



POLICE & CRIME  
**COMMISSIONER**

Serving Hampshire  
Isle of Wight  
Portsmouth  
Southampton

# Independent Custody Visiting Scheme

Annual Report 2016-2017

Produced by the scheme administrator

*"Making a small difference, can make all the difference in the world"*

Mila, Independent Custody Visitor

*"You feel you are making a difference to people who are in a vulnerable situation"*

Carol, Independent Custody Visitor



The work of independent custody visitors offers protections to detainees and transparency of detention processes. Custody visitors are the eyes and ears of the public providing reassurance that all is as it should be. The work of custody visitors contributes to my Police & Crime Plan by providing accessibility, visibility and accountability of Hampshire Constabulary. Their contribution to the scheme helps me to fulfil my statutory duty to hold the Chief Constable to account.

I value this important service and the contribution that custody visitors make in helping to keep the people in our community safer.”

A handwritten signature in black ink, which appears to read 'Mark King'. The signature is stylized with a long, sweeping underline.

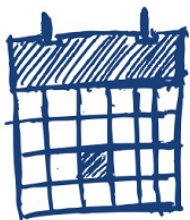
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## Executive Summary

- Detainee numbers are decreasing (31% over the last three years)
- The custody demographic is almost exactly representative of the general population of Hampshire and Isle of Wight
- 1 in 5 of the overall custody population were particularly vulnerable and required an appropriate adult
- Detainees brought into custody under the Mental Health Act Section 136 increased on the previous year
- The majority of issues that visitors raised were in relation to facilities issues such as heating and ligature points around the estate
- Custody visitors reported that Police staff were responsive to their concerns and took action to resolve any matters promptly

In 2016/17



**254 visits**  
(average 4.9 per week)



**40 volunteers**

“Making a small difference,  
can make all the difference  
in the world”  
Volunteer, Mila

**892 interviews**



“You feel you are making  
a difference to people  
who are in a vulnerable  
situation”  
Volunteer, Carol

## Introduction

1. This report presents a review of the scheme for the period 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2017. Historically reports have been submitted on a 6 monthly basis, the last one being for the period July to December 2015. In line with other schemes across the country, and so that the data can be used more effectively to inform the Commissioner's annual report, the scheme will now report on an annual basis. This will add value to the report as findings can be compared more easily with historical data. This report therefore covers the period stated above.



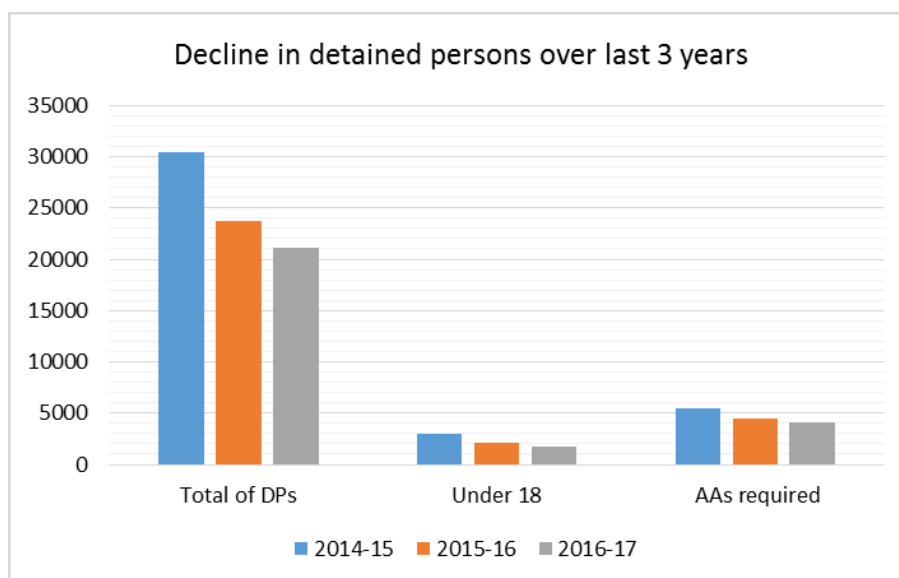
2. Many people arrive in custody without understanding their rights and entitlements. For some it will be their first experience which can be frightening and stressful. Visitors ensure that detainees understand why they are there, that they have access to free legal advice, that they can let someone know where they are and that they can see the code of practice as to how they will be dealt with whilst in custody. Visitors can also check around the cells, and some areas of the custody block, for health and safety purposes. Visitors complete a report during each visit to record what they find in custody.
3. Fortunately most people, aside from Police staff and other people who work there, will never experience the custody environment. Out of a population of approximately 1.7 million<sup>1</sup> in Hampshire and Isle of Wight, 21,081 people were taken into custody during the period. This represents only 1% of the general population.

