

DONNA JONES

**MORE POLICE**  
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POLICE & CRIME COMMISSIONER

Independent Custody  
Visitor Scheme:  
Hampshire and the Isle of  
Wight 2021-2022



Annual Report  
2021 / 2022

## Foreword



The report gives a real insight into the conditions for detained people in our custody suites. Independent Custody Visitors (ICVs) are volunteer members from the local community who share findings from their unannounced visits with my office. As one of my statutory responsibilities, I am committed to ensuring I have robust and efficient procedures to ensure an effective

ICV scheme is in place.

ICV's emphasise that they do not want or need to know why the detained person is there; they ask about their welfare, if they have been treated according to the law and if their rights and entitlements have been met. ICVs also provide a friendly smile and respectful impartial conversation.

This report covers May 2021 – April 2022, the recovery period from the COVID pandemic. Throughout the pandemic policing continued and although there was a drop in the number of people detained in custody the requirement for detainees to be visited by ICVs continued. The number of people arrested and taken into Police custody in Hampshire and the Isle of Wight is now back to pre-pandemic levels. The safety of our ICs during visits was ensured, with measures introduced which included social distancing, personal protective equipment and risk assessments.

Independent custody visiting is an essential element of the work of my office, our scheme relies on the enthusiasm, commitment and dedication of our volunteer ICVs and I thank them all for their dedication. I am proud of what our Custody Visitors do towards increasing the public's trust and confidence in Policing.

Donna Jones

Police and Crime Commissioner for Hampshire & Isle of Wight

A handwritten signature in black ink that reads "Donna Jones." The signature is written in a cursive, flowing style.

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## Executive Summary: Independent Custody Visitors (ICVs) in Hampshire and the Isle of Wight (HIOW)

The consensus from Independent Custody Visitors (ICVs) is that Hampshire and the Isle of Wight should be proud of their custody suites and the treatment of detainees.

An ICV is a volunteer who visits detained people 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<sup>1</sup>), 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 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. ICV visits are always undertaken in pairs.

ICVs can inspect cells and the facilities within the custody suite for health and safety purposes. ICVs can also inspect the custody record, this is a record of everything that happens to a detainee whilst in custody. Issues identified by the ICV can initially be raised with the Custody Sergeant, or with the Custody Inspector if the matter cannot be remedied immediately or is of a serious nature. ICVs make a report of each visit highlighting any issues identified, and a copy is forwarded to the OPCC's ICV Scheme Manager.

During 2021/2022, the ICVs conducted 205 visits to Hampshire and the Isle of Wight's custody suites. The Isle of Wight Team (known as a Panel), conducted 52 visits, including a Christmas Day and New Year's Day visit. The three mainland teams (Panels) conducted 51 visits each. The total number of people who were in detention during ICV visits was 1,356. Of these 1,306 were offered an interview with the ICV. In line with previous years, the two top reasons why a detainee was not interviewed by an ICV was due to being asleep in their cell, or being interviewed by the Police investigator.

The Hampshire ICV scheme has been improving year on year, and is aspiring to achieve gold accreditation under ICVA's Quality Assurance Framework 2, assessed bi-annually; the next QAF will be launched in March 2023.

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<sup>1</sup> The Police and Criminal Evidence Act 1984

## Introduction

Until the publication of the Scarman Report following the Brixton riots in 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 to take place in custody suites, by people other than the police, allowing independent review of the interrogation and detention of suspects in police stations<sup>2</sup>. The aim 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 voluntary for Police Authorities until 2002<sup>3</sup> when it became a statutory provision for Police and Crime Commissioners.

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

## Governance of the Scheme

### Scheme Manager and Coordinators

A Scheme Manager, has oversight and coordinates the scheme and team of volunteers. The Scheme Manager is responsible for the recruitment, selection, vetting and appointment of ICVs. The Scheme Manager ensures that an adequate number of ICVs are available at all times across the policing area, and is responsible for the induction of new recruits to the scheme. The Scheme Manager is also responsible for initial and ongoing training in consultation with Hampshire and Isle of Wight Constabulary and the other volunteers.

The scheme is divided into four local panels which mirror Hampshire and Isle of Wight 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 Volunteer Panel Coordinator, who supports the Scheme Manager, leads each panel area.

