



**MPA**

**Metropolitan Police Authority**

# Richmond upon Thames Independent Custody Visiting Panel

## Annual Report 2008



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# Introduction

Welcome to the annual report of the Richmond Upon Thames Independent Custody Visiting Panel.

The report covers a period from January 2008 to December 2008

The purpose of the report is to:

- Evaluate the panel's performance
- Provide the local community and the MPA with information about the visits made including the treatment of those held in custody
- Set out issues and concerns that have arisen
- Set out the objectives for 2009

The Metropolitan Police Authority (MPA) is an independent statutory body which exists to make sure that London's police are accountable for the services they provide to people in the capital. The MPA has 23 Members who scrutinise and support the work of the police. The MPA promotes equality and diversity within the police service and is working in partnership to ensure all those who live and work in the capital are treated fairly and with respect.

The MPA has a legal obligation under the Police Reform Act 2002 for a custody visiting scheme to operate in its area. Since April 2007 the MPA has overseen custody visiting arrangements in Richmond as part of the London ICV scheme. The scheme has the full support and cooperation of the Commissioner and the Borough Commander for Richmond Upon Thames, but is independent of the police. The MPA holds overall responsibility for the scheme's management and administration and a member of MPA staff is responsible for supporting the panel.

Prospective custody visitors are volunteers from within the community. The MPA is responsible for recruiting, selecting and appointing all custody visitors and tries to ensure that the panel is as diverse as the community it represents. Successful applicants to the scheme are given training in all aspects of a custody visitor's role and responsibilities. Custody visiting is governed by a range of legislation and guidance including the Police and Criminal Evidence Act (PACE) 1984 as well as Home Office Codes of Practice and National Standards.

# Aims and achievements

The aims and objectives of the panel are laid out in the Home Office Codes of Practice and the National Standards governing Independent Custody Visiting as well as the MPA ICV Handbook. These are supplemented by the panel's constitution.

The primary objective of the panel is to make unannounced visits to police stations in the borough to check and report on the treatment of detainees in police cells to ensure their rights and entitlements are being observed.

In the previous annual report the following specific aims and objectives were set out for 2008:

- *To make a total of 76 visits to the three custody suites in the borough, of which 52 to Richmond, with additional monthly visits to Teddington and to Twickenham while it is being used for Operation Safeguard.*
- *To vary the time of visits in order to provide a better spread and in particular to ensure that a minimum of 10% of visits are carried out between 20:00 and 04:00.*
- *To continue to ensure that the rights and interests of detainees are upheld and to raise concerns promptly and effectively with local police or the MPA as appropriate.*
- *To ensure that all new recruits receive local and MPA training and that existing members of the panel undertake refresher training at least once during their three year tenure.*

Our target of 76 visits assumed that monthly visits would be made to Twickenham while it was being used for Operation Safeguard. In the event, Twickenham was used only occasionally in the early part of the year, and not at all later on, so only one visit was completed. The panel completed 53 visits to Richmond and 9 to Teddington. When two unsuccessful visits to Teddington are taken into account, we achieved 98% of our planned visits to the two main custody suites.

Visits were reasonably well spread although, disappointingly, we failed to meet the target of 10% or more of visits between 20:00 and 04:00. Only one visit was made on a Sunday, a marked drop from the previous year. We will therefore focus more closely on late evening and Sunday visits in 2009.

In the majority of cases, detainees expressed no concerns about their treatment. A small number of items were raised, which required a police response. These included the availability of rights and entitlement documents in foreign languages, and access to washing facilities. We also expressed concerns on a couple of occasions about the time it took for our visitors to gain access to the custody suite.

The MPA provided cluster based refresher training in February which was attended by three members of the panel. We have also twice run short training modules within our panel meetings.

# Chairperson's report

2008 was a year of quiet consolidation for the Richmond upon Thames custody panel, so this report is primarily an update on issues that were raised last year.