## Visits Data

4. Detainee numbers have declined by 31%<sup>2</sup> over the last three years, including adults and under 18s (see figure 1). The number of children and young people (10-17) fell by 41%. The number of detainees requiring an Appropriate Adult fell by 24% over the 3 year period.
5. Some of the decline can be attributed to the Constabulary's approach to divert people away from custody suite and deal with them through other means such as conditional cautions, on the spot fines, restorative justice and increased Police officer discretion. During the period 5,662 people were dealt with via out of court disposals.

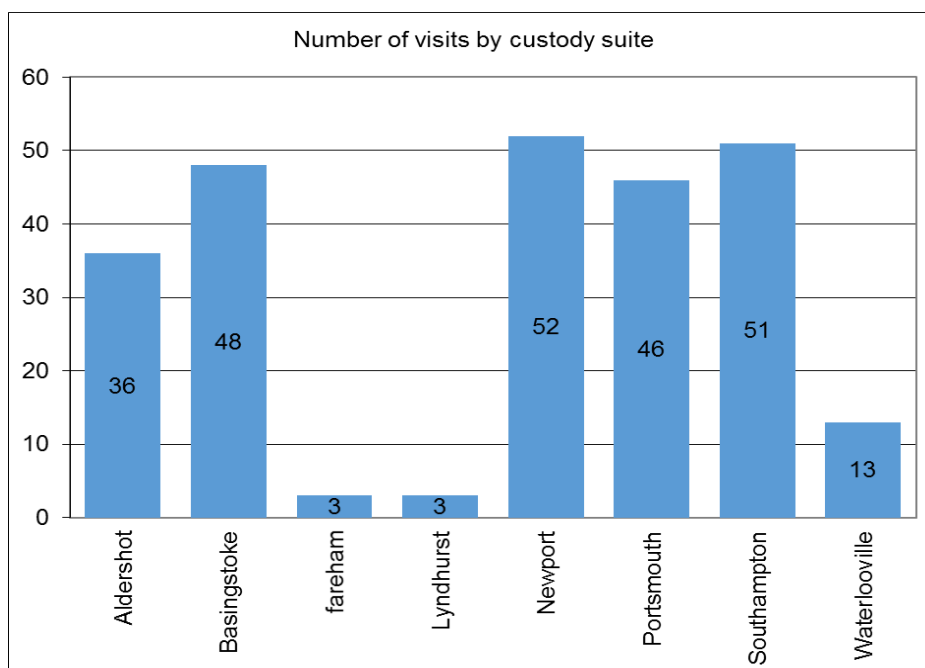
<sup>1</sup> Figure taken from 2011 Census

<sup>2</sup> Figure taken from Business Objects



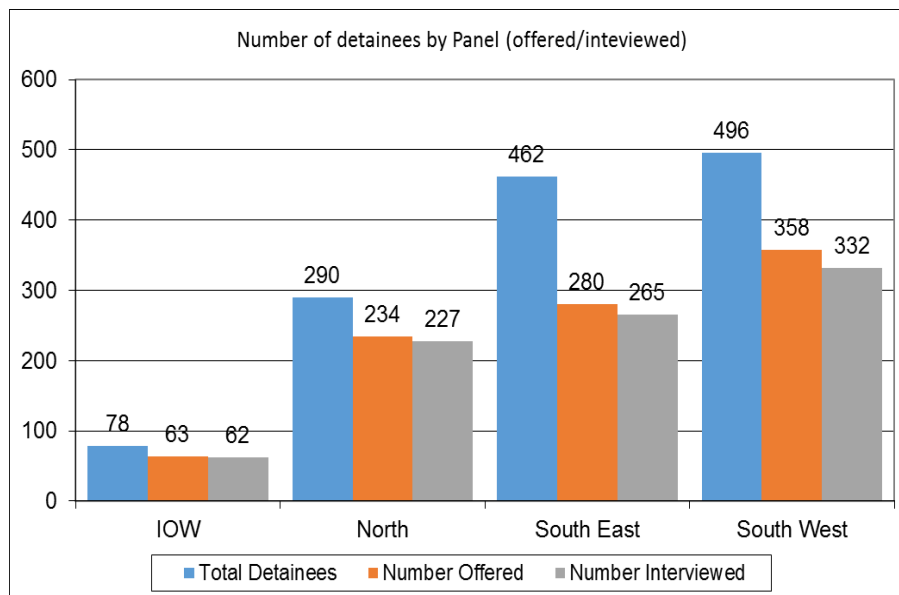
**Figure 1: Decline in detained persons over last 3 years**

