



**Devon & Cornwall
Police Authority**

**INDEPENDENT CUSTODY VISITING
SCHEME**

GUIDELINES

DEVON AND CORNWALL POLICE AUTHORITY

CUSTODY VISITING SCHEME GUIDELINES

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FOREWORD

These revised guidelines have been issued for the guidance of Independent Custody Visitors and will be made available to police officers so that there is a common understanding of the Independent Custody Visitor's role.

The purpose of custody visiting arrangements is to enable members of the community to observe, comment and report on the conditions under which persons are detained at police stations and the operation in practice of the statutory rules governing their welfare.

The credibility of Custody Visiting Schemes depends on visits being carried out with sufficient frequency by Independent Custody Visitors whose training and attributes combine to demonstrate that they can effectively monitor conditions in police stations.

Custody visiting is carried out by the consent of all the parties involved: the community from which the visitor has been appointed, the Police Authority which makes the appointment, the police and the detainee.

These guidelines will help Independent Custody Visitors to undertake visits more effectively and should help secure greater public understanding of the role of police officers in the detention, treatment and questioning of detainees.

A copy of these guidelines will be placed within the custody areas of police stations within Devon and Cornwall for the information of police officers and Independent Custody Visitors.

DEVON AND CORNWALL POLICE AUTHORITY
CUSTODY VISITING SCHEME GUIDELINES

1. THE HISTORY AND PRINCIPLES OF CUSTODY VISITING

- 1.1. Custody visiting (previously known as Lay Visiting) to police stations owes its origin to Lord Scarman, whose report on the Brixton riots in 1981 envisaged a statutory system of independent, unannounced inspections of interrogation and detention procedures in police stations. Home Office Ministers subsequently approved a non-statutory Custody Visiting Scheme.
- 1.2. The Home Office produced provisional guidance in 1983, and pilot schemes were set up in Lambeth and in six provincial police authority areas.
- 1.3. Revised guidelines were drafted based on actual experience of custody visiting in the pilot scheme areas and following consultation with the Association of Chief Police Officers (ACPO) and the local authority associations; Home Office Circular 12/86 was issued in 1986. This commended the setting up of Custody Visiting Schemes in all force areas and enclosed revised guidance.
- 1.4. Following extensive consultation with the Metropolitan Police, ACPO, the Local Authority Associations and Independent Custody Visitors, the Home Office issued detailed revised guidance to London Independent Custody Visitors in 1991 and to provincial Police Authorities by way of Home Office Circular 4/92 in 1992. In 1993 the National Association of Lay Visiting (now the Independent Custody Visiting Association) was formed. 2 October 2000 saw the implementation of the Human Rights Act and the incorporation of the European Convention on Human Rights into our domestic law. The treatment of those in custody is one key indicator of the extent to which we are embracing the culture of rights which these legal changes are intended to reinforce. Independent custody visiting provides an important check on that treatment. In 2002, Section 51 of the Police Reform Act made custody visiting a statutory obligation for Police Authorities in England and Wales. Home Office Circular 15/2001 replaced that of 4/1992 and Codes of Practice (Appendix 1) have also been introduced to provide further

clarification about the roles and responsibilities of those involved in the custody visiting process.

- 1.5. The responsibility for organising and overseeing the delivery of independent custody visiting lies with the Police Authority, in consultation with the Chief Constable.

2. OBJECTIVES

- 2.1. Home Office Circular 4/92 states:

"The purpose of these visiting arrangements is to enable members of the local community to observe, comment and report on the conditions under which persons are detained at police stations and the operation in practice of the statutory and other rules governing their welfare, with a view to securing greater public understanding and confidence in these matters. These arrangements also provide an independent check on the way police officers carry out their duties with regard to detained persons."

- 2.2. As well as being independent, Independent Custody Visitors must be impartial. They may champion the cause of neither the police nor a detainee. Their function is to look, listen and report.
- 2.3. Custody visiting is carried out by consent; the consent of the community on whose behalf the visitor has been appointed, the Police Authority who made the appointment, the police and the detainee.
- 2.4. The Police and Criminal Evidence Act (PACE) is a major reference for Independent Custody Visitors as they carry out inspections of police custody suites. Independent Custody Visitors must be aware of the law as it applies to the detention of people in police custody; and must have knowledge of a detainee's rights and the limits of police powers. PACE sets out the way in which the police officers must carry out their roles and states specific codes of practice for police procedures. It also establishes the rights of people who are detained by the police for a suspected crime or offence. Specifically, Code C of PACE (Appendix 2) deals with the Detention, Treatment and Questioning of Persons by police officers and contains detailed procedures for the police to follow. These guidelines and codes of practice provide a way of measuring actions taken by the police and a means of checking that people being detained are treated properly.

Custody visits need to be regular, unannounced and carried out with a frequency which is appropriate to the area and circumstances.

Custody Visiting Schemes play a valuable role in police/community relations and in the context of Independent Custody Visitors providing an independent overview of a sensitive area of policing practice, they are as relevant in rural areas as in inner city conurbations.

3. ESTABLISHMENT OF THE SCHEME

This scheme has been established by the Devon and Cornwall Police Authority in consultation with the Chief Constable of Devon and Cornwall. The operation of the scheme is the responsibility of the Police Authority and that responsibility is exercised by the Chief Executive to the Police Authority. The Police Authority, in consultation with the Chief Constable, has the final responsibility in all matters relating to the operation of the scheme.

4. MANAGING THE SCHEME

The Police Authority sets, in conjunction with the Chief Constable, a visiting frequency across Devon & Cornwall's area, against which performance is monitored, measured and published annually. Section 9 and Section 11 provide more information about feedback and personal development review.

Independent Custody Visitors are organised to visit designated police stations on a regular basis and non-designated police stations on an annual or twice-annual basis.

A designated custody suite is designed to Home Office specifications, staffed by designated custody officers and detention officers and is able to hold detainees for periods over 6 hours and up to 24 hours before an extension needs to be obtained. (Except for persons detained under the Mental Health Act who can be detained for up to 72 hours).

A person can be detained at a non-designated suite for up to 6 hours but they must then be transferred to a designated unit as they will require to be reviewed by a police Inspector and the facilities are adequate for longer stays.

For custody visiting purposes, the police force area is divided into two parts – Devon and Cornwall. Independent Custody Visitors are appointed to serve on either the Devon or Cornwall panel. The Devon area contains 4 designated custody suites – Barnstaple, Exeter, Plymouth and Torquay, whilst the Cornwall area contains a further 3 designated stations – Camborne and Newquay and Launceston.

Overall responsibility for the central administration of the scheme rests with a nominated officer on the Police Authority's staff who fulfils the role of Central Scheme Administrator. Each Independent Custody Visiting Panel has its own co-ordinator.

5. INDEPENDENT CUSTODY VISITORS

5.1. Eligibility

Subject to the exceptions set out below, any person over the age of 18 years and who live or work within Devon and Cornwall and who have been resident in the UK for at least 3 years prior to the date of application, may be appointed by the Police Authority as an Independent Custody Visitor.

Visitors should also be independent persons of good character who are able to make unbiased observations in which the community can have confidence and which the police will accept as fair criticism when it is justified. Where an applicant has convictions (whether spent or unspent) for criminal offences, or has received any formal caution, warning or reprimand, or has failed to disclose any such finding, the specific circumstances will be considered in assessing suitability to become an Independent Custody Visitor. However, past offending is not an automatic barrier to acceptance. Applicants will be asked to include in their application forms details of any such convictions and to consent to police enquiries being made where the information provided by the police differs from that provided by the applicant.

In appointing Independent Custody Visitors, it is necessary to avoid any potential conflict of interest. Serving police officers and other serving members of the police or

Police Authority staff will be unsuitable for that reason. The same will apply to special constables, lay justices and members of the Police Authority.

All reasonable adjustments will be made to accommodate those with disabilities, as defined in the Disability Discrimination Act 1995, and those who do not have English as their first language but who are able to communicate effectively so as to be understood, where they are considered suitable candidates.

5.2. **Age**

Independent Custody Visitors must be over 18 years old. There is no upper age limit.

5.3. **Recruitment**

The Police Authority will recruit Independent Custody Visitors by inviting applications from the general public, by means of general advertisements or other publicity. A representative group of people will help oversee the recruitment and selection process, membership of which may be drawn from the following: -central scheme administrator, Police Authority members, local panel co-ordinators and community representatives.

Any appointment is subject to vetting or security clearance for all Independent Custody Visitors (to an appropriate level).

5.4. **Selection and Induction Training**

All selections will be made on the basis of a standard application form (Appendix 3).

No person shall be appointed as an Independent Custody Visitor without an interview taking place.

Applicants will be invited to attend a one-day training session organised by the Police Authority in conjunction with the Independent Custody Visiting Association (ICVA). This will provide those who are appointed with the basic knowledge and skills they will need to make visits.

All appointments are subject to a 6 month probationary period and appointments will only be confirmed on successful completion of this period. In deciding what is successful, the following will be taken into account;

- Number of visits undertaken
- Feedback from fellow independent custody visitors and local panel co-ordinator
- Any feedback from other involved agencies, e.g. custody and police staff
- Views from the central scheme administrator.
- Attendance at panel meetings (where applicable)
- Attendance at training seminars (where applicable)

The probationary Independent Custody Visitor will receive notification in writing of the decision and have a right of appeal to the Police Authority's Human Resources Committee. The appeals procedure is set out at Appendix 4.

New Independent Custody Visitors will be required to carry out visits in tandem with an experienced visitor. Along with discussion of practical issues and difficulties after visits have been completed, this will provide valuable practical training.

In addition to this, there may be the opportunity for attendance at conferences and other gatherings organised by ICVA, which could increase knowledge and experience.

5.5. **Accreditation**

Following notification of their appointment, the Police Authority will issue each Independent Custody Visitor with an identity card signed by the Chief Constable and showing the holder's photograph. The identity card will authorise the holder to visit all police stations in Devon and Cornwall with accommodation for detainees, at the request of the Chief Executive to the Police Authority or when a special visit is requested by the Devon and Cornwall Constabulary.

Independent Custody Visitors' identity cards should be used only for the purpose of making custody visits. If anyone uses their card for any other purpose, it may be withdrawn and that person's appointment as an Independent Custody Visitor may be terminated.

