



Office of the Police & Crime Commissioner Report

Title: Independent Custody Visiting Scheme and Animal Welfare Scheme – Annual Report

Date: 1 April 2015

Agenda Item No: 11

Originating Officer: John Askew, Independent Custody Visiting Scheme Administrator

Executive Summary:

The Police and Crime Commissioner is required by statute to operate an Independent Custody Visiting Scheme (Section 51(1) of the Police Reform Act 2002, as amended) and such a scheme operates within Cumbria. This report covers the activities of the scheme for the operating period from 1 February 2014 – 31 January 2015

Recommendation:

That the Police and Crime Commissioner note's the report.

1. Introduction & Background

- 1.1. The Independent Custody Visiting Scheme is made up of volunteers who live or work in Cumbria. They make unannounced visits to Police Stations to check on the welfare and well-being of people in police custody. There are currently four panels of up to 12 volunteers each across Cumbria, in Barrow, Kendal, North Cumbria and West Cumbria.
- 1.2. In addition to the Independent Custody Visiting Scheme, Cumbria Police and Crime Commissioner also runs an Animal Welfare Scheme, although there is no statutory requirement to do so. A panel, currently made up of nine volunteers drawn from the ranks of the ICV scheme, makes visits to the dog section at Police Headquarters. The same volunteers now also make visits to the Civil Nuclear Constabulary dog section kennels at Sellafield. Although the Animal Welfare visitors for CNC are the same as those for the OPCC scheme, the CNC scheme is operated independently by CNC.

2.0 Supplementary Information

2.1 Scheme Membership

Panel	As at 01 Feb. 2014	As at 31 Jan. 2015	Notes
Barrow	11	11 (now 10)	1 member resigned w.e.f. 1 st March 2015
Kendal	10	11	
North	8	12	4 new members appointed April 2014
West	12	8 (6 w.e.f 1/4/15)	2 members retiring on 1 st April

2.2 Recruitment between 01 Feb 2014 and 31 January 2015

Panel	Resignations and retirements	New appointments
Barrow	2 +1 on mat leave	2 appointed on 31 January 2015
Kendal	4	4 appointed on 31 January 2015 1 former member re-appointed Jan 2015
North Cumbria	0	0
West	4 (+2 w.e.f. 1/4/15)	New appointments pending 14 applications received by 27 Feb 2015

There have been a significant number of changes of personnel on each of the panels during this year and the Scheme Administrator has run a number of recruitment campaigns to attract new candidates for appointment. Induction training courses have been run for newly-appointed visitors in Workington on 28th February, Carlisle on 2nd May, Kendal on 31st January and 9th February and Barrow on 16th February. A campaign to attract new volunteers to the West Cumbria Panel is drawing to a close and shortlisting and interviews will take place during March.

2.3 Visits and Statistics

Each panel aims to undertake one unannounced visit every week to each of the four designated police stations, Barrow, Carlisle, Kendal and Workington. These targets were introduced in 2005 following consultation with the Chief Constable. Each panel covers one designated police station and some also visit non-designated police stations whenever the cells at those stations are in use. In addition, the North Cumbria panel makes visits to Penrith Police Station when it is being used under Operation Safeguard, though no visits were required during the period of this report.

Appleby Police Station is visited at least once when the cells there are used during the Appleby Horse Fair. Members of the West Cumbria Panel make occasional visits to Whitehaven Police Station, normally when the cells there are open for use, but also to check on their maintenance and state of readiness.

Visits undertaken 1 February 2014 – 31 January 2015*

	No of visits	Detainees in Custody	Detainees seen and spoken to	Detainees observed	Detainees not seen
Barrow	51 out of 52 (51 out of 52)	142 (142)	67 (78)	41 (24)	34 (37)
Kendal	48 out of 52 (51 out of 52)	61 (83)	25 (45)	22 (18)	14 (14)
West (Workington)	46 out of 52 (46 out of 52)	186 (175)	77 (74)	72 (72)	37 (37)
West (Whitehaven)	1 out of 1 (2 out of 2)	0 (0)	0 (0)	0 (0)	0 (0)
	Agreement has been reached with the Constabulary only to visit in future when notified that cells are in use. 1 readiness check will be made each year				
North (Durranshill)	48 out of 52 (50 out of 52)	198 (182)	102 (90)	66 (47)	30 (38)
North (Appleby)	1 out of 1 (1 out of 1)	0 (0)	0 (0)	0 (0)	0 (0)
Totals	195 out of 210 (201 out of 211)	587 (582)	271 (287)	201 (161)	115 (126)

*Figures for the corresponding period 1 February 2013 – 31 January 2014 are given in brackets. The figures are not directly comparable because of changes made to the reporting format in April 2013.

During the reporting period there were 587 detainees held when visits took place, of whom 44 were juveniles. Of the 587 detainees, 271 were visited and interviewed, representing 46.17% of detainees. In addition, 201 detainees who did not wish to be interviewed were observed in their cells or through the cell hatch or seen during booking in, representing a further 34.24% of detainees. 115 detainees (19.59%) were not available to be seen.

Change from 2013

	Detainees visited and interviewed	Detainees observed	Detainees not available to be seen	All detainees accounted for on forms
2013	49.31%	27.66%	21.64%	98.61%*
2014	46.17%	34.24%	19.59%	100%
	-3.14%	+6.58%	-2.05%	1.39%

*New reporting forms were trialled and introduced during 2013 and there were a number of unexplained user errors in completing the forms whilst the visitors familiarized themselves with the new forms

There are a number of reasons why visitors may not see detainees: they may be in interview at the time of the visit, may have been admitted to hospital, or it may be that the custody officer has advised the visitors not to visit because the detainee is potentially violent; wherever possible all such detainees are observed through the cell hatch. Whilst the visitors have to be provided with access to all detainees, detainees do not have to consent to be spoken to.

The report forms contained a small number of errors in recording and reconciling the numbers of detainees. Refresher training on completing the report forms is undertaken at the regular meetings of each panel

2.4 Issues Raised

No serious issues were raised by any detainee during any of the visits covered by this report. Issues that were raised were largely about personal circumstances, covering such matters as concerns about access to prescription medication, concerns about notification of next of kin and concerns about time of release.

Where issues were raised by detainees, the visitors discussed them with the custody sergeant and there were no cases where the visitors wished to raise any concerns with the Duty Inspector.

There were issues raised by the visitors at a number of visits, largely voicing concern about matters related to the estate. Such issues included the operation of toilets, showers, heat and ventilation, the state of decoration and maintenance etc. All of these issues have been raised with the Constabulary and the Estates Department as appropriate. Other than an ongoing issue about excessive heat in the custody office at Workington Police Station which is the subject of discussions with the building's PFI owners and some minor issues around maintenance at Barrow Police Station which are being kept under review pending the opening of the new Barrow Police Station, all issues have been dealt with appropriately.

There have been a small number of complaints from the visitors about being required to wait in the reception area at the Police station for more than a few minutes on arrival. Subsequent enquiries have shown that these delays have usually been either because Custody has been very busy at the time or because there had been a delay in informing the Custody officer of the arrival of the visitors. Neither of these reasons are acceptable – the visitors are entitled to have immediate access to the Custody suite unless allowing them to enter would place them, or someone already inside the Custody suite in danger. Custody staff and Reception staff have been reminded of the requirement to allow immediate access where this has been necessary.

In general, the visitors are very satisfied with the conduct of visits and often make complimentary remarks in their reports about the custody officers and detention officers they meet. They are keen to stress the professional and caring attitude they almost invariably encounter when observing the way in which detainees are treated.

The Custody Managers (Insp Barr and Insp Lloyd) attend the regular panel meetings in their area whenever possible and their attendance is very much appreciated by the members. In addition, there is very regular liaison between the Custody Managers and the Scheme Administrator and the Scheme Administrator also attends the full meetings of the Custody Forum.

2.5 Night Observation Visits

In addition to the regular weekly visits, night observation visits also take place from time to time. These are pre-arranged visits where two ICVs attend the custody suite to observe a

night shift at work. This is done in order that they can gain a greater understanding of the work of the custody staff and the processes and procedures used in custody.

Programmes of night observation visits have taken place throughout the County as all newly-appointed ICVs are required to undertake at least one visit before their appointment is confirmed. Normal practice is for each newly-appointed ICV to be accompanied by an experienced colleague from the same panel.

2.6 Cumbria ICV Conference – Sat 26th April 2014

The 2014 Cumbria ICV Annual Conference was held at the Cumbria Rural Enterprise Agency (CREA), at Redhills, Penrith, on Saturday 26th April 2014. 22 Custody Visitors attended the Conference which was organised and managed by the Scheme Administrator, the Governance and Business Services Manager and Miss Lisa Hodgson, Admin Assistant.

Panel	Attendance
Barrow	3
Kendal	7
North	8
West	4

The delegates received presentations by the Police and Crime Commissioner; Insp. David Barr who spoke about Illegal Immigration and Human Trafficking in Cumbria and Det Insp. Furzana Nazir, who spoke about Sexual and Domestic Violence in Cumbria and its impact on the community.

PC Paddy Bainbridge of the Dog Section gave a demonstration with his dogs, Ollie and Tyler. The delegates undertook a number of workshop exercises focusing on developing good practice in Custody Visiting and a series of scenario discussions aimed at improving practice in the Cumbria ICV scheme.

2.7 North West and North Wales Regional ICV Conference – Sat 4th October 2014

The North West and North Wales Regional ICV Annual Conference took place on Saturday 4th October 2014 at the conference centre at Haydock Park Racecourse. 14 ICVs and the Scheme Administrator attended the conference with representation from the four panels as follows:

Panel	Attendance
Barrow	3
Kendal	3
North	6
West	2

The programme for the day included:

- An address by the Police and Crime Commissioner for Greater Manchester, Mr Tony Lloyd
- Presentations on:
 1. On street Mental Health Triage Pilot Programme in Halton and Warrington, led by Supt. Martin Cleworth of Cheshire Police
 2. Engaging Older People and People with Mental Health Problems and Dementia led by Dr Amanda Thornton, Clinical Director for Adult Community Services Lancashire NHS
 3. Veterans in Custody led by Alan Lilly, Senior Veterans' Manager, Live at Ease
- The delegates also held a series of workshop groups to discuss various scenarios they encounter when making visits to custody and to debate ways of improving the current scheme.

2.8 Animal Welfare Scheme

Meetings between the OPCC, Animal Welfare Visitors and the Constabulary Dog Section have continued to be held. Earlier this year, it was suggested that it would be necessary to review and strengthen the Animal Welfare Scheme as two of the three Animal Welfare Visitors were approaching the end of their nine-year tenure as ICVs. The scheme has been reviewed and was re-launched in its new form on 1st January 2015. Training courses for the Animal Welfare Visitors were held at Penrith Rugby Club on 7th March and at Police Headquarters on Friday 21st November.

Monthly visits to the kennels at Carleton Hall and the CNC kennels at Sellafield have continued and to date there have been no issues to report in relation to the health or well-being of the Police Dogs.

2.9 Custody Sergeant Training

The Scheme Administrator and the Chairman of the Kendal ICV Panel, Mr Mark Phillips have attended three training sessions for new Custody Sergeants held on 13th February and 14th May at Carleton Hall and at Workington Police Station on 20th November, to provide information and training on the Custody Visiting Scheme. Attendance ensures that new Custody Sergeants have a greater awareness and understanding of the purpose and the work of the Independent Custody Visiting Scheme when they first encounter the visitors. The visitors generally enjoy a good working relationship with the Custody staff and the training helps to avoid any misconceptions amongst staff about the conduct of visits.

2.10 New Scheme Handbook

Following on from a period of development work in 2013/14, a new Scheme Handbook was agreed and launched on 1st April 2014. The new Scheme Handbook covers all aspects of the operation of the scheme in a pocket-sized reference book and incorporates a copy of the Home Office Code of Practice on Independent Custody Visiting together with revised

Appointments, Complaints, Appeals and Performance Review procedures all of which had been redrafted as part of the development work in order to reflect the change from the Police Authority to the Office of the Police and Crime Commissioner.

3 Implications

3.1 Financial

Operation of the Custody Visiting and Animal Welfare Schemes is included within the current budgetary provision of the Office of the Police and Crime Commissioner. There are no direct financial implications as a result of this report

3.2 Legal

The Police and Crime Commissioner is required to operate an Independent Custody Visiting Scheme to comply with the requirements of Section 51(1) of the Police Reform Act 2002 (as amended).

3.3 Risk

There are operational risks associated with the Independent Custody Visiting Scheme. These being that there are insufficient volunteers available to undertake the required number and/or frequency of visits. This would result in the Police and Crime Commissioner being unable to fulfil his statutory function. The second risk is that the actions or inactions of individual Custody Visitors could compromise the safety of the Custody Visitors whilst carrying out their role and/or result in reputational damage to the Scheme.

4 Supplementary Information

The Cumbria Independent Custody Visiting Scheme Handbook – published April 2014
Home Office Code of Practice on Independent Custody Visiting – March 2013 - ISBN
9780108512315