

**OFFICE OF POLICE AND CRIME COMMISSIONER**

**TITLE: Independent Custody Visiting Scheme Review**

**DATE: April 2016**

**TIMING: Annual**

**PURPOSE: For Monitoring Purposes**

<b>1.</b>	<b><u>RECOMMENDATION</u></b> That the Commissioner considers the content of the report.												
<b>2.</b>	<b><u>INTRODUCTION &amp; BACKGROUND</u></b> Independent Custody Visiting is the 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 Office of the Police and Crime Commissioner (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 contributed to custody visiting training sessions and meetings.  Custody Visiting arrangements within Gwent are based on Code C of the Police & Criminal Evidence Act 1984 (PACE), Code of Practice for the Detention, Treatment and Questioning of persons by Police Officers .  Presently, in April 2016, there are 14 ICVs on the Gwent ICV Scheme, with 1 long term sick. The demographics of the ICVS are: <ul style="list-style-type: none"><li>• 8 men and 6 women</li><li>• Ages range between early 20s to late 80s</li><li>• 1 self-identified ethnic minority</li></ul> The ICVs are spread across Local Authority areas: <table border="1" data-bbox="292 1809 1422 2040"><thead><tr><th>Local Authority</th><th>Number of ICVs</th></tr></thead><tbody><tr><td>Blaenau Gwent</td><td>1</td></tr><tr><td>Caerphilly</td><td>2</td></tr><tr><td>Monmouthshire</td><td>5</td></tr><tr><td>Newport</td><td>4</td></tr><tr><td>Torfaen</td><td>2</td></tr></tbody></table>	Local Authority	Number of ICVs	Blaenau Gwent	1	Caerphilly	2	Monmouthshire	5	Newport	4	Torfaen	2
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	<p>During the past 12 months the ICV Scheme had 3 retirements and one long term sick leave.</p> <p>The Visitors cover both custody units – Newport and Ystrad Mynach. They visit in pairs on a weekly basis and their visits are unannounced. A rota is provided although the visitors themselves decide what day and time to visit.</p>
<p><b>3.</b></p>	<p><b><u>ISSUES FOR CONSIDERATION</u></b></p> <p>A recruitment drive was held last year with interviews during September 2015 from which 8 new members were appointed. Once appropriate vetting clearance has been completed the new ICVs received initial training provided by the Independent Custody Visiting Association. Having successfully completed the six month probationary period, a permanent appointment was offered in line with the length of time their vetting is valid, which is 3 years. The visitors meet as a group 4 times per annum.</p> <p>During 2015, the ICV Scheme for Gwent saw the introduction of a two term limit on Visitors' tenure. The length of the tenure is three years. This was in line with national recommendations.</p> <p>All ICVs received training and reminders to access custody records to inform their visits which must also be logged on the report forms. Other training included initial / refresher training, the role of Appropriate Adults and the issues raised at the National ICVA Conference. Visitors complete reports based on their visit, copies of which are sent to the OPCC and the Criminal Justice department within Gwent Police.</p> <p>January 2015 saw the introduction of a performance framework that collated data about the Scheme and visiting activities. This can be viewed at Annex A. The performance data enabled the Scheme to map their activities and identify some areas of duplication and gaps in practice.</p> <p>During the period 1<sup>st</sup> April 2015 to 31<sup>st</sup> March 2016, a total of 13,051 people were arrested into custody. 5848 detainees in Newport and 7,203 detainees in Ystrad Mynach.</p> <p>During ICV visits in the same period:</p> <ul style="list-style-type: none"> <li>• 476 were in custody,</li> <li>• 224 were offered a visit</li> <li>• 195 accepted visits.</li> </ul> <p>Some detainees may have chosen not to accept a visit or were asleep, incapacitated or in interview.</p> <p>Issues raised are generally minor such as detainees requiring a book or blanket and these are raised with the custody officers on duty and dealt with immediately. Other estate matters such as a buzzer not working or peeling paint are reported to the OPCC and any action taken is fed back to visitors. Anything more serious is referred immediately to the Custody Inspectors and the Scheme Administrator is informed.</p>

The Scheme Administrator attended the Independent Custody Visiting Association (ICVA) conference in Birmingham on the 30<sup>th</sup> January 2016. The conference had a number of very informative speakers including Yvonne Mosquito, Deputy Police and Crime Commissioner (DPCC) for West Midlands, Nick Ephgrave Temporary Chief Constable for Surrey, Arran Owen, Cranstoun Charity, Maneer Afsar, Her Majesty's Inspectorate of Prisons.

