates their hard work and firm commitment to the Scheme and the contribution this makes to the overall confidence the community has in the City of London Police.

Doug Barrow
Chairman
Police Committee

Nicholas Bensted-Smith
ICV Panel Member
Police Committee

Introduction

THE CITY OF LONDON INDEPENDENT CUSTODY VISITING SCHEME (ICV SCHEME)

The purpose of this report is to give an account of the work of the City of London ICV Scheme in the period 1 April 2018 to 31 March 2019. It aims to:

- report on the Panel's performance;
- provide the local community and the Police Committee with information about the visits made and what they have revealed about the treatment of detainees;
- set out issues and concerns that the visits have raised; and
- set out the objectives for 2019/20.

The City of London Corporation, in its role as the police authority for the City of London, has a statutory duty to have in place an independent custody visiting scheme. The operation of the Scheme is the responsibility of the Police Committee.

Independent custody visiting is governed by a range of legislation and guidance including the Police and Criminal Evidence Act (PACE) 1984 and Home Office Codes of Practice and National Standards.

Independent Custody Visitors (ICVs) are members of the local residential and business community who volunteer to visit police stations unannounced to check on the treatment and welfare of people held in police custody. They must:

- be over 18;
- be independent from the police force and the police authority; and
- have no direct involvement in the criminal justice system.

The City of London ICV Panel currently consists of 12 (this is the maximum number required) visitors who visit the custody suites at Bishopsgate Police station three times every two weeks. Programmed visits to Snow Hill custody suite will now cease due to its inactivity, however potential further visits to the Brewery Road facility may take place, although this is covered by MOPAC Visitors. A member of the Police Committee attends the quarterly Panel meetings and representatives of the Force attend for part of the Panel meetings so that any queries or problems that have arisen out of custody visits can be addressed. The meetings are supported by staff from the Town Clerk's department (ICV Scheme Manager and Coordinator).

THE ROLE OF INDEPENDENT CUSTODY VISITORS

Visits are always made in pairs, and are unannounced. The objective of all visitors is to monitor and report on the treatment and conditions of individual detainees and to check that their rights and entitlements have been upheld.

During their visit, ICVs are escorted by a custody officer at all times. Every detainee being held is offered the opportunity to speak with the custody visitors (unless they are not to be disturbed when they are asleep during their rest period or are a safety risk) but may choose not to. Visit interviews are carried out within sight, but out of hearing, of the escorting officer. Strict rules of confidentiality apply so that detainees are identified by their custody numbers only, and the details of what visitors see and hear are treated as confidential. ICVs are not concerned with any alleged offence and maintain their independence and impartiality at all times. They do not provide advice to detainees; they are

there to look, listen and report on conditions in custody at the time of their visit.

After every visit, custody visitors fill out a report form recording details of the visit. The information about the visit in the form includes details of problems that were resolved immediately and those that required further action. Copies of the reports are provided for the Superintendent (if appropriate), the Custody Manager and the Scheme Manger on behalf of the Police Committee. The forms now align with national standards and focuses on actions for the Force and the Scheme Manager.

The ICV Panel will then follow up and discuss at the next review meeting any concerns that cannot be resolved during visits. If necessary, more serious issues can be highlighted directly to the Police Committee or dealt with outside Panel meetings.

PANEL MEETINGS

The quarterly Panel meetings allow Visitors to discuss each visit and any issues that have arisen. In addition, short update or information sessions are often included on each agenda so that Visitors are kept up to date with any national developments concerning the custody environment. Topics discussed this year included:

HMICFRS/HMIP Inspection – An unannounced Custody Joint Inspection by the Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services and Her Majesty's Inspectorate of Prisons (HMICFRS/HMIP) of the City of London's Custody Suite in November 2018. The Chairman of the ICV Panel and the Scheme Manager were interviewed as part of the process and the ICVs were praised for their input and 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 facilities available at Bishopsgate. However, it should be acknowledged that this

was an encouraging inspection and the culture was highlighted as a positive.

The areas for improvement (AFIs) will be addressed by the Force and there will be a response to the inspection report when this is published. The recommendations and AFIs from the report will be included in the regular HMICFRS updates that go to the quarterly Police Performance and Resource Management Sub Committee for Member scrutiny.

Panel Training – The Panel have received training on vulnerable detainees, particularly around mental health (October Panel) and young persons and children in custody (April Panel). This has included inviting partners to present on their work including the Liaison and Diversion service in the City. The Vice Chair, Chairman and Scheme Manager have all been involved in training for new custody sergeants and gaolers explaining the role of ICVs. ICVs will also be attending future Vulnerability and Use of Force training which is delivered to CoLP Officers.

National Accreditation – 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.

Reporting Forms – The Panel have also introduced new reporting forms to adhere to recently introduced national standards. The forms now allow visitors to focus on vulnerable detainees and their treatment. Any issues raised by visitors are now more easily identified and further details can now be given.

Annual Update on Custody – the third annual update to Police Committee was received in September and focused on the statistics for young persons and children as well as those with mental health problems in custody and any changes in policy that have occurred over the year. Due to this being the third iteration, trends are now being formed and be monitored over a longer period to assess any changes to the nature of custody in the City of London.

