



City of London

Independent Custody Visiting Scheme

Annual Report
November 2020

Forward, by the Chairman of the ICV Panel, Godfrey Baillon-Bending

In my second year of Chairmanship, the scheme has been severely stretched in the last six months due to Covid-19, but I can report that with the support of the vice-Chairman, Heather Thomas and three other panel members we have been able to provide custody visits on a weekly basis, which many other schemes nationally have been unable to do, my thanks go to them.

We have instigated 'self-assessment declarations', relating to Covid-19, giving reassurance to the Police Force and panel members that we are not suffering any symptoms of the virus. We have had five experienced visitors leave the Panel and they have been replaced by four very enthusiastic volunteers, bringing us up to nearly full strength.

We were awarded the Silver Award last year and I hope that we can maintain that standard. Training given to members were, Use of Force, introduction to Dignity and Children and young persons, Spit guards and leg restraints. The collaboration with the British Transport Police has been suspended temporarily and we hope to resume support for this arrangement in the near future. Report forms are now submitted electronically, which has worked well to reduce a level of workload and errors. MOPAC have now started Virtual training sessions for new and existing volunteers. I give my thanks to my fellow Custody Volunteers for their hard work this year, and particularly in the latter part and our new visitors who have fitted in seamlessly.

My thanks also go out to the City of London Police, particularly the Custody Manager, Custody Police Officers, Civilian Detention Officers and front of office staff for enabling us to successfully carry out our responsibilities in 2019-2020. It is also my privilege to congratulate a Custody Sergeant at the City of London Police Force at Bishopsgate Custody who was awarded, Custody Officer of the Year National Custody Award.

The City of London Police Force main custody suite continues to be located at Bishopsgate Police Station. Following on from the HMICFRS/HMIP inspection, a new exercise yard is well into fruition together with IT transformation. The establishment of a private booking-in facility has been established. With the onset of Covid-19, cells were kept closed for 72 hours, guidelines changed over time and now cells are deep cleaned and reopened within 1 hour. I have also been pleased to see the dietary requirements of detainees catered for; and welcome wider observations from my fellow Panel member which highlight the due attention and care paid to the monitoring of Juveniles in custody, ensuring their welfare and safety remains paramount.

Extinction Rebellion was very active in the London area but did not impact on the city as much.

Great strides have been made in the resilience of the City of London Police Force in being able to respond to changes to the demands made upon it regarding mental health issues and the needs of the vulnerable and ethnic population in our communities, the liaison and diversion service have given excellent support in this area. Unfortunately, the Appropriate Adult Scheme has somewhat been lacking in its effectiveness. Although some Forces have been somewhat lax in their treatment of female detainees, I am pleased report that the City of London Police Force have complied to their statutory requirements, which they were doing before it was statutory. The introduction of the Samaritans service into Custody suites is also a scheme we endeavour to trial in the near future.

I would also like to thank the previous Scheme Manager Craig Spencer and Richard Holt who was Scheme Administrator who have both now moved on. The new scheme Manager, Rachael Waldron couldn't have started at a more difficult and challenging time and I offer my gratitude to how she has coped admirably and has been very supportive.

INTRODUCTION

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

The purpose of this report is to provide a thorough overview of work the City of London ICV Scheme in the period of 1 April 2019 to 31 March 2020. It aims to:

- report on the Panel's performance;
- provide the local community and the Police Committee with information
- outline issues and concerns that the visits have raised; and
- set out the objectives for 2020/21.

The City of London Corporation, in its role as the police authority for the City of London, is a separate body to that of the City of London Police; and has a statutory duty to ensure the delivery of the Independent Custody Visiting Scheme.

The operation and effective monitoring of the custody visiting scheme is the responsibility of the Police Authority Board 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 (2013).

Independent Custody Visitors (ICVs) are members of the local and business community who volunteer to visit police stations on an unannounced basis to check on the treatment of detainees and the conditions in which they are held. Independent Custody Visitors play a crucial role in ensuring the rights and entitlements of detainees are observed throughout the duration of the time in custody. ICVs also assess the wellbeing and health of a detainee in addition to auditing the conditions of custody suites across visits.

During the visit, ICVs complete numerous checks, speaking to both custody staff and detainees and file a report based on their findings.

The Scheme monitors conditions in custody to provide transparency and to increase public confidence in police services while offering protection and confidentiality to detainees. The ICV Panel produce quarterly reports that provide a summary of their findings in custody. With regards to eligibility ICVs must:

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

The City of London ICV Panel currently consists of 11 visitors who visit the custody suite situated at Bishopsgate Police Station three times every fortnight. Unannounced visits to Bishopsgate custody commenced to the suite in this manner, up until the point of the Coronavirus outbreak. The subsequent lockdown measures that were implemented in the latter part of March 2020 resulted in visits being conducted to Bishopsgate custody suite on a weekly basis.

The City of London ICV Panel also work in close collaboration with the Mayor's Office for Policing and Crime (MOPAC). Independent custody visitors from the City of London Scheme have undertaken unannounced visits to Brewery Road custody facility; and attended Panel meetings of the Islington ICV Scheme across this period.

A member of the Police Authority Board attends the quarterly Panel meetings along with a representative of the Force to ensure that any questions or concerns that have surfaced from visits to custody can be adequately addressed. The quarterly Panel meetings are supported by employees from the Town Clerk's Department (ICV Scheme Manager; ICV Scheme Administrator and Policy Manager).

THE ROLE OF INDEPENDENT CUSTODY VISITORS

To ensure the safety and wellbeing of volunteers, it is mandatory for visits to custody to be undertaken in pairs. Visits to custody are made unannounced basis so that ICVs can look, listen and report on conditions in custody at the time of their visit.

The primary objective of all visitors is to observe and report on the treatment and conditions of individual detainees and to check that their rights and entitlements are being observed.

ICVs are accompanied by a custody officer at all times throughout their visit to custody. Each detainee is provided with an opportunity to engage and speak directly to custody visitors. Circumstances may arise where detainees should not be disturbed, particularly when they are asleep during a rest period, or when specific health or safety risks have been identified which prevent an interview from taking place. Detainees may only be interviewed with their consent and may choose not to provide permission.

Visit interviews with detainees are undertaken in clear sight, but outside earshot of the escorting officer so details of what visitors see and hear remain confidential. Strict rules of confidentiality apply so that detainees are identified by their custody numbers only. ICVs remain independent and impartial. They do not provide advice or seek to involve themselves in the process of investigation. In this respect, they are not concerned with any alleged offence and cannot perform tasks on behalf of the detained person.

Custody visitors complete a report after every visit, to record details of the visit. The information included in this report focuses on actions for the Force and the Scheme Manager and can include:

- details of any good practice ICVs have observed across the course of their visit

- reference to any immediate problems encountered and resolved at the time of visiting; or
- details of any matters requiring further action.

Copies of the reports are provided for the Superintendent (if appropriate), the Custody Manager and the Scheme Manager on behalf of the Police Authority Board.

The information provided within each report is followed up and discussed by the ICV Panel at the next review meeting. If necessary, more serious issues can be highlighted directly to the Police Authority Board or dealt with outside the Panel meetings.

PANEL MEETINGS

The quarterly Panel meetings provide Visitors with an opportunity to discuss each visit and raise any issues that have arisen across the previous quarter. Short update and information sessions are also incorporated into each agenda to ensure that Visitors are kept up to date and well informed of national developments regarding the custody environment. Topics discussed this year included:

1. HMICFRS/HMIP INSPECTION – The next PEEL inspection is due to take place in 2021. Significant improvements have been made across many of the recommendations and areas for improvement (AFIs), following the unannounced Custody Joint Inspection by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services and Her Majesty's Inspectorate of Prisons (HMICFRS/HMIP) in 2018. The primary issues highlighted were:

- poor privacy for detainees across the booking process
- lack of adequate provision for children and vulnerable adults
- lack of suitable provision for juveniles (charged)
- unsuitable travel arrangements for detainee's post release

- current exercise facilities available within Bishopsgate custody suite.

Whilst it should be acknowledged that action has been taken to make the improvements highlighted, the lack of appropriate exercise provision for detainees continues to be an area of concern. The implementation of the exercise yard has been raised a number of times at the Police Authority Board, by the Special Interest Area (SIA) Lead for Safeguarding.

The joint inspection by HMICFRS/HMIP in 2018 outlined the lack of suitable exercise facility for detainees at Bishopsgate Custody Suite was a cause for concern, as detainees could be held in custody for long periods without having access to time outside or opportunities to exercise.

The force has guaranteed that the provision for this exercise yard will be complete by early January 2021. The implementation of this custody yard will ensure detainees have routine access to fresh air and exercise, which will help their health and wellbeing whilst detained.

Outcome – The Force have taken steps to preserve detainee privacy across the booking in process, through more routine use of a private side room. Additionally, The ICV Scheme has worked with the Custody manager to progress a suitable workaround for the safe release of detainees from custody, by securing the release of funds for travel warrants. The force has also implemented the secure city program which will see a much-needed improvement to CCTV capabilities across Bishopsgate custody suite. The CCTV improvement project will coincide with upgrade works to Bishopsgate Custody Suite Exercise Yard, which is scheduled for completion in early 2021.

The areas for improvement AFIs will continue to be monitored by the Force to ensure that improvements are sustained. The recommendations and AFIs from the report

continue to be included in the regular HMICFRS updates that go to the quarterly Police Performance and Resource Management Committee for Member scrutiny.

2. Appropriate Adults – The Panel and the custody manager have been concerned with an outstanding area of improvement highlighted in the HMICFRS inspection report. Particularly regarding the provision of appropriate adults (AA) for juveniles and vulnerable individuals in detention out of hours. The contract for the AA service is commissioned by the Community & Children’s Services committee (CCS)

Outcome – The ICV Scheme Manager has worked with the Custody Manager and Contracts Commissioning Team within the Community & Children’s Services Committee (CCS) to draft a new Appropriate Adult (AA) contract, to ensure the provision of the service for vulnerable adults is more suitably addressed. A Memorandum of Understanding (MOU) is being revised to ensure specific focus is drawn to ensuring the rights and welfare of vulnerable detainees are upheld. This is due to be in place by November 2020. The contract will also include reference to the AA Service facilitating communication and attending police interviews alongside vulnerable persons and juveniles at key moments of the custody process. Furthermore, the revisions will ensure AA’s are provided without undue delay.

3. National Accreditation – The panel was rated as a Silver Scheme by the National Association, as part of their assessment framework for code compliance, under ICV Scheme Manager Craig Spencer’s leadership. This assessment framework was first introduced in 2018. In line with Quality Assurance Framework (QAF) assessment protocols, the scheme continues to work towards more consistent demonstration of best practice in relation to upholding its statutory duties and code compliant

behaviours. The scheme is scheduled to be re-assessed for QAF2 in January 2021.

4. Panel Training – the Panel have received training on children and young persons in custody (April 2019), where components of the Concordat on children in police custody were explained and best practice outlined with regard to their welfare within custody.

Training across use of force has also taken place (July Panel). This focused on the circumstances upon which force is used; and highlighted the framework surrounding reasonable and unreasonable force. The training also included comprehensive discussion upon the training undertaken by the Force to educate Officers on force, severity of force used and the reasons for use. The training provided an opportunity for ICVs to constructively discuss the techniques deployed by officers to minimise risk; and effectively implement de-escalation techniques.

Additionally, ICVs have also received training on dignity in detention (January 2020). The training centred upon ensuring the respectful treatment of people detained in custody and encouraged ICVs to consider potential signs of mistreatment in detention. This training session provided ICVs with the opportunity to share examples of best practice they had observed officers demonstrate in their interactions with detainees. Particular attention was placed on ICVs recognising the need for detainees to be made to feel valued and connected with the people around them, throughout their time in detention.