Independent Custody Visitors will also be provided with and asked to sign a written memorandum of understanding (Appendix 5) summarising their agreed responsibilities and the legitimate expectations of both parties.

5.6. Tenure & Personal Development Review

Following a successful 6 month probationary period, an Independent Custody Visitor will be appointed for a three year period during which they will carry out their duties in accordance with the terms of the memorandum of understanding.

At the end of the probationary period and each subsequent three year period, subject to the Independent Custody Visitor wishing to continue, a Personal Development Review will be held where the following points will be taken into account:

- Number of visits undertaken
- Feedback from fellow independent custody visitors and local panel co-ordinator
- Any feedback from other involved agencies, e.g. custody and police staff
- Views from the central scheme administrator
- Attendance at panel meetings
- Attendance at training seminars

The personal development review procedure is set out at Appendix 6.

Each Independent Custody Visitor will receive notification in writing of the outcome of the personal development review which will include the decision whether or not to extend the appointment by a further period of 3 years. The key factors in renewing appointments for further periods will be the continuing ability and willingness of the Independent Custody Visitor to carry out their role effectively.

Any re appointment is subject to vetting at the appropriate vetting clearance (at the appropriate level).

If an extension is not approved, there is a right of appeal to the Authority's Human Resources Committee. The appeals procedure is set out at Appendix 4.

5.7 **Continuous Training**

An annual conference open to all Independent Custody Visitors will be organised by the central scheme administrator and will be used to deliver any necessary training. In addition, there will be opportunities for Independent Custody Visitors to participate in other training sessions arranged by the Police Authority.

The Police Authority is developing a training plan to ensure that all Independent Custody Visitors receive appropriate and effective training on the requirements of the Race Relations (Amendment Act 2000) and know why it is important for them. The training will also emphasise the need for individuals to demonstrate commitment to the spirit of the Act by the behaviours that they adopt and the willingness to robustly challenge inappropriate behaviour in others.

5.8. **Termination of Appointment & Conduct of Independent Custody Visitors**

Although the work is entirely voluntary, the Police Authority has the right to terminate the appointment of any Independent Custody Visitor whose conduct is not perceived to be of the required standard. In the event of misconduct the Police Authority will consider whether it is appropriate to terminate the appointment of that Independent Custody Visitor. Misconduct will encompass matters such as misuse of the identity card; conviction for a criminal offence; or abusing one's position as an Independent Custody Visitor, for example, by consistently breaching these guidelines which cover the conduct of Independent Custody Visitors during visits. Any action likely to diminish the public standing and credibility or previous impartiality of the individual will also be taken into account.

Visitors should notify the Police Authority if they are arrested, charged or summonsed with a criminal offence. In such circumstances, the Police Authority will suspend the appointment of that Independent Custody Visitor until the outcome of any criminal proceedings is known. If the Independent Custody Visitor is subsequently found to be not guilty, or if charges are withdrawn, he/she may be reinstated.

There is an expectation that Independent Custody Visitors will undertake a minimum number of visits. Where an individual fails to make a minimum of 4 visits during a twelve month period and / or regularly fails to attend panel meetings and training seminars and no good reason for this has been received, the appropriate panel will consider whether that person's appointment should be terminated.

If there are concerns about a custody visitor's conduct, it should first be raised with the central scheme administrator on the Police Authority's staff. At an initial meeting between the custody visitor and the central scheme administrator, at which the custody visitor will be asked to put their case, the central scheme administrator will decide whether the custody visitor's conduct is something that can be improved or if the custody visitor or the Police Authority can no longer honour the volunteering agreement.

The central scheme administrator will write to the custody visitor within 2 weeks to explain what the decision is and why this is happening. However, if removal is being considered, the central scheme administrator will also notify the custody visitor of the grounds on which removal is being considered and advise them that they can make oral and / or written representations to the Central Scheme Administrator before the final decision is taken. If within another 2 week period, no reply has been received, it will be assumed that the volunteer accepts the decision.

If (following receipt and due consideration of oral / written representation, or in the absence of a reply from the visitor) the decision is one of removal from the scheme, the visitor will be advised this in writing, with reasons, and notified of their right of appeal to the Authority's Human Resources Committee. Any such appeal should be made within 21 days following receipt of the final decision and should include their response to the matters raised. The appeals procedure is detailed in the custody visiting scheme guidelines.

In all cases custody visitors can be accompanied at meetings on these issues by a volunteer, member of staff or friend, however sufficient notice (at least 24 hours) and the name of the companion should be given to the Central Scheme Administrator if a volunteer chooses to take up this option. Where a companion is present, the Central Scheme Administrator will also be accompanied by a colleague.

5.9. **Expenses**

The work is entirely voluntary, but travelling expenses will be payable to all Independent Custody Visitors on the same basis as to members of the Police Authority when travelling on Police Authority business. Public transport fares or private car mileage, at the agreed rate, will be paid. Expenses can also be claimed for telephone calls and attending training sessions. A schedule of allowable expenses is set out at Appendix 7. A sample completed claim form is set out at Appendix 8.

5.10. **Insurance**

The Police Authority has arranged appropriate insurance cover for Independent Custody Visitors during a custody visit at a police station. Independent Custody Visitors must ensure that they have adequate motor insurance for travelling to and from police stations where relevant.

6. **VISITING ARRANGEMENTS**

6.1. **Frequency and Timing of Visits**

The Chief Executive of the Police Authority is responsible for ensuring that each designated police station receives an adequate number of visits. Visits should be sufficiently regular to support the effectiveness of the system, but not so frequent as to unreasonably interfere with the work of the police. A visiting roster will be drawn up by the central scheme administrator in association with local panel co-ordinators. Independent Custody Visitors will be requested to make visits in accordance with the agreed roster.

Care will need to be taken that visits, whilst sufficiently frequent to meet the objectives of the scheme, do not take place so frequently that they impair the efficiency of the administration of the police station concerned or the operational work of the police officers. Independent Custody Visitors should bear in mind that their visits impose an additional responsibility on custody officers and they should also be aware of possible delays during custody officer change-over periods. The frequency of visits will be monitored against expectations and reported to the Police Authority at regular intervals. Where insufficient visits are taking place, the causes will be investigated and corrective action taken. The timing of visits is a matter for individuals. Independent Custody Visitors should arrive at the police station without prior notice and should avoid making visits at regular or predictable times.

6.2 **Visiting in Pairs**

Visitors are required to visit in pairs at all times. Any Independent Custody Visitor arriving at a police station on his/her own will not be granted access to the custody area to make a custody visit. It is considered that no more than two Independent Custody Visitors should visit together, as larger parties could constitute an additional burden on the staff at the Police Station.

Independent Custody Visitors may not be accompanied by any unauthorised persons; custody visits will only be made when accompanied by another accredited Independent Custody Visitor.

Independent Custody Visitors will be responsible for making their own arrangements for visiting in pairs, and will be provided with fellow Visitors' contact details for this purpose by the central scheme administrator.

6.3 **Attendance at the Police Station**

Custody Officers will only respond to Independent Custody Visitors attending in person at a police station. Telephone enquiries as to the custodial situation at a police station will not be responded to.

Independent Custody Visitors should not combine making a custody visit with the conduct of any other business at a police station.

6.4 Visits at the Request of the Police

Whilst visits should normally be unannounced, there may be instances when there is particular tension within a local community about the treatment or well-being of one or more persons being detained at a Police Station. In such circumstances, Independent Custody Visitors may be invited to attend to allay myth and rumour. The police officer requesting the visit will be responsible for contacting the Chief Executive of the Police Authority who will arrange the attendance of two Independent Custody Visitors.

7. VISITING PROCEDURES AT POLICE STATIONS

7.1. Immediate Access to Custody Area

Visitors should be admitted immediately to the custody area. If access is delayed this will affect the credibility of the Independent Custody Visiting Scheme. It is inappropriate for access to be delayed because the Custody Officer is busy. In such circumstances the visitors should be admitted to the custody area, but invited to wait until the Custody Officer¹ or a detention officer² is available to escort them on the visit. Access should be delayed only where the visitors may be placed in danger, for example if there is a disturbance in progress in the custody area. A full explanation should be given to the Independent Custody Visitors as to why access is being delayed, which will be recorded by the visitors in their report.

Occasionally when the custody centre is exceptionally busy it will be impractical to visit every detainee. In these circumstances the Independent Custody Visitors will be invited by the Custody Officer or a detention officer to select at least six detainees, at random, to whom a visit will be offered.

7.2. Access to all Parts of the Custody Area

¹ A Custody Officer is a police Sergeant with responsibility for custody

² A Detention Officer is a member of police staff who provides support to the Custody Officer

Visitors should have access to all parts of the custody area including cells, detention rooms, charging areas and to associated facilities such as food preparation areas and the medical room (this does not include access to locked drugs cabinets). Visitors will wish to satisfy themselves that these areas are clean, tidy and in a reasonable state of repair and decoration and that bedding in cells is clean and adequate. It is not necessary to inspect stores, but visitors should establish that suitable arrangements exist for adequate stocks of items such as blankets and paper pillowcases, for the cleaning of blankets and for regular replacement of necessary furnishings and equipment. They may inspect empty cells and detention rooms to check heating/ventilation systems and that cell bells and toilet flushing mechanisms are working properly. They may visit interview rooms and medical rooms in the custody area if unoccupied. Visitors may not visit CID rooms or other operational parts of the police station. It is not part of the independent custody visiting role to attend police interviews with detainees.

Independent Custody Visitors will be allowed access to CCTV cameras to ensure that they are operational.

7.3. **Security and Safety**

Police staff must be alert to any specific health or safety risks Independent Custody Visitors might face and must advise them appropriately at the commencement of the visit. In the interests of security and the safety of visitors, the Custody Officer or a detention officer will accompany them during visits.

7.4. **Access to Detainees**

Subject to paragraphs 7.5. to 7.9. Below, visitors may have access to any person detained at a police station. Detainees will fall into the following categories:

- PACE prisoners

These will constitute the vast majority and are held under the provisions of the Police and Criminal Evidence Act 1984.

- Home Office Prisoners

These are remanded or sentenced prisoners who would normally be held in prison.

