

OFFICE OF POLICE AND CRIME COMMISSIONER

TITLE: Independent Custody Visiting Scheme

DATE: 13th November 2012

TIMING: Routine

PURPOSE: Decision

<p>1.</p>	<p><u>RECOMMENDATION</u></p> <ul style="list-style-type: none">• That the Commissioner agrees to recruit further Independent Custody Visitors in order to ensure resilience for the scheme• That the Senior Business Manager should chair the meetings subject to the agreement of the members of the scheme.• That Key Performance Indicators are set for the scheme in order to allow improved scrutiny.•
<p>2.</p>	<p><u>INTRODUCTION & BACKGROUND</u></p> <p>Independent Custody Visiting is the well established system whereby volunteers attend police stations to check on the treatment of detainees and the conditions in which they are held and that their rights and entitlements are being observed. It offers protection to both detainees and the police and provides reassurance to the community at large. The responsibility for organising and overseeing the delivery of Independent Custody Visiting lies with the Commissioner in consultation with the Chief Constable. The OPCC is a member of the Independent Custody Visiting Association (ICVA), a national organisation which works with OPCCs and the Home Office in support of visiting schemes. Custody Staff work closely with the OPCC to consider ways of raising awareness of the Custody Visiting process. Custody and OPCC staff contribute to training sessions and meetings.</p> <p>There are current 9 visitors in Gwent. They visit both custody units – Newport and Ystrad Mynach on a weekly basis in pairs on an unannounced basis. We provide a rota and the visitors themselves decide what day and time to visit. The volunteers are vetted to a basic level and serve a three year term which can be renewed subject to a satisfactory informal interview.</p> <p>A total of approximately 19,500 detainees are held in custody annually. During visits in the last year, 683 were in custody and 368 accepted visits. Others may have chosen not to accept or were asleep, drunk or in interview. Visitors complete reports which are sent to the OPCC and the Criminal Justice department.</p> <p>There are no issues of major concern. Matters raised are generally minor estates matters which are managed via the OPCC and fed back to visitors. The visitors meet as a group around 3 times per year.</p>

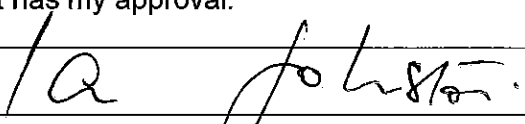
3.	<p><u>ISSUES FOR CONSIDERATION</u></p> <p>We currently run a scheme which meets the basic legal requirements however consideration could be given to enhancing the scheme using good practice advice provided by ICVA. Setting of Key Performance Indicators would allow improved scrutiny of the scheme but would also require more time and resources.</p> <p>The Commissioner will need to consider who will chair the scheme. Previously this role was carried out by a Police Authority member. The options would be for the scheme to be chaired by the Commissioner, his Deputy (Should there be one), the Senior Business Manager or a visitor.</p>
4.	<p><u>NEXT STEPS</u></p> <p>Due to limited staff time and resources, although the scheme meets statutory requirements, we have been unable to develop the scheme to its full potential.</p> <p>We are likely to need to recruit new visitors in coming months in order to ensure that the optimum number of visits are carried out without putting too onerous a workload on the visitors.</p>
5.	<p><u>FINANCIAL CONSIDERATIONS</u></p> <p>Custody visitors are appointed on a voluntary basis and as such there is no facility for financial remuneration. However, all reasonable travelling expenses are reimbursed. Annual expenditure for the scheme is approximately £3,500 which includes the subscription to ICVA (£600), expenses and training costs. there will be advertising costs in relation to the recruitment of new members.</p>
6.	<p><u>PERSONNEL CONSIDERATIONS</u></p> <p>The scheme is administrated by Sián Curley, Senior Business Manager and supported by Michelle Vaisey-Baker, Business Support Officer. Helen Thatcher, the Chief Executive's Personal Assistant also provides resilience as and when necessary.</p>
7.	<p><u>LEGAL IMPLICATIONS</u></p> <p>The Police Reform and Social Responsibility Act Part 3 Section 299 confirmed that the statutory requirement to run an ICV scheme will continue under a Police and Crime Commissioner.</p>
8.	<p><u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u></p> <p>This project/proposal has been considered against the general duty to promote equality, as stipulated under the Strategic Equality Plan and has been assessed not to discriminate against any particular group. Whilst due cognisance is given to the requirements of the Plan in the recruitment, training and operation of Custody Visiting, the over-riding consideration must be the health and safety of custody visitors whilst undertaking their role. Visitors sign a volunteer agreement agreeing to inform the OPCC to any changes to their wellbeing or circumstances which could affect their ability to carry out visits.</p>

	<p>Consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998 in preparing this report. Human Rights matters and legislation are of vital importance when considering custody matters. ICVs are trained in Human Rights implications and monitoring takes place via the OPCC.</p>
9.	<p><u>RISK</u> The potential risk of not providing a scheme is two-fold. Firstly a breach of statutory duty, but more importantly the failure to ensure that detainees are afforded the opportunity to have the independent check on how the force operates within custody. A risk assessment has been undertaken and measures have been put in place to eliminate or minimise the risk to those involved in the visiting process. The level of risk is assessed as low.</p>
10.	<p><u>PUBLIC INTEREST</u> There is a requirement to publish details of the scheme. This will be undertaken via six monthly monitoring reports to the Commissioner which will be published to the website.</p>
11.	<p><u>CONTACT OFFICER</u> Siân Curley, Senior Business Manager (Scheme Administrator)</p>
12.	<p><u>ANNEXES</u> http://www.icva.org.uk/</p>

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Consultation:	Tick to confirm (if applicable)
Financial The Treasurer has been consulted on this proposal.	√
OPCC (insert name) The Chief Executive has reviewed the request and is satisfied that it is correct and consistent with the PCC's plans and priorities.	√
Legal The legal team have been consulted on this proposal.	√
Equalities The Equalities Officer has been consulted on this proposal.	√

Chief Executive/ Deputy Chief Executive: I have been consulted about the proposal and can confirm that financial, legal, equalities etc... advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate report to be submitted to the Police and Crime Commissioner for Gwent.
Signature: S A Bessan
Date: 09/12/12

Police and Crime Commissioner for Gwent I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. The above request has my approval.
Signature: 
Date: 11.12.12