Last year's annual report referred to the postponement of plans for a purpose built custody suite for the borough, after planning permission had been refused. At the time it was clear that Richmond would have to wait some time for a replacement to its outdated custody facilities. Unfortunately the current economic situation has delayed this still further, as the MPA has now postponed all borough based custody initiatives apart from those that are already underway.

At the end of 2007, the Twickenham custody suite was used for the first time for Operation Safeguard (prison overflow). We expressed concerns about the welfare of prisoners and the overall suitability of the arrangement. I am pleased to say that, in the event, Twickenham was used only very occasionally in the first part of the year, and that we have recently been told that the arrangement has now ceased.

Last year's report mentioned the new computer system, NSPIS, which had gone live in Richmond in May 2007, and which was causing some problems for the ICV scheme. Although some issues remain, increased familiarity with the system, both for visitors and for custody staff, means that there are far fewer problems than before.

This year we have introduced refresher training for panel members, which has been organised in short modules that can be run together with our panel meetings. This appears to be a very successful way of delivering the training, which was one of our targets for 2008.

Our panel is now up to full strength with twelve members. We have continued to help in Hammersmith and Fulham, though they have been very successful with recruitment and will no longer require our assistance in 2009. We hope to be able to offer help to other neighbouring boroughs instead.

We carried out almost all of our scheduled visits for the year, although 2 visits to Teddington were unsuccessful because the custody suite was closed at the time. Unfortunately the spread of visits was not as good as planned, with only 5% between 20:00 and 04:00 compared with our target of at least 10%. In addition, the number of Sunday visits dropped to one in the year. We recognise that it is important for public confidence that our visits are well spread throughout the day and the week, and this will therefore be the subject of renewed focus in 2009.

In terms of outcome, we spoke to 84 of the 131 people who were in custody at the time of our visits. Over half of the detainees who agreed to be interviewed expressed no concerns at all about their treatment while in custody. For the most part, complaints were minor and could be dealt with on the spot. On only six occasions were issues raised that were a potential breach of the PACE codes outlining the rights of people held in detention.

# Recruitment and membership

Since April 2007, panels have been asked to adhere to recruitment and interviewing guidance provided by the MPA. The MPA expects all panels to adhere to the MPA's equal opportunities policy, recruit new panel members from all sections of the community and actively foster good relations between people of different races, genders, sexualities, abilities and age on the panel.

Active panel membership has increased to twelve, with one resignation (a transfer to another panel) and two new appointments during the year. One member of the panel remains on long-term sabbatical. This stability has been very welcome in terms of the experience of panel members and their ability to conduct effective visits. On the other hand, it has given us few opportunities to improve the balance of panel membership in terms of age and gender. As we reported last year, it remains the case that the majority of our panel membership is female, compared with the population of the borough as a whole, which is 49% male.

We do operate an equal opportunities policy as far as recruitment is concerned and will continue to welcome applications from all sections of the community as and when vacancies arise.

The number of visitors is slightly more than is required to cover our commitment to weekly visits to Richmond and monthly visits to Teddington. In the past year we have continued to provide assistance to Hammersmith and Fulham, however, this arrangement has come to an end after a very successful recruitment drive in that borough. We will be looking for other opportunities to help neighbouring panels.

Our two new recruits have attended MPA training and in addition we have delivered refresher training to all panel members through short modules held at the end of panel meetings.

Apart from providing resources to Hammersmith and Fulham, there have been other occasions in the year to increase engagement with other panels. The MPA offered cluster-based training in February which was attended by three members of the panel and in April there was a London conference for independent custody visitors which offered another good opportunity to share ideas and to learn from other panels' experience.

There have been additional cluster based and London wide meetings and training sessions directed specifically at Panel Chairs, which the Chairperson has attended.

# Visits to police stations

There are two custody suites in the borough, but only Richmond Police Station operates full time. Teddington is used primarily for bail to return and for occasional overflow. Twickenham had been decommissioned as a custody suite but was in use for Operation Safeguard in the early part of 2008.