- Immigration detainees

These are persons held under the Immigration Act 1971 and Immigration and Asylum Act 1999 who are subject to deportation proceedings or who are waiting to be removed from the UK as illegal entrants.

- People at risk

These may be persons held under the Mental Health Act 1983 for their own protection or children taken into police protection under the Children Act 1989.

Persons detained under the provisions of PACE who need for whatever reason to be held in hospital may be visited there with the agreement of the hospital authorities.

In exceptional circumstances the police may judge that it is necessary for a detained person not to be seen and/or spoken to by Independent Custody Visitors in order to avoid any possible risk of prejudicing an important investigation. Any decision to deny Independent Custody Visitors access to a detained person should be taken by a police officer of or above the rank of Inspector and recorded in the custody record. Any decision to deny access should be taken in each case in the light of all relevant circumstances. Access by Independent Custody Visitors should not necessarily be denied to any particular category of detainee, or where a decision has been made that a person should be held incommunicado.

7.5 **Consent to Custody Visit by Detainee**

A detained person is not obliged to see Independent Custody Visitors or to answer questions. The Custody Officer or Detention Officer is responsible for establishing whether or not each detainee wishes to speak to the Independent Custody visitors, which may be established by self-introduction by the Independent Custody Visitors themselves (in the presence of the escorting officer) or by the escorting officer.

Where practicable, and in order to preserve the privacy of detainees who may not wish to be visited, detainees will be asked by the Custody Officer or Detention Officer within earshot, but out of sight of the Independent Custody Visitors, whether or not they wish to receive a visit.

Whether or not the detainee agrees to see the visitors, the Custody or Detention Officer should seek permission for them to have access to the detainee's custody notes/detention log. .

7.6 **Juveniles**

Juveniles may be spoken to with their own consent. If an appropriate adult is in attendance to support a juvenile or vulnerable person, the detained person's wishes should be sought and respected as to whether the appropriate adult should attend any visit.

7.7. **Detainees who are Asleep**

Sleeping detainees can be woken at the discretion of the Custody or Detention Officer to seek consent to a discussion with visitors. However, where this would involve interrupting the continuous period of eight hours rest provided for under PACE, the normal procedure should be not to wake the person but to observe them through the cell hatch.

7.8. **Detainees who are being Interviewed**

If a person is being interviewed the interview may not be interrupted. If the visitors wish to see the detainee later in the visit, after the interview has been completed, they may do so and may, if necessary, wait in the waiting room for this purpose.

7.9. **Detainees who are unable to consent to a visit**

If for whatever reason, a detainee is not in a position to give consent, the Custody or Detention Officer must allow the visit unless any of the following circumstances apply:

The police may limit or deny Independent Custody Visitors' access to a specific detainee if a police officer of or above the rank of Inspector believes that to be necessary for the visitors' safety. Such a police officer may also deny or restrict access where they reasonably believe that such access could interfere with process of justice.

Where any of the above circumstances apply, consideration should be given to allowing the visitors some limited form of access to the detainee, such as speaking to them through the cell hatch. Any decision to deny or limit access must be recorded in the detainee's custody notes/detention log (together with relevant authorisation) and by the Independent Custody Visitors in their report of the visit.

7.10. **Access to Custody Notes/Detention Log**

Subject to obtaining the detainee's consent to examine their custody notes/detention log, the Independent Custody Visitors should check its contents against what they have been told by the detainee. Visitors may also have access to other relevant documentation, which relates to the detainee e.g., risk assessment. All such information should be treated confidentially.

If a detainee is for any reason incapable of deciding whether to allow access to their custody notes/detention log, the presumption must be in favour of allowing the Independent Custody Visitors to examine it.

Visitors will wish to satisfy themselves that the custody notes/detention log fully and accurately records the action taken in connection with detainees while in police custody.

In particular, visitors will wish to verify:

- Whether their rights and entitlements under PACE have been given;
- Whether the relevant safer detention guidelines have been given
- that medication, injuries, medical examinations, meals / diets are recorded;
- that procedures to assess special risks / vulnerabilities presented by the detainee have been properly recorded;

- the timing and frequency of cell inspections of inebriated or otherwise vulnerable detainees;
- the timing of reviews of the continuing need for detention.

7.11 **Medical Record and Medical Conditions**

Independent Custody Visitors have no right to see the detainee's medical records, even where these are attached to the custody notes/detention log. The custody notes/detention log should include all relevant information about necessary medication for a detainee and the frequency of administering it. Custody officers are responsible for ensuring that medication is given at appropriate times. However, visitors will wish to pay particular attention to detained persons who are suffering from any form of illness, injury or disability. They should satisfy themselves that, if appropriate, medical advice has been obtained and establish from the Custody Officer what instructions for medical treatment have been given and confirm by consulting the custody notes/detention log that these instructions have been carried out.

7.12 **Conversations between Detainees and Independent Custody Visitors**

Discussions between detainees and Independent Custody Visitors must normally take place in sight but out of hearing of the Custody or Detention Officer where that is practical. If for some reason the police decide that the Custody or Detention Officer should remain within hearing, this decision must be taken by the Custody Officer and this should be recorded on the visit form. Visitors should bear in mind however, that some detained persons may be violent or under the influence of drink or drugs and that the presence of the Custody or Detention Officer may deter or frustrate assaults on the visitor.

Visits should normally be conducted in English. Translation support will be provided where necessary. On occasions it may be more appropriate to conduct a visit in another language spoken by the detainee, if one of the Independent Custody Visitors is fluent in that language. However, in such circumstances care must be taken to ensure that any other visitor present is kept informed about what is being said.

Discussions must focus on checking whether or not detainees have been offered their rights and entitlements under PACE (including receipt of the necessary paperwork), their health and wellbeing and on confirming whether the conditions of detention are adequate. Independent Custody Visitors should do all they can to encourage an open exchange with the detainee and may wish to use a checklist to ensure that they cover all the relevant issues. An example of the checklist is set out at Appendix 9.

Independent Custody Visitors should remain impartial and must not seek to involve themselves in any way in the process of investigation. If a detainee presses them for advice about co-operating with the police, making a statement or anything in relation to their defence, the visitor should explain that it is not part of their role. If a detainee seeks to make admissions or otherwise discuss an alleged offence, the visitor must tell them that the relevant contents of the visit will be made known to the custody officer and may be disclosed in legal proceedings. If the detainees concerns are linked to not yet having received legal advice, that is something that visitors may wish to take up with the Custody Officer.

If an Independent Custody Visitor realises they know or are known by a detainee, they must consider whether to withdraw from the visit. The decision will depend upon the nature of the relationship and its likely effect on the visitor's impartiality.

Independent Custody Visitors must not pass messages for detainees or perform other tasks, for example agreeing to make contact with any person outside the Police Station, on behalf of a detainee as this might compromise impartiality of the interests of justice. Independent Custody Visitors must inform the Custody Officer immediately if this should happen.

7.13 Treatment of Detainees

Independent Custody Visitors should primarily be concerned with overall conditions, standards and procedures at police stations. However, if there are immediate concerns about the treatment of particular detainees this must be passed on immediately to those in a position to take corrective action. If a detainee indicates that they may harm themselves or any other person, this should be brought to the attention of the Custody Officer.

Independent Custody Visitors should satisfy themselves that the statutory rights have been explained to detainees and that they have been given the written notice of those rights. They should also be satisfied that detainees have received those facilities to which they are entitled under Code C of the Codes of Practice, PACE Act 1984. (Appendix 2)

7.14 Complaints by Detainees

It is important to distinguish between complaints by detainees about their general treatment or conditions of detention and a complaint of misconduct by a police officer. The former may encompass complaints such as that the detainee had not been notified of his statutory rights or had not received entitlements under the PACE Act 1984 Codes of Practice. Such complaints are clearly for Independent Custody Visitors to pursue with the Custody Officer, or senior officer at the police station, ***at the time of the visit subject to the detainee's consent.***

7.15 Complaints of Misconduct by a Police Officer

If a detainee makes a complaint of misconduct by a police officer, he or she must be advised to address it to the duty police officer in charge of the police station. With the detainees' consent, it may be appropriate for Independent Custody Visitors to notify the duty police officer that the detainee wishes to make a complaint. In addition, visitors may want to remind them that they can seek legal advice in relation to the complaint or to ask to see a doctor if an alleged assault is involved. However, such complaints must be dealt with through the formal procedures which are laid down in the Police and Criminal Evidence Act 1984 and there is no broader role for visitors. Visitors must not involve themselves in individual cases or make representations on detainee's behalf.

7.16 Deaths in Custody

Where there has been a death in custody, the police authority will be informed as soon as possible. Consideration will then be given to whether a visit would be helpful in terms of informing and reassuring the local community. If it is agreed that a visit should be made, the Police Authority will issue a press release giving feedback from the visit.

Any visit following a death in custody or some other major incident will not be allowed to interfere with any relevant investigation which may be taking place. There may be circumstances in which the Senior Investigating Officer dealing with such an incident needs to refuse or restrict access to particular areas.

7.17 **Procedures at a Temporary Remand Centre (when applicable)**

Occasionally, where there is an industrial dispute involving the Prison Service, remand prisoners are detained at one or more of the Constabulary's custody centres, these are then referred to as Temporary Remand Centres. Because of the high number of persons detained at any one time at a Temporary Remand Centre, the procedure applicable will be varied to produce a more practical application of the Independent Custody Visiting Scheme.

Upon arrival at a Temporary Remand Centre, Independent Custody Visitors will be met by the duty Sergeant or Inspector who will tell the Independent Custody Visitors how many persons are in custody at the centre and invite the Independent Custody Visitors to choose which cell or detainee numbers should be approached to see if they wish to receive a custody visit. It is suggested that between five and ten persons in custody would be a reasonable sample to approach.

At the Temporary Remand Centre it may be more practical to take the persons in custody to an interview room instead of the visitor going to cells. The procedure for the Temporary Remand Centre is otherwise as applicable to police stations.

7.18 **Remand and Sentenced Prisoners**

Remand and sentenced prisoners held in police stations may seek to complain about conditions in prisons or the treatment they have received there. Independent Custody Visitors must not involve themselves in such matters. There are recognised grievance procedures open to prisoners such as writing to or petitioning the Home Secretary or a Member of Parliament or contacting a solicitor.

