

# INDEPENDENT CUSTODY VISITING SCHEME

ANNUAL REPORT 2017-18



Produced by the scheme administrator

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# FOREWORD

Hampshire's Independent Custody Volunteers provide a service to detainees and ensure transparency of the custody process. These people are the eyes and ears of society and offer reassurance that detainees are treated with respect and have their dignity preserved.

Their invaluable contribution to my Police and Crime Plan assists me in fulfilling my statutory duty of holding the Chief Constable to account by providing transparency of process, visibility and accountability.



A handwritten signature in black ink, appearing to read 'Michael Lane'.

Michael Lane

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# EXECUTIVE SUMMARY

- Detainee numbers have increased for the first time in the past three years, by 16% compared to the previous Financial Year (FY).
- The custody demographic is representative of the general population of Hampshire and Isle of Wight
- Around 1 in 5 of the overall custody population were particularly vulnerable and required an appropriate adult
- Increased footfall per Police Investigation Centre have created an increase in average duration of visits.

# INTRODUCTION

1. This report presents a review of the scheme for the period 1st April 2017 to 31st March 2018.

## Things Independent Custody Visitors do

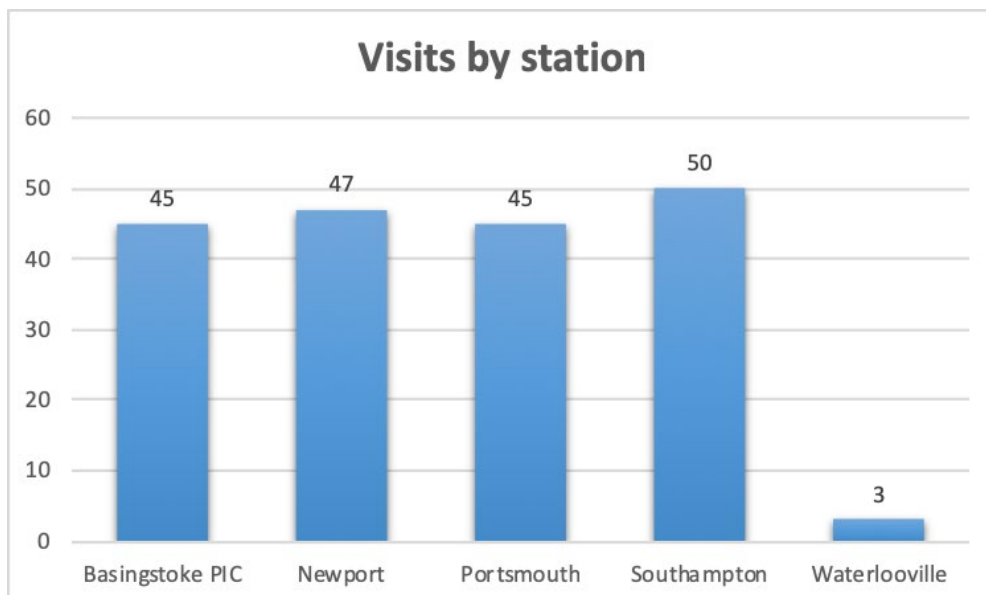


2. Many people arrive in custody without understanding their rights and entitlements. For some it will be their first experience which can be frightening and stressful. Visitors ensure that detainees understand why they are there, that they have access to free legal advice, that they can let someone 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. Out of a population of approximately 1.9 million<sup>1</sup> in Hampshire and Isle of Wight, 24,519 people were taken into custody during the period. This represents 1.3% of the general population.

<sup>1</sup>Office of National Statistics mid-year estimates 2017

## VISITS DATA

4. Detainee numbers increased by 16.3%<sup>2</sup>, the first increase in the past three years. The number of children and young people (10-17) increased by 11.5%. The number of detainees requiring an Appropriate Adult fell by one percentage point compared to the previous financial year.
5. The number of visits carried out during this period was 190, compared 254 in 2016-17 and 283 in FY 2015-16<sup>3</sup>. The Basingstoke Police Investigation Centre (PIC) opened in 2017 which reduced the number of custody suites to visit. The number of visits during 2017-18 equates to 3.7 visits per week. The average duration of visits was 1hr 8 minutes. This is a higher average duration than the last FY, however reflective of the number of detainees interviewed. Fully operational custody suites were Basingstoke, Newport, Portsmouth and Southampton. Figure 2 shows the breakdown of visits by panel.