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

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<sup>2</sup> 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

<sup>3</sup> The Police Reform Act 2002

members to meet face to face with the Scheme Manager and Custody Inspector (or their Deputy) to express any concerns, identify areas of good practice and provide observations.

## Volunteers

Following a visit to a custody suite, ICVs produce a report for 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 for action. If the ICVs are still not satisfied, they can raise the issue with the Scheme Manager at the OPCC who will liaise directly with the Custody Inspector.

## Custody Provision

Custody provision is divided into four areas, Eastern, Northern, Western and the Isle of Wight. The Eastern area consists of Portsmouth Police Investigation Centre (EPIC) with 36 cells. The Northern area consists of Northern Police Investigation Centre (NPIC) with 36 cells. The Western area consists of Western PIC with 36 cells, and the Isle of Wight consists of Newport Police Station with 11 cells. This totals 119 custody cells across Hampshire and Isle of Wight.

## Hampshire and Isle of Wight Constabulary Custody Data

Hampshire and Isle of Wight Constabulary is one of the largest forces in the country, delivering policing services to a population of almost two million people. It is home to critical national infrastructure sites such as the ports in Southampton and Portsmouth and crucial oil refineries. Hampshire has a significant transport network including the M27 and M3, key rail hubs and two international airports.

The custody data provides a picture of Hampshire Constabulary's police custody demand, highlighting the number of detainees, detainee demographics, the average waiting time in custody, the length of time a person is detained, and detentions resulting in bail or released under investigation (RUI) status.

## Number of People Detained

The data presented below is grouped into financial years.

In 2021/2022, 24,016 people were detained in police custody across Hampshire and the Isle of Wight. This is a 15.5% increase from 2020/2021 (20,808 people detained). This increase in detainees is likely to be attributable to the return of normality following the impact of Covid-19.

Number of people detained at the Police Investigation Centre (PIC) across Hampshire and the Isle of Wight over the last three years:

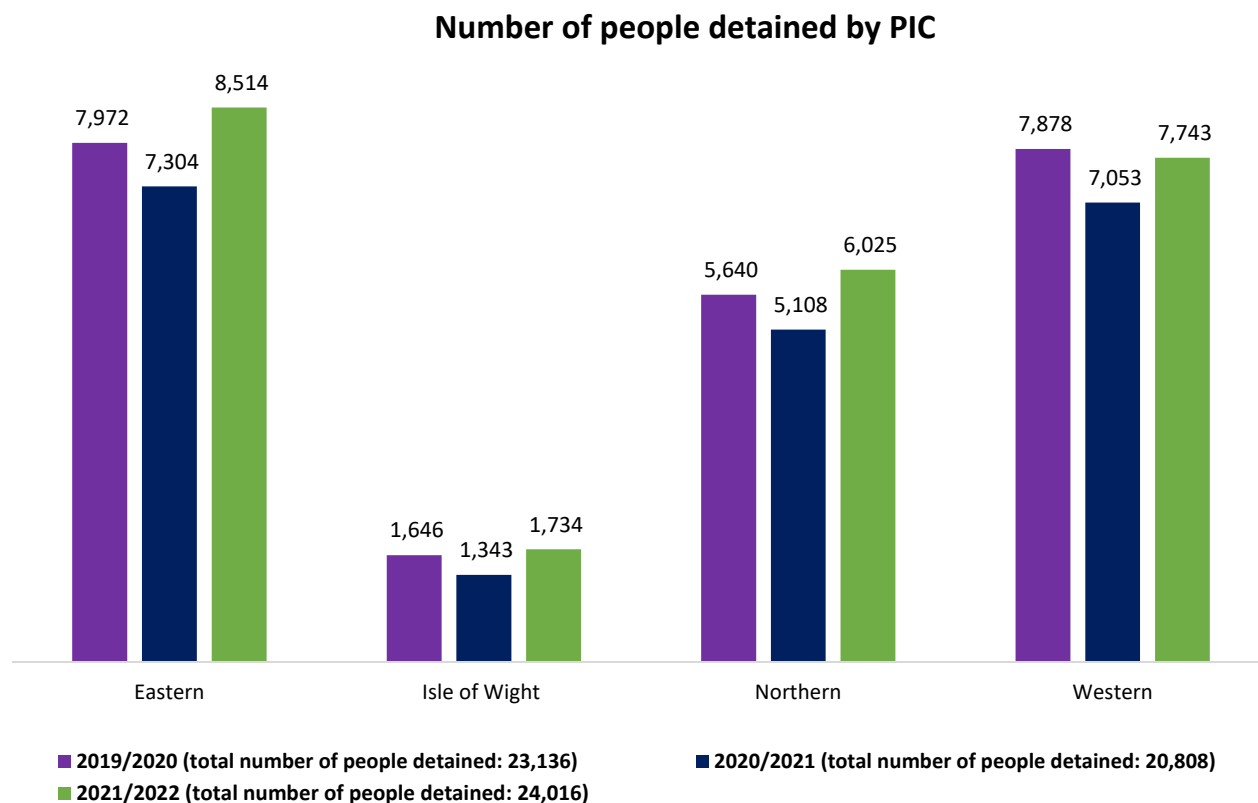


Figure 1: Number of people detained in HIOW by year and PIC

The number of detainees across Hampshire Constabulary's four PIC's has remained relatively stable over the last three years. The dip in detainees during 2020/2021 is expected due to the COVID-19 lockdowns (with the first lockdown taking place in March 2020), however, there is a slight increase (3.8%) in the number of detainees in 2021/2022 (24,016) when compared to 2019/2020 (23,136).

## Detainee demographics

### Gender

In 2021/2022, males accounted for 83% (20,028) and females 16% (3,924) of all detainees across in HIOW<sup>4</sup>. This custody gender split has remained relatively stable over the last three years:

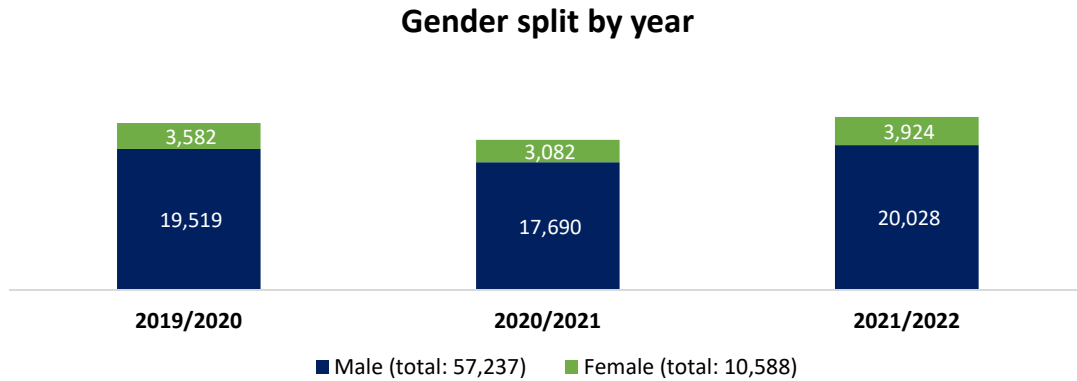


Figure 2: Gender split across HIOW PIC's in custody 2019/2022

When considering the gender split by PIC in 2021/2022, it is evident that this is relatively similar across all four PIC's, with a slightly higher percentage of females and lower percentage of males in the Eastern Area:

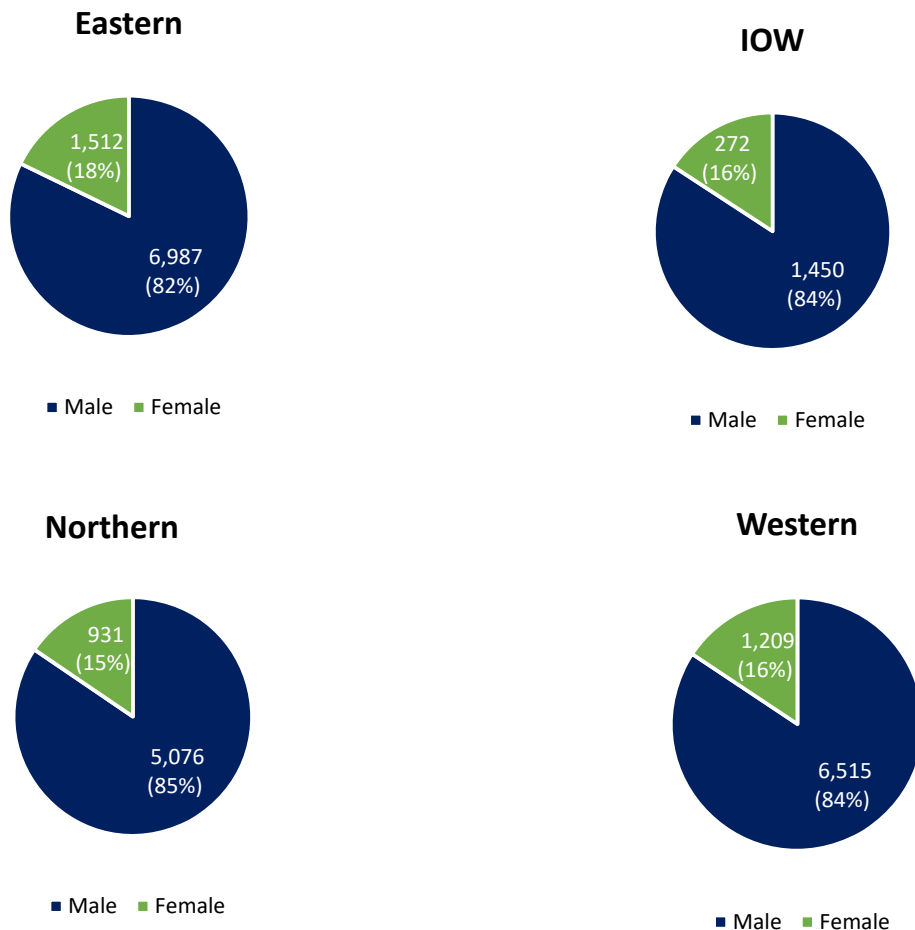


Figure 3: gender by PIC



## Adult/Youth

Young people under the age of 18 are recorded as 'youth'.

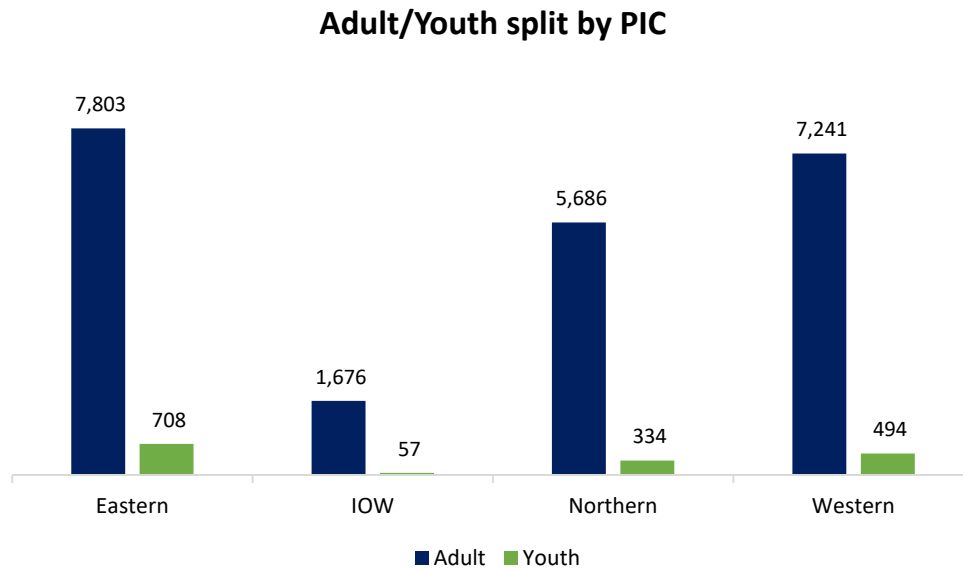


Figure 4: adult/youth by PIC 2021/2022

## Ethnicity

Southampton and Portsmouth are amongst the largest cities in the UK and have greater numbers of ethnic minority communities and diversity when compared to the rest of Hampshire and the Isle of Wight. This is reflected in the custody data relating to ethnicity in 2021/2022.