6. The number of visits carried out during this period was 254, compared to 283 (2015-16 and 339 (2014-15). The number of visits during 2016-17 equates to 4.9 visits per week across the county. The average duration of visits was 53 minutes. The fully operational custody suites were Aldershot, Basingstoke, Newport, Portsmouth and Southampton and Waterlooville. Waterlooville was visited regularly until the custody suite closed in August 2016. Figure 2 shows the breakdown of visits by custody suite.



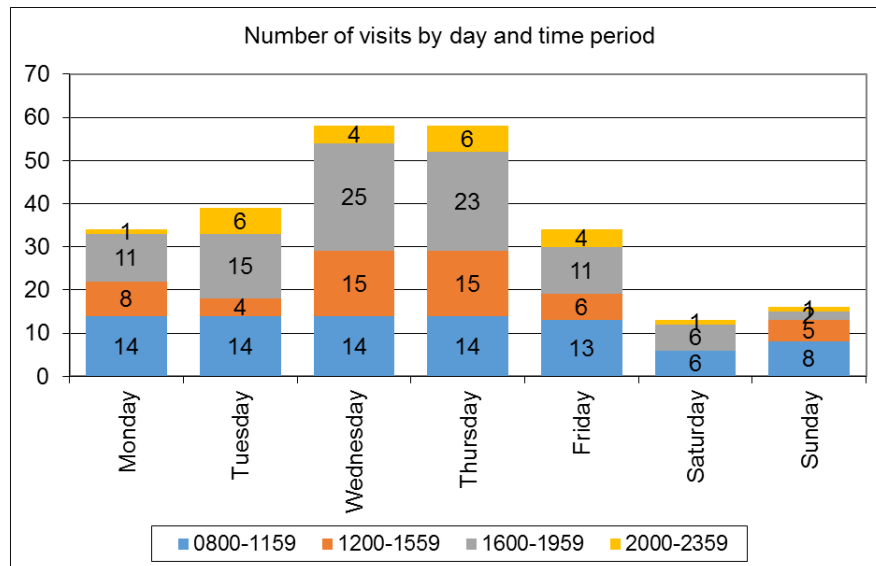
**Figure 2: Number of visits by custody suite**

7. Stations and therefore visitors are grouped into four areas. Figure 3 below shows the breakdown of detainees interviewed by area.



**Figure 3: Number of detainees by area (offered/interviewed)**

8. Visits should take place unannounced at any time of the day or night, seven days a week and should not develop a regular pattern. Figure 7 shows the days and times that visits took place during the period. Wednesdays and Thursdays were the most popular days that volunteers chose to carry out visits and the most popular time period was 0800-1159.



**Figure 4: Number of visits by day and time period**

9. No visits took place during the hours of midnight-0759. Figure 4 shows that only 4 visits were carried out on Friday night and 1 on a Saturday night. There have been discussions with visitors and the Constabulary about the effectiveness of visits during these times as many of the people held will be under the influence of alcohol or drugs. However, it could be argued that those under the influence of alcohol or drugs may be more vulnerable and therefore observing how the Constabulary are dealing with high volumes of vulnerable detainees could be beneficial. If detainees are unable to be interviewed,

visitors are able to observe other processes (with the consent of the detainee) as well as spend more time checking custody logs.