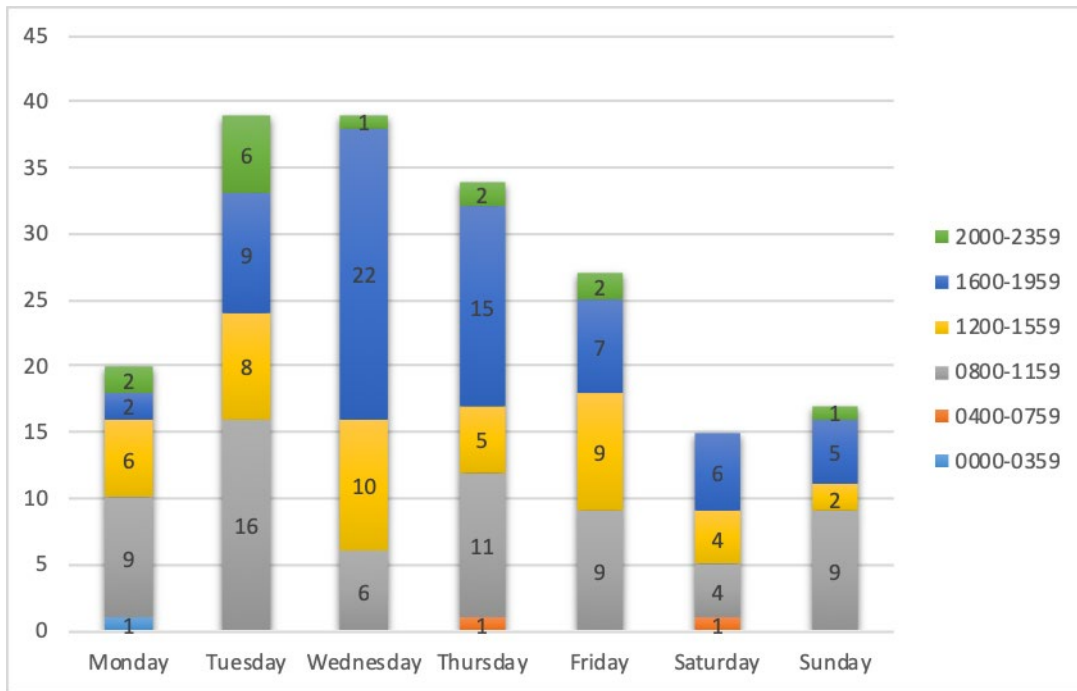


**Figure 1: Number of visits by custody suite**

6. Stations and therefore visits are grouped into four areas.
7. 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 4 shows the days and times that visits took place during the period. Tuesdays, Wednesdays and Thursdays were the most popular days that volunteers chose to carry out visits and the most popular time period was 08:00-11:59 or 16:00-19:59.

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

<sup>3</sup>In 2015/16 there were seven fully functional custody suites. This reduced to five in 2016/17, reducing the number of visits required. Please note this does not reduce the number of interviews required. In 2017/18, Aldershot station was technically operational however detainees were being redirected to Basingstoke Police Investigation Centre, detention officers and independent custody visitors were familiarising with Basingstoke whilst Aldershot was phased out. There are now four fully operational suites with a support facility at Waterlooville. This is used when Portsmouth central is undergoing maintenance work or is at full capacity. This is rare and usually for a short time period.