7.19 **Effective working relationships**

For Independent Custody Visiting to be effective, it is essential that visitors and police staff develop and maintain professional working relationships based on mutual respect and understanding of each others' legitimate roles. In the event that a complaint is received by the Police Authority about

a) An Independent Custody Visitor from a detainee, a member of police personnel or others, or

b) a member of police personnel from an Independent Custody Visitor,
Then the procedures for dealing with such complaints as detailed in Appendix 10 will be invoked.

7.20. **Appropriate Adults & Lay Observers**

Independent Custody Visitors may also act as appropriate adults. However, individuals must not switch between those roles during the course of a visit to the same police station and must declare if they have previously carried out either role with the same detainee.

Independent Custody Visitors may also act as lay observers appointed under the Criminal Justice Act 1991 to inspect the conditions under which prisoners are transported and held.

8. IMPARTIALITY AND CONFIDENTIALITY

8.1. Independent Custody Visitors giving Evidence in Criminal Proceedings

Conversations between Independent Custody Visitors and detainees are not privileged information and it would be open to a court to issue a witness summons requiring the attendance of an Independent Custody Visitor to give oral evidence or to produce documents such as a report on a particular visit. Independent Custody Visitors are under no obligation to give evidence or produce documents otherwise than in response to a court order, but would be obliged to respond to such an order.

8.2. Confidentiality

Visitors will acquire considerable personal information about persons in police custody. Personal information relating to detainees must be protected against improper or unnecessary disclosure. Visitors will therefore be asked to give an undertaking not to release the identity of, or information capable of identifying, any person in police custody. It is desirable, in the interests of the strict application of the principles of confidentiality, that visitors do not name or otherwise identify persons in custody even in reports to fellow visitors or members of the Police Authority.

8.3. **Breach of Confidentiality**

A breach of this undertaking may make a visitor liable to civil proceedings by the detainee. Visitors will also need to be aware that the unauthorised disclosure of the facts concerning police operations or the security of police stations may constitute an offence under Section 5 of the Official Secrets Act 1989.

9. **REPORTS AND FOLLOW-UP ACTION**

9.1. **Completion of Reports**

At the end of each visit, Independent Custody Visitors should complete a report of their findings on the forms contained in the custody visiting book held in the custody centre. One copy should be sent to Central Scheme Administrator at the Police Authority, one copy should be handed to the Custody Officer at the police station and the final copy should remain in the book. An example report form is set out at 11.

9.2 **Reports on Unsatisfactory Treatment and Conditions**

If a visit discloses any aspect of the treatment of detainees or conditions at the police station which are unsatisfactory, they should be included on the report and raised with the Custody Officer **at the time**. Any action which he/she takes should also be recorded.

9.3 Feedback from visits & sharing experience

Feedback at a local level

The Police Authority are responsible for drawing together issues and identifying trends emerging from visits in their area and addressing these with relevant police supervisors. To achieve this, the local panel co-ordinator should arrange and attend quarterly panel meetings where groups of visitors will discuss their work. After each panel meeting, the local panel co-ordinator should arrange a meeting with the Custody Inspector responsible for criminal justice at a local level to discuss issues arising from the panel meeting. Such meetings may take place more regularly if required, for example if there is an issue that needs to be addressed urgently. The local panel co-ordinator should collate regular reports for submission to the central scheme administrator providing feedback from these meetings.

Local panel co-ordinators may also wish to meet from time to time to share experience.

The Annual Conference, organised by the central scheme administrator, will give custody visitors from both panels an opportunity to discuss issues arising from custody visits and to share experience.

Feedback at Police Authority level

The Police Authority has an opportunity to meet regularly with the Chief Inspector with forcewide responsibilities for custody to raise concerns and issues arising from independent custody visits. Such meetings will usually take place twice a year, or more regularly if required. Discussion at these meetings will be based on feedback from local panel meetings and meetings with the local Custody Inspectors provided by the local panel co-ordinators and the local Custody Inspectors.

A report summarising the output from Independent custody visiting and the way in which concerns have or have not been addressed will be produced by the central scheme administrator for the Police Authority and will be included on the Agenda for the Police Authority meeting twice a year.

Feedback to the wider community

Independent Custody Visitors may report on their visits **in general terms** to their local Police Authority Liaison Meeting.

The Police Authority includes an entry about independent custody visiting in their annual report. This entry is based on independent custody visiting reports discussed at Police Authority meetings.

The Police Authority publicises the Independent Custody Visiting Scheme on its website. Annual visiting statistics and, where appropriate, the findings of Independent Custody Visitors are also published on the Police Authority's website.

10. PUBLICITY

10.1. General

It is desirable that the role and aims of the Independent Custody Visiting Scheme should be promoted to the public. Independent Custody Visitors must, however, bear in mind that the purpose of publicity is to inform the public about the scheme and not to draw attention to individual cases or to themselves. Visitors should not discuss the cases of individuals with whom they come into contact during visits to police stations and under no circumstances should specific events be discussed except in general, anonymous terms which support any explanation of the purpose of the scheme. There is scope for those involved in independent custody visiting to give talks or presentations to local institutions and community groups. Any invitation to speak to such groups or organisations (other than Police Authority Liaison Meetings) about any aspect of independent custody visiting should be referred to the Police Authority in the first instance as should any invitation to speak to the press and / or media.

Independent Custody Visitors should remember that they are accountable to the Police Authority.

10.2. Confidentiality

Other Independent Custody Visitors' names, addresses or telephone numbers are given to individual Independent Custody Visitors in strictest confidence, and are given purely for convenience in making personal contact. Such details should not be divulged to any other person.

11. REVIEWING PERFORMANCE

11.1 The Independent Custody Visiting Scheme arrangements

To assess how effectively the Independent Custody Visiting Scheme arrangements are working, independent custody visiting reports will be monitored for quality, frequency of visits and the number of occasions on which detainees refuse to speak to visitors.

This will indicate whether expectations of frequency are being met and highlight any locations or groups where corrective action is necessary. It will also indicate something about the detainee's perception of the visiting system as well as reflecting the effectiveness with which visitors are introduced at police stations.

It is expected that information on the effectiveness with which visits are carried out will also be obtained from feedback provided by local Custody Inspectors arising from their meetings with local panel co-ordinators.

11.2 Training

Effectiveness of training and the extent to which it is achieving its objectives will be tested by inviting feedback from Independent Custody Visitors, custody staff and detainees. Where provided, feedback from custody staff and detainees will also be used as a basis for discussion at personal development reviews.

ICVA has developed a training evaluation sheet to assess feedback from students who attend the initial training session.

The Police Authority has developed a training evaluation sheet to assess feedback from students who attend ongoing training.

An example of the feedback form issued to custody staff and detainees is set out at Appendix 12.

An example of the Police Authority training feedback form is set out at Appendix 13.

May 2010

CODE OF PRACTICE ON INDEPENDENT CUSTODY VISITING

1. This Code of Practice on independent custody visiting is issued in accordance with section 51(6) of the Police Reform Act 2002. Police services, police authorities and independent custody visitors shall have regard to the Code in carrying out their relevant functions.

2. 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 protections and confidentiality to detainees and the police and reassurance to the community at large.

3. The Code is supported by more detailed National Standards, which expand on the relevant procedures and systems and set out established good practice.

Organisation and Infrastructure

4. Section 51(1) of the Police Reform Act 2002 places the responsibility for organising and overseeing the delivery of independent custody visiting with police authorities, in consultation with chief officers. Police authorities must therefore ensure that they have in place robust and effective procedures for establishing and maintaining their independent custody visiting schemes, including the allocation of appropriate resources to this function.

5. Overall responsibility for the central administration of the scheme must be given to a nominated officer on the police authority's staff, supported as necessary by other personnel and resources.

6. At police authority level, groups or panels of volunteers must be organised to visit police stations in the authority's area. Every group needs to have its own co-ordinator locally supported by the authority.

Recruitment and Conditions of Service

Organising Recruitment

7. Police authorities are responsible for recruiting, selecting and appointing independent custody visitors and must ensure these functions are adequately resourced.

8. Adequate numbers of suitably trained and accredited independent custody visitors must be available at all times.

The Recruitment Process

9. Recruitment must be based on clear role descriptions, as well as person specifications setting out the qualities independent custody visitors require to carry out their role effectively.

10. Recruitment must be open, non-discriminatory and well publicised.

11. All selections must be made on the basis of a standard application form with adjustments based on local circumstances.

12. No person shall be appointed as an independent custody visitor without an interview taking place. The selection panel must record the reasons for decisions about appointment or non-appointment. Any appointment is subject to vetting or security clearance for all custody visitors (to an appropriate level as determined by the Home Office, which will be at Developed Vetting (DV) level for those visiting persons detained under the Terrorism Acts). Vetting renewal must be undertaken for all visitors before their appointments are renewed (see paragraph 23 below).

13. Any appointment must be made solely on merit and all independent custody visitors must be at least 18 years old and must be from those living or working within the police authority boundary and who have been resident in the UK for at least 3 years prior to the date of application.

Who Should be Selected?

14. The police authority must seek to ensure that the overall set of independent custody visitors is representative of the local community and provides a suitable balance in terms of age, gender and ethnicity.

15. All reasonable adjustments must be made to accommodate those with a disability, as defined in the Disability Discrimination Act 1995, and those who do not have English as their first language but who are able to communicate effectively so as to be understood, where they are considered suitable candidates.

16. Visitors must be independent persons who are able to make informed judgements and unbiased observations in which the community can have confidence and which the police will accept as fair criticism when it is justified.

17. Where an applicant has convictions for criminal offences, or has received any formal caution, warning or reprimand, or has failed to disclose any such finding, the specific circumstances must be considered in assessing suitability to become an independent custody visitor. However, past offending is not an automatic barrier to acceptance. The police authority is responsible for all appointments of custody visitors. The chief officer should provide advice to enable the authority to make a decision with regard to the suitability of each applicant. The police authority should be informed by the chief officer as to the reason(s) for recommending that a volunteer should not be appointed.

18. In appointing independent custody visitors, care must be taken to avoid any potential conflict of interest. For example, serving police officers and other serving members of police or police authority staff will be unsuitable for that reason. The same will apply to special constables, justices of the peace and members of the police authority. All other applications must be considered on their merit.