## Interviews

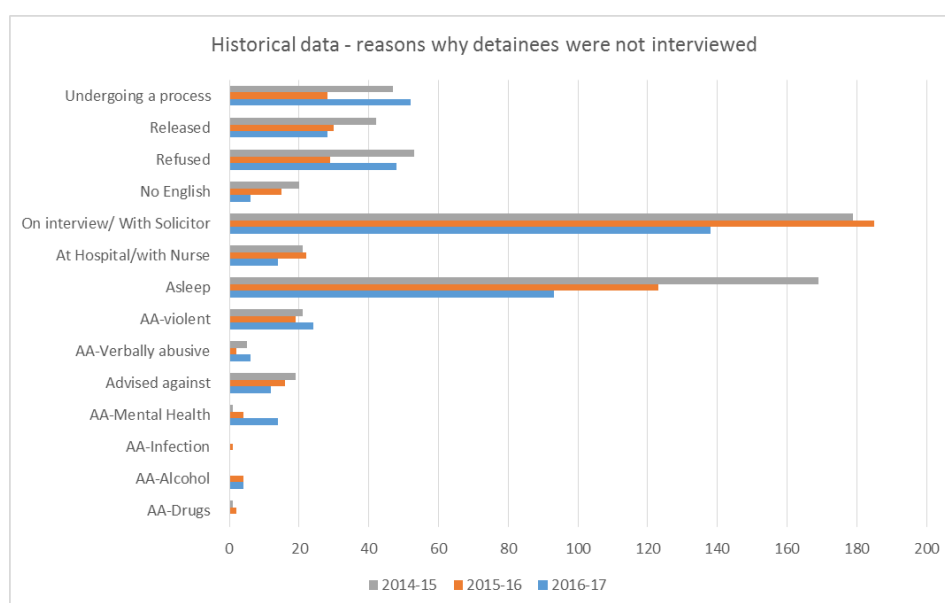
70.4%

of detained people available were offered an interview



■ In Custody at time of visits  
■ Offered an interview

10. The number of people being detained at the time of our visits was 1,326. Of these, 935 were offered an interview and 886 accepted. The uptake rate (those who accepted an interview) was 95% which dropped slightly on the previous year (96.5%). The number of people interviewed represents 4.2% of the overall custody population (21,081).
11. There are a range of reasons why people are not interviewed. They may decline because they want to be left alone or they may be in a meeting with their solicitor or support worker. Figure 5 below shows the breakdown of reasons why detainees were not interviewed. The data from this reporting period shows that 'on interview/with a solicitor' remains the top reason, followed by 'asleep'.



**Figure 5: Reasons why detainees were not interviewed**

12. Included in the 21,081 people detained during the period, 1,768 were under 18. At the time of our visits, 102 of these were being held in custody. Visitors were able to offer an



interview to 78 children and young people, with 75 accepting which represents an uptake rate of 96%, a slight drop on the previous year (97%). Detainees who refuse to be interviewed is an interesting area. Visitors should not proceed with an interview if the detainee has declined as arguably this could be viewed a breach of human rights. A visitor commented on a report “under blanket but shouted at us, no!” Visitors do not ask the detainee why they do not wish to be interviewed.

13. The number of under 18s interviewed represents 4.2% of the overall under 18 population (1,768). Of the total number of detainees in custody during the period (21,081), 4,150 required an appropriate adult, which equates to 20% of the overall custody population.

## **Custody Record**

14. The custody record is a detailed electronic log of everything that happens to a detainee during their detention. During an interview with a detained person, if visitors identify a concern, they are able to check the custody record but must gain the detainees consent to do so. However, visitors with concerns about a detainee whom they cannot interview can check the custody log without consent but must note the reason for doing this in their report. This is usually done if visitors believe a detainee to be particularly vulnerable i.e. a very young person or a detainee with mental health issues. Therefore in addition to those interviewed face to face, visitors checked the custody logs of 75 detainees whom they were not able to talk to, which included children and young people, vulnerable adults and those who could not speak English.

## **Detainee Demographics<sup>3</sup>**

### **Ethnicity**

15. The 2011 Census indicated that 89% of people in Hampshire and Isle of Wight describe themselves as White British. Figure 6 below shows that the custody population is almost exactly representative of the general population. However when looking at districts, urban areas such as Basingstoke, Portsmouth and Southampton have more diversity.