As well as weekly unannounced visits to Richmond, we schedule monthly visits to Teddington. Teddington is used on only an occasional basis, so it is often the case that there are no detainees there when we visit. Nevertheless we consider it important that we continue to schedule regular visits, and in the past year we have worked closely with the local police to gain a better understanding of the best time to carry them out.

This year we completed 53 visits to Richmond and 9 to Teddington, against targets of 52 and 12 respectively. When two unsuccessful visits to Teddington are included (in both cases the custody suite was closed at the time of our visit) we achieved 98% of the target. We had planned monthly visits to Twickenham if it was being used for Operation Safeguard but in the event only one was required.

Visits are made in pairs and the visitors decide on times that are suitable to them. The graphs on the following pages show that the spread of visits was uneven, with the majority being made either in the morning or in the early evening. In addition, the number of Sunday visits was lower than expected.

It is an important feature of the independent custody visiting scheme that visits are unannounced and that their timing should not be predictable. We will therefore monitor the timing of visits throughout the year to ensure that we are achieving a reasonable spread. This needs however to be balanced with the fact that our aim is to talk to as many detainees as possible, and night time visits fail on this count because most detainees are asleep.

The majority of our reports have not raised any significant issues that had to be brought to the attention of the MPA or which required a response from the local police. However, there have been some issues:

- There are continuing concerns that detainees who have been in custody for longer periods of time are not routinely offered a shower despite the fact that there is one available. There are also concerns about the provision of toilet paper which should always be offered unless there is an assessed risk of self-harm.
- On two occasions rights and entitlements appear not to have been given to detainees whose first language is not English, despite the fact that foreign language versions are available.
- In three cases visitors were denied immediate access to the custody suite. We recognise that custody staff are responsible for the health and safety of visitors, but it is essential for the credibility of the scheme that access is not delayed.

On a positive note, over half of the detainees who agreed to be interviewed expressed no concerns at all about their treatment while in custody. For the most part, complaints were minor and could be dealt with on the spot. On only six occasions were issues raised that were a potential breach of the PACE codes outlining the rights of people held in detention.

Finally, the figures provided by the Police for the total population of detainees held in custody in 2008 demonstrate that immigration detainees form a very small minority. Custody visitors make no practical distinction between the two types of detainee, as the minimum standards of treatment are the same.