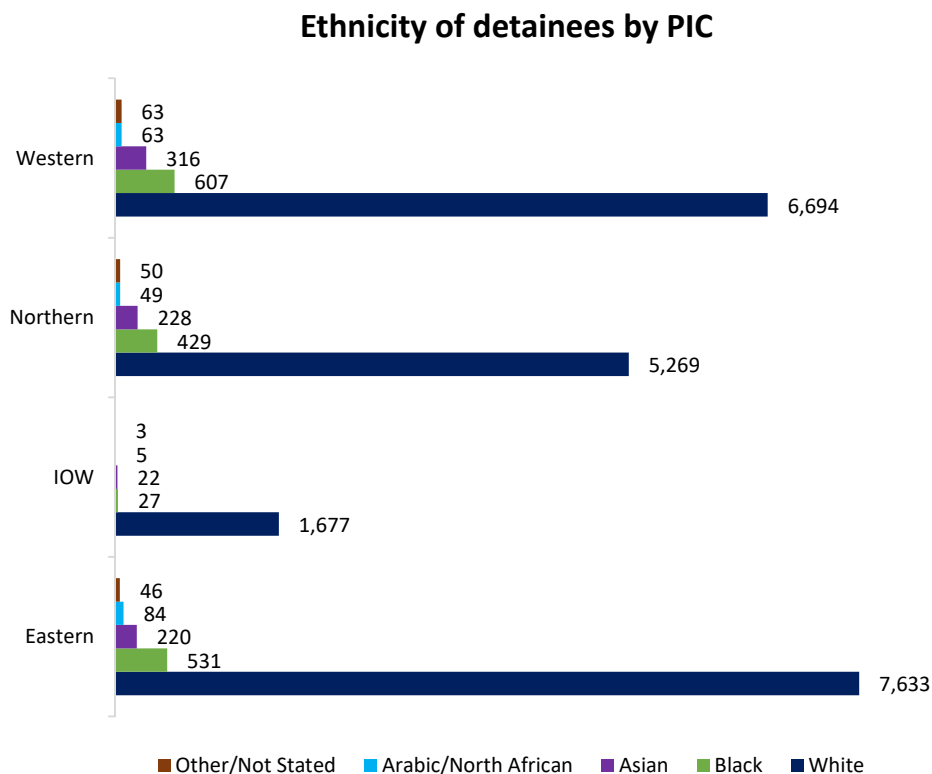


Figure 5: Ethnicity of detainees by PIC 2021/2022

### Average waiting time in custody and length of detention

The average waiting time in custody in 2021/2022 was relatively similar across all four PIC's, with Eastern PIC presenting a slightly higher wait time than the other three areas:

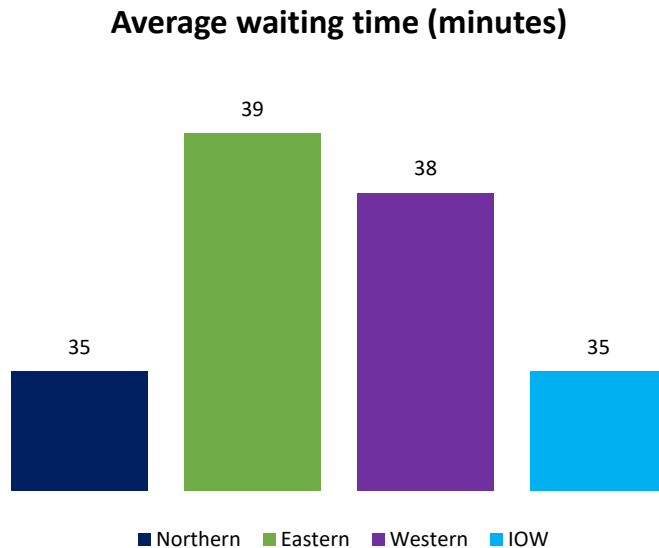


Figure 6: Average waiting time in custody April 2021 – March 2022

The average length of detention in Eastern PIC may be attributable to holding a higher number of detainees (please refer to Figure 1). The average length of detention across all four PIC's was 13.5 hours.

### Detentions resulting in RUI or bail

April 2021 – March 2022, 5,964 detainees were bailed across HIOW four PIC's. The below chart illustrates the number of people bailed and the bail rate by PIC:

#### Number of detainees bailed

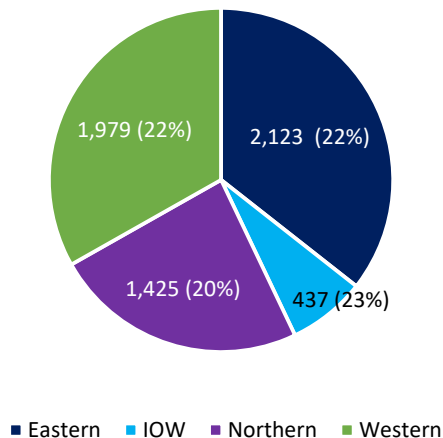


Figure 7: number of detainees bailed by PIC 2021/2022

A further 8,590 people were Released under Investigation (RUI). To be RUI means that the person is released whilst the investigation is active but not subject to any bail conditions. The RUI rate is relatively similar across all four PIC's, with Northern PIC presenting a slightly higher rate when compared to the other three PIC's:

### Number of detainees released under investigation

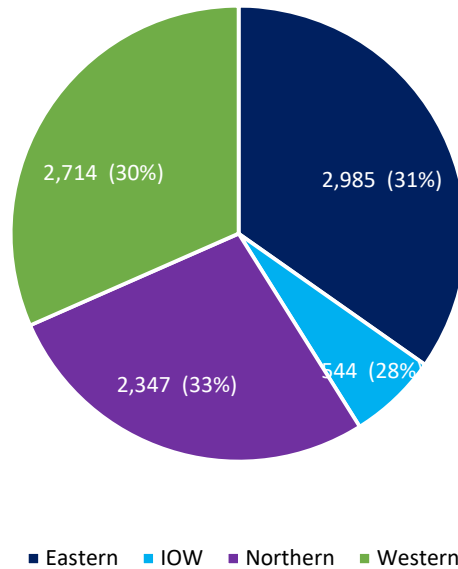


Figure 8: number of detainees RUI by PIC 2021/2022

### Independent Custody Visiting data

During 2021/2022, the ICVs conducted 205 visits to Hampshire's custody suites. The Isle of Wight Panel conducted 52 visits, including a Christmas Day and New Year's Day visit. All mainland Panels also conducted 51 visits each.

The earliest visit took place at 06:30 am and the latest visit took place at 23:31 pm. This variance in the time of the visit is important as it allows the visitors to observe systems and detainees throughout the day and evening. 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 reviewing custody logs.

The number of people who were in detention during ICV visits was 1,356 (custody population), of these 1,306 were offered an interview. In line with previous years, the top two reasons why a detainee was not interviewed by the ICV's were they were asleep in their cell or were being interviewed by Police. The reasons why detainees were not interviewed by an ICV fall in to the below categories:

AA=Advised Against, AA- Alcohol, AA- Infection, AA-Mental Health, AA- Verbally abusive, AA-Violent, Asleep, At Hospital/With Health Care Professional, On interview /with solicitor, No English, Refused, Release, Undergoing a process.

## Custody Record

The custody record is a detailed electronic log of everything that happens to a detained person during their detention in custody. During an interview with a detained person, if ICVs identify a concern, they are able to check the custody record with the detainee's consent. However, ICVs 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 done if ICVs believe a detainee to be particularly vulnerable e.g. a very young person or a detainee with mental health issues.

## ICV Reports and Concerns.

**Special Diets** – During visits on separate occasions, ICVs spoke to detainees who followed a strict vegan diet, were diabetic or were gluten intolerant and highlighted this to the custody staff. Whilst Custody Staff were aware of these requirements, there was some confusion over the detainees' specific needs. Due to the intervention of the ICVs, the staff 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** – The refrigerators used to store food for detainees are monitored to ensure that they are within the correct temperature range.

**Length of Stay** – Concerns were raised in 2021 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. This matter was highlighted to CPS, and in response a new process has been trialled involving accessing CPS advice more quickly for juveniles. The situation has improved as a result.

**Religious Materials** – ICVs highlighted that while custody suites 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 with shelving provided, ensuring all texts remained in good condition. Custody Officers now inspect 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 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 two occasions, the reviews were undertaken at the correct times, but they had not been properly communicated to the

detainee on waking or had not been recorded appropriately in the records highlighted by ICVs. ICVs continue to track every instance with the findings collated and fed back to the police at regular intervals, this ensures accuracy of records. During 2021/2022, ICVs commented on the successful and timely communication of 180 sleeping reviews. This is an improvement on the previous year.

**Joint interim Interview Protocol-** This was introduced during the pandemic in order to reduce the spread of the virus. It was agreed guidance between National Police Chiefs Council, Crown Prosecution Service, the Law Society the Criminal Law Solicitors Association and the London Criminal Courts Solicitors Associations. Legal representation was provided by telephone or video link to protect all parties and minimise the risk of infection. Face to face legal representation was only provided in exceptional circumstances for serious offences. ICVs were concerned that face to face legal advice was not available to all, as an evolving national protocol this has since been returned to business as usual.

**Pixilation of Toilet Areas-** ICV's were concerned that not all detainees were advised about the video pixilation of the toilet areas. This was raised at the quarterly meetings and fed back to custody staff who made a concerted effort to improve in this area.

**Clothing** – Anti-rip clothing, including underwear and socks are provided to detainees to ensure their dignity when needed.

**Hygiene** - Hand Sanitizing stations were installed at all entry points to custody. Detainees are routinely given access to soap and hot water. Detainees are now being notified of the shower facilities on arrival. Fresh PPE is provided to detainees each time they are moved around in custody.

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

ICVs regularly comment on the exceptionally good care given by custody staff to detainees. They highlight the genuine concern for welfare demonstrated by the staff and the desire for people to leave custody in a better position than when they arrived.

## Scheme Highlights

The consensus from ICVs is that Hampshire and the Isle of Wight should be proud of their custody suites and the treatment of 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.”*

## Quality Assurance Framework (QAF)

The QAF was postponed until March 2023 due to COVID19, the Hampshire Scheme remains fully compliant with the Home Office guidelines.

## The Annual Seminar

The annual seminar took place on Tuesday 9<sup>th</sup> November 2021 at Police training centre, Netley. The event is part of the volunteers' continuous professional development programme. It is an opportunity for all ICVs to share good practice and 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 Jase Kenny OPCC Chief Executive, and received an update on custody from Chief Inspector Claire Taylor, the then Custody lead for Hampshire Constabulary, and a presentation from Inspector Tony Maggs.

## Police and Crime Commissioner Awards 2022

The Police and Crime Commissioner's Awards event took place on 29 April 2022. The event was an opportunity for the Commissioner and her team to thank volunteers who work across the criminal justice landscape to make Hampshire and the Isle of Wight even safer. John Carr ICV who is retiring this year was presented with a long service award, he will be sadly missed as the leader of the South West Panel.

## Review of Sleeping Arrangements

An amendment was made to PACE which states detainees should be informed at the first opportunity that a sleeping review has been conducted and it should be noted on the custody record. The ICV's have been doing spot checks to ensure that this is happening.

## Covid-19 Pandemic

Custody did not stop operating during the Pandemic, significant changes to working practices were introduced to keep everyone safe.

Cleaning staff were responsive to the COVID situation and provided a high standard of cleanliness within detention areas and cells. A high level of response to the wellbeing of detainees was reported throughout the year, detainees had ready supplies of blankets, food and water.

ICV's have checked that COVID measures when required continue to be adhered to.

## Standards

The Hampshire ICV scheme has been improving year on year, and is aspiring to achieve gold accreditation under ICVA's Quality Assurance Framework 2, assessed bi-annually; the next QAF will be launched in March 2023.

## Further information and contact details

If you would like any further information about the Hampshire ICV scheme or would be interested in becoming an ICV, please contact:

### **ICV Scheme Manager**

The Office of the Police and Crime Commissioner for Hampshire  
Unit 1  
The Long Barn  
Dean Farm Estate  
Wickham Road  
Fareham Common  
Fareham  
Hampshire  
PO17 5BN  
Tel: 01962 871595

Web: [www.hampshire-pcc.gov.uk](http://www.hampshire-pcc.gov.uk)

Email: [opcc@hampshire.police.uk](mailto:opcc@hampshire.police.uk)

Facebook: Police and Crime for Hampshire

Twitter: [@HantsPCC](https://twitter.com/HantsPCC) and [@HantsICV](https://twitter.com/HantsICV)

For information about ICVA, please contact:

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

C/O Edwards and Keeping  
Unity Chambers  
34 High East Street, Dorchester  
Dorset  
DT1 1HA

Web: <https://icva.org.uk/>

Email: [Info@ICVA.org.uk](mailto: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 [www.icva.org.uk/publications](http://www.icva.org.uk/publications)

Association of Chief Police Officers Guidance on The Safer Detention and Handling of Persons in Police Custody 2<sup>nd</sup> Edition <http://bit.ly/ACPOguide>

Relevant legislation such as The Police and Criminal Evidence Act (PACE) Code C <http://bit.ly/PACEcodeC>