

Devon and Cornwall Police Authority 12th February 2010
Open for the purposes of FOI
Report of the Chief Executive

INDEPENDENT CUSTODY VISITING BI-ANNUAL REPORT

RECOMMENDATION:

That the Authority notes the content of the Report.

Introduction / Summary

1. This report summarises the output from independent custody visiting for the period 1st July to the 31st December 2009.

Background information

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 to both detainees and the police and reassurance to the community at large". (Home Office code of practice 2003).

Numbers of detainees seen

3. We have seven designated custody units across Devon and Cornwall - the following designated custody units were all visited during the period:

Barnstaple	Exeter	Newquay
Plymouth	Launceston	
Camborne	Torquay	

Table of results

4. The following tables show the statistics for planned visits to custody and visits actually undertaken, the number of detainees held in custody at the time of the visit, the number of detainees offered a visit and the number of detainees actually seen. Also shown is the percentage of accepted visits by station for the period of 1st July 2009 to the 31st December 2009.

Stations with a ◆ relate to designated custody units and stations with a ■ relate to non-designated custody units.

Station	Target number of visits per 6 months 1 st July – 31 st Dec	Actual number of visits per 6 months 1 st July-31 st Dec	Performance as a percentage of visits undertaken against required number of visits
◆ Barnstaple	24	22	92%
◆ Exeter	24	24	100%
◆ Plymouth	24	23	96%
◆ Newquay	24	22	92%
◆ Camborne	24	23	96%
◆ Torquay	24	24	100%
◆ Launceston	24	21	88%
■ Honiton	1	1	100%
■ Bodmin	1	1	100%
■ Exmouth	1	1	100%
■ Falmouth	1	1	100%
■ Newton Abbot	1	1	100%
■ St Austell	1	1	100%
■ Collumpton	1	1	100%
■ Crownhill	1	1	100%
■ Truro	1	1	100%
Total	177	168	95%

Detainees held in custody for above period		
Total detainees	Total detainees offered a visit	Total detainees seen by an ICV
909	538	392 (73%)

Detainees by stations				
Station	Total detained when ICVs visited	Offered visit	Accepted visit	Percentage accepted compared to offered
Barnstaple	69	53	41	77%
Camborne	85	58	36	62%
Charles Cross	358	143	95	66%
Exeter	116	94	62	66%
Launceston	61	46	38	83%
Newquay	56	40	35	88%
Torquay	164	104	85	82%

5. Non-designated custody units – Currently, there are 11 stations at which cells are used from time to time to detain people for a short period of time. The following non-designated custody units were all visited during the period:

Honiton	Bodmin	Exmouth
Falmouth	St.Austell	Crownhill
Cullompton	Truro	Newton Abbot

Liskeard and Saltash Stations were re-opened as non-designated units during the period but were not visited

because the Authority was not notified of their re-opening. Both stations have now been programmed into the visiting roster for 2010.

Some custody units had detainees in custody at the time of visit. Checks were carried out on the empty custody units to make sure everything was in order should the cells be needed for detainees.

The following non-designated custody units were designated between the following dates;

- Exmouth- 25th July to 27th July
 - 31st July to 2nd August
 - 7th August to 9th August
 - 14th August to 16th August
 - 21st August to 23rd August
 - 28th August to 30th August
 - 14th October to 15th October
 - 5th November to 6th November
 - 18th November to 20th November
 - 31st December to 2nd January

- Crownhill- 21st July to 22nd July
 - 31st December to 2nd January

- St.Austell- 31st December to 2nd January

Additional visits were not programmed into the visiting roster during the period of designation of the above custody units due to insufficient notification.

Main issues arising from visits

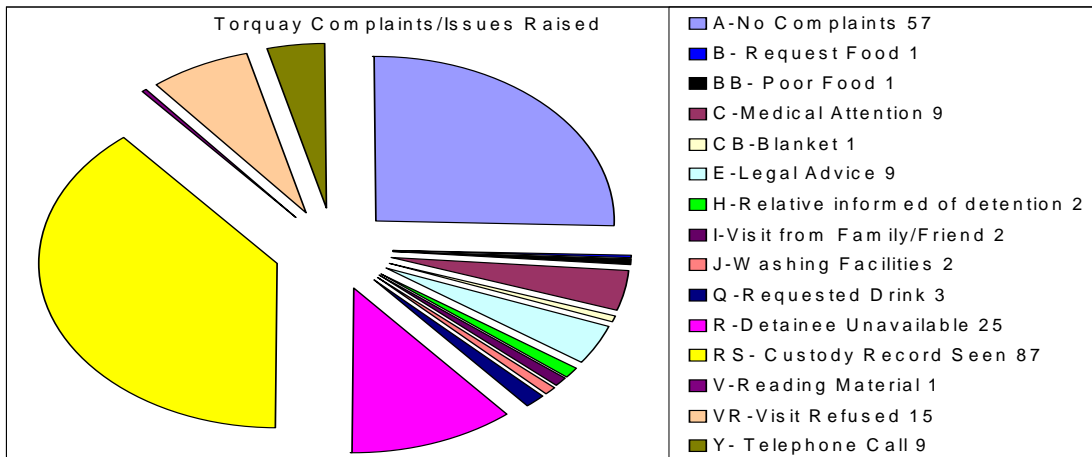
6. A variety of issues were raised during discussions with detainees and were addressed with the relevant police personnel at the time of the visit. These included requests for:-
 - Beverages and hot food
 - Phone calls
 - Showers and washing facilities
 - Medical attention
 - Solicitors
 - Exercise and fresh air
 - Reading material
 - Blankets and warm clothing
 - Toilet paper
 - Requested family to know of detention

Shown below are comments and issues raised for each individual custody center for the period 1st July to the 31st December. Also shown are visual graphs of issues and complaints raised for each custody unit: -

Torquay

It was noted on a number of occasions that-

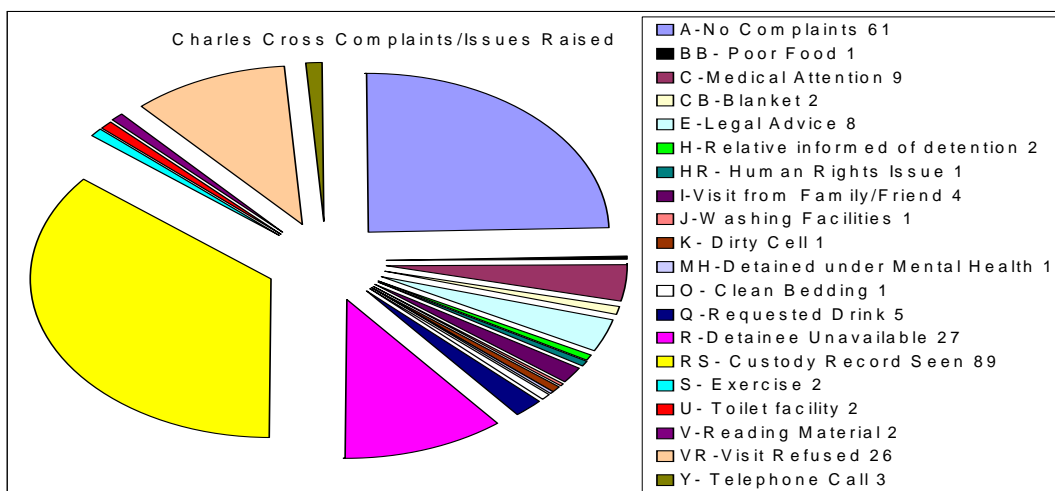
- The custody unit was very clean
- The staff were courteous, helpful, knowledgeable and informative
- One visit had to be aborted due to a shortage of staff
- A cell had been out of action due to the toilet being broken
- It was noted there was long waiting times for Appropriate Adults, Medac staff (medical staff) and interpreters.



Charles Cross

It was noted on a number of occasions that-

- The custody unit was very clean and despite the unit being busy staff were helpful and provided a high level of assistance
- It was mentioned that the cleaner's cupboard was left unlocked
- Toilet tops were not fixed down, certain buzzers in cells were not working and some walls needed repairing.



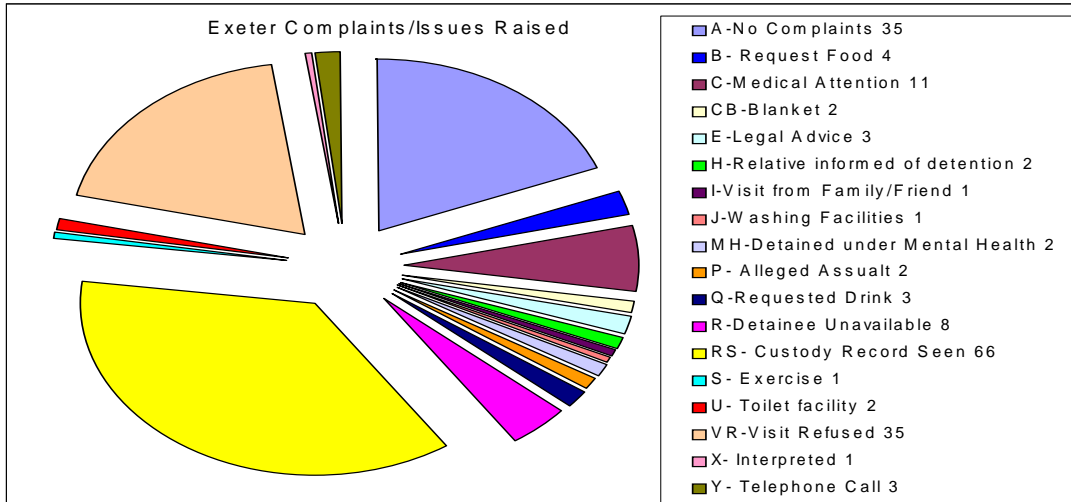
Exeter

It was noted on a number of occasions that-

- There was a high standard of cleanliness in the unit
- The staff were helpful and correct in procedures
- The staff introduced the ICVs to the detainees effectively, explaining the reason for the ICVs wishing to see

the detainee

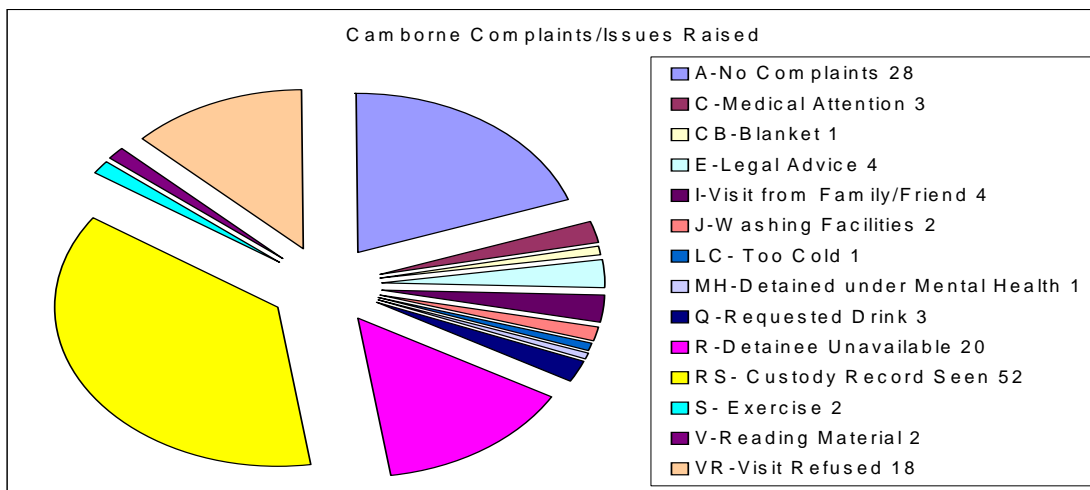
- Two cells were out of order due to on going work to correct the grates on the beds which had potential ligature points in, the work on these has now been completed and they are back in use
- There was graffiti on cell doors



Camborne

It was noted on a number of occasions that-

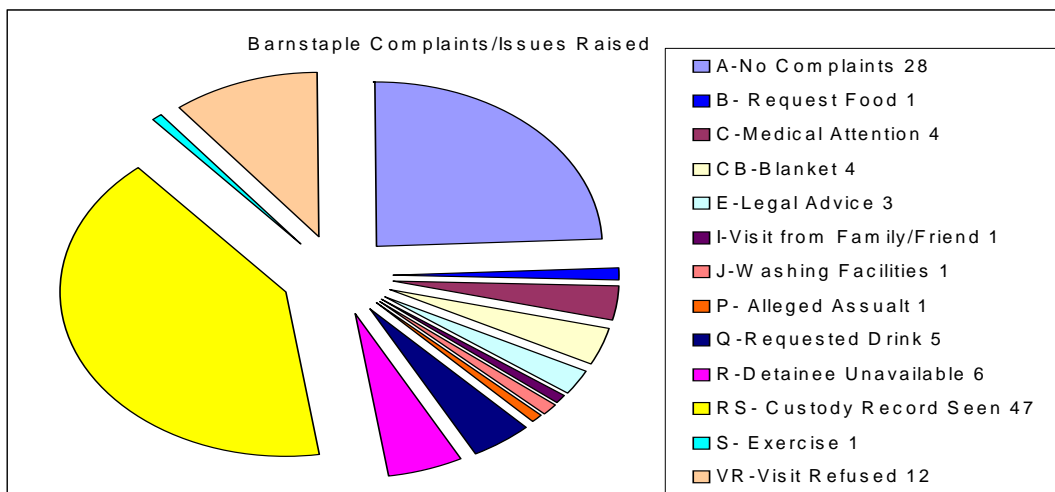
- The custody unit was clean, tidy and well stocked of supplies whilst it was busy
- Detainees spoke highly of the staff and the staff were pleasant and welcoming
- Cells were in pristine condition and the cleaner and nurse were on site during visits
- Some detainees mentioned the cells were cold and requested additional blankets
- The tape line on the floor in the unit was lifting and could have been a potential trip hazard



Barnstaple

It was noted on a number of occasions that-

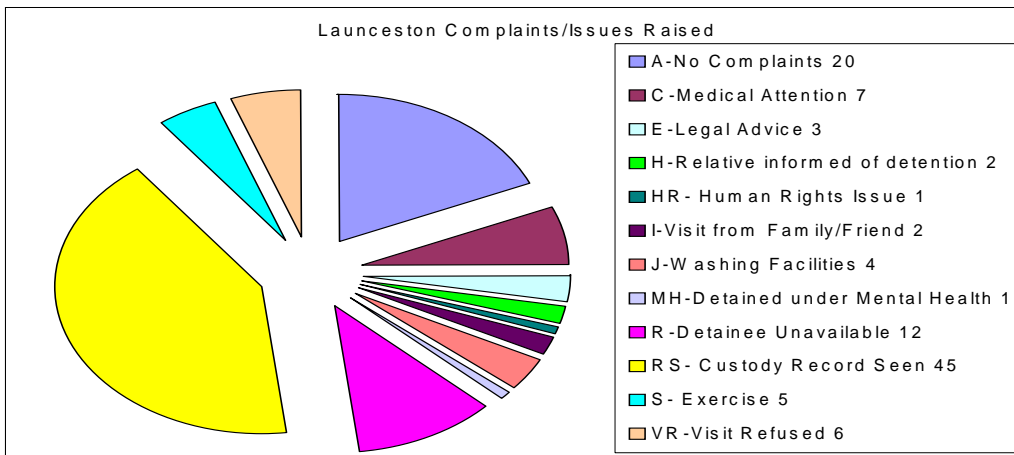
- The custody unit was very clean and graffiti free
- Staff were noted as being efficient and pleasant
- The staff introduced the ICVs to the detainees effectively, explaining the reason for the ICVs wishing to see the detainee
- It was noted there was low staffing at the unit and this led to a delay in accessing the custody unit on a number of visits
- The fact that there was a time limit on when staff could hand out blankets was raised as a concern. It was clarified that this decision was down to the Inspector of that station and temperature would be taken into consideration if a blanket was requested before the agreed time.
- It was raised that some cell walls were cracked and a cell door was damaged.
- A cupboard that should be locked containing cleaning materials was unlocked with the door open and had a computer stored in it alongside the cleaning materials. This was raised with the relevant Officers who assured that the computer was awaiting another appropriate location to be stored in, that the cupboard needed to be unlocked and open due to over heating problems and that no detainee could access anything from the cupboard as they were never left unattended whilst in the custody unit, unless they were in their cells.