Other Possible Roles for Custody Visitors

19. Independent custody visitors may also act as appropriate adults. However, individuals must not switch between those roles during the course of a visit to the same police station and must declare if they have previously carried out either role with the same detainee.

20. Independent custody visitors may also act as lay observers appointed under the Criminal Justice Act 1991 to inspect the conditions under which prisoners are transported and held.

Basis of Service

21. The police authority must provide each independent custody visitor with a written memorandum of understanding summarising their agreed responsibilities and the legitimate expectations of both parties.

22. The police authority must provide each independent custody visitor with an identity pass as their authority to visit any police station in the force area that is holding detainees on a regular or temporary basis.

Tenure

23. Appointments must initially be for three years and must not be confirmed until a six-month probationary period has been satisfactorily completed. Full re-assessments of suitability must take place at regular intervals but no longer than three years apart. The key factors in renewing appointments for further periods must be the continuing ability and willingness of the individuals involved to do the job effectively.

Removal

24. A police authority can terminate an independent custody visitor's appointment because of misconduct or poor performance.

25. Procedures for considering possible termination of appointment must follow the principles of natural justice and must be publicised.

Complaints Procedures

26. Procedures must be in place to deal with complaints against independent custody visitors by detainees, police personnel or others. Equally, there must also be a clear mechanism for handling any complaints from visitors.

Payment

27. Independent custody visitors are entitled to be reimbursed for their legitimate expenses incurred in carrying out their role.

Insurance

28. The police authority must ensure adequate cover and provision for claims arising from an independent custody visitor's role.

Training

29. The basic responsibility for initial and ongoing training lies with the police authority and a

structured plan with clear objectives must be developed in consultation with the police service and the local independent custody visiting community.

30. The police authority must evaluate the effectiveness of training and the extent to which it is achieving its objectives.

Frequency and Coverage

31. The police authority should liaise with the chief officer about the frequency with which visits should be carried out.

32. Visits must be sufficiently regular to support the effectiveness of the system, but not so frequent as to unreasonably interfere with the work of the police.

33. The frequency of visits must be monitored against expectations and reported to the police authority at regular intervals. Where insufficient visits are taking place, the causes must be investigated and corrective action taken.

34. Consideration must be given to making visits to all police stations where detainees are held even where they are only accommodated for relatively short periods of time.

Working arrangements

Conducting visits

35. Visits must be undertaken by pairs of independent custody visitors working together.

Visiting Procedures at Stations

36. Independent custody visitors must be admitted to the custody area immediately. Delay is only permitted when immediate access may place the visitors in danger. A full explanation must be given to the visitors as to why access is being delayed and that explanation must be recorded by the visitors in their report.

37. Independent custody visitors must have access to all parts of the custody area and to associated facilities such as food preparation areas and medical rooms. However, it is not part of their role to attend police interviews with detainees. Custody visitors will be allowed access to CCTV cameras to ensure that they are operational.

38. Police staff must be alert to any specific health or safety risks independent custody visitors might face and must advise them appropriately at the commencement of the visit.

39. The custody officer or a member of custody staff must accompany independent custody visitors during visits (*but see paragraph 46*).

Access to Detainees

40. Subject to the exceptions referred to in paragraph 43, independent custody visitors must be allowed access to any person detained at the police station. However, detainees may only be spoken to with their consent, and the escorting officer is responsible for establishing whether

they wish to speak to the independent custody visitors, which may be established by self-introduction by the independent custody visitors themselves (in the presence of the escorting officer) or by the escorting officer.

41. Juveniles may be spoken to with their own consent.

42. If, for whatever reason, a detainee is not in a position to give consent, the escorting officer must allow the visit unless any of the circumstances set out in paragraph 43 apply.

43. The custody officer may limit or deny independent custody visitors' access to a specific detainee only if authorised by an officer of or above the rank of inspector and where either:

- i) after a thorough risk assessment has been carried out the officer reasonably believes that to be necessary for the visitors' safety, or
- ii) if the officer reasonably believes that such access could interfere with the process of justice.

44. Where any of the circumstances referred to in paragraph 43 apply, consideration should be given to allowing the visitors some limited form of access to the detainee, such as speaking to them through the cell hatch.

45. Any decision to deny or limit access must be recorded in the detainee's custody record (together with the relevant authorisation) and by the independent custody visitors in their report of the visit.

Discussions with Detainees

46. Discussions between detainees and independent custody visitors must, wherever practicable, take place in the sight, but out of the hearing, of the escorting officer.

47. Discussions must focus on checking whether detainees have been offered their rights and entitlements under PACE, their health and wellbeing, and the relevant safer detention guidelines and confirming whether the conditions of detention are adequate.

48. Independent custody visitors must remain impartial and must not seek to involve themselves in any way in the process of investigation. If a detainee seeks to make admissions or otherwise discuss an alleged offence, the visitor must tell them that the relevant contents of the visit will be made known to the custody officer and may be disclosed in legal proceedings.

49. If an independent custody visitor realises they know or are known by a detainee, they must declare this and consider whether to withdraw from the visit.

50. Independent custody visitors must not pass messages to or from detainees or offer to perform other tasks on their behalf. If they are asked to do so they must immediately inform the custody officer.

51. If a detainee indicates they may harm themselves or any other person, this must immediately be brought to the attention of custody staff.

52. Subject to obtaining the detainee's consent to examine their custody record, the independent custody visitors should check its contents against what they have been told by the detainee. Visitors may also have access to other relevant documentation, which relates to a detainee e.g. risk assessment. All such information must be treated confidentially.

53. If a detainee is for any reason incapable of deciding whether to allow access to their custody record, the presumption must be in favour of allowing the independent custody visitors to examine it.

Medical Issues

54. Independent custody visitors have no right to see the detainee's medical records, even where these are attached to the custody record. However, key points relevant to medical treatment should be recorded in the custody record itself.

Dealing with Issues and Complaints

55. Where a detainee makes a complaint or raises an issue about their general treatment or conditions, independent custody visitors must (subject to the detainee's consent) take this up as soon as possible with police staff in order to seek a resolution. The same applies to similar issues identified by visitors in the course of their attendance.

56. If a detainee makes a complaint of misconduct by a specific police officer, they must be advised to address it to the duty officer in charge of the police station.

Effective Working Relationships

57. For independent custody visiting to be effective, it is essential that visitors and police staff develop and maintain professional working relationships based on mutual respect and understanding of each others' legitimate roles.

Reporting on a Visit

58. At the end of each visit, and while they are still at the police station, independent custody visitors must complete a report of their findings to include conditions and facilities, rights and entitlements and health and well being. One copy of the report must remain at the station for the attention of the officer in charge. Copies must go to the police authority and other parties as determined locally.

59. Report forms must include an undertaking not to reveal the names of persons visited or other confidential information obtained in the course of a visit.

Feedback

60. Systems must be in place to ensure that the output from visits is drawn rapidly to the attention of those in a position to make the appropriate response.

61. The police authority is responsible for drawing together issues and identifying trends

emerging from visits in their area and addressing these with relevant police supervisors.

62. The police authority must have a regular and formal opportunity to raise concerns and issues with a designated senior officer with force-wide responsibilities. It will usually be appropriate for that officer to be of Assistant Chief Constable/Commander rank. Regular reports shall be provided by the administrator of the scheme to the police authority. These reports must be discussed at police authority meetings as appropriate and reflected in an entry about independent custody visiting in the police authority's own annual report.

Sharing Experience

63. The police authority must ensure that independent custody visitors have regular opportunities to meet together to discuss their work.

Reviewing Performance

64. Police authorities must take steps to assess how effectively their independent custody visiting arrangements are working. Key aspects of that process will be reviewing the quality of reports, the frequency with which visits take place and the number of occasions on which detainees refuse to speak to visitors.

Home Office
April 2010

Appendix 2

Summary of Police and Criminal Evidence Act Code C

Detained persons – normal procedure

When a detainee is brought to a police station, they must be informed by the Custody Officer of the following rights and of the fact that there are continuing rights which may be exercised at any stage during the period in custody:

- the right to have someone informed of the detainee's arrest.
- the right to consult privately with a solicitor and of the fact that independent legal advice is available free of charge.
- the right to consult the PACE codes of practice.

Detainees must be given written notice setting out

- the above three rights;
- the right to a copy of the custody record;
- the caution (as prescribed elsewhere in the codes).

The notice must also explain the arrangements for obtaining legal advice. An additional written notice, briefly setting out the detainee's entitlements while in custody, must also be given.

The Custody Officer will ask the detainee to sign the custody record to acknowledge receipt of these notices. A refusal to sign will be noted on the custody record.

Detention can be authorised in order to

- secure or preserve evidence;
- obtain evidence by questioning;
- or for another lawful reason such as: breath test / breach of the peace / warrant.

Detained persons – special groups

If the detained person is / appears to be deaf, or if doubts are raised about hearing ability or ability to understand English, an interpreter is to be called.

- If the detained person is / appears to be juvenile (i.e under 17), or mentally ill / handicapped, an appropriate adult is to be called.
- If the detained person is blind / seriously visually handicapped / unable to read, the Custody Officer is to ensure that a solicitor / relative / appropriate adult / some other person not involved with the investigation is available to help with the documentation. Where written consent or a signature is required, that person may be asked to sign instead if the detainee wishes.

Rights and Entitlements

- Right not to be held incommunicado.
- Detainee may have one friend / relative / other person notified of arrest.
- If first person nominated is not available, detainee may choose up to two alternatives.
- Detainees to be allowed visits at custody officer's discretion.
- Enquiries as to whereabouts of detainee to be answered subject to detainee's agreement.
- Detainee to be supplied with writing materials on request. Letters (other than those to a solicitor) may be read.

- Detainee may be allowed to speak on the phone for a reasonable time to one person. The call will be listened to (except when to a solicitor) and terminated if abused.