The conference provides an overview of some of the strategies, themes and trends currently under the spotlight and processes and procedures that help promote effective custody visiting. This, in turn, informs ICV meetings and practice by highlighting the key points raised.

**4. NEXT STEPS**

Gwent Police currently has 2 designated custody suites. Please note that from Tuesday 3<sup>rd</sup> May 2016 Gwent Police will be operating from one main custody unit based at Newport Central (address as below). Ystrad Mynach will cease to operate as a 24/7 custody unit, but provision will remain for use as an overflow unit, bail clinic and for voluntary attendance. This will be closely monitored and will most likely inform a revision of the way the ICV Scheme currently operates.


The performance framework will continue to be utilised to inform practice.

**5. FINANCIAL CONSIDERATIONS**

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 with mileage paid at 45p per mile. Additional costs may include conferences and training.


<b>Account Description</b>	<b>Actual Spend YTD</b>
Staff Course Fees	145
ICV's Casual Mileage	1,672
Other Professional Services (Training)	737
Subscriptions - Organisational	500
Hospitality Costs	67
<b>Total:</b>	<b>3,122</b>

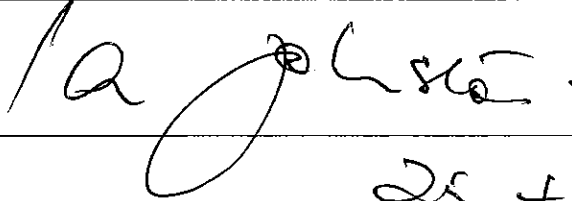
The annual budget allocated for the scheme for 2015/16 was £2,500 which includes the subscription to ICVA of £500 plus expenses and training costs. The actual cost of running the scheme during 2015/16 was £3,122 with a small number of mileage claims still to be paid. The overspend related to the fact that a recruitment process was undertaken and additional training was required.

6.	<p><b><u>PERSONNEL CONSIDERATIONS</u></b></p> <p>The scheme is administrated within the Office of the Police and Crime Commissioner. The Scheme Manager has responsibility for overseeing the scheme, and is supported by the Scheme Administrator and the Assistant Scheme Administrator.</p>
7.	<p><b><u>LEGAL IMPLICATIONS</u></b></p> <p>The Police Reform and Social Responsibility Act 2011 Part 3 Section 299 confirms the statutory requirement for the Commissioner to run an ICV scheme under a Police and Crime Commissioner.</p>
8.	<p><b><u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u></b></p> <p>This report 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 have been trained in Human Rights implications and monitoring takes place via the OPCC.</p>
9.	<p><b><u>RISK</u></b></p> <p>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 the custody unit environment.</p>
10.	<p><b><u>PUBLIC INTEREST</u></b></p> <p>There is a requirement to publish details of the scheme.</p>
11.	<p><b><u>CONTACT OFFICER</u></b></p> <p>Maria Chapman, Policy Officer (Scheme Administrator)</p>
12.	<p><b><u>ANNEXES</u></b></p> <p>Annex A – Performance Matrix</p> <div style="text-align: center;">  <p>Template ICV Performance Framework</p> </div>

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Consultation:	Tick to confirm (if applicable)
<b>Financial</b> The Chief Finance Officer has been consulted on this proposal.	✓
<b>OPCC</b> The Chief of Staff has reviewed the request and is satisfied that it is correct and consistent with the PCC's plans and priorities.	✓
<b>Legal</b> The legal team have been consulted on this proposal.	N/A
<b>Equalities</b> The Equalities Officer has been consulted on this proposal.	✓

<b>Chief of Staff:</b> 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.
<b>Signature:</b> 
<b>Date:</b> 20/04/16

<b>Police and Crime Commissioner for Gwent</b> 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.
<b>Signature:</b> 
<b>Date:</b> 25.4.16