Launceston

It was noted on a number of occasions that-

- The custody unit had a high level of cleanliness and stock
- It was recorded that staff were informative, well trained and had a good rapport with detainees, explained procedures fully and well and were praised for carrying ligature knives at all times



Annual Custody Meeting

- The Custody Visiting guidelines recommend a meeting between the Scheme Administrator and the Chief Inspector of Custody once or twice a year to consider any outstanding issues as a result of custody visits. On the 12th January 2010 Becki Brodest (Scheme Administrator), Eleanor Tanner (Office Manager), Roy Sigsworth (Devon Panel Co-ordinator), Julie Downton (Cornwall Panel Co-ordinator), Chief Inspector Ivan Trethewey, Inspector Simon Weare and Acting Inspector Scott Griffiths met to discuss outstanding issues from the last 12 months.

One issued discussed was "self-introduction" to be introduced to the ICV scheme in Devon and Cornwall. Self-introduction is the process whereby Independent Custody Visitors introduce themselves to the detainee rather than the escorting officer. The reasons for wanting to introduce this process is to increase acceptance rates of detainees agreeing to see ICVs, to increase the independence of the ICV scheme and to minimize the need for custody staff training on ICV procedures. It is backed by the Independent Custody Visiting Association and the Home Office.

As one of only a few Police Authorities in the UK who do not use self introduction it is hoped its introduction here will result in an increase in acceptance rates similar to other Authorities. It was agreed that a 6-month pilot of self-introduction would be undertaken across all the designated stations in Devon and Cornwall. Training and guidance would be issued to custody staff and ICVs to ensure all were trained on the new process. After the initial 6-month period feedback from all sides would be considered before any final decision were made, the pilot will commence in the Spring.

Another issue of concern was waiting times for Appropriate Adults and the availability of appropriate adults for vulnerable adults in custody in Cornwall. Contact had been made with the manager of the Appropriate Adult scheme in Devon and it was agreed to try and recruit ICVs to the Appropriate Adult Scheme to help boost the numbers of AA's and to reduce waiting times. Further work is ongoing to try and resolve the problem in Cornwall.

Change to legislation

8. Amendments to the Police Reform Act Section 51 are expected as a consequence of a new piece of legislation, the Coroners and Justice Act 2009. The legislation, which has received Royal Assent and is being enacted gradually through commencement orders, will eventually introduce additional aspects to the process of ICVs visiting suspected terrorist detainees.

At the moment the section affecting Independent Custody Visiting has yet to be enacted. When it is enacted there will need to be changes to the ICV scheme, which will result in a higher level of vetting, accreditation and training for those ICVs who are nominated to carry out this specific role. There may also be a need for the Police Authority to give authority for nominated ICVs to have access to interview material if it was considered necessary.

Mental Health Detainees

9. In April 2009 five Alternative Places of Safety (APOS), soon to be Places of Safety (POS) were opened. They are located in Exeter, Barnstaple, Plymouth, Torquay and at Longreach in Cornwall. As a result of this, there have been no reports of concern from ICVs relating to the detention of people with a Mental Health Disorder in police cells as a place of safety.

Medical Staff

10. Following the previous bi-annual report, which stated waiting times for medical staff to attend custody was too long we have seen a dramatic drop in this issue being raised. In the previous report it stated that Medac who holds the Constabulary's medical contract was in the process of a recruitment drive and would be in contact with the Constabulary to improve its service. This seems to have taken effect and the issue of inappropriate waiting times was only raised twice in the past 6 months at Torquay.

Facebook

11. During the reporting period a fan page has been created on the social networking site Facebook. This gives anyone who becomes a fan of the page a chance to see any content and statistics posted on there and to interact, ask questions and to gain a broader understanding of the ICV scheme. The fan page is doing well and it is expected the page will grow even more with the launch of the Devon and Cornwall Police Authority fan page on Facebook.

Personal Development Reviews

12. During July and August of this year 33 ICVs had Personal Development. All were completed with no complications and all 33 of the ICVs were offered a further three-year tenure with the ICV scheme.

In November a further round of Personal Development Reviews for ICVs who had just completed their initial 6 months with the scheme was undertaken. All feedback received was positive and all were very happy to receive their three year tenures with the scheme.

Police Dog Welfare Training

13. In August of 2009 Police Dog Welfare Training was held at Middlemoor headquarters and was attended by 26 ICVs. Tony Jordan head of the dog-training unit, Sgt. Allan Knight and his German shepherd Koda and Mick Chidgey from the Dogs Trust, attended. The day was enjoyed by all, it was informative and Koda wowed everyone with his level of discipline and skill. Mick Chidgey from the Dogs Trust made the comment below, in a letter received after the training.

"A worthwhile day, which you organised very well, thanks for asking me to come along and speak. You have certainly got your act together very well at Devon and Cornwall. Excellent turnout."

Retirements

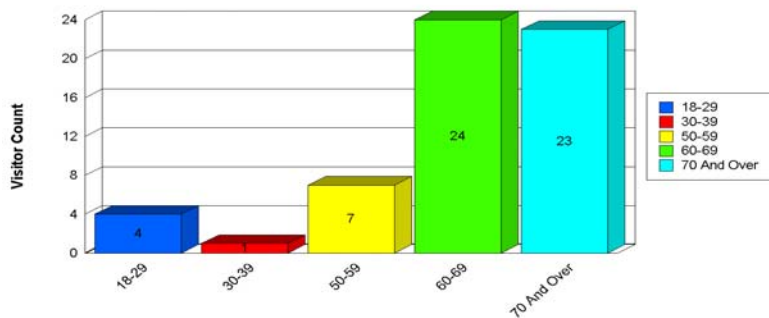
14. The table below shows the statistics for ICV retirements between 1st July to the 31st December 2009.

Reason	Number of ICVs
Other commitments	2
Unhappy with vetting procedures	1

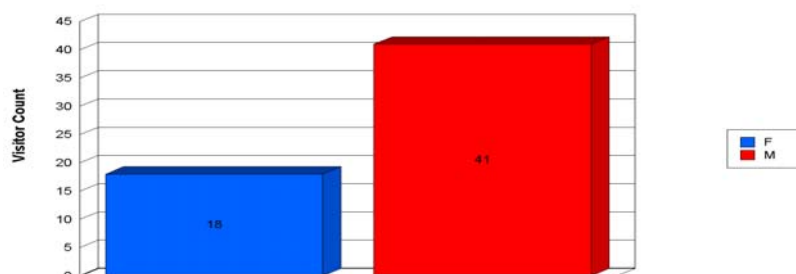
Independent Custody Visitor Representation

15. Below are graphs showing the ethnicity, age and gender of all the Independent Custody Visitors.

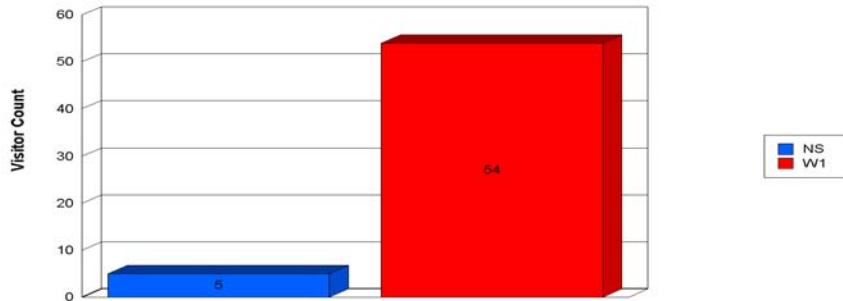
Age



Gender



Ethnicity



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