Conditions

- So far as is practicable, only one person to each cell.
- Cells to be adequately heated, cleaned and ventilated.
- Cells to be adequately lit (lighting may be dimmed at night).
- Clean and adequate bedding to be provided.
- Access to toilet and washing facilities to be provided.
- If it is necessary to remove a person's clothes, replacement clothing of reasonable comfort and cleanliness to be provided. No interviewing unless adequate clothing offered
- Two light meals and one main meal to be offered each 24 hours. Medical or dietary advice to be sought from healthcare professional where necessary. Meals should meet any special dietary needs or religious beliefs as far as is practicable. A varied diet should be provided. Detainees may have meals provided by family / friends at own expense.
- Drinks to be provided at mealtimes and on reasonable request in between.
- Brief outdoor exercise daily.
- No juveniles in cells unless no other secure accommodation and custody officer considers it impracticable to supervise if not in cell. (Reason to be recorded). Juveniles **MUST NOT** be placed in cells with an adult.
- Cell occupants to be visited every hour (every half hour if drunk). Juveniles and those at risk more than once an hour.
- Reasonable force may be used to secure compliance with reasonable instructions or to prevent injury, escape, damage to property, destruction of evidence.
- Complaints regarding treatment of detainee must be referred to an officer of rank of inspector or above, who is not connected with the investigation.

Treatment – Medical

- If detainee appears to be suffering from physical or mental illness / is injured (unless just a minor ailment) / doesn't show signs of sensibility or awareness / fails to respond normally to questions or conversation (other than through drunkenness alone) / otherwise appears to need medical attention healthcare professional to be called immediately or in urgent cases detainee to be sent to hospital or nearest doctor called. This applies even if no complaint made and whether or not recent medical treatment has been received elsewhere (unless brought direct from hospital).
- If detainee is suffering from significant infections disease, person and property are to be isolated; medical advice as to fumigation and precautions to be sought.
- If request is made for medical examination, a healthcare professional must be called. May also have own doctor at own expense.
- If a person is required to take medication on medical directions, the Custody Officer is responsible for safe-keeping and ensuring administration at proper times. No Police Officer may administer drugs which are 'controlled' under Misuse of Drugs Act 1971, and administration of such drugs must be supervised by a healthcare professional.
- If detainee has / claims to need medication for potentially serious condition (e.g. heart, diabetes, epilepsy, etc.) advice of a healthcare professional must be obtained.



Devon & Cornwall Police Authority

**Independent Custody Visitor
Application Form**

Please complete the application form in **black ink** and **BLOCK CAPITALS**

Surname (Current) (Previous)

Forenames	Title
-----------------	-------------

<i>National Insurance Number</i>	Nationality
----------------------------------	-------------------

Ageyearsmonths	Date of birth
----------------------------	---------------------

Contact Details

Tel	Tel	Email
-----------	-----------	-------------

Permanent address for communication

.....

.....

.....

.....

Post code

How long have you lived at this address?

Have you ever been convicted of an offence or been reported and subsequently given an official written caution, warning or reprimanded for any offence? (Please tick ✓)

Yes No

If yes, please give details. *This application is subject to the Rehabilitation of Offenders Act 1974 (Exemptions) Order 1975, and as such, candidates for appointment as Independent Custody Visitors are not entitled to withhold information regarding convictions which for other purposes are 'spent' under the provisions act.*

Information provided under this heading will not necessarily disqualify an individual from becoming an Independent Custody Visitor. Any information given will be kept confidential.

.....

Please give details, including initials and correct form of address, of two referees, not related to you, who are able to provide references to support your application and have agreed to be contacted by us.

Name..... Address Post code	Name..... Address Post code
Occupation Telephone Number Personal / Professional (Delete as appropriate)	Occupation Telephone Number Personal / Professional (Delete as appropriate)

Are you currently a lay justice? (Please tick ✓)

Yes No

Are you, or have you been in the last five years, an officer/employee of the Devon and Cornwall Police Authority/Police Force (e.g. Police Officer, member of Police staff, member of the Police Authority, Special Constable, Police Community Support Officer), or Justice of the Peace? (Please tick ✓)

Yes No

If yes, please provide details
.....
.....

Have you ever been an Independent Custody Visitor before? (Please tick ✓)

Yes No

If yes, please provide details
.....
.....

How did you learn about Independent Custody Visiting?

To enable us to monitor the effectiveness of our recruitment schemes, we would like to know how you learnt of this voluntary activity. Please state whether it was through a publication, website, voluntary agency or other.

.....
.....
.....

Would you require us to make any special arrangements, to enable you to carry out this role?

(If yes, please provide details)

.....
.....
.....

Information in support of application with reference to the person specification and role description, please provide examples of your experience, skills and qualification which demonstrate you meet the selection criteria for this post.

Information in support of application

Please provide your reasons for wanting to become an Independent Custody Visitor, and any other information you consider relevant, including hobbies or interests.

(Continue on a separate sheet if necessary)

I agree to the Police Authority making a police enquiry in connection with my application as a volunteer. I have read the information supplied to me concerning the duties and responsibilities of an independent custody visitor and would be prepared if my application is accepted to attend training sessions as necessary and complete the appropriate undertaking in respect of confidentiality.

I declare that the information I have given in support of my application is, to the best of my knowledge and belief, true and complete, I understand that if it is subsequently discovered that any statement is false or misleading, or that I have withheld relevant information, my application may be disqualified or, if I have already been appointed, I may be dismissed.

Signed	Print Name	Date
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Please ensure that any additional sheets in support of your application are clearly marked with your name and question that you are referring to.

After completing the Application Form and the Recruitment Monitoring Questionnaire, please send them to;

ICV Scheme Administrator
Devon and Cornwall Police Authority
PO BOX 229
Exeter
Devon EX2 5YT

Thank you for completing and returning these forms

DEVON & CORNWALL POLICE AUTHORITY
Monitoring Questionnaire

Devon & Cornwall Police Authority is committed to promoting equality of opportunity for all local people and communities, irrespective of gender, ethnic origin, disability, religious belief, sexual orientation, age, or any other irrelevant factor. We therefore ask you to complete this questionnaire to enable us to monitor the effectiveness and fairness of our policy and processes.

This information is for statistical monitoring purposes only. IT WILL NOT FORM PART OF THE SELECTION PROCESS.

A. GENDER (tick one box)

Male <input type="checkbox"/>	<i>Female</i> <input type="checkbox"/>
--------------------------------------	--

B. ETHNIC GROUP (tick one box)

White	British	<input type="checkbox"/>
	Irish	<input type="checkbox"/>
	Any other White background	<input type="checkbox"/>
	Please write in	
Mixed	White and Black Caribbean	<input type="checkbox"/>
	White and Black African	<input type="checkbox"/>
	White and Asian	<input type="checkbox"/>
	Any other Mixed background	<input type="checkbox"/>
	Please write in	
Asian or Asian British	Indian	<input type="checkbox"/>
	Pakistani	<input type="checkbox"/>
	Bangladeshi	<input type="checkbox"/>
	Any other Asian background	<input type="checkbox"/>
	Please write in	
Black or Black British	Caribbean	<input type="checkbox"/>
	African	<input type="checkbox"/>
	Any other Black background	<input type="checkbox"/>
	Please write in	
Chinese or other ethnic group	Chinese	<input type="checkbox"/>
	Any other background	<input type="checkbox"/>
	Please write in	

C. AGE (tick one box)

16-25 <input type="checkbox"/>	26-35 <input type="checkbox"/>	36-45 <input type="checkbox"/>	46-55 <input type="checkbox"/>	56-65 <input type="checkbox"/>	65 + <input type="checkbox"/>
--------------------------------	--------------------------------	--------------------------------	--------------------------------	--------------------------------	-------------------------------

D. SEXUAL ORIENTATION

Hetrosexual <input type="checkbox"/>	Bisexual <input type="checkbox"/>	Lesbian <input type="checkbox"/>	Gay man <input type="checkbox"/>
--------------------------------------	-----------------------------------	----------------------------------	----------------------------------

E. DISABILITY

Do you consider yourself disabled?		YES <input type="checkbox"/>	NO <input type="checkbox"/>
If you answered yes, please cross boxes as appropriate			
Hearing impairment	<input type="checkbox"/>	Reduced physical capacity	<input type="checkbox"/>
Visual impairment	<input type="checkbox"/>	Severe disfigurement	<input type="checkbox"/>
Speech impairment	<input type="checkbox"/>	Learning difficulties/disabilities	<input type="checkbox"/>
Mobility impairment	<input type="checkbox"/>	Mental illness	<input type="checkbox"/>
Physical co-ordination difficulties	<input type="checkbox"/>		<input type="checkbox"/>
Other (please describe)	<input type="checkbox"/>		

THANK YOU FOR COMPLETING AND RETURNING THESE FORMS.

DEVON & CORNWALL POLICE AUTHORITY

ROLE DESCRIPTION

Role Title: Independent Custody Visitor (ICV)

Where: Police stations visited on a regular basis include Exeter, Torquay, Plymouth, Barnstaple, Newquay, Camborne and Launceston however you may only visit one or two of these depending on where you live.

When: Custody visits are conducted at random times during the week complying with the agreed roster. The Independent Custody Visitors as a pair decide the time chosen to do the visit. In addition the volunteers attend further meetings/training events which may take place on a weekday, in the evening or at weekends.

Commitment: It is hoped that volunteers can give a commitment to approximately 2 visits to police custody suites per month, in line with the agreed roster, to attend 5 meetings a year as well as occasional training days. Commitment is also expected with regards to attending supervision/support sessions held with a mentor or the administrator.

Duration: 6 months mutual probationary period and then it is hoped that each volunteer will serve for a period of 3 years.

Requirements: In order to be an effective Independent custody visitor you should:

- Fulfil the time commitments
- Be over 18 years of age
- Have an understanding of the importance of equality and fairness for all
- Be able to communicate with a diverse range of people, with dignity & respect
- Be a good team player, demonstrating a supportive nature
- Be able to uphold the reputation of the Police Authority and the ICV scheme
- Be willing to have a security vetting check and provide references
- Must live or work in Devon and Cornwall and have been resident in the UK for at least 3 years prior to application

Main Tasks: To arrange and carry out custody visits with fellow custody visitors, in line with agreed rosters.

To keep the co-ordinator and fellow custody visitors informed of any problems with rostered custody visits.

To carry out custody visits to designated and non-designated police stations in line with the scheme guidelines and training.

