

Independent Custody Visiting Scheme Hampshire & Isle of Wight

DONNA JONES

**POLICE & CRIME
COMMISSIONER**

HAMPSHIRE & ISLE OF WIGHT



Independent Custody Visitor Scheme Handbook

1. Introduction

1.1 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 Act 2002 (paragraph 51), amended by the Police Reform and Social Responsibility Act 2011 places a statutory responsibility on Police and Crime Commissioners (PCC) to have an effective independent custody visiting scheme in place, whose members are known as Independent Custody Visitors, or ICVs.

1.1.1 ICVs are volunteers, and therefore do not get paid for their work. The PCC and the Office of the Commissioner recognise the values that volunteer involvement brings, and ICVs are one of a number of schemes that support the work of policing. Volunteers give a different perspective, and in this case ICVs are a critical friend, who help the PCC hold the Chief Constable to account. Volunteers' are essential and play a vital part in the PCCs' work. ICVs are independent, and that independence is central to their role and the insight they bring.

1.1.2 The PCC has an established scheme of local community members, who check on the welfare of people in police custody by visiting police stations unannounced. Their role is to observe, comment and report on the rights and entitlements, the health and well-being, and conditions and facilities under which people are detained at police stations. ICVs fulfil an important role in reassuring the public that the police are fulfilling their duty to protect people detained in their custody from harm.

1.1.3 This Handbook should be read in conjunction with the ICV scheme policy 2025. The Handbook contains instructions on how the scheme operates in practice including visiting arrangements. It is written primarily for ICVs and is designed to support ICVs in their role, however it may be helpful to others who are connected with custody and related matters. It is reviewed every three years (or sooner if deemed necessary by the PCC) and is updated in line with:

- [The Home Office Code of Practice on Independent Custody Visiting 2013](#)
- [College of Policing Authorised Professional Practice on Detention and Custody](#)
- Relevant legislation such as The Police and Criminal Evidence Act (PACE) [Code C](#) and [The Human Rights Act \(1998\)](#)
- Hampshire and Isle of Wight Constabulary Policy 32111 – Independent Custody Visitors to Police Stations
- Any other relevant and appropriate reports and recommendations

2. Purpose

2.1 The primary purpose of the scheme is to ensure those held in police custody in Hampshire and Isle of Wight are treated in accordance with current legislation and codes of practice in relation to their welfare and human rights and in particular Code C of the Police and Criminal Evidence Act 1984 (PACE), provide public reassurance that this is being monitored and contribute to the [National Preventative Mechanism](#) (NPM) and [Optional Protocol to the Convention Against Torture \(OPCAT\)](#).

3. Visiting Arrangements

3.1 General

3.1.1 ICVs in Hampshire and the Isle of Wight are divided into four panels, one in Basingstoke, one in Portsmouth, one in Southampton and one on the Isle of Wight. Visits should be unannounced and undertaken in pairs of volunteers working together. Visiting in pairs enables two perspectives and a shared understanding of issues and problems which may be encountered.

3.1.2 With the exception of extreme instances highlighted in section 4.4 below, ICVs have an absolute and incontestable right to visit, and must be given immediate access to the custody area.

3.1.3 ICVs must carry identification cards issued by the Office of the Police and Crime Commissioner (OPCC), and these cards must be produced at the start of each visit. If one member of the team should not be able to attend for any reason, the procedure is to abort and re-arrange the visit. No visit will be allowed to begin unless two ICVs are present and they have been adequately identified.

3.1.4 No more than two visitors should attend at one time as this may place an additional burden on custody staff except when ICV are on a shadow visit during their probationary period. Additional ICVs or guests should be agreed in advance with the scheme manager and Hampshire and Isle of Wight Constabulary.

