

**DECISION NO: PCCG-2013-074**

**OFFICE OF POLICE AND CRIME COMMISSIONER**

**TITLE: Independent Custody Visiting Scheme Review**

**DATE: 21<sup>st</sup> May 2013**

**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 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.  There are currently 8 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.  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.  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.
<b>3.</b>	<b><u>ISSUES FOR CONSIDERATION</u></b> 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.  The visitors have received copies of the recent HMIC/HMIP report on the Joint Inspection of Custody and will monitor progress of the action plan via their

	regular meetings.
4.	<p><b><u>NEXT STEPS</u></b></p> <p>We will be recruiting 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. We will be providing both induction training to the new visitors and refresher training to the existing visitors.</p>
5.	<p><b><u>FINANCIAL CONSIDERATIONS</u></b></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 (£500), expenses and training costs.</p>
6.	<p><b><u>PERSONNEL CONSIDERATIONS</u></b></p> <p>The scheme is administrated within the Office of the Police and Crime Commissioner.</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 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 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 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 custody.</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>Siân Curley, Senior Business Manager (Scheme Administrator)</p>
12.	<p><b><u>ANNEXES</u></b></p> <p>None.</p>

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Consultation:	Tick to confirm (if applicable)
<b>Financial</b> The Treasurer has been consulted on this proposal.	√
<b>OPCC</b> The Senior Business Manager 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.	N/A

**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:**

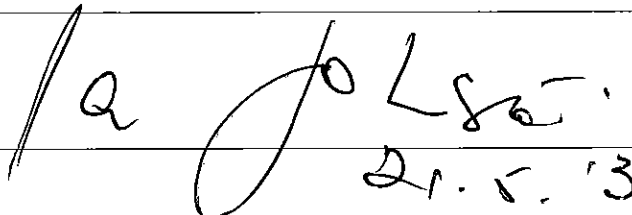
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**Date:** 21/05/13

**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:**

21.5.13