To check on the conditions in which a detainee is kept, their health and wellbeing and their legal rights and entitlements, with reference to Police and Criminal Evidence Act code C.

To consult, where appropriate the detainee's custody record to clarify and check concerns raised by the detainee.

To discuss with the custody officer any concerns and requests arising from the custody visit, and to bring to the custody officer's attention any issue to seek a resolution.

To complete the Independent custody Visitor Report Form whilst at the station, ensuring that all, relevant information is recorded correctly, clearly and concisely.

To distribute copies of the Independent Custody Visitor reports form to the appropriate people and leave the police station.

Independent Custody Visitors are expected to undertake at least one visit a month.

To attend continual training sessions as appropriate

To carry out the duties of an Independent Custody Visitor as set out in the Scheme's guidelines, to include Health & Safety requirements.

Keep within the boundaries of the data protection and Official Secrets Act as agreed at ICV introduction

Training Includes: One day initial training
Conflict management training
Diversity training
Refresher training
Speakers are invited to panel meetings to update Independent Custody Visitors on changes to current policing issues

What's in it for you: Play a key role in protecting human rights
Interesting role working in close partnership with the police
A new social network
Skill development via our training programme
An insight into the criminal justice system
A good addition to any career development plans

Why we want you: Independent custody visitors help us to promote and provide an oversight of how the police go about their jobs in our community, we need diverse people to make sure that we represent our community and the area which we serve fairly and effectively. We want a variety of skills and backgrounds to help us to develop our processes. We have a legal responsibility to create, manage and review an independent custody visiting scheme.

Notes: Supervision will be provided by Becki Brodest

For more information contact: **Becki Brodest**
Central Scheme Administrator
Email: Becki.BRODEST@devonandcornwall.pnn.police.uk
Tel: 01392 268318

Devon & Cornwall Police Authority

Independent Custody Visitor Person Specification

ESSENTIAL CRITERIA	MEASURED BY
Must be a least 18 years of age	Application
Must live (or work) in the police authority area and who has been resident in the UK for at least 3 years prior to the date of application	Application
To demonstrate sufficient time and flexibility to carry out the role of custody visiting	Application / Interview / Probation period
To work with colleagues as part of a team to meet the police authority's visiting programme	Application / Interview / Probation period
To be able to communicate well both verbally and in writing	Application / Interview / Probation period
To be able to communicate effectively with people from a variety of backgrounds in line with equal opportunities	Application / Interview / Probation period
To demonstrate an independent and impartial view in relation to all parties involved in the custody visiting process	Application / Interview / Probation period
To be able to maintain confidentiality	Application / Interview / Probation period
To be able to demonstrate a confident disposition in challenging circumstances	Application / Interview / Probation period
DESIRABLE CRITERIA	MEASURED BY
Some knowledge of independent custody visiting	Application / Interview
To demonstrate an ability to complete forms clearly and concisely	Application / Probation period
To demonstrate mobility in relation to undertaking visits	Interview / Probation period

Devon and Cornwall Police Authority
Independent Custody Visiting Scheme
Local Panel Co-ordinator Role Description

PANEL CO-ORDINATOR ROLE DESCRIPTION

Role Title: Independent Custody Visitor Panel Co-ordinator

Main Tasks:

- To devise in association with the central scheme administrator a mutually agreed roster for custody visiting.
- To bring to the attention of the central scheme administrator any problems arising from the roster, including missed custody visits.
- To arrange panel meetings in line with scheme guidelines.
- To keep a record of panel discussions and communicate to all the panel as necessary.
- To discuss as necessary any issues arising from custody visits and panel meetings with the appropriate officer.
- To bring to the attention of the central scheme administrator issues arising from the meetings or the custody visitor reports / interim computer generated reports.
- To oversee the work of the custody visiting panel and ensure its smooth running.
- To identify any training needs arising and bring these to the attention of the central scheme administrator.
- To ensure that new custody visitors are supported by the panel.
- To make introductory visits as appropriate for recruitment or training purposes.
- To contact probationary custody visitors after they have undertaken visits to discuss with them any practical issues or difficulties arising from the visit and to keep the central scheme administrator informed of any issues.
- To arrange and attend, as necessary, local panel co-ordinator meetings.
- To attend and participate in performance development reviews as required.
- To attend and participate in the interview process for new Independent Custody Visitors as required.

DEVON & CORNWALL POLICE AUTHORITY
Independent Custody Visitor
Boundary Statements

Please circle one

- | | | |
|--|-------|----------|
| 1. I can shake hands and sit next to the detainee during a visit. | AGREE | DISAGREE |
| 2. I can ask the custody officer to come into the cell during the visit. | AGREE | DISAGREE |
| 3. I can discuss my visit with my family and friends. | AGREE | DISAGREE |
| 4. I can swear in front of the detainee. | AGREE | DISAGREE |
| 5. I can promise to keep secrets. | AGREE | DISAGREE |
| 6. I can discuss the reason for the detainee being detained. | AGREE | DISAGREE |
| 7. I can tell the detainee personal information about myself. | AGREE | DISAGREE |
| 8. I can close the cell door during a visit, if I want. | AGREE | DISAGREE |
| 9. I can speak to the Police Officers/Staff about issues Police Officers may have. | AGREE | DISAGREE |
| 10. I am not allowed to see the detainees personal custody log after a visit. | AGREE | DISAGREE |
| 11. I can give the detainee my home address and telephone number. | AGREE | DISAGREE |
| 12. I can hug and comfort the detainee if they are upset. | AGREE | DISAGREE |
| 13. I can call Panel Co-ordinators or other ICVs 24 hours a day to discuss anything. | AGREE | DISAGREE |
| 14. I don't have to contact anyone before making a visit. | AGREE | DISAGREE |
| 15. I should take notes as I do the visit. | AGREE | DISAGREE |
| 16. I can leave information off of my custody record sheet. | AGREE | DISAGREE |
| 17. I don't have to listen to the escorting officer. | AGREE | DISAGREE |
| 18. I can visit a detainee no matter how dangerous they may be. | AGREE | DISAGREE |
| 19. I can look through the peep hole to check on the detainees welfare. | AGREE | DISAGREE |
| 20. I am there to make friends with the detainee. | AGREE | DISAGREE |
| 21. I can car share with other volunteers. | AGREE | DISAGREE |
| 22. I can lend/give the detainee money. | AGREE | DISAGREE |
| 23. I can provide whatever help and support the detainee needs. | AGREE | DISAGREE |
| 24. I can tell the detainee about my past. | AGREE | DISAGREE |
| 25. I can tell the detainee if I have a criminal conviction. | AGREE | DISAGREE |
| 26. I should keep any issues of concern to myself. | AGREE | DISAGREE |
| 27. I can take things away from the detainee to pass to someone outside. | AGREE | DISAGREE |
| 28. I can tell the detainee secrets about myself. | AGREE | DISAGREE |

29. I can answer a phone call whilst interviewing a detainee.	AGREE	DISAGREE
30. It's okay to discuss my prejudices with the detainee.	AGREE	DISAGREE
31. I can offer to take home a released detainee.	AGREE	DISAGREE
32. I can discuss a visit with my fellow ICVs at panel meetings.	AGREE	DISAGREE
33. I can acknowledge a fellow ICV in the street.	AGREE	DISAGREE
34. I can acknowledge a released detainee in the street.	AGREE	DISAGREE
35. I can carry on with a visit if I realise I know the detainee.	AGREE	DISAGREE
36. I can make a visit on my own.	AGREE	DISAGREE
37. I can tell my family/friends if I see my neighbour in custody.	AGREE	DISAGREE
38. I must not act as an appropriate adult if I am also making a custody visit.	AGREE	DISAGREE
39. I have no right to see a detainee's medical record.	AGREE	DISAGREE
40. I can ask a detainee anything I like.	AGREE	DISAGREE

DEVON AND CORNWALL POLICE AUTHORITY
Independent Custody Visiting Scheme Appeals Procedure

The appeals procedure in relation to all matters of concern regarding the confirmation of appointment / re-appointment or removal of Independent Custody Visitors will be carried out as follows:

- The Independent Custody Visitor will be told in writing of the reasons for any non-confirmation of appointment (post probationary period) / non re-appointment / removal as determined by the appropriate panel.
- The Independent Custody Visitor will be asked to respond in writing within 21 days to the matters raised.
- The Chief Executive will report to the Authority's Human Resources Committee including any written responses, or supportive documents from the Independent Custody Visitor.
- The Independent Custody Visitor will be invited to attend and hear any discussions and to answer any questions which the members of the Committee may ask.
- The Independent Custody Visitor will be excluded from the decision making process which will be held immediately after the hearing.
- The central scheme administrator will notify the Independent Custody Visitor within seven working days of the final decision of the Committee.

Independent Custody Visiting Scheme Memorandum of understanding

This memorandum of understanding is between the police Authority and the independent custody visitor and provides a summary of agreed responsibilities and legitimate expectations.

Probationary custody visitors will be supported by the local panel co-ordinator and the central scheme administrator. During the six month probationary period, the local panel co-ordinator will contact new custody visitors after they have undertaken visits to discuss with them any practical issues or difficulties arising from the visit. The local panel co-ordinator will keep the central scheme administrator informed of any issues arising.

This agreement reflects the hopes and intentions of the volunteer and the authority, and is not contractually binding in any way by either party.

(Insert full name)

As an accredited volunteer of the Devon and Cornwall Police Authority Independent Custody Visiting Scheme, do undertake to

- a. arrange and carry out custody visits with fellow custody visitors, in line with agreed rosters.
- b. keep the co-ordinator and fellow custody visitors informed of any problems with rostered custody visits.
- c. undertake to seek immediate access to the custody area, and record reasons for delayed access to the custody area.
- d. ensure that I do not switch between acting as an appropriate adult and Independent Custody Visitor, during the course of a visit.
- e. check on the conditions in which a detainee is kept, their health and wellbeing and their legal rights and entitlements, with reference to PACE Code C.
- f. consult, where appropriate, the detainee's custody notes/detention log to clarify and check concerns raised by the detainee.
- g. discuss with the custody officer any concerns and requests arising from the custody visit, and to bring to the custody officer's attention any issue to seek a resolution.
- h. complete the Independent custody Visitor Report Form whilst at the station, ensuring that all relevant information is recorded correctly, clearly and concisely.
- i. distribute copies of the Independent Custody Visitor report form to the appropriate people and leave the police station.
- j. maintain confidentiality and impartiality in relation to all parties involved in the Independent Custody Visiting Process.