3.1.5 As soon as practicable after the ICVs have entered the custody centre, the custody officer must be informed of their arrival. However, the ICVs must not have their access into the custody centre delayed for this purpose

3.2 Rotas

3.2.1 In consultation with the panel, the panel coordinator will draw up a rota of visits for the following quarter. The rota will allow pairs of visitors the discretion to arrange dates and times between them. The first visitor will have responsibility to contact the second visitor and should make contact at their earliest convenience so as to ensure that the second visitor has sufficient notice. Panels should ensure that the designated custody suite is visited by a variety of visitors and pairings at least once a week.

3.3 Timings and frequency of visits

3.3.1 Panels will give particular attention to the frequency of visits and must ensure that each custody suite is visited as set out in the table below or as agreed in exceptional circumstances or business need with the scheme manager. The length of time that ICVs spend in custody should not exceed two hours.

<u>Location</u>	<u>Visits per quarter</u>
Isle of Wight Panel Newport Police Station	13
North Panel Basingstoke NPIC	13
South East Panel Portsmouth EPIC	13
South West Panel Southampton WPIC	13

3.4 Special Visits

3.4.1 There may be occasions, in agreement with the police, when a special visit may be justified. For example, when there is concern within the local community about the treatment or wellbeing of someone in detention. In such circumstances, the officer in charge of the station should make arrangements through the appropriate panel coordinator for a visit to take place at short notice. The Constabulary should inform the PCC of the details of any special visits as soon as possible. Co-ordinators are also required to notify the scheme manager and to provide the usual written report.

4. Visiting Procedures at Police Investigation Centres

4.1 Immediate access to custody

4.1.1 ICVs should be admitted immediately to the custody area. Access should only be delayed when they may be in danger, for example if there is a disturbance in the custody area. A full explanation must be given to ICVs as to why access is being delayed and that explanation must be recorded by ICVs in their report.

4.1.2 It is not acceptable for access to be delayed due to the custody officer being busy. In such circumstances ICVs should be admitted to the custody area and invited to wait until the custody officer or another officer is available to escort them on the visit. Whilst waiting, ICVs have the opportunity to observe what is happening in custody and may be allowed (with the detainee's consent) to observe the booking in process, fingerprinting and other procedures.

4.2 Security and safety

- 4.2.1 In the interest of security and safety, ICVs must be escorted by a custody, detention or police officer (escorting officer) who will accompany them throughout the visit. The escorting officer must assist and advise ICVs on security and safety regarding their contact with detainees. However, the escorting officer should normally remain out of hearing during discussions between ICVs and detainees. At no time must the ICV be left with a detainee unsupervised and the cell door must never be shut or locked while an ICV is in the cell with a detainee.
- 4.2.2 In addition, custody staff should also be alert to any specific health or safety risks visitors might face and should advise them as appropriate. For example, ICVs should always be told if there is a possibility of them coming into contact with detainees or cells exposed to CS spray.

4.3 ICV Arrival in Custody

- 4.3.1 On arrival in the custody centre, the custody officer or detention officer (DO) acting on their behalf, will provide the attending ICVs with a copy of the ICV Detainee Report. ICVs will use the report to transcribe detainee details onto the ICV report form.

While we collect the information we need from the detainee report, please check which DPs are:

- Likely to be released within the next hour
- Not allowed to make a phone call or inform others they are here
- Not entitled to free legal advice
- Currently on level 2 observations or higher
- Non English speakers
- Advised against visiting

- 4.3.2 Once ICVs have received the printed detainee report, ICVs need to hand to the DO a copy of the slip below and ask them to identify the detained person (DPs) as listed on the sheet, while ICVs transcribe the detainee information onto the visit report.