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<sup>3</sup> Figures relate to the total number of people detained in custody

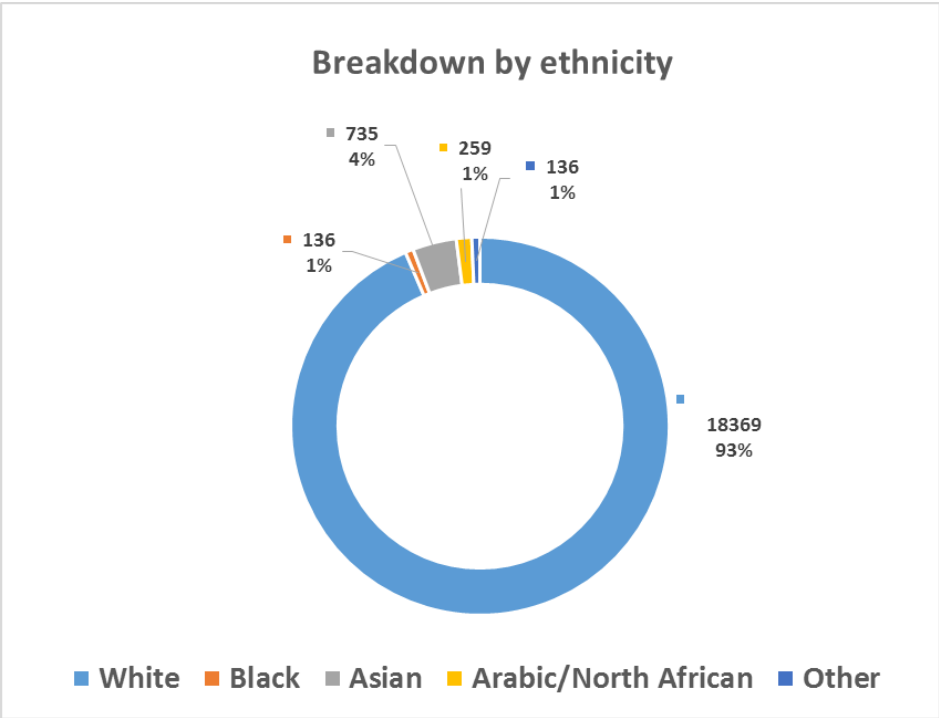


Figure 6: Breakdown by ethnicity

**Gender**

16. Most detainees were male, with female detainees representing only 15% of the total population. The general population is evenly split between men and woman therefore there is a disproportionately low number of women going through custody.

