



# Annual Report

## October 2022

City of London

# Independent Custody Visiting Scheme

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

In the fourth year of my tenure as Chair of the independent Custody Visiting Panel (ICV), we encountered another challenging year due to Coronavirus. However, the situation has continued to improve with risk assessments continuing to be carried out by the newly appointed Custody Manager and Custody Staff to minimise risks. Activity undertaken by the force has focused on adhering to statutory responsibilities and recovery post-pandemic and I look forward to an easier reporting period next year.

I am very pleased to report that all independent custody visits in the last year were carried out in person, due to the dedication of our small but committed number of volunteers. This is a significant achievement, in light of the varied picture which exists nationally. Many schemes have only recently resumed physical visits to custody and continue to experience high attrition rates across volunteers.

As expected, custody detention numbers have continued to increase although they have not consistently reached pre-pandemic levels.

Extinction Rebellion remained active across London, along with other protest groups. On the occasions where protest activity was experienced within the City and detention observed by ICVs, I am pleased to report that City of London Police officers handled themselves professionally, appropriately risk managed situations and worked hard to ensure the dignity, and well-being of detainees throughout visits.

In the same context, the Samaritans service has become well embedded within custody and has continued to make a real and tangible difference to detainees experiencing mental health crises. Detainees have been able to access the listening service provided by volunteers on a confidential basis. This has afforded detainees with opportunities to receive mental health support independent of the City of London Police.

Despite some delays, improvements have continued to be made across Appropriate Adult attendance times. On occasions where attendance times have fallen below the required key performance indicators, follow up action must continue to be undertaken by the Panel to ensure timely support continues for all juveniles and vulnerable individuals entering detention. This will continue to be monitored.

Further to the recommendations outlined by HMICFRS in 2018, regarding the lack of an exercise provision, some improvements have been implemented. Nonetheless, the Panel will carry on working jointly with the City of London Police to find a permanent solution to flooding difficulties experienced.

I would like to thank all the ICVs together with the support of the Vice Chair for their dedicated and continued support and undertaking visits in another challenging year. I also extend my thanks for the City of London Police, the new Custody Manager, wider support staff, the City of London Scheme Manager and the Safeguarding representative from the Police Authority Board for their continued cooperation and support across the smooth running of visits. Additionally, I wish the new Commissioner every success in maintaining the high standards of the City of London Police.

**James Thomson**, Chairman Police Authority Board  
**Deputy Bottomley**, ICV Panel Member (Lead for Public Protection and Safeguarding), Police Authority Board

Foreword, by the Lead Member for Public Protection and Safeguarding, Police Authority Board, Deputy Keith Bottomley

*Despite the obvious challenges that have been present in the last year during the recovery from the COVID-19 Pandemic, I am pleased to see that ICVs have continued to focus on ensuring the parity of care for all detainees in police custody.*

*Detainees come from all areas of the community and each have their own particularly needs and vulnerabilities.*

*Whilst it is clear that some of these needs are more obvious than others, it is fair and right that the City of London Police and our Independent Custody Visitors take all reasonable steps to ensure that these needs and vulnerabilities are identified to help mitigate any risks promptly and as soon as practicable.*

*Independent custody visiting is a key element of community scrutiny of policing and so our ICVs play an increasingly important role in ensuring that the needs of detainees are met throughout their detention process.*

*I am also glad to see that Independent Custody Visitors have felt empowered to bring attention to any feelings of discomfort; and highlight any practice that stands out as positive or poor across custody practice. Custody Visitors should be encouraged to confront areas for improvement as well as celebrating success.*

*I look forward to seeing the City of London Police building on their collaborative partnerships with mental health and triage services; and the City Scheme expanding on its diversity, equality and inclusivity commitments.*

## **INTRODUCTION**

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

The purpose of this report is to provide an overview of the City of London ICV Scheme in the period of 1 April 2021 to 31 March 2022 including:

- the Panel's performance;
- areas of good practice or issues and concerns the visits have raised; and
- objectives of the ICV Scheme for 2022/23.

The City of London Corporation, as the Police Authority for the City, is a separate body to that of the City of London Police. It has a statutory duty to ensure the delivery of the Independent Custody Visiting Scheme. Oversight of the ICV Scheme is provided by 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).

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. To be eligible to become an ICV, individuals must:

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

The City of London ICV Panel currently consists of 8 volunteers who visit the custody suite situated at Bishopsgate Police Station on an unannounced basis once a week.

The City of London ICV Panel 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.

A member of the Police Authority Board attends the quarterly Panel meetings along with a representative of the City of London Police 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 the Police Authority ICV Scheme 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 on an unannounced basis so 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 out of earshot of the escorting officer so details of what visitors see and hear remain confidential. Strict rules of confidentiality apply so detainees are identified by their custody numbers only. ICVs are independent and impartial. They do not provide advice or 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.

ICVs complete a report to record details of the visit. The information included in this report focuses on actions for City of London Police and the ICV Scheme Manager and can include:

- details of any good practice ICVs have observed during 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 to the Superintendent (if appropriate), the Custody Manager and the ICV Scheme Manager. The information provided within each report is 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 Panel meetings.

## **PANEL MEETINGS**

Quarterly Panel meetings provide ICVs 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 ICVs are kept up to date and well informed of national developments regarding the custody environment.

Topics discussed this year included:

### **1. Coronavirus**

The COVID-19 outbreak 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.

Despite the barriers presented by the COVID-19 pandemic, the Custody Team and ICV Scheme Manager have continued to work together to ensure the City scheme has continued to deliver its statutory duty.

There were a number of COVID-specific issues highlighted by ICVs, particularly in relation to:

- access to legal advice
- issues of hygiene
- ensuring sufficient facilities and supplies were provided to all who remained in detention during this time

**Outcome:** The ICV Scheme Manager has continued to work with the City of London Police to ensure access to necessary personal protective equipment, which includes face coverings, handwashing facilities and sanitiser is accessible for detainees throughout their time in detention; and for all visitors to the suite.

While arrangements were made by City of London Police to facilitate legal representation for detainees via telephone calls and virtual arrangements via video enabled justice technology during the height of the pandemic, this has now ceased. Detainees are now consistently able to access legal representation as standard practice.

The ICV Scheme Manager has also worked with the Custody Manager to ensure COVID-19 Standing Operating Procedures have been embedded into practice longer term, which has led to minimal outbreaks of COVID-19 across the period.

## 2. Exercise Yard

The joint inspection by HMICFRS/HMIP in 2018 outlined the lack of a 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.

**Outcome:** 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 while detained.

While this action has been taken by City of London Police there have continued to be a number of challenges encountered post implementation, which have included:

- blockages to the drainage system
- intermittent flooding during periods of inclement weather

City of London Police should consider undertaking a scoping exercise to ascertain the full cost of any remedial works required to the

current drainage system within the exercise yard, ahead of its move to a new custody facility at Fleet Street.

## 3. Ad-hoc Custody Closures

The City of London Police completed the implementation of Secure City programme, which has allowed for the enhanced monitoring of detainees whilst held in custody. It should be noted that internal IT infrastructure difficulties were experienced as a result of this installation, which led to temporary closures of the custody suite.

**Outcome:** The Scheme Manager will work closely with CoLP to ensure that suitable detention arrangements are in place with policing counterparts in the event that any unanticipated works are required in future.

Clear processes to identify and track City detainees situated in alternative detention facilities during this time also remains crucial.

## 4. Final Project Plan for custody at Fleet Street

Work is currently being undertaken to ensure that The Scheme Manager and Chairman of the Independent Custody Visiting Scheme are consulted on design plans for the new custody estate at Fleet Street.

**Outcome:** The Scheme Manager will continue to work with the City of London Police Custody Management Group to ensure that ICVs are consulted on plans and provided with the opportunity to feed into the design process.

## 5. Appropriate Adult Attendance

The role of the appropriate adult is to safeguard the interests, rights, entitlements and welfare of children and vulnerable individuals who are suspected of a criminal offence, by ensuring that they are treated in a fair and just manner and are able to participate effectively.

In accordance with national standards for appropriate adult attendance, response times should not exceed 90 minutes.

**Outcome:** Monitoring data identified that response times for appropriate adults were within 90 minutes, with an average response time of 69 minutes for adults and 76 minutes for juveniles in 2021/22.

While the majority of response times for appropriate adult attendance has occurred within a 90-minute timeframe, there have been occasions where this key performance indicator has not been achieved.

The ICV Scheme Manager will continue to liaise with the Commissioning Management Team at the City of London Corporation, to ensure that each detainee receives the service of support by an appropriate adult. Bi-annual contract monitoring meetings have also been arranged between the Custody Manager, City of London Corporation Commissioning Contract Officer, and Appropriate Adult Service to monitor, review and discuss key concerns. Any further issues arising will be escalated to Police Authority Director for early action.

## 6. Diversity, Equality, and Inclusion

The ICV Scheme has been involved in a collaborative project with the Independent Custody Visitors Association and Criminal Justice Alliance since October 2020. This project aims 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:** The Criminal Justice Alliance published their report into the effectiveness of independent custody visitors at monitoring race and gender equality in police custody in December 2021.

The ICV Scheme Manager will continue to implement the following recommendations:

- Routinely collect data on detainees' race and gender on visiting forms
- promote training resources on race and gender equality
- proactively engage with groups disproportionately impacted by police

powers and raise awareness of the custody visitor role

## 7. 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 is 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.

**Outcome:** The Samaritans are attending custody three times a week to visit detainees, visitors and staff working within the suite.

The Samaritans service has become well embedded in custody practice, with a total of 23 operational listening volunteers attending custody 3 times a week on Tuesdays, Thursday evenings and Saturday mornings.

Detainees are provided with the opportunity to speak confidentially with volunteers at any point throughout their period of detention.

The City of London Police have also established new partnerships with Turning Point and Narcotics anonymous who provide support to detainees with drug and alcohol dependencies.

## 2022/23

The ICV Panel has set itself the following priorities for 2022/23:

- To promote and raise awareness of the work of the ICV Panel.
- Increase ethnic diversity and representation across the ICV Panel.
- To work with City of London Police to ensure feedback provided by ICVs

regarding the custody design programme for Fleet Street is reflected in the consultation process.

- To work with the Independent Custody Visiting Association to improve the monitoring of equalities by ICVs and improve the treatment of Black, Asian and Ethnic Minority individuals and women in police custody.
- Deliver a Silver Code Compliant Independent Custody Visiting Scheme, in

accordance with the Independent Custody Visiting Association (ICVA) Quality Assessment Framework.

### **Conclusion**

The ICV Scheme provides an independent assessment of the treatment of detained persons. The commitment and dedication of volunteer visitors ensures a continued and appropriate level of scrutiny.

## Visit Statistics

	Total number of detainees in Custody at time of visit	No of detainees offered visit	No. of detainees accepted visit
Bishopsgate Q1	31	17	16
Bishopsgate Q2	35	22	17
Bishopsgate Q3	42	29	21
Bishopsgate Q4	23	15	11
<b>Total</b>	<b>131</b>	<b>83</b>	<b>65</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 last year and 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	1
Infrastructure/furnishings/fittings/out of service	25
Comments individual officers – Positive	19
Comments individual officers – negative	1
Cleaning, tidiness and general hygiene – positive	1
Cleaning, tidiness and general hygiene negative	2
Information Technology	5
Temperature	1
Health related matters	21
Procedures not followed	1
Rights and entitlements seemingly delayed	0
Personal hygiene requests – (showers, washing etc)	1
Requests for phone calls	1
Perceived risk to detainees	0
Periodic checks (15, 30 minutes) not maintained	0
Requests for food and drink	0
Requests for literature/documents	0

Station	Target No of Visits	Achieved	% of Target
Bishopsgate	52	49	94.23



**DAYS OF VISITS**

	<b>No of Visits</b>	<b>% (figure expressed to two decimal place)</b>
Monday	5	10.20%
Tuesday	10	20.41%
Wednesday	13	26.53%
Thursday	12	24.49%
Friday	4	8.16%
Saturday	4	8.16%
Sunday	1	2.04%
Total	49	

**TIME OF VISITS**

<b>00.01-06.00</b>	<b>0</b>
<b>06.00-12.00</b>	<b>21</b>
<b>12.01-18.00</b>	<b>14</b>
<b>18.01-00.00</b>	<b>14</b>

**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>	3	5	4	3	2	3	1
<b>12.01-18.00</b>	0	3	3	6	1	1	0
<b>18.01-00.00</b>	2	2	6	3	1	0	0