ICVs will be also be attending future refresher training delivered by MOPAC relating to vulnerability and assertiveness.

5. Coronavirus

The emergence of the Coronavirus pandemic in March 2020 presented a significant challenge to the custody environment.

The City of London Scheme continued to uphold its statutory duty across this time to ensure that a balance was struck between the need to monitor police custody and maintain the safety of all.

The Chairman, Vice Chair, Scheme Manager and Custody Manager have continued to work collaboratively across this period. Action has been undertaken by all to ensure the treatment, welfare and rights of detainees are upheld at a time of increasingly difficult pressure for police.

Detainees have been visited safely by Independent custody visitors across this period. Mandatory and consistent use of risk assessments, social distancing and personal protective equipment (PPE) has allowed for visitation to take place safely.

The City of London Scheme recognises that independent monitoring, oversight and feedback is vital, particularly at this time; and will continue to monitor the welfare of detainees held in custody across the duration of this period.

2021/22

The City of London ICV Panel wanted to ensure that it meets its objectives in scrutinising the custody arrangement in the City of London. It has set itself the following targets for 2021/22:

- to promote and raise awareness of the work of the ICV Panel;
- to maintain awareness of national trends.
- to work with the Independent Custody Visiting Association (ICVA) to improve policing policy and practice:
- to continue to engage with CoLP and CoL Corporation Surveyors Department to ensure that exercise provision is in place at Bishopsgate

- to work with Home Office, National Police Estate Group and wider stakeholders to ensure the CoLP Custody CCTV Project upgrade occurs in line with National Standards.
- To work with CoLP Custody Team to trial the introduction of Samaritans into Bishopsgate Custody Suite.

Conclusion

The City of London ICV Scheme provides an independent assessment across the treatment of detained persons. The commitment and dedication of volunteer visitors ensures a continued and appropriate level of scrutiny of the Force is maintained. In this regard, the scheme continues to offer a level of scrutiny which the Police Authority Board can rely upon.

Visit Statistics

	Total number of detainees in Custody at time of visit	No of detainees offered visit	No. of detainees accepted visit
Bishopsgate Q1	33	29	23
Bishopsgate Q2	56	49	37
Bishopsgate Q3	56	36	35
Bishopsgate Q4	66	44	41
Total	211	158	136

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	71
Report Form with no matters requiring a police response	34
Infrastructure / furnishings / fittings/out of service	29
Comments individual officers - Positive	21
Comments individual officers – negative	1
Cleaning, tidiness and general hygiene - positive	8
Cleaning, tidiness and general hygiene - negative	6
Information Technology	5
Temperature	6
Health related matters	22
Procedures not followed	2
Rights and entitlements seemingly delayed	0
Personal hygiene requests– (showers, washing etc)	5
Requests for phonecalls	4
Perceived risk to detainees	0
Periodic checks (15, 30 minutes) not maintained	0
Requests for food and drink	6
Requests for literature/documents	6

Station	Target No of Visits	Achieved	% of Target
Bishopsgate	79	71	89.8

DAYS OF VISITS

	No of Visits	% (figure expressed to one decimal place)
Monday	8	11.2%
Tuesday	14	19.7%
Wednesday	10	14.0%
Thursday	13	18.3%
Friday	12	16.9%
Saturday	11	15.4%
Sunday	3	4.2%
Total	71	

TIME OF VISITS

00.01 – 06.00	2
06.00 - 12.00	42
12.01 – 18.00	22
18.01 – 00.00	5

DAYS OF VISITS / TIMES – COMBINED

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
00.01 – 06.00	0	0	0	0	0	2	0
06.00 -12.00	5	10	7	8	6	5	1
12.01 – 18.00	3	4	2	4	4	3	2
18.01 – 00.00	0	0	1	1	2	1	0