- 4.3.3 Return to the bridge, note on the visit report the DPs who have been identified by the DO, and commence interviews, bearing in mind the following:

- Likely to be released within the next hour - prioritise for interview
- Not allowed a phone call or inform others - avoid asking about letting someone know where they are
- Not entitled to free legal advice - avoid asking about
- Currently on level 2 observations or higher - consider alerting custody officer if concerned about risk of self-harm by DP on level 1
- Non-English speakers - collect two copies of relevant translation sheet from the ICV file

4.4 Delayed Visits

- 4.4.1 If ICVs arrive at a police station and custody staff are heavily engaged with detained persons and there is a delay to the start of the visit, ICVs must follow the Delayed Visit Procedure as outlined in the ICV Scheme Policy. If a delay happens, ICVs must still be taken into the custody area immediately where they will be asked to wait. If the delay is caused by a detainee being booked in, immediate access must still be granted but, the ICVs must be asked to wait out of earshot unless the detainee consents to them being present.
- 4.4.2 Whilst waiting, ICVs must have the opportunity to observe what is happening in custody and may be allowed, subject to the detainee's consent, to observe processes and procedures such as fingerprinting and charge desk activity.
- 4.4.3 If a violent detainee is being restrained at the time, and there is no way of accessing the custody area without causing disturbance or there is a medical emergency, the ICVs must be denied immediate access. The reason for the delay must be explained to the ICVs. However, once that detainee has been restrained or the emergency is over, access must be granted immediately.
- 4.4.4. There will be occasions when, for security reasons, access must be denied. Examples include where detainees are held under the provisions of The Terrorism Act 2000 and the ICVs are not accredited and vetted to interact with such detainees or when armed officers are escorting a Category "A" prisoner and are temporarily in the custody area. On such occasions, the reason for delaying access must be explained to the ICVs and recorded on the ICV Report Form. The safety of the ICVs and the security of the detainees must be paramount in such instances.

4.5 Areas of Access for Independent Custody Visitors

- 4.5.1 ICVs should be given access to the custody area including cells, detention rooms, charging areas, washing facilities, kitchen or food preparation areas, and the medical room (but not to the drugs cabinet). Access to the medical room, in some cases, may only be accessible when the healthcare practitioner (HCP) is present. ICVs should satisfy themselves that areas are clean, tidy and in a reasonable state of repair and decoration, and that bedding in cells is clean and adequate.
- 4.5.2 Relevant storage areas may also be seen and ICVs should check that there are adequate stocks of clothing and other necessary items. Blankets may be inspected for damage that may present a risk to detainee safety. ICVs should verify that arrangements are established for the cleaning of blankets and for any necessary replacement of furnishings and equipment.
- 4.5.3 They may inspect empty cells to check heating/ventilation systems and cell bells and toilet flushing mechanisms are working properly. They may visit interview rooms in the custody area if unoccupied. It is not part of the ICVs role to attend police interviews with detainees or visit CID rooms or other operational parts of the station.
- 4.5.4 Visits should also be considered and allowed where, following mass arrests, detainees are held for some time, possibly in vehicles within the places of detention yard or temporarily in a holding centre, prior to being booked in and formally detained.

4.6 Access to detainees

4.6.1 ICVs may normally have access to any persons detained at a police station. Detainees may fall into the following categories:-

PACE detainees - these constitute the vast majority and are held under the provisions of the Police and Criminal Evidence Act 1984. This category includes detainees who are being held in custody awaiting a court appearance.

Ministry of Justice prisoners - these are remanded or sentenced prisoners who would normally be held in prison. It includes prisoners released on licence, who are being recalled to prison.

Immigration detainees (non PACE) - these are persons held under the Immigration Act 1971 and Immigration Asylum Act 1999 who are subject to deportation proceedings or who are waiting to be removed from the United Kingdom as illegal entrants.

People at risk - these may be persons held under Section 136 of the Mental Health Act 1983 for their own protection or children taken into police protection under the Children Act 1989.

4.6.2 ICVs are not allowed to visit detainees who are under the immediate care and control of the Prisoner Escort Custody Service contractors (SERCO or GeoAMEY). This does not include 'lockout' detainees as these detainees are under the control of the custody officer.