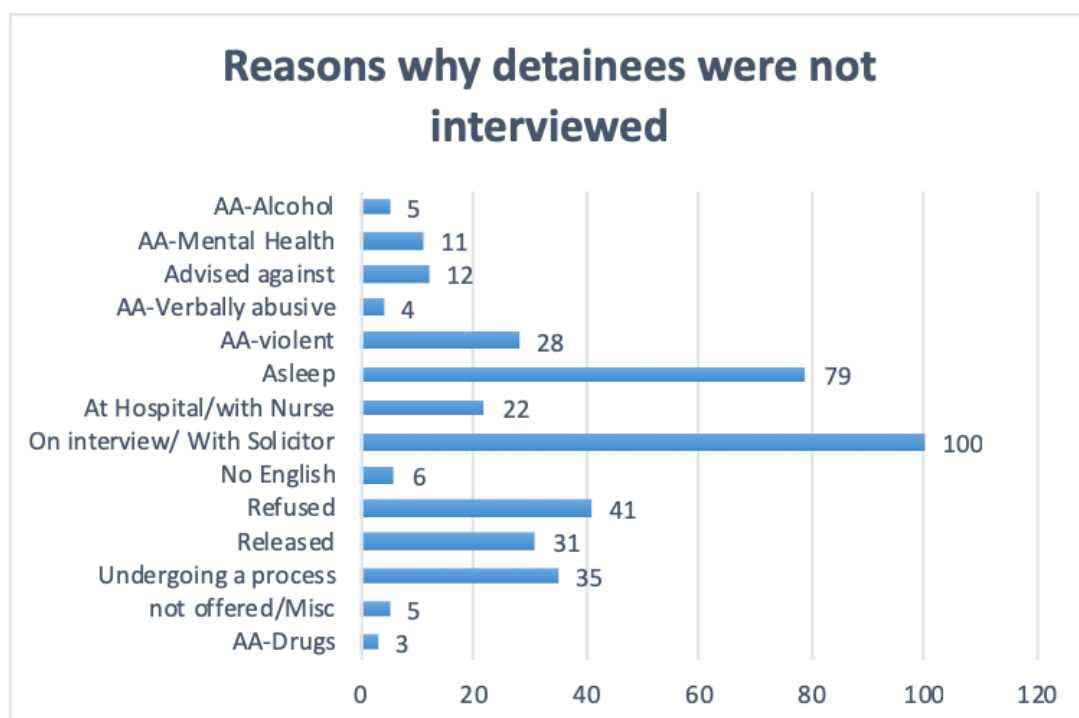


**Figure 3: Number of visits by day and time period**

- One visit took place during the hours of midnight to 03:59. Figure 3 also shows that there has been an increase in Friday and Saturday night visits which were highlighted in the report for FY 2016/17 for having only one Friday and four Saturday visits. This is of importance as 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

- The number of people being detained at the time of our visits was 1,716, an increase on the 1,326 from FY 2016/17. Of these, 1,156 were offered an interview (compared to 935 in FY 2017/18) and 1,086 accepted. The uptake rate (those who accepted an interview) was 93.8% which has dropped slightly each consecutive year (95% in FY 2016/17 and 96.5% in FY 2015/16). The number of people interviewed represents 4.43% of the overall custody population (24,519).
- 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 4 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 4: Reasons why detainees were not interviewed**

11. Included in the 24,519 people detained during the period, 1,971 were under 18. At the time of our visits, 106 of these were being held in custody. Visitors were able to offer an interview to 71 children and young people, with 68 accepting which represents an uptake rate of 96%, equivalent to the previous year and a slight drop in uptake compared to FY 2015/16 (97%). Visitors should not proceed with an interview if the detainee has declined as arguably this could be viewed a breach of human rights. Visitors do not ask the detainee why they do not wish to be interviewed.
12. The number of under 18s interviewed represents 3.5% of the overall under 18 population (1,971). Of the total number of detainees in custody during the period (24,519), 4,710 required an appropriate adult, which equates to 19% of the overall custody population. This is a reduction of one percentage point in comparison with the previous year.

## CUSTODY RECORD

13. 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 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>4</sup>

## ETHNICITY

14. 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 representative of the general population with 88% of detainees described as White British. However when looking at districts, urban areas such as Basingstoke, Portsmouth and Southampton have more diversity.