In addition to the points above the Panel have raised a number of other issues with the Custody Manager and other partners:

1) **Voluntary Attendance** – A concern was raised from the Panel and ICV Scheme Manager that PACE and Health Care Professional contracts do not currently cover voluntary attendance – as such, the Force are investigating that those that do voluntary attend and are vulnerable, are appropriately supported.

Outcome – The Standard Operating Procedure (SOP) for voluntary attendance has been updated and CoLP are investigating how ICVs can be involved in the process. This is increasingly important given the increased use of voluntary attendance.

2) **Custody Healthcare** – The Panel has raised the issue of an irregular service at Bishopsgate from the contractor G4S. Although this is not an embedded service, it was found that the call out times were excessively long, and this meant that detainees were waiting hours for treatment. The ICV Panel continued to check this issue throughout the year and the overall service being provided, including the liaison and diversion service.

Outcome – The ICV Panel have noted an improvement in the availability of the

healthcare professionals and this has resulted in the service increasing their call out target (which is above 90%).

3) **Appropriate Adults** – The Panel and the custody manager have been concerned with the provision of appropriate adults (AA) out of hours. The contract is again commissioned by CCS and there was particular note within the HMICFRS/HMIP report about the poor provision especially when identifying vulnerable adults. There was also a ‘cause for concern’ within the report identifying the issue of AAs not being present for checking in of detainees.

Outcome – The ICV Scheme Manager has been involved in drafting the new AA contract and the provision of the service for vulnerable adults is more explicitly addressed. The contract will also include references to voluntary attendance. The Custody – Juvenile detainee SOP has been edited to ensure minimal delay to AA’s being present while detainees are provided their rights and entitlements.

4) **Dignity of Detainees** – The HMICFRS/HMIP inspection and the Panel raised an issue around CCTV protocol when strip searching detainees. It was the case that the CCTV monitors were not switched off within custody and were visible to several persons in the suite when strip searches were taking place.

Outcome – The relevant SOP has been changed and custody officers have been made aware of this issue. ICVs will continue to monitor the issue when viewing relevant custody records.

Visit Statistics

	Total number of detainees in Custody at time of visit	No of detainees offered visit	No. of detainees accepted visit
Bishopsgate Q1	40	20	17
Bishopsgate Q2	35	22	16
Bishopsgate Q3	48	37	34
Bishopsgate Q4	20	19	19
Total	143	98	86

ISSUES AND CONCERNS ARISING FROM VISITS

This list of issues and concerns reflects the range of issues that have been raised by detainees in the City of London in the last year and, in addition, other issues which have been reported by ICV Panels elsewhere for which there has been a nil return in the City of London.

	Bishopsgate
No of Total Visits	57
Report Form with no matters requiring a police response	31
Infrastructure / furnishings / fittings/out of service	49
Comments individual officers - Positive	21
Comments individual officers – negative	1
Cleaning, tidiness and general hygiene - positive	5
Cleaning, tidiness and general hygiene - negative	4
Information Technology	4
Temperature and availability of blankets	0
Health related matters	3
Procedures not followed	4
Rights and entitlements seemingly delayed	0
Personal hygiene requests– (showers, washing etc)	2
Requests for phonecalls	1
Perceived risk to detainees	0
Periodic checks (15, 30 minutes) not maintained	0
Requests for food and drink	1
Requests for literature	1

Station	Target No of Visits	Achieved	% of Target
Bishopsgate	58	57	98%

DAYS OF VISITS

	No of Visits	% (figure expressed to one decimal place)
Monday	4	7%
Tuesday	12	21%
Wednesday	11	19%
Thursday	7	13%
Friday	17	29%
Saturday	6	1%
Sunday	0	0%
Total	57	

TIME OF VISITS

00.01 – 06.00	1
06.00 - 12.00	29
12.01 – 18.00	20
18.01 – 00.00	3

*1 visit did not have the time recorded.

DAYS OF VISITS / TIMES – COMBINED

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
00.01 – 06.00	0	0	0	0	1	0	0
06.00 -12.00	3	6	5	3	11	5	0
12.01 – 18.00	2	5	5	3	3	1	0
18.01 – 00.00	0	0	1	1	1	1	0

The City of London ICV Panel wants to ensure that it meets its objectives in scrutinising the custody arrangements in the City of London. It has set itself the following targets for 2019/20:

- to continue to promote and raise awareness of the work of the ICV Panel;
- to undertake at least four visits per year between the hours of midnight and 6 am and increase the number of visits in the evening;
- to maintain the consistently high level of visits;
- to undertake visits to Metropolitan Police custody suites (as well as the British

Transport Suite at Brewery Road) as part of the ongoing collaboration with MOPAC; and

- To train ICVs in vulnerability and use of force.

Conclusion

The City of London ICV Scheme provides an independent check on the treatment of detained persons. Through the dedication of the volunteer visitors, an appropriate level of scrutiny of the Force is achieved on which the Police Committee and the community can rely.