4.7 Restricted access to detainees

4.7.1 In exceptional circumstances the Police may deny ICVs access to a specific detainee in order to avoid any possible risk of prejudicing an important investigation or where the officer reasonably believes that the visitors' safety is at risk. Any decision to deny visitor access to a detained person should be taken by the custody officer, authorised by an officer of or above the rank of inspector, and recorded in the custody record.

4.7.2 In such cases, consideration should be given to some limited form of access, such as speaking to the detainee through the cell hatch or seeking their consent to view their custody record. A record must be made on the custody record of any decision to deny or limit ICVs access to a specific detainee.

4.7.3 There should be no presumption that access should be denied to any particular category of detainee or because a decision has been made that a person should be held incommunicado. In the event of this happening, ICVs should note the reasons on their report form.

4.7.4 If an ICV recognises any detained person or becomes aware that persons known to them are detained, they must inform their fellow ICV in private and a discussion is to be had as to whether the interview should go ahead or to withdraw from the interview. The decision should depend on the nature of the relationship and its likely effect on the visitor's impartiality. If it is agreed that the interview should continue, it is the role of the ICV without knowledge of the detainee to conduct any interview.

4.8 Terrorist Act (TACT)

4.8.1 Terrorism suspects are taken to specialist facilities outside of the county and therefore it is unlikely that ICVs will encounter TACT detainees. In the unlikely event of TACT suspects being detained, ICVs will not be given access to them. Only appropriately trained ICVs may visit or have access to the custody record of any person detained under the Terrorism Act 2000.

4.9 Consent to visit

4.9.1 Detained persons are not obliged to see ICVs or to answer any ICV questions. The escorting officer must check that the detainee is sitting in the cell and that there is no escape risk or immediate risk posed to the ICVs. The escorting Officer must then leave the cell to allow ICVs in, to introduce themselves to the detainee and start the conversation. The visitors will seek the permission of the detainee to speak to them and see their custody record. In all cases where it is practicable to do so, the escorting officer will remain out of earshot but within sight of the ICV. Where this is not practicable, the safety of the ICV takes priority, and escorting staff will not allow them out of their earshot.

4.9.2 If a detained person does not consent to a visit, the ICVs will leave the cell. To assist their records, ICVs must be informed only of the custody record number of those persons in custody.

4.10 Detainees who are unable to consent to a visit

4.10.1 If a detainee is not in a position to give consent to be interviewed, for example due to the effects of drink or drugs or by virtue of a mental illness, ICVs will, subject to a risk assessment, be allowed access to that detained person and their custody record, unless it is considered that the ICVs safety would be at risk.

4.10.2 In such circumstances where the ICVs might be in danger from a potentially violent detainee, they may wish to speak to the detainee through the cell hatch. If the detainee is comatose, the escorting officer should allow access if ICVs wish to satisfy themselves of the detainee's well-being.

4.10.3 Visits should normally be conducted in English. If the detained person does not understand English, an interpreter should be used, if present. If no interpreter is present, as far as possible, the wishes of the detained person must be ascertained by the use of ICV language sheets. If ICVs are concerned about the detainee's welfare then telephone interpretation service should be used. If an ICV is fluent in the language spoken by the detainee then the interview can go ahead, however, in such circumstances, care must be taken to ensure that any other visitor present is kept informed of what is being said.

4.11 Detainees who are asleep

4.11.1 If a detained person is sleeping, it will be for the ICVs to decide whether or not that person should be disturbed if they have concerns about the detainee. This includes where detainees are in a rest period as defined within PACE Code C.12.2. In such cases, it will normally be sufficient for the ICV to observe signs of life through the cell hatch. If ICVs cannot satisfy themselves as to whether a sleeping detained person is alive or has any doubt regarding the detainee's welfare, they may ask the escorting officer to enter the cell and check on the detainee. The reason for this must be recorded on the ICV report form.

4.12 Access to young and vulnerable people

- 4.12.1 Young people under 18 may give their own consent. It is not necessary to obtain the additional consent of a parent, guardian or appropriate adult.
- 4.12.2 If an appropriate adult is in attendance to support a young or vulnerable person, the detained person's wishes should be sought as to whether the appropriate adult should be in attendance.

4.11 Detainees who are being interviewed

- 4.11.1 Police interviews with detainees should not be interrupted to facilitate custody visits. However, ICVs may await the completion of the interview if they wish to see the person concerned.

4.12 Conversations with detainees

- 4.12.1 Conversations should focus on checking whether or not detainees have been offered their rights and entitlements under PACE and on confirming whether the conditions of detention are adequate. ICVs should do all they can to encourage an open exchange with the detainee and may wish to use a checklist to ensure that they cover all the relevant issues.
- 4.12.2 ICVs have no role:
 - a. In offering advice about co-operation with the police;
 - b. In the investigation of offences.
- 4.12.3 ICVs have no right of access to papers relating to the conduct of enquiries into the offence for which the person is detained. If a detainee asks for advice about co-operating with the police, making a statement or anything in relation to their defence, ICVs should explain that it is not part of their role to discuss such matters. If a detainee seeks to make admissions or otherwise discuss an alleged offence, the ICV must tell them that the contents of the visit may be disclosed in legal proceedings. If the detainee's concerns are associated with not yet having received legal advice, ICVs may wish to this take up with the escorting or custody officer.
- 4.12.4 ICVs must not pass messages for detainees or perform other tasks on their behalf as this might compromise impartiality or the interests of justice. If they are asked to do so they must decline and immediately inform the custody officer.
- 4.12.5 ICVs are primarily concerned with overall conditions, standards, and procedures at police stations. However, immediate concerns about the treatment of particular individuals should be passed on to those in a position to take corrective action. If a detainee indicates that they may harm themselves or any other person, this should immediately be brought to the attention of custody staff.

4.13 Access to custody records

4.13.1 ICVs should seek permission from the detainee to view their custody record and explain to the detained person why they are doing so. If any detainee, including a young person, refuses access to the custody record, ICVs should not be allowed to see it.

4.13.2 Subject to obtaining the detainee's consent to view their custody record, ICVs should check its content against what they have been told by the detainee. In particular, ICVs will verify:-

- Whether entitlements under PACE have been given and signed for.
- That medication, injuries, medical examinations, meals/ special diet are recorded.
- That procedures to assess special risks/ vulnerabilities presented by the detainee have been properly recorded.
- The timing and frequency of cell inspections of inebriated or otherwise vulnerable detainees are recorded and that the comment contains personalised information.
- The timing of reviews has been recorded. If sleeping reviews are carried out, that the detained person has been notified of the outcome as soon as possible after they wake.

4.13.3 If a detainee is for any reason incapable of deciding whether to allow access to their custody record, the presumption should be in favour of allowing ICVs to examine the record. However this does not extend to detainees who are being interviewed by investigating officers during the visit.

4.13.4 The ICV will either be provided with a printed copy of the custody record (ICV copy) to read (which must be returned after being read) or, if resource permits, be allowed to view the record on a computer terminal in the presence of a member of the Constabulary (preferably custody staff), at no time should they operate or be left in sole charge of a computer.

4.13.5 ICVs must note on the report form that they have assumed consent to see the custody record and their reasons for doing so. ICVs must not leave the custody suite with any printed out custody records. These must be handed back to the custody officer once they have been viewed for safe disposal by the custody officer.

5. Reports and follow up actions

5.1 Completion of reports

5.1.1 At the end of each visit, and while they are still at the police station, ICVs should complete an official report (ICV visit form) of their findings. Recording the contents of a visit is an essential requirement of the scheme. ICVs may wish to make notes in the course of the interview but should explain to the detainee why they are doing so. ICVs will find blank forms in the ICV file at each custody suite.