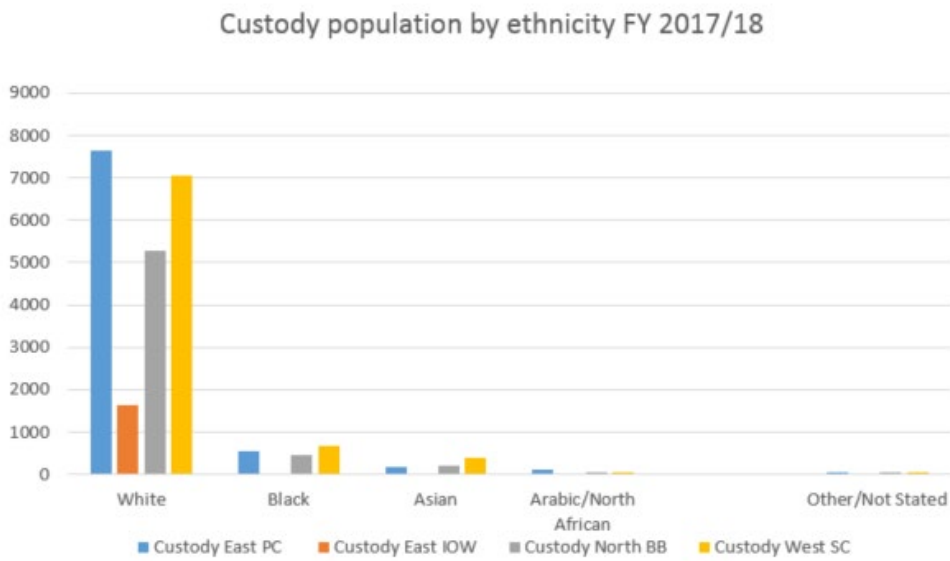


Figure 5: Breakdown by ethnicity

## GENDER

15. Most detainees were male, with 3,745 female detainees representing only 15% of the total population. This is consistent with 2016/17. The general population is evenly split between men and woman therefore there is a disproportionately low number of women going through custody.

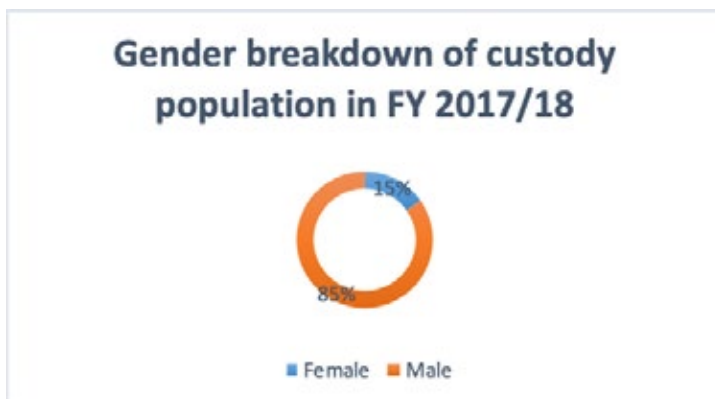


Figure 6: Gender breakdown of custody population

<sup>4</sup>Figures relate to the total number of people detained in custody



## AGE

16. There is a volume peaks in age between 18-32 years old. Whilst not exact, there is a generally negative correlation between age and the number of detainees.

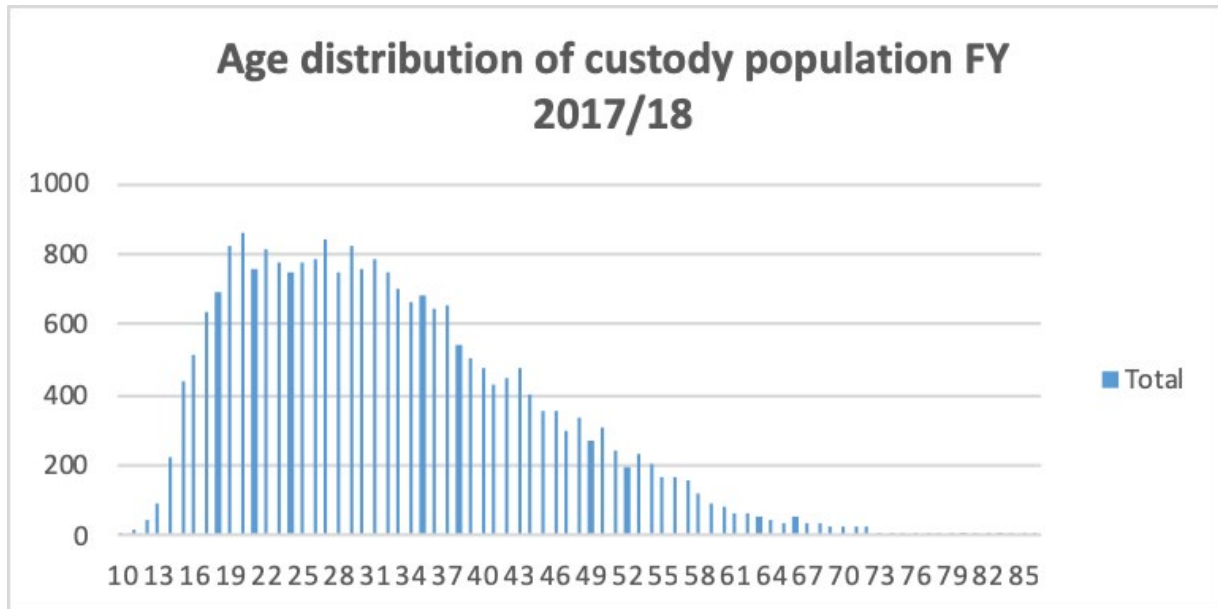
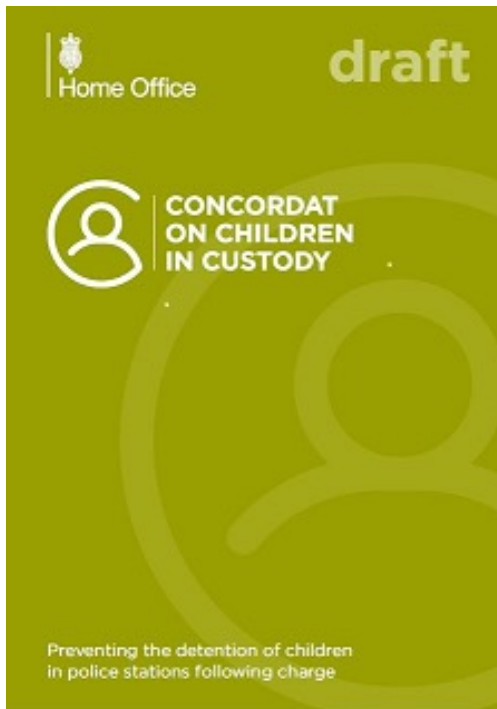


Figure 2: Breakdown by age

## MENTAL HEALTH

17. 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.
18. 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.

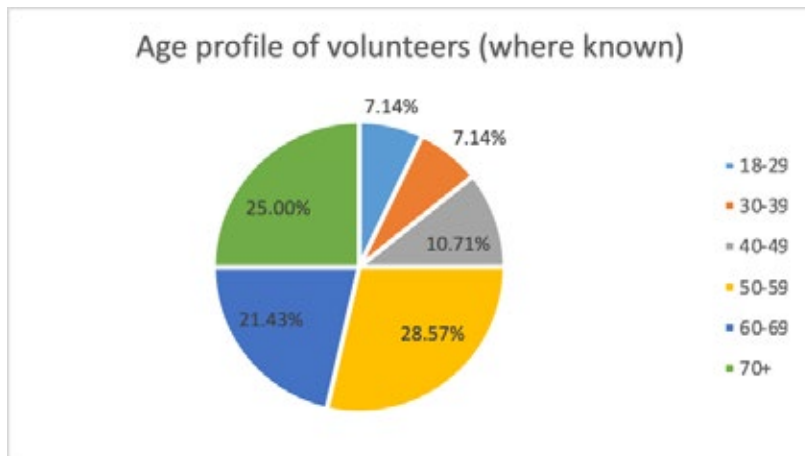
19. When custody visitors arrive at the suite, they speak to a member of staff to ascertain whether there are any particularly vulnerable people being held and includes children and young people. Item 8.5 of the HMIP/HMIC October 2016 inspection report stated that Hampshire Constabulary "should continue 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

20. 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.
21. 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.

## VOLUNTEERS

22. Volunteers are drawn from the communities of Hampshire and Isle of Wight and generally visit the stations that are closest to where they live.
23. At 31st March 2018 there were 45 volunteers. Figure 10 below shows the age range of volunteers.



**Figure 9: Volunteer age range<sup>5</sup>**

24. Where known, gender balance appears to be nearly even overall with 54% female representation and 46% male. By panel, this is less even and recruitment drives are targeting audience that will help to rebalance gender representation.

## TRAINING

25. 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.

## FINANCE

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

## MEDIA

27. The scheme maintains its own Twitter account which is managed by the scheme administrator: @HantsICV

<sup>5</sup>Ages are only kept whereby the volunteer has agreed for their data to be stored according to GDPR regulations.



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