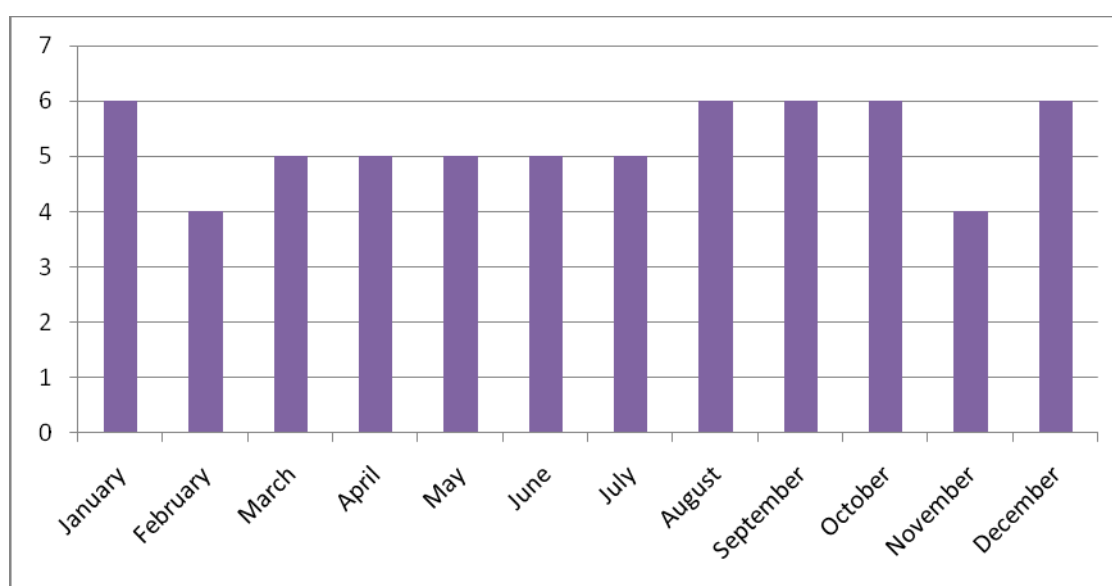
# Data from panel visits

## 1. Number of Visits:

Station	Annual no. of visits	% of annual target
Richmond	53	102%
Teddington (overflow)	9 *	75%
<b>Subtotal</b>	<b>62</b>	<b>97%</b>
Twickenham (Safeguard)	1	n/a
<b>Total</b>	<b>63</b>	<b>n/a</b>

\* Two additional, unsuccessful visits were made when Teddington was closed.

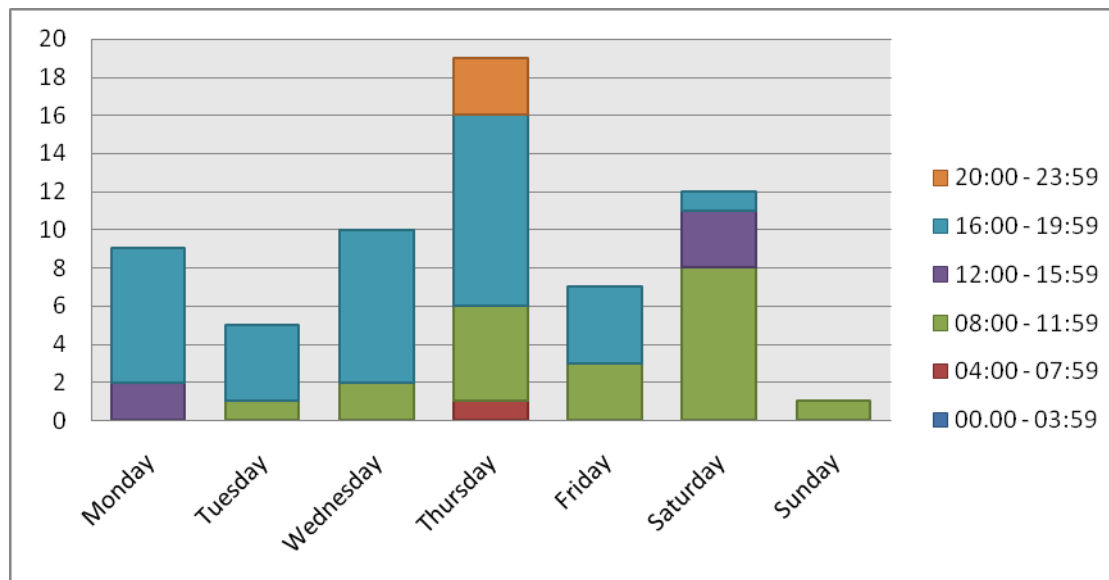
Visits undertaken in London borough of Richmond Upon Thames during 2008:



## 2. Time of Visits

	Annual no.	% of all visits
0000 – 0359 hrs	0	0
0400 – 0759 hrs	1	1.6
0800 – 1159 hrs	20	31.7
1200 – 1559 hrs	5	7.9
1600 – 1959 hrs	34	54
2000 – 2359 hrs	3	4.8
<b>Total</b>	<b>63</b>	<b>100</b>

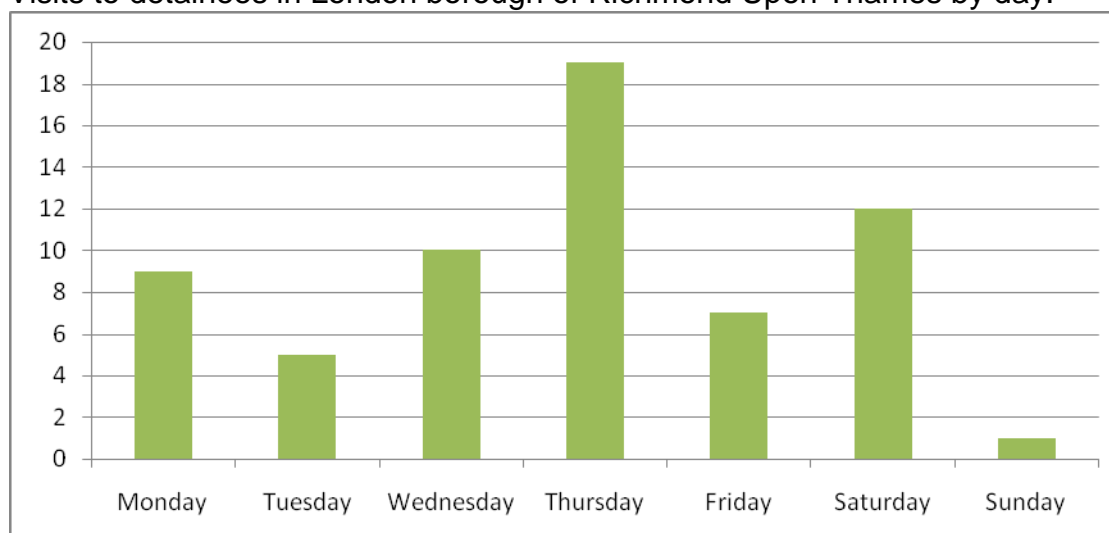
Visits to detainees in London borough of Richmond Upon Thames by time:



### 3. Days of Visits

	Annual no.	% of all visits
Monday	9	14.3
Tuesday	5	7.9
Wednesday	10	15.9
Thursday	19	30.2
Friday	7	11.1
Saturday	12	19.0
Sunday	1	1.6
<b>Total</b>	<b>63</b>	<b>100</b>

Visits to detainees in London borough of Richmond Upon Thames by day:



#### 4. Details of Visits

	Annual no.	% of all DPs*
<b>Total Number of people detained in custody in 2008</b>	4137	100
<b>Detainees in custody at time of visits</b>	131	3.2
Of which:		
<b>Detainees seen</b>	84	2.0
<b>Detainees who refused to be seen</b>	30	0.7
<b>Detainees absent from cell at interview, etc</b>	13	0.3
<b>Detainees not seen due to language or communication difficulties</b>	4	0.1