5.1.2 Custody staff should not be present while the report is being written. ICVs should be able to use a private area for this purpose. Details should include both specific matters (which have already been brought to the attention of custody staff) and more general issues relating to custody conditions or procedures. If serious concerns are identified, that are unable to be resolved at the time, these should be written in the final box on the report. Items reported in this box are picked up immediately by the scheme manager, added to the

action log, taken up with the Constabulary and escalated until resolved. All reports must be completed in English even if the visit has been conducted in another language. Reports should be accurate, concise and legible.

- 5.1.3 Before signing the report, both ICVs must be in agreement about its contents. If, after the event, one visitor wishes to add any reflections or comments, they must first gain agreement from the other visitor. The duty custody sergeant should read and sign the report. Any note/crib sheets or notes made must be destroyed before leaving the custody suite, placed in the confidential waste bins provided.
- 5.1.4 The ICVs must ensure that the original ICV Report Form is sent to the ICV Scheme Manager via the printer in custody. The report must be sent to the OPCC via the easy scan –email function using pin number provided by the scheme manager to access the printer. The completed report should be emailed to opcc.icv.scheme@hampshire.police.uk. The original copy must be kept in custody and stored in the ICV file for the next ICV visit for the ICVs to consider and for custody officer's reference.

5.2 Use, Retention and Disposal of Forms

- 5.2.1 The Scheme Manager will collate findings from visit reports and subsequent comments from the force, as well as filing the paper forms. The collated data will be accessible electronically by the OPCC staff and Central Custody Team. Any urgent matters will be dealt with as needed.
- 5.2.2 Should ICVs feel uncomfortable in disclosing information to custody staff at the time, e.g. the behaviour of a staff member was not to standard but ICVs do not want confrontation, the ICVs should report this to the Scheme Manager, via email, following the visit.
- 5.2.3 The Scheme Manager will produce a quarterly update of stats and findings for the ICV Co-ordinators to be used at quarterly panel meetings. The Scheme Manager will provide the PCC a 6 monthly update on findings from the report forms.

5.3 Reports of unsatisfactory treatment and conditions

- 5.3.1 If ICVs find any aspect of the treatment of detained persons or the conditions at the station unsatisfactory; this should be included in the report. If a matter appears to require urgent attention, the officer in charge of the station should be informed immediately. This action should always be taken if a detained person makes a complaint of assault or ill-treatment or appears to have sustained an injury which is not recorded on his custody record.

5.4 Issues arising from visits

- 5.4.1 It is recommended that ICVs should establish a continuing dialogue with the duty officer in charge to ensure that appropriate action is taken on issues raised during visits. ICVs who wish to commend the conduct of a particular officer, a particular practice, or general conditions, can note this on the report.
- 5.4.2 The Scheme Manager will have regular and formal opportunities to raise concerns and issues with a designated senior officer from the Constabulary responsible for custody usually a Chief Inspector or above.

5.5 Consideration of reports by panels and the OPCC

5.5.1 Each panel of ICVs should meet on a quarterly basis to discuss the findings of visits to designated custody suite in their area. The panel convenor should submit a report to the PCC every six months which forms part of a review carried out by the Scheme Manager. The entire report is then presented to the PCC.

5.5 Reviewing performance

5.5.1 The OPCC assesses how effectively its custody visiting arrangements are by reviewing the quality of reports, the frequency and timing of visits and the number of occasions on which detainees refuse to speak to ICVs. These statistics are reviewed and discussed with members during quarterly scheme and panel meetings.

6. CCTV

6.1 ICVs should carry out their functions in person and are not entitled to view either live CCTV pictures or recorded footage. Their role is carried out by interacting with both detainees and police staff and cannot be carried out remotely. There may also be issues about infringing the privacy of detainees who have not consented to ICVs observing them using CCTV. ICVs should view CCTV only for the purposes of checking that they are operational and that the toilet areas are pixilated. ICVs can ask the custody officer to provide a demonstration if necessary.