- k. attend at least four custody visits a year, and two panel meetings a year.
- l. attend continuous training sessions as appropriate.
- m. refer invitations to speak to local groups or organisations, press and media to the Police Authority.
- n. notify the Police Authority if I am arrested, charged or summonsed with a criminal offence.
- o. not use my personal identity card for any other purpose than for making custody visits.
- p. carry out the duties of an Independent Custody Visitor as set out in the Scheme's guidelines, to include Health and Safety requirements.
- q. keep within the boundaries of the data protection act & Official secrets Act as agreed at ICV introduction.
- r. communicate with all people with dignity & respect.
- s. be a good team player, demonstrating a supportive nature
- t. ensure that if a vehicle is used to travel to police stations to undertake custody visits that the relevant insurance is in place.
- u. ensure at all times I uphold the reputation of Devon & Cornwall Police Authority & the ICV scheme.

The Devon & Cornwall Police Authority undertakes to

- a. ensure induction training to custody visitors is provided to carry out the role of independent custody visiting.
- b. provide continuous training sessions as appropriate.
- c. ensure that custody visitors are properly supported in performing of their role.
- d. keep custody visitors informed of developments in Independent Custody Visiting both locally and nationally.
- e. ensure where necessary that any issues/concerns arising from custody visits are dealt with by the Force.
- f. ensure all custody visitors are reimbursed for reasonable out of pocket expenses.
- g. have regard to the Scheme's guidelines in respect of the process for dealing with complaints made against custody visitors.

- h. have regard to the scheme's guidelines in respect of the process for removing custody visitors from the Devon & Cornwall scheme.
- i. ensure for adequate insurance and provision for claims arising from independent custody visitor's role (with the exception of vehicle insurance).

Appendix 6

DEVON AND CORNWALL POLICE AUTHORITY

Independent Custody Visitor Personal Development Review

A personal development review will be held at the end of an Independent Custody Visitor's probationary period, and at the end of each subsequent three-year period subject to the Independent Custody Visitor wishing to continue in the role. The personal development review panel will comprise the central scheme administrator (and a local panel co-ordinator where appropriate).

Personal development reviews provide a scheduled opportunity away from interruptions to discuss role-related matters. They are an opportunity to take an overall view of the volunteer's involvement and contribution to the scheme, to discuss what has been achieved during the reporting period and agree priorities and objectives for the next reporting period.

The personal development review is not a replacement for general feedback and no-one should wait until the personal development review for a discussion about issues that affect the way they undertake their role, or their welfare whilst volunteering as an Independent Custody Visitor.

The aims of the personal development scheme are

- to be one of the ways which contribute to the Police Authority's culture of valuing volunteers;
- to help to develop both the individual and the Independent Custody Visiting Scheme;
- to assist in ensuring that the Independent Custody Visiting Scheme's objectives and priorities as outlined in scheme guidelines are reflected in the objectives and priorities of Independent Custody Visitors.

It is intended that the personal development review will be based on the 'self appraisal' method whereby individuals are encouraged to consider and analyse their own performance in the Independent Custody Visiting role, and then this is discussed with the central scheme administrator (and local panel co-ordinator where appropriate).

The personal development review is a two way process between Independent Custody Visitor and the Central Scheme Administrator although the main focus is on the Independent Custody Visitor.

The objectives of the personal development review are

- to provide the opportunity at least once every three years for a joint review of a person's contribution to Independent Custody Visiting, to build on strengths and weaknesses and enable them to maximise their contribution to the scheme;
- Agree objectives, priorities and standards for the next review period;
- Identify training and development needs and priorities for the next review period;
- Provide an opportunity for the Central Scheme Administrator and volunteer to have an open and honest discussion about issues which affect their relationship in relation to the scheme.

The following information gathered during the period leading up to the review will be used as a basis for discussion.

- Number of visits undertaken
- Feedback from fellow Custody Visitors and local panel co-ordinator
- Any feedback from other involved agencies, e.g. custody and police staff, detainees
- Views from the central scheme administrator
- Attendance at panel meetings
- Attendance at training seminars
- Quality of visit reports

In addition, Independent Custody Visitors will be asked to nominate at least two people to complete the Personal Development Feedback Form. Responses will be used as part of the formal personal development process.

To facilitate the smooth running of the personal development process, the following questions are suggested and can be used as a framework both for the Independent Custody Visitor and the Central Scheme Administrator. Brief notes of the personal development review will be taken (by either the Central Scheme Administrator, or the Independent Custody Visitor) and will be filed on the volunteer's personal file, a copy may be held by the volunteer.

**Devon & Cornwall Police Authority
Independent Custody Visitor
Appraisal Sheet**

APPRAISAL QUESTIONS

Attendance at panel meetings	
Attendance at training seminars	
Quality of visit reports	
Summary of 360 feedback	See separate form.

1. General

- What do you consider to be the key/critical responsibilities of the role?
- What do you think it takes to be an effective Independent Custody Visitor?
- What do you consider your strengths to be and could you be more effective?

2. Your contribution to the Independent Custody Visiting Scheme

- What have you particularly enjoyed about your role since your last appraisal or the start of your time with the scheme, and why?
- What areas have I found particularly frustrating, difficult or not enjoyable?
- What are my weaknesses? How might these be affecting my role?

3. Training and Development Needs

- Have there been any situations where you felt you were not fully prepared for and if so, how did you deal with them?
- What helps me learn?
- What training would help you in the future and for your own personal development?
- What future aspirations do you have in relation to your contribution to the Independent Custody Visiting Scheme?

4. Anything else

Things to establish through the review:

Is the Custody Visitor coping with the pressures of the role?
How does the Custody Visitor think they are performing in the role? What evidence do they have of this opinion?
Are the Custody Visitor's capabilities effectively overcoming the challenges of the role?
Does the Custody Visitor adopt and project the correct attitude for the role?
Are there any indications to suggest how well Custody Visitor's integrity, impartiality or disposition match the personal specifications of the role?
Does the Custody Visitor express the need for any training to continue to effectively undertake the role?
Is the Custody Visitor happy in the role and is he/she wanting to continue in the role?

DEVON AND CORNWALL POLICE AUTHORITY

Independent Custody Visiting Scheme Schedule of Allowable Expenses

MILEAGE

Independent Custody Visitors whose role necessitates them to travel as a major part of their role will be reimbursed travelling costs as set out below.

From 6 April 2011

- 45 pence per mile for the first 10,000 miles in a tax year, and 25p per mile thereafter

From 7 September 2011

- 5p per passenger per business mile for carrying their fellow custody visitor(s) as a passenger in their car or van on journeys to undertake a custody visit when all are undertaking a custody visit, or when all are attending a custody visiting related event. This is in line with Members Allowances where a passenger rate is claimable, and more specifically, is the rate that is approved as tax free by HM Revenue and Customs

The rates will be reviewed annually, however are likely to remain the same unless fuel costs rise significantly.

All claims for mileage must be accompanied by a VAT fuel receipt. The receipt needs to be dated on or before the date of travel claimed but can be for any amount.

OTHER MODES OF TRANSPORT

Use of public transport should be considered by Independent Custody Visitors as a matter of economy.

Public transport will be paid for in advance for Custody Visitors whenever possible. If this is not possible, all reasonable costs will be reimbursed provided a receipt is submitted with the claim.

In relation to claims for public transport costs the following points should be noted:

- Rail tickets should be standard class unless prior agreement has been obtained from the Chief Executive.
- Receipts should be submitted wherever possible to support expenditure claims and allow the Authority to reclaim the appropriate element of VAT, where applicable.

SUBSISTENCE

Reasonable out of pocket costs will be reimbursed provided a receipt is submitted with the claim.

In relation to claims for subsistence the following points should be noted:

- Out of pocket expenses include such items as car parking tickets, telephone calls and stationery.
- Receipts should be submitted wherever possible to support expenditure claims and allow the Authority to reclaim the appropriate element of VAT.

CARERS/DEPENDANTS ALLOWANCE

1.1. An Independent Custody Visitor who needs to engage the services of a carer for a dependant relative or child to enable him or her to attend custody visiting business shall be entitled to claim the actual evidenced cost incurred subject to a maximum of £100.00 per day per carer.

For an allowance to be payable the dependent being cared for must be in one of the following groups:

- Under 16 years of age
 - A person with a mental or physical disability
 - A person with a learning disability who must not be left unsupervised.

1.2. The Chief Executive, in consultation with the Chairman, has authority to vary these arrangements in exceptional circumstances

**DEVON AND CORNWALL POLICE AUTHORITY
Independent Custody Visitor Expenses Claim Form**

Surname:	Initials:	Pay reference:	NI Number:
Address:		<p>CERTIFICATE OF CLAIMANT: I certify that the details of this claim are correct and that expenditure has been incurred by me and that it is a correct statement of the claim's tax liability. The particulars of my journey are as stated. My vehicle is correctly taxed, insured fully comprehensively with the appropriate business use cover and maintained to legislative and manufacturers standards.</p> <p>Signature: Date:</p>	<p>CERTIFICATE OF AUTHORISED SUPERVISOR: To the best of my knowledge and belief the certificate of the claimant is correct and that the journeys were necessarily incurred with due regard for economy.</p> <p>Signature: Force number: Date:</p>

BCU/Dept: POLICE AUTHORITY				Vehicle type:	C	User type:	C	
Claim Period		Claim periods follow the annual financial year calendar, e.g. '0301' = April 2003, '0310' = January 2004.		Vehicle registration:				
Y	Y			P	P	Vehicle cc :		
				Travel group:		01 = 1200cc or higher, 02 = 1000 – 1199 cc, 03 = under 1000 cc		

FOR OFFICE USE ONLY

Type of Claim	Total Miles	Value of Claim		Finance Code			VAT	Net Amount		VAT Amount	
		£	p					£	p	£	p
TOTALS:											
VAT:											
TOTAL TO BE PAID											

Coded by:	Punched by:	For payment in:
Force No.:	Initials:	Month: