****

**Hampshire Independent Custody Visitor Scheme**

**Annual Report**

**2019/2020**

****

# Foreword

I am proud to present this annual report highlighting the vital work of Independent Custody Visitors (ICVs) across Hampshire, the Isle of Wight, Portsmouth and Southampton.

ICVs are the eyes and ears of the public and provide reassurance that those held in police custody are being treated fairly and humanely and that custody blocks are being maintained to the required standards. In this way, they play a vital part in helping me fulfil my statutory role to hold the Chief Constable to account and provide accessibility, visibility and accountability of Hampshire Constabulary.

In the UK 1100 ICVs conducted 700 visits a week and oversaw the welfare of 33,000 people in custody, which represents 4% of the detainees.

There are now 40 ICVs across the Hampshire Constabulary area who together delivered 183 visits in 2019/2020. They spoke with over 1000 detainees and they provided a further 200 with some form of informal support.

As well as highlighting some important trends in the profile of those held in custody, the learnings and feedback captured on ICV visits has resulted in a number of positive changes being adopted by Hampshire Constabulary custody staff. These include improvements to meal rotation, refrigeration at correct temperature of food for detainees, veteran packs being put into a small folder or envelope to maintain the dignity of the recipient, establishing a robust hygiene process for reusable cutlery and detainees being informed of late sleeping reviews. With the support of custody staff, these changes have quickly become embedded in custody procedures.

We started the financial year celebrating the schemes achievements at the House of Lords.  ICVA presented schemes with their certificates for their achievements attaining different levels of the Quality Assurance Framework. Hampshire achieved fully compliant, and put a great deal of effort into this achievement and it was brilliant to see this reflected within Parliament, Lord Bach and Lord Anderson hosted and acknowledged this work.

This year also saw another successful annual ICV seminar, which is an opportunity for ICV volunteers to meet up and share experiences and good practice. I was delighted to have the opportunity to thank the ICVs at my annual Safer Awards ceremony and present the award for Independent Custody Visitor of the Year to an ICV from the Isle of Wight with over 35 years of service in the Criminal Justice System.

Changes to custody provision in Hampshire have occurred with the opening of the new Eastern PIC (Police Investigation Centre) in Portsmouth, which has brought custody provision together in one single purpose built custody suite, mirroring arrangements across the west and north of the Constabulary area.

I will continue to raise awareness of the vital work that our volunteers do, including increased use of social media and getting out into local community groups to deliver presentations about the scheme.

I would personally like to thank every one of our Independent Custody Visitors team for their continued service and commitment. There will no doubt be more difficult times ahead as we recover from the current pandemic and adjust to new ways of working. I look forward to working with our brilliant volunteers over the next year and continuing the support my office provides for this essential scheme.

Contents

[Foreword 1](#_Toc65616019)

[Introduction 2](#_Toc65616020)

[The Hampshire scheme 3](#_Toc65616021)

[Governance of the scheme 4](#_Toc65616022)

[Custody visiting data 6](#_Toc65616023)

[Scheme highlights 12](#_Toc65616024)

[Future plans 13](#_Toc65616025)

[Further information and contact details 14](#_Toc65616026)

# Introduction

Until the publication of the Scarman Report following the Brixton riots (1981), no provision existed for the independent monitoring of the welfare of detainees held in police custody. Lord Scarman recommended that provision be made for random checks by people other than police officers on the interrogation and detention of suspects in police stations[[1]](#footnote-1). The aim of this was to promote public confidence in policing, ensuring all policing activity was accessible and transparent to scrutiny by the public. The Independent Custody Visiting (ICV) provision was initially a voluntary one for police authorities until 2002[[2]](#footnote-2) when it became a statutory provision.

ICVs in Hampshire are recruited by the Office of the Police and Crime Commissioner (OPCC) but are independent of both the OPCC and Hampshire Constabulary.

ICVs make unannounced visits to police stations at any time or day of the week and can speak to anyone currently detained within the custody suite.

Custody visiting, formerly known as lay visiting, was established in 1983 and the Hampshire and Isle of Wight scheme began in 1987. The Police and Crime Act (2002) made custody visiting statutory and the Home Office introduced the ‘Code of Practice on Independent Custody Visiting’. The Police Reform and Social Responsibility Act (2011) introduced Police and Crime Commissioners and gave them the responsibility for operating and overseeing a scheme in their police force area.

An ICV is a volunteer who visits people that have been detained in custody in a police station. For many people, arriving in a custody suite can be a daunting and frightening experience without being aware of their rights or entitlements. An ICV’s main responsibility is to check on the welfare of a detained person and make sure they are being treated properly while in custody. An ICV ensures that a detainee understands their rights (under PACE[[3]](#footnote-3)), why they are in custody, that they have access to free legal advice, and that they can contact someone to inform them of their whereabouts.

ICVs can inspect cells and the facilities within the custody suite for health and safety purposes. ICVs can also inspect the custody record, which is a record of everything that happens to a detainee whilst in custody. If an ICV discovers any issues, these can initially be raised with the custody sergeant present or with the custody inspector if the matter cannot be remedied immediately or is of a serious nature that requires senior attention. ICVs make a report of each visit highlighting any issues discovered, and a copy of the report is then forwarded onto the OPCC’s ICV scheme manager. Visits are always undertaken in pairs.

# The Hampshire scheme

## Volunteers

The Hampshire ICV scheme comprises of 40 volunteers, 20 of whom are women and 20 are men, ranging from 28 to 70+ in age. The majority of volunteers (39) identify as white British.

## Custody provision

Custody provision within Hampshire is divided into four areas, Eastern, Northern, Western and the Isle of Wight. The Eastern area consists of Portsmouth Police Investigation Centre. The Northern area consists of Basingstoke Police Investigation Centre (PIC). The Western area consists of Southampton PIC and the Isle of Wight consists of Newport police station. In total there are 129 custody cells in Hampshire which are located as follows:

**Eastern Area**

Portsmouth PIC 36 cells

**Isle of Wight**

Newport 11 cells

**Northern Area**

Basingstoke PIC 36 cells

**Western Area**

Southampton PIC 36 cells

The scheme is divided into four local panels which mirror Hampshire Constabulary’s four custody areas, these are Eastern (South East Panel), Isle of Wight (IOW Panel), Northern (Northern Panel) and Western (South West Panel). A coordinator who supports the scheme manager leads each Panel.

# Governance of the scheme

## Scheme manager and coordinators

A scheme manager, employed by the OPCC, manages the scheme. The scheme manager is responsible for all the recruitment, selection and appointment of ICVs. The scheme manager ensures that an adequate number of ICVs are available at all times and is responsible for the induction of new recruits to the scheme.

The panel coordinators are responsible for the day-to-day running of each panel including providing training to new recruits to the scheme. Panel meetings occur four times a year and enable panel members to meet face to face with the scheme manager and custody inspector (or their deputy), to express any concerns or observations they may have.

## Reports and concerns

Following a visit to a custody suite, ICVs produce a report which is then forwarded to the scheme manager. Any areas for action which are unable to be addressed at the time of the visit are recorded and flagged to the custody inspector or a more senior officer through the chain of command. If the ICVs are still not satisfied, they can raise the issue with the scheme manager at the OPCC who will liaise it with the custody inspector at quarterly meetings or directly with the custody lead for Hampshire Constabulary.

**Special Diets** – during visits on separate occasions, ICVs spoke to detainees who followed a strict vegan diet, were diabetic or were gluten intolerant. ICVs highlighted this to the custody staff, while staff were aware of these requirements there was some confusion over the detainees specific needs, but due to the intervention of the ICVs, the staff went and purchased suitable food for the detainees. The opportunity was taken to highlight to all staff the process surrounding purchasing meals for special diets.

**Storage of food** – It was observed by one team that the refrigerator used to store food for detainees was not within the correct temperature range. This was rectified by staff and is now monitored across the county. Another team expressed concerns that new stocks of food were being placed in front of older products and a food rotation policy has been implemented.

**Length of Stay** – Concerns were raised over the time some juveniles were spending in custody due to perceived delays in police officers accessing charging decisions from the Crown Prosecution Service (CPS). Custody officers must, and do, prioritise the care of juveniles but the CPS process does not and therefore officers were in long telephone queues to get CPS advice. Conversations have started around this and a current trial regarding accessing CPS advice much more quickly for juveniles, is being watched closely, but anecdotally the situation so far seems to have improved in recent months.

**Religious Materials** – ICVs highlighted that while custody held excellent religious resources to address the needs and dignity of people of faith who are detained, their storage in some cases was not respectful or equal. As a result, custody arranged for improved storage location and shelving be provided and ensure all texts remained in good condition and were stored equally well. Custody officers now also check each text (where appropriate) after use for damage.

**Sleeping Reviews** – While a person is in custody, the Inspector (as dictated by Police and Criminal Evidence Act) reviews their detention at specific time intervals. These reviews can occur whilst a detainee is asleep. Upon waking, the detainee must be informed that a review took place and advised of its outcome. This should be recorded in their custody record. On a few occasions, while the reviews were undertaken at the correct times they had not been properly communicated to the detainee on waking or if they had, had not been recorded appropriately in the records. Because of this, ICVs continue to track every incidence of this and the findings are collated and fed back to the police at regular intervals to encourage accuracy of records. During 2019/20, ICVs commented on the successful and timely communication of 341 sleeping reviews, but the failure to do so on a further 7 occasions. This is a marked improvement on the previous year.

**Clothing** – Anti-rip Clothing including underwear and socks are provided to ensure the dignity of detainees if needed.

ICVs also regularly comment on the exceptionally good care given by custody staff to detainees. They highlight the massive concern for welfare demonstrated by the staff and the desire for people to leave custody in a better position than when they arrived. The ICVs passed on their congratulation and thanks to all involved.

Distraction materials are offered to detainees, these include reading materials, puzzles and colouring.

The consensus from all ICVs is that Hampshire should be proud of their custody suites and the treatment it gives detainees. One ICV wrote, “I have been impressed by the professionalism and dedication of Hampshire Police’s custody staff who do a very difficult job with dignity and respect.”

Another ICV said, “I have found custody staff to be helpful, cheerful and welcoming. Such a wonderful positive change from some public opinions.’’

Some ICVs comment on custody officers attempting to release people from custody in a better place than when they arrived.

 “Being an ICV offers me an opportunity to observe the work of Hampshire Police as they deal with some of the more vulnerable in our society; I have seen compassion and determination to help people to change their lives and the choices that they make.”

When questioned about the reception of the volunteers into custody by either the officers or detainees, all responders commented positively which is essential to the smooth running of a successful scheme.

“All custody staff are welcoming to ICVs and willingly take the time to talk to us and answer our questions. Most detainees have recognised the important role of the ICVs and welcomed the opportunity to talk to an independent party.”

Another ICV commented, “I respect the cooperation of custody staff to tell us about challenges and concerns they face and their willingness to take action on our feedback. They see us as important independent observers of the custody process and good practice, who can celebrate their successes as well as highlight areas to be improved.”

## Covid-19

At the end of this reporting period, the global Covid-19 pandemic has had a significant impact on custody visiting nationally. The decision was taken in March to suspend the Hampshire ICV scheme in its current format. While there was no question over the importance of the monitoring visiting gives us, it felt socially responsible to do so, given the scheme relies on volunteers and we did not wish to expose anyone through custody visiting to the virus. Equally it was felt unnecessary to risk ICVs taking the virus into custody and impact what was predicted to be stretched staffing levels. Additionally, based on those ICVs in full self-isolation, maintaining a fully functioning scheme would have been nearly impossible.

However, the PCC has a statutory duty to maintain oversight of custody in some form so within 14 days of the scheme suspension a system of unannounced weekly monitoring calls and email fact-finding questionnaires between custody officers and the scheme manager were fully in place to provide the necessary overview and provide reassurance to the ICVs and PCC. To date this new system is working effectively and is well received by all parties. This will be reported fully in next year’s annual report.

# Custody visiting data

## ICV data 2019/2020

During 2019/2020, the ICVs conducted 183 visits to Hampshire’s various custody suites. This figure is lower compared with previous years because the number of custody suites across Hampshire Constabulary area has reduced, through the closure of smaller custody suites and the opening of the new EPIC, at the outbreak of Covid-19 in March led to a suspension of visiting while safeguarding arrangements could be put into place for visiting to continue. The table below provides a breakdown of the total number of ICV visits conducted by each of the panels. The IoW panel (49) conducted the most visits, including a Christmas Day and New Year’s Day visit. All mainland panels conducted 45 visits each.

Table 1: Breakdown of visits per panel

Table 2 below shows the times of the day that ICVs conducted their visits. The earliest visit took place at 08:44 am and the latest visit took place at 20:31 pm.

Table 2: Visits to custody by time of day

The most visits took place jointly on Monday, Tuesday and Wednesdays with a total of 97 visits undertaken by ICVs on these three days. The least number of visits took place on Saturday with 9 visits being undertaken. The number of visits by day is broken down in table 3 below.

Table 3: Number of visits by day of the week

The number of people who were in detention during ICV visits was 1483 (custody population), of these 950 were offered an interview of which 872detained persons were interviewed. The uptake rate of those who accepted and were interviewed was 92%, which is slightly higher than last year, but this is in line with a reduced custody estate provision. The number of people who were interviewed represents 6.4% of the custody population for 2019/2020 (23,148). In total 414 people (28%) of the custody population at the time of the visit were not interviewed. In line with previous years the top two reasons why a detainee was not interviewed was because they were being interviewed alongside their solicitor or were asleep in their cell. Table 4 below shows the reasons why detainees were not interviewed.

**Table 4: Reasons detainees were not interviewed**

## Custody record

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 detainee’s 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 numbers

The combined population of Hampshire and the Isle of Wight is just under 2 million residents (1.9m), of which 1.2% of the population were detained in custody. The number of people detained in custody in 2019/2020 was 23,148 a slight decline compared with the previous year. *There were 486 fewer people in custody in 2019/20 compared with 2018/19, a reduction of 3.6%.* The number of people detained in custody has fallen year on year over the last three years.

Tables 5 and 6 below show the fluctuations in custody population in Hampshire for the previous three years.

| Year | Number of detainees |
| --- | --- |
| 2017/18 | 24517 |
| 2018/19 | 23634 |
| 2019/20 | 23148 |

**Table 5: Number of detainees per year**

Table 6: Detainees by custody suite

## Detainees by custody suite

The number of people detained in Hampshire’s custody suites has decreased between 2019/19 and 2019/20. The Eastern area of Hampshire accounted for 34.4% of all detainees, followed by the Western area 34.1%, the Northern area 24.3) and the Isle of Wight 7.1%.

The three biggest crime types for which individuals were arrested and brought into custody were violence against the person, theft offences, and criminal damage. This represents a clear balance between the high threat and risk of harm offences and volume offences which impact on the public. Table 7 below show the footfall in Hampshire’s custody suites broken down by the four areas and the percentage variance over three years.

| Custody suite | 2017/18 | 2018/19 | 2019/20 | **%** |
| --- | --- | --- | --- | --- |
| East  | 8192 | 7884 | 7973 | **34.4** |
| IOW  | 1704 | 1785 | 1646 | **7.1** |
| North | 6037 | 5978 | 5643 | **24.3** |
| West  | 8259 | 7987 | 7884 | **34.1** |
| **Total** | **24517** | **23634** | **23148** | **99.9** |

Table 7: Detainees by custody suite

## Ethnicity[[4]](#footnote-4)

In the last 12 months, 87.5% of those detained in custody have been white which is reflective of the Hampshire and Isle of Wight population. The 2011 census indicated that 89% of the population in Hampshire and the Isle of Wight identified themselves as white British. However, urban areas within Hampshire such as Southampton, Portsmouth and Basingstoke have larger numbers of ethnic minority communities and diversity which is reflected in the custody ethnicity data in table 8 below. The percentage of black people detained in the East, North and West ranged between 7% - 9% whilst the percentage of Asian detainees ranged between 2% - 5%.

|  | **White** | **Black** | **Asian** | **Arabic/North African** | **Other/not stated** | **Totals** |
| --- | --- | --- | --- | --- | --- | --- |
| **East** | 7113 | 498 | 172 | 125 | 65 | **7973** |
| **IOW** | 1592 | 33 | 7 | 10 | 4 | **1646** |
| **North** | 4826 | 479 | 214 | 70 | 54 | **5643** |
| **West** | 6717 | 630 | 386 | 84 | 67 | **7884** |
| **Totals** | **20248** | **1640** | **779** | **289** | **190** | **23146** |

Table 8: Ethnicity of detainees

## Sex

The overwhelming majority of detainees in Hampshire’s custody suites were males, who accounted for 84.4% of all detainees. Table 9 and 10 below show the breakdown of sex of all those detained.

| Sex | Number of detainees |
| --- | --- |
| Male | 19545 |
| Female | 3585 |
| Not Stated | 18 |
| **Total** | **23148** |

Table 9: Detainees by sex 1



Table 10: Detainees by sex 2

## Age

The number of detained children and young people aged 17 and younger increased slightly compared to the previous year. The figure rose by 38 people in 2019/20, an increase of 0.2% compared to 2019/20. The figure for the number of adults (18 and above) who were detained fell compared with the previous year, by 883 people or 3.9%. Tables 13 and shows the ages of all those detained in 2019/20.

| **Age** | **Adult**  | **Youth** |
| --- | --- | --- |
| **17 & under** |  | 2006 |
| **26 & above** | 21138 |  |
| **Total** | 23148 |  |

Table 13: Detainees by age

# Scheme highlights

## Quality Assurance Framework

The Scheme Manager went to the House of Lords to accept the Compliance Award on behalf of Hampshire. Lord Bach and Lord Anderson kindly hosted the event.

## Dignity in Custody

The Scheme manager’s training day in Sheffield included a play at the Crucible theatre which reflected the research work of Dr Layla Skinns on the effects of dignity in custody.

## The Annual Seminar

The annual Hampshire ICV scheme seminar took place on 28thSeptember 2019. The event was held at Hampshire Constabulary’s training school at Netley and is part of the volunteers’ continuous professional development programme. It is an opportunity for all the ICV volunteers to meet up together, to share good practice as well as their experiences of being part of the scheme, and to receive updates on any changes which may impact on them as scheme volunteers, such as changes in legislation.

The volunteers who attended the event were welcomed by Deputy Chie Executive Enzo Riglia and received an update on custody from Chief Inspector James Peglar, Custody lead for Hampshire. Presentations on Hampshire Estates in Custody and Police College Training from Inspector Tony Maggs (the Constabulary’s Estates and training lead), and on Veterans in Custody from DO Darren Andrews. The Veterans Service works with ex-service people with mental health problems, alcohol or substance misuse problems, learning disabilities, head injury, PTSD, ADHD, and other vulnerabilities.

During the afternoon session, the volunteers viewed a film about trauma and received a presentation from Gillian Finch from CISters on abuse and trauma and a presentation from Sherry Ralph (ICVA) on detainee dignity in custody.

## Safer Awards

The Police and Crime Commissioner’s Safer Awards event took place in December. The event, which was held at Winchester Guildhall, was an opportunity for the Commissioner and his team to thank volunteers who work across the criminal justice landscape to make Hampshire and the Isle of Wight even safer.