7. Medical issues

7.1 ICVs do not have the right to view the detainee's medical records, even where these are attached to the custody record. However, key points relevant to medical treatment should be recorded in the custody record itself. ICVs should pay particular attention to detained persons who are suffering from any form of illness, injury or disability. They should satisfy themselves that, if appropriate, medical advice has been obtained and establish from the custody officer what instructions for medical treatment have been given, and confirm by consulting the custody record that the instructions have been carried out.

8. Deaths in custody

8.1 All deaths in custody are the subject of a Coroner's inquest to which the police will report formally. Where there has been a death in police custody, the PCC must be informed as soon as possible and, where possible, the officer in charge of the station should notify the coordinator of the relevant panel. Consideration should be given as to whether a visit would be helpful in terms of informing and reassuring the local community.

8.1.1 If it is agreed that a visit be made it should be on the basis of a clear understanding as to how that feedback to the community will be achieved. It is not necessary to notify a death which occurred after release from custody, unless the detainee was transferred to hospital from a Police station and died at hospital shortly afterwards. ICVs are not allowed to view the body in the cell, nor should they have access to the custody record.

8.1.2 If someone has died in the custody of the police, or immediately following their release, or as been involved in a serious incident, and an ICV has recently spoken to or seen them, or reviewed their custody record, the IOPC will ask the ICVs to give evidence to an inquest by providing a statement and in some circumstances in person at an inquest. This would be the same for any member of the public who has significant evidence about what happened.

9. Complaints by detainees

- 9.1 In the event that a detainee wishes to make a complaint about their general treatment or the conditions at the police station, ICVs should (subject to the detainee's consent) take this up as soon as possible with custody staff or other staff at the police station in order to seek a resolution.
 - 9.1.1 If a detainee makes a complaint of misconduct by a police officer, the ICV should advise them to address it to the duty PACE Inspector and with the detainee's consent, it may be appropriate for ICVs to notify the duty PACE Inspector that the detainee wishes to make a complaint.
 - 9.1.2 In addition, ICVs may if they wish, remind the detainee that they can seek free and independent legal advice in relation to the complaint or ask to see a health care professional if an assault is alleged or the detainee claims that excessive force was used. Such complaints must be dealt with through the formal procedures laid down by Hampshire & Isle of Wight Constabulary and there is no broader role for ICVs. ICVs should not involve themselves in individual cases or make representations on detainees' behalf.

9.2 Remand and sentenced prisoners

- 9.2.1 Remand or sentenced prisoners held in Police stations who seek to complain about their conditions or treatment in prison should be advised that ICVs cannot involve themselves in such matters. There are recognised procedures open to these detainees such as writing to or petitioning the Independent Monitoring Board of their Establishment or the Prison/Probation Ombudsman.

10. Impartiality and confidence

10.1 Impartiality

- 10.1.2 ICVs must not involve themselves in individual cases to the extent of offering advice about whether or not detainees should make a statement or otherwise cooperate with Police enquiries. Such advice would be inconsistent with the ICVs' independence from the processes of investigation. ICVs should therefore decline to discuss anything more than the conditions in which persons are detained and their treatment, even though some detainees may ask advice about their possible defence, particularly if they have not already received legal advice.

10.2 Evidence in criminal proceedings

- 10.2.1 Conversations between ICVs and detainees are not privileged and it would be possible for a court to issue a witness summons requiring the attendance of a custody visitor to give oral evidence or produce documents such as a report on a particular visit. ICVs are under no obligation to give evidence or produce documents other than in response to a court order but would be obliged to respond to such an order.

10.3 Confidentiality

10.3.1 ICVs acquire considerable personal information about persons in police custody during the course of their duties. Personal information relating to detainees must be protected against improper or unnecessary disclosure in accordance with General Data Protection Regulations (GDPR). ICVs are therefore required to give an undertaking not to release the identity of, or information capable of identifying, any person in Police custody. It is essential that ICVs do not name or otherwise identify persons in custody in reports, in discussions with fellow ICVs, or to the OPCC.

10.4 Breach of confidentiality

10.4.1 Breach of the above undertaking may make a visitor liable to civil proceedings by the detained person concerned. ICVs also need to be aware that the unauthorised disclosure of facts concerning police operations, or the security of police stations may constitute an offence under Section 5 of the Official Secrets Act 1989 (also see 3.7 above). ICVs will be removed from post if found to be in breach of this condition of service.

11. Publicity and Press

11.1 Media

11.1.1 Appropriate media communications are used when there is a need to promote the scheme for the purposes of raising awareness, volunteer recognition or recruitment. ICVs may be approached by the OPCC to be involved in media activity. There is no obligation for ICVs to be involved.

11.1.2 Under no circumstances should ICVs respond to requests for specific information from the press, other organisations or individuals about specific cases or events at local police stations which may involve the custody visiting scheme or its personnel. Any such matters should be directed to the PCCs Communications team opcc.comms@hampshire.police.uk or on 02380 479681.

11.2 Promoting the scheme

11.2.1 It is generally desirable that the role and aims of the scheme should be promoted to the public. ICVs should bear in mind that the purpose of publicity is to promote the scheme in general and not to draw attention to individual cases or to themselves. Under no circumstances should individuals, or specific events, be discussed other than in general, anonymous terms to support an explanation of the purpose of the scheme.

11.3 Interviews and talks

11.3.1 General information regarding the role and scope of the scheme may be given to the press, local radio and other media. These may include quotes and personal comments of a positive nature. The advice of the PCC's communications team should be sought before any such interview or talk is given and before any article is submitted for publication by a custody visitor. ICVs should be aware that they are accountable to the PCC, and not to the press or individual members of the public.

11.3.2 If an invitation to speak to a local group or organisation appears to be with a view to promoting the role and scope of the scheme, it is a matter for the discretion of panel members as to whether or not to accept such an invitation. In cases of any doubt the visitor should consult the Scheme Manager or PCC's communications team.

11.4 Press enquiries

11.4.1 In all circumstances the advice of the PCC's communications team should be sought before making a response. A response to enquiries from the press should be given by the panel coordinator only if they are satisfied that the required information is of a sufficiently general nature. Individual ICVs should discuss their intentions in relation to publicity with their panel coordinator in order that there may be proper local co-ordination.

11.5 Photography

11.5.1 For the purposes of promoting the scheme in the media, including online and in print, and on our own website, we may use photographs and/or video of ICVs performing their duties (staged or edited to preserve anonymity of detainees) or at arranged events or meetings, for example. If you would prefer that your image is not used in this way, please advise the scheme manager or the PCC's communications team of your preference.

12. Insurance

12.1 The PCC provides adequate cover for claims arising from the ICV role. ICVs that are using a motor vehicle to travel to custody suites, panel meetings, trainings or events must have adequate insurance in place and are advised to discuss their volunteering role with their insurance company.

13. Volunteer Personal Information

13.1 Your contact details are held both electronically and in paper format by the OPCC. Contact details and personal information is stored securely and in line with data protection protocols. From time to time the PCC's communications team may send members communications about topics and issues that the PCC is involved with (outside of the ICV scheme). If you do not wish to receive these communications, please advise the scheme manager to remove you from the mailing list. Contact details are not shared with external agencies. On leaving the scheme, member details are kept for five years and subsequently securely destroyed.

13.2 For the purposes of paying expenses, your bank account details and NI number are held electronically by the Integrated Business Centre (IBC) who make payments on behalf of the PCC. The IBC is a secure environment and has been accredited at Impact level 2 (IL2). It has achieved Public Service Network (PSN) accreditation and has reached all of the necessary security measures for processing personal information expected by the Cabinet Office.

14. 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 and Isle of Wight

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

Email: opcc@hampshire.police.uk

Facebook: Police and Crime for Hampshire

Twitter: @HantsPCC and @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