



**City of London**

# **Independent Custody Visiting Scheme**

**Annual Report**  
October 2021

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

In the third year of my tenure as Chair of the ICV Panel, we have faced many challenges due to the pandemic. However, the situation is slowly improving, and life is getting back to some normality.

In the last year, I am very pleased to report that the Home Office granted Independent Custody Visitors key worker status, which was essential to supporting the smooth running of the criminal justice system; and enabled the Scheme to maintain weekly physical visits to custody. Nationally, many schemes were unable to undertake physical visits to custody and were required to utilise alternative communication methods, such as telephone calls and virtual enabled monitoring.

The City of London Police custody staff have shown a high level of resilience during these very difficult times enabling visits to be carried out. Additional safety procedures were introduced by the City Police at the start of the pandemic, which included risk assessments for all individuals entering the custody suite. Further security measures were also introduced following the fatal shooting of Sergeant Matiu Ratana and metal detectors are now being used at the point of arrest.

Appropriate safety measures have been introduced for Independent Custody Visitors (ICVs) and ICVs have been provided with personal protective equipment during visits. Upon entry to the custody area visitors temperatures were taken and questions relating to symptoms of covid were asked. The Scheme Manager also monitored on a regular basis if visitors had any covid symptoms.

Custody screens were installed at the booking-in desk in January 2021 and a new procedure of cleaning cells was introduced. Solicitors moved to virtual interviews with clients, which have been met with challenges but given the circumstances, have worked reasonably well. A new scheme involving the Samaritans has also been introduced for the benefit of detainees and staff and has been received well by all.

Despite delays, improvements to the Custody suite have been implemented, as per the HMICFRS recommendations and Bishopsgate Custody Suite now has fully functioning exercise yard. Works remain ongoing with the City of London Police's wider CCTV upgrade project, but it is hoped that the ongoing infrastructure issues will be resolved shortly.

Due to the restrictions at the Guildhall arrangements have been made for our quarterly meetings have been held virtually. The Vice Chair and myself have attended virtual meetings with various organisations including the Independent Custody Visitor Association (ICVA) and the Criminal Justice Alliance (CJA). We are currently engaged in a collaborative project with ICVA and the CJA to help improve the data collection of and improve the treatment of BAME detainees held in custody. Virtual training has also been delivered by the University of Cardiff on Appropriate Adult safeguarding. Additionally, ICVA have facilitated virtual training on: 'How to apply anti-racism practices in ICVA and the importance of representation, diversity and inclusion.

On a final note, I would like to thank all the ICV's for their dedicated and continued support in performing visits throughout what has been a very difficult year.

I also extend my thanks to the City of London Police, the Custody Manager and their staff and City of London Scheme Manager for their continued cooperation in the smooth running of the visits. All have continued to be very supportive.

**James Thomson**, Chairman Police Authority Board

**Deputy Keith Bottomley**, ICV Panel Member (SIA Lead for Public Protection and Safeguarding), Police Authority Board

# 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 2020 to 31 March 2021. It aims to:

- report on the Panel's performance;
- provide the local community and the Police Authority Board with information
- outline issues and concerns that the visits have raised; and
- set out the objectives for 2021/22.

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.

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 8 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. Coronavirus**

The continuation of the Coronavirus outbreak from the latter end of March 2020 continued to present challenges to the custody environment; and drew further attention to the need to ensure greater parity of care and effective oversight in relation to detainee health and welfare.

The City of London Police were required to undertake rapid changes to incorporate public health requirements into their day-to-day policing activities. With such massive change in such short periods of time, monitoring custody became both harder and more important.

Despite the barriers presented by the COVID-19 pandemic, the City of London Police Custody Team and City Scheme Manager worked together to continue to ensure that the City scheme continued to uphold its statutory duty across this time and continued physical visits to custody.

It became apparent throughout the course of the outbreak that there were a number of COVID-specific issues highlighted by ICVs, particularly in relation to issues of hygiene; and ensuring that sufficient facilities and supplies were provided to all who remained in detention during this time.

**Outcome:** Police custody had to continue whilst lockdown came into force and new health measures were put in place.

The City of London Police were required to adapt their working practices and make rapid changes and adopt protocols set out by the National Police Chief's Council (NPCC), Crown Prosecution Service (CPS) and other agencies to ensure appropriate safety measures were in place for all individuals entering the custody environment.

The Chairman, Vice Chair, Scheme Manager and Custody Manager continued to work collaboratively across this period, to ensure that the treatment, welfare and rights of detainees were upheld at a time of increasing difficult pressure for the police. The City of London Police were required to make rapid changes to ensure appropriate safety measures were in place for all individuals entering the custody environment.

Additional safety measures were taken by the Custody Manager to introduce a COVID-19 Standard Operating Procedure and risk assessment protocol.

**Outcome:** This enhanced the Forces approach to risk assessments and enabled the wider custody team to identify and manage detainees (and visitors entering the suite) with, or suspected of having COVID-19 prior

to entering the suite. The implementation of these procedures provided an effective way to identify and reduce both exposure and transmission of Coronavirus in custody.

Where risks were identified, the Force tried to keep detainees as isolated as possible in the custody suite, while looking after them safely.

Detainees were provided with access to necessary protective equipment (PPE), which included face covering, handwashing facilities and sanitiser throughout their time in detention. Additional steps were also taken by the City of London Police to setup facilities so that detainees could access justice during the pandemic. Generally, the arrangements worked effectively, and the City of London Police were quickly able to facilitate legal representation for detainees via telephone calls and virtual arrangements via video enabled justice (VEJ) technology. This enabled detainees to engage with legal advice via remote communication methods across height of the pandemic.

## 2. Exercise Yard

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 City of London Police completed the implementation of this custody yard in June 2021, which has enabled detainees to have routine access to fresh air and helped their health and wellbeing whilst detained.

**Outcome:** Whilst it should be acknowledged that action has been taken by the City of London Police to address the improvements highlighted by HMICFRS during a time of increased difficulty, there were a number of challenges encountered across the implementation of this project, which included:

- Delays to essential maintenance works being undertaken within the suite
- Corrections to internal and external maintenance work within Bishopsgate custody suite
- Exceeded projected costings
- Extensions to temporary custody arrangements with other policing forces

The Force should consider undertaking a review of the exercise yard project (& the installation of the new CCTV system) to identify lessons learned and areas for improvement for future project management processes.

**Outcome:** The ICV Scheme Manager has raised these concerns internally with the City of London Police Custody Management Group; and will work with the Force to ensure the implementation of the new custody facility at Fleet Street.

### 3. CCTV Upgrade Project

The existing CCTV within Bishopsgate Custody Suite was replaced, and an additional camera installed in the Exercise Yard as part of the Secure City programme, which has allowed enhanced monitoring of detainees held in custody.

**Outcome:** It should be noted that the City of London Police have continued to undertake work to resolve some of the infrastructure issues encountered with the installation of this new technology and it remains a work in progress.

### 4. Safety within the Custody Environment

Following the fatal shooting of Sergeant Matiu Ratana in a London custody facility, The Custody Manager took steps to supply all officers with portable metal detectors, which are now carried in police vehicles.

**Outcome:** City of London Police officers are now able to search individuals using these portable devices, prior to detention at Bishopsgate custody suite.

### 5. Samaritans

In 2015, the HMICFRS published a thematic report on the welfare of vulnerable people in police custody. This inspection placed particular focus on three groups where there was a pronounced concern about the treatment of individuals with mental health conditions, those from black, Asian and minority ethnic backgrounds and children. The report concluded that the lack of appropriate mental health provision to prevent crises or support those in need of emergency care led to unnecessary and potentially unsafe detention of people with mental health problems.

The Samaritans are attending custody twice a week to visit detainees, visitors and staff working within the suite.

**Outcome:** Monitoring of the service is ongoing with a review to evaluate the first three months of partnership before the end of October 2021.

### 6. Diversity, Equality and Inclusion

The City of London ICV Scheme is involved in a collaborative project with the Independent Custody Visitors Association (ICVA) and Criminal Justice Alliance which seeks to improve the monitoring of equalities by ICVs (with a focus on race and women) and improve the treatment of black, Asian and ethnic minority people in police custody.

**Outcome:** Publication of this report is expected in Autumn 2021.

## **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:

- Continued recovery from the COVID-19 Pandemic.
- to promote and raise awareness of the work of the ICV Panel.
- to maintain awareness of national trends.
- To work with the CoLP to ensure the successful implementation of custody facilities at the CoLPs new Headquarters.

- To work with the Independent Custody Visiting Association (ICVA) and Criminal Justice Alliance to improve the monitoring of equalities by ICVs and improve the treatment of black, Asian and ethnic minority individuals and women in police custody.

## **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	22	19	17
Bishopsgate Q2	31	15	14
Bishopsgate Q3	34	24	20
Bishopsgate Q4	15	7	5
<b>Total</b>	<b>102</b>	<b>65</b>	<b>56</b>

### 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
<b>No of Total Visits</b>	
Report Form with no matters requiring a police response	<b>1</b>
Infrastructure/furnishings/fittings/out of service	<b>71</b>
Comments individual officers – Positive	<b>27</b>
Comments individual officers – negative	<b>0</b>
Cleaning, tidiness and general hygiene – positive	<b>2</b>
Cleaning, tidiness and general hygiene negative	<b>5</b>
Information Technology	<b>7</b>
Temperature	<b>11</b>
Health related matters	<b>27</b>
Procedures not followed	<b>0</b>
Rights and entitlements seemingly delayed	<b>0</b>
Personal hygiene requests – (showers, washing etc)	<b>4</b>
Requests for phonecalls	<b>2</b>
Perceived risk to detainees	<b>0</b>
Periodic checks (15, 30 minutes) not maintained	<b>0</b>
Requests for food and drink	<b>2</b>
Requests for literature/documents	<b>3</b>

Station	Target No of Visits	Achieved	% of Target
Bishopsgate	52	51	98.07

**DAYS OF VISITS**

	<b>No of Visits</b>	<b>% (figure expressed to two decimal place)</b>
Monday	3	0.05%
Tuesday	4	0.07%
Wednesday	6	0.11%
Thursday	17	0.33%
Friday	7	0.13%
Saturday	12	0.23%
Sunday	2	0.03%
Total	51	

**TIME OF VISITS**

00.01-06.00	0
06.00-12.00	24
12.01-18.00	14
18.01-00.00	13

**DAYS OF VISITS/TIMES – COMBINED**

	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>	<b>Sunday</b>
<b>00.01-06.00</b>	0	0	0	0	0	0	0
<b>06.00-12.00</b>	1	2	2	2	4	1	1
<b>12.01-18.00</b>	1	1	2	10	2	8	1
<b>18.01-00.00</b>	1	1	2	5	1	3	0