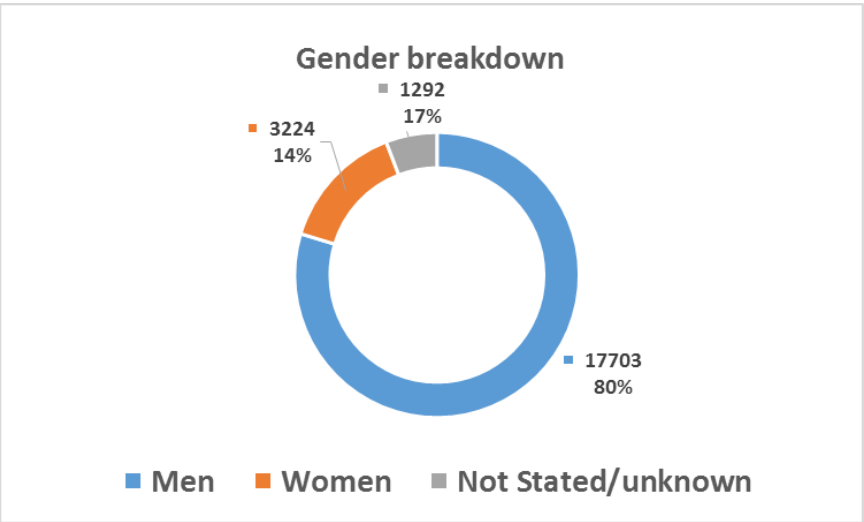


Figure 7: Breakdown by gender

**Age**

17. Most detainees fell into the 26+ age bracket, representing 64% of the total population.

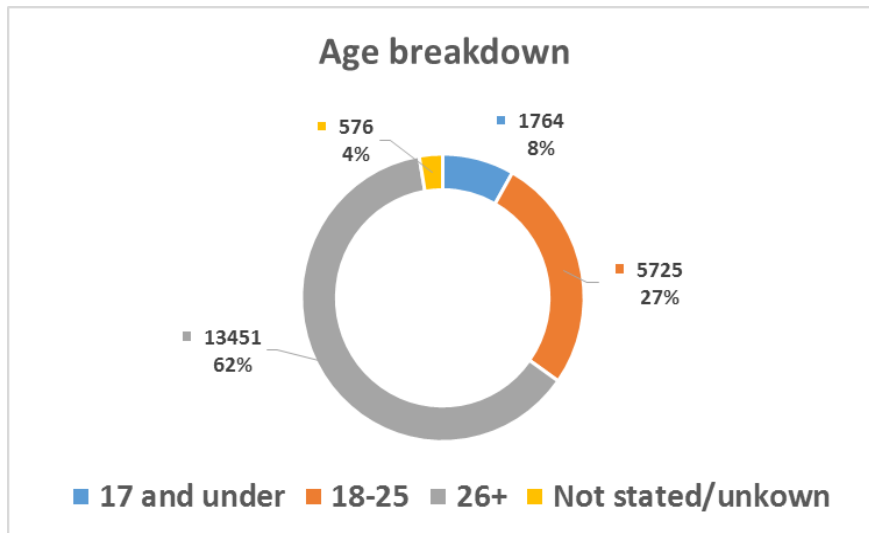


Figure 8: Breakdown by age

## Mental Health

18. Section 136 (S136) of the Mental Health Act 1983 gives the Police the power to remove a person from a public place, when they appear to be suffering from a mental disorder. If the person cannot be taken directly to a mental health care facility, they may be detained in Police custody awaiting a mental health assessment.

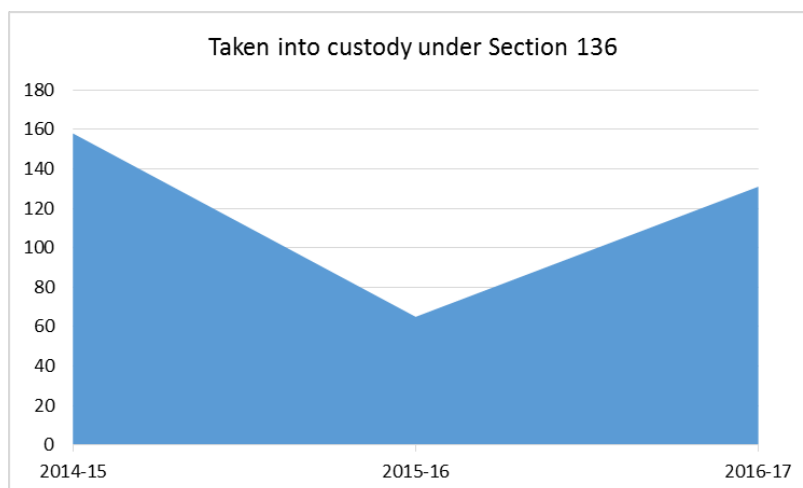


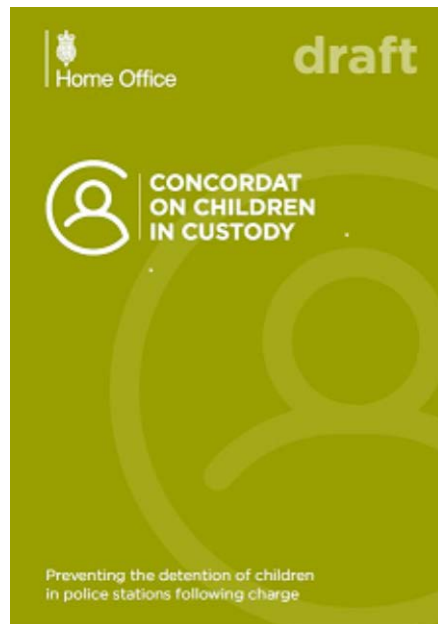
Figure 9: Taken in custody under Section 136<sup>4</sup>

Since November 2016, we have seen a notable decrease in admissions to custody under Section 136 suggesting that this is not indicative of an increase in trend.

<sup>4</sup> Figure 9 shows those detained under S136 and does not include those who were identified with serious mental health issues during their detention.