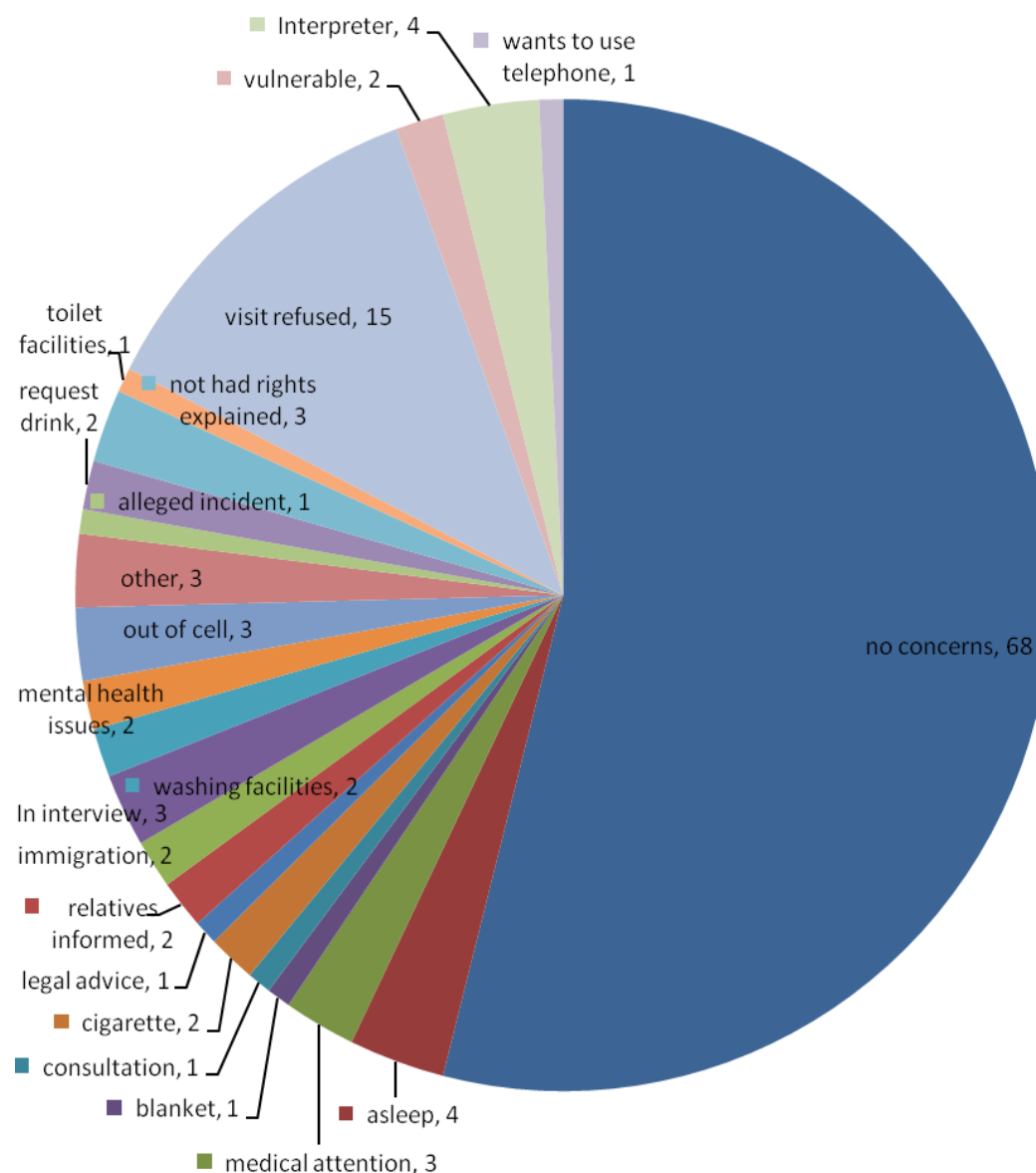
\* % of those in custody at time of visit (DP = detained person)

#### 5. Total numbers of detainees by type (Police data)

		% of all DPs
Total number of detainees held in custody during 2008	4137	100
PACE detainees	4027	97.3
Immigration detainees	24	0.6
Home Office prisoners (e.g. Operation Safeguard)	86	2.1

## 6. Details of issues raised:

The following graph is based on data taken from visit reports and reflects both concerns raised by detainees in interview, and issues raised by visitors on those occasions when they had permission to review the custody record of detainees who had refused an interview. It takes account of only one issue per detainee (however less than 10% raised more than one concern). It is not therefore a complete picture of all issues raised, It is however accurate in showing that the majority of detainees raised no issues at all; it also gives a good overview of the types of concerns that have been raised.



# Plans for forthcoming year 2009

The Panel's aims and objectives for 2009 are as follows:

- To make a total of 64 visits to the two custody suites in the borough, of which 52 to Richmond, with additional monthly visits to Teddington.
- To vary the time of visits in order to provide a better spread and in particular to ensure that a minimum of 10% of visits are carried out between 20:00 and 04:00 and that the number of visits on a Sunday is also increased.
- To continue to ensure that the rights and interests of detainees are upheld and to raise concerns promptly and effectively with local police or the MPA as appropriate.
- To ensure that all new recruits receive local and MPA training and that existing members of the panel undertake refresher training at least once during their three year tenure.
- To increase engagement with other panels, through cluster meetings, shared training and providing resources if appropriate.
- Together with the MPA, to continue to promote and raise awareness of the work of Independent Custody Visitors.
- To attempt, through the application of an equal opportunities recruitment policy, to ensure that the panel reflects the age, gender and ethnic diversity of the Borough of Richmond.