Richard Gully, who has been an ICV and Co-ordinator for over 15 years and worked in the Criminal Justice System for over 35 years, received the Independent Custody Visitor of the Year award from the Commissioner. Richard has checked on the welfare and wellbeing of thousands of detainees in Hampshire Constabulary custody to ensure that they are being treated fairly, humanely and with dignity, and to check the conditions in custody blocks are maintained to the required standard.

## Review of Sleeping Arrangements

An amendment was made to PACE which stated that detainees should be informed at the first opportunity that a sleeping review has been conducted and should also be noted on the custody record.

# Future plans

The Hampshire ICV scheme has been improving year by year and is aspiring towards achieving gold accreditation under ICVA’s Quality Assurance Framework 2, which is assessed bi-annually.

Six schemes across the UK participated in a pilot to try new methodologies for monitoring custody. The Independent Custody Observers Pilot (or ICOP) asks ICVs to look through complete custody records to monitor both the record and detainee treatment. This custody record review returned data about the full detainee journey through custody and, (ICVA’s evaluation tells us), reveals issues and challenges that schemes were not previously able to see. These reviews, coupled with enhanced visits, created a dynamic and enhanced means to monitor custody and help to prevent harm as required by the UK’s international human rights obligations. Independent evaluators have been with ICVA throughout the pilot and they will work with the Home Office to respond to their recommendations over the year ahead.

The recruitment and progression of volunteers is an important factor in the development and success of the scheme. The recruitment of new ICVs is an annual process which helps to maintain the schemes dynamism. There are currently eight volunteers undergoing clearance.

Members of the scheme are further supported through the provision of annual workshops and training, to prevent complacency and ensure skills and expertise of the scheme volunteers remain up to date.

Work has continued throughout 2019/20 to raise awareness about the benefits of the scheme and the essential work that volunteers carry out. Visitors continue to provide public reassurance that detainees are treated as they should be whilst in custody. This will involve increased use of social media as well as getting out into local community groups to deliver presentations about the scheme.

**Further reading**

[Angiolini report](https://www.gov.uk/government/publications/deaths-and-serious-incidents-in-police-custody)

[Lammy review](https://www.gov.uk/government/organisations/lammy-review)

[McPherson Report](https://www.gov.uk/government/publications/the-stephen-lawrence-inquiry)

# Further information and contact details

**ICV Scheme Manager**

The Office of the Police and Crime Commissioner for Hampshire

St George’s Chambers

St George’s Street

Winchester

SO23 8AJ

Tel: 01962 871595

Mob: 07795 335033

[Hampshire PCC website](http://www.hampshire-pcc.gov.uk/)

Email: opcc@hampshire.pnn.police.uk

Facebook: Police and Crime for Hampshire

Twitter: @HantsPCC and @HantsICV



**The Independent Custody Visiting Association (ICVA)**

C/O Edwards and Keeping
Unity Chambers
34 High East Street, Dorchester
Dorset

DT1 1HA

[ICVA website](https://icva.org.uk/)

Email: Info@ICVA.org.uk



**For further information about ICV Schemes**

[The Home Office Code of Practice on Independent Custody Visiting](http://bit.ly/ICVcodeofpractice)

[The Independent Custody Visiting Association (ICVA) National Standards](http://www.icva.org.uk/publications)

[Association of Chief Police Officers Guidance on The Safer Detention and Handling of Persons in Police Custody 2nd Edition](http://bit.ly/ACPOguide)

[The Police and Criminal Evidence Act (PACE) Code C](http://bit.ly/PACEcodeC)

1. Lay Police Station Visitors - “I recommend provision for the random checks by persons other than police officers on the interrogation and detention of suspects in the police station” The Scarman Report: The Brixton Disorders [↑](#footnote-ref-1)
2. The Police Reform Act 2002. [↑](#footnote-ref-2)
3. The Police and Criminal Evidence Act 1984 [↑](#footnote-ref-3)
4. [↑](#footnote-ref-4)