19. Custody visitors ask detainees about their mental and physical health and whether they need medication. Sometimes detainees do not disclose this to custody staff on booking in, therefore visitors can highlight any concerns to staff.

## Children and Young People



In 2016 the Home Office and the Department of Education produced a draft concordat to prevent the detention of children in police stations following charge.

The document was sent to all police chiefs, directors of children's services, police and crime commissioners and elected leaders of children's services. Although it was never formally published, it has influenced and guided practice.

Custody staff must find suitable ways of housing children who need somewhere safe to sleep for the night once they have been charged.

20. When custody visitors arrive at the suite, they speak to a member of staff to ascertain whether there are any particularly vulnerable people being held and includes children and young people. Item 8.5 of the HMIP/HMIC October 2016 inspection report stated that Hampshire Constabulary "should continue to engage actively with its local authority partners to find more effective ways of providing alternative accommodation for children charged and refused bail to avoid them remaining in custody overnight" (2017/42). Custody visitors can check how long children have been detained, whether they have an appropriate adult and what the circumstances were that led to a child or young person being held overnight.

## Scheme and Panel Meetings

21. The scheme administrator, the lead visitor from each area panel and the Constabulary met four times to discuss visits and any issues or concerns arising from them. Minutes from the meetings are circulated to attendees and the Chief Inspector with responsibility for custody. After each scheme meeting, a further meeting with each area panel was held to look at visit statistics and actions, and to share important information with all volunteers.
22. Visitors find the meetings very useful both for resolving outstanding issues and training purposes. Having direct access to senior custody staff allows them to formally discuss their concerns with the Constabulary.

## HMIP/HMIC Inspection October 2016

23. The scheme administrator met with the inspection team leader to discuss how the scheme was operating and the issues that visitors came across. The report states Hampshire Constabulary has “a healthy relationship with its independent custody visitors scheme, which provided effective scrutiny, and the force welcomed and was receptive to feedback” (2017/09). Visitors reported that they had good, professional relationships with custody staff, and that despite the pressures on them, staff were helpful and courteous.

## Volunteers

24. Volunteers are drawn from the communities of Hampshire and Isle of Wight and generally visit the stations that are closest to where they live.

25. During the period, nine people left the scheme, one of them commenting “I have enjoyed the company of my fellow visitors and found my years have been extremely interesting.” Barbara Bailey retired after 30 years of service and in July there was a cream tea to celebrate her achievements. Andrew Galfskiy was given a long service award at the Annual Seminar in June. Mrs Bailey and Mr Galfskiy both began visiting when the scheme began in 1986.

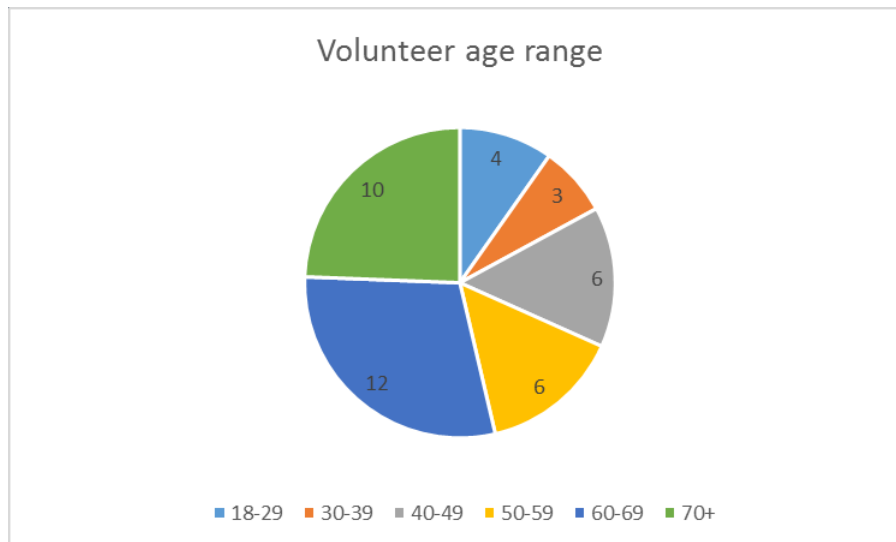


July 2016 Barbara Bailey (IoW panel) and other members celebrate her retirement after 30 years of service with a cream tea



June 2016 Andrew Galfskiy (North panel) receives recognition of his 30 years' service at the ICV Annual Seminar

26. At 31st March 2016 there were 41 volunteers. Figure 10 below shows the age range of volunteers.



**Figure 10: Volunteer age range**

27. Volunteers were evenly split with 21 male and 20 female and 5% (2 out of 41) described themselves as from a BME background. This indicates an under representation of BME volunteers in comparison to the general population.
28. In April the scheme began a recruitment campaign to find new members for the Isle of Wight team. In order to promote the scheme and attract applications, journalists from Isle of Wight Radio and The County Press newspaper were allowed into custody to look around and speak to visitors about the role. Richard Gully and Nicola Price who spoke to the journalists are pictured below.



29. This was very successful and produced more applicants than were needed. After interviewing, vetting and induction training five applicants were appointed to visit Newport.

## Training

### Volunteers

30. Visitors require a sound knowledge of custody processes and skill is required to engage effectively with both detainees and custody staff. Visitors are given opportunities to update their knowledge and skills by attending meetings and trainings. The annual seminar took place in June which included presentations from The Appropriate Adult Service and Hampshire Liaison and Diversion Scheme. The Constabulary delivered a learning session on Code C of the Police and Criminal Evidence Act (PACE). This is the code of practice that covers how the Police manage and treat detainees in custody. Another PACE session was held in October.



Training session at annual seminar

### **Custody staff**

31. The ICV scheme has input into the training for new custody staff so that they have an understanding of the scheme and what to expect when visitors arrive. The scheme administrator and an experienced visitor deliver an hour long presentation about the history and context of the scheme as well as what happens during a visit. Three sessions were delivered, two to detention officers and one to custody sergeants. Evaluation from the sessions indicated that attendees found it useful and scored the sessions as 'excellent' or 'good'.

### **Finance**

32. The scheme has an allocated budget which is used in the main for visitor travel expenses and training.

### **Media**





33. The scheme launched its own Twitter account which is managed by the scheme administrator.

## Notable Events

34. In April Katie Kempen, Chief Executive from the Independent Custody Visiting Association (ICVA), spent a Saturday night shadowing the custody team at Portsmouth Central. She reported that custody staff were very helpful and that she had learned a great deal from the experience.
35. A consultation with volunteers to review the Scheme Guidelines began in June 2015 and a revised 'Handbook' was issued to members in September 2016.
36. In June the scheme administrator provided feedback during the HMIC Efficiency Inspection and could confirm that visitors had good working relationships with custody staff and that the Constabulary were responsive to the concerns that they raised. In general visitors reported that custody staff were helpful during their visits, were responsive to detainee needs and treated them with dignity and respect.
37. In October the scheme administrator attended the Independent Custody Visiting Association's (ICVA) National Conference. The conference brings together the administrators from all the Police & Crime Commissioner's offices across the UK to look at the national picture and relevant and upcoming issues. There was a presentation by The National Appropriate Adult Service and the Children's Commissioner, Tim Bateman, talked about the Draft Concordat on Children in Custody. The number of voluntary interviews has risen as the number of people going into custody declines. The issue, ICVA believe, is that although these interviews are termed as voluntary, if the person tried to leave, they would be arrested. This in reality constitutes detention, and therefore should have independent oversight. ICVA are raising their concerns with the relevant bodies.

## The Future



38. Visitors in the North of the county, as well as the Constabulary, will make the transition to the new Police Investigation Centre in Basingstoke.
39. At the conclusion of the visit a written report is emailed to the scheme administrator who inputs the data onto a spreadsheet. Other schemes around the UK have moved over to electronic reporting. This requires the visitors to input their findings onto a computer prior to leaving the custody suite, and a bespoke software package collates the data and produces reports. This should be a more efficient way of managing data and information, and the scheme administrator will be researching how other schemes have made the transition and whether the package is making reporting and monitoring easier.
40. Visitors will continue to provide the Police and Crime Commissioner with reassurance that detainees are treated as they should be whilst in custody. Visitors will continue to support the Constabulary in monitoring some of the recommendations arising from the 2016 unannounced inspection.
41. Work will continue to raise awareness about the benefits of the scheme and the essential work that volunteers carry out. This will involve increased use of social media as well as getting out into local community groups to deliver presentations about the scheme.