



MPA

Metropolitan Police Authority

North Westminster Independent Custody Visiting Panel

Annual Report 2008



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Introduction

Welcome to the Annual Report of the North Westminster Independent Custody Visiting Panel. The report covers a period from 1st January 2008 to 31st 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

Independent Custody Visitors

Independent Custody Visitors (ICVs) are volunteers from within the community who visit police stations unannounced to check on the rights, entitlements and conditions of detention of people held in police custody. Independent custody visiting is governed by a range of legislation and guidance including the Police and Criminal Evidence Act (PACE) 1984 as well as the Home Office Codes of Practice and National Standards.

History of Independent Custody Visiting

The Independent Custody Visitors scheme, formally known as the Lay Visitors' scheme was introduced in the mid-1980s following a recommendation in Lord Scarman's report into the civil disorders in Brixton and other parts of the UK. He recommended a system of independent, unannounced inspection of procedures and detention in police stations by local community members. Since then Panels of ICVs have evolved throughout the United Kingdom as an important means of securing accountability of the police to the local communities they serve. ICVs play a vital role in bringing police and communities closer together and enhancing public perception of police procedures and practices. It is now mandatory for each Police Authority in the country to have a custody visiting scheme in place.

Visits to police stations

ICVs always visit in pairs. A rota is drawn up to ensure that pairs of ICVs are allocated to visit the operational custody suites in the local borough. Visits can be made at any time of the day or night, and on any day of the week. All detainees are offered the opportunity to speak to the ICVs but may choose not to. ICVs do not take sides but look, listen and report on what they find in the custody unit. Before leaving the custody area ICVs compile a report on their findings that will draw attention to any matters that may need addressing. A copy is also provided to the Police. Minor issues can usually be dealt with before ICVs leave the station by speaking with Custody Staff, but more serious issues can be escalated further.

Panel Meetings

The North Westminster ICV Panel has monthly meetings that are held at Westminster Council House in Marylebone. At the meeting ICVs discuss issues that have been raised on the visit report and a response is provided by the police representative of the station visited. Some issues may need persistence by the Panel in monitoring and calling for action.

The meeting also provides an opportunity for members to share their experiences on visits and be updated on relevant criminal justice issues.

London Independent Custody Visiting Scheme

The Metropolitan Police Authority (MPA) is an independent statutory body, which exists to make sure that London's police, the Metropolitan Police Service (MPS), 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. In April 2007 the MPA brought together the custody visiting arrangements managed by the boroughs into one London scheme. Prior to this, panels have been administered at borough level.

The scheme has the full support and cooperation of the Commissioner and the Borough Commander for Westminster, but is independent of the police. The MPA holds overall responsibility for the scheme's management and administration, providing a team of MPA staff to support the panels. There are 32 ICV Panels in London, one in each borough, except for Westminster which has two Panels, Westminster North and Westminster South.

How to Apply

To be eligible to become an Independent Custody Visitor in the Westminster borough you must:

- Either live, work or study in the borough
- Be aged over 18
- Have no direct involvement in the criminal justice system, for example, serving police officers, special constables and magistrates

For vetting purposes you must have resided in the UK for the last 3 years. Appointment as an Independent Custody Visitor is subject to successful security vetting clearance by the MPS Vetting Department.

Independent Custody Visitors are accredited by the Metropolitan Police Authority and appointed to the panel. The MPA provides all new ICVs with training to enable them to carry out their role. All new Panel members are paired with more experienced members of the Panel until they have successfully completed a six month probationary period.

For more information about the London ICV scheme please contact:

ICV Coordinator
Metropolitan Police Authority
FREEPOST
LON17808
LONDON SW1H 0DY

Freephone: 0808 100 1036 Minicom: 020 7202 0173
Email: icvrecruitment@mpa.gov.uk

Aims and Achievements

The aims and objectives of the Panel are laid out in the Home Office Codes of Practice, the National Standards governing Independent Custody Visiting and the MPA ICV Handbook. The primary objective of the Panel is to check and report on the treatment of detainees in custody and to ensure that their rights and entitlements are being observed.

This is achieved by:

- Making one visit per week to the operational custody suites
- Holding panel meetings and
- Increasing public awareness of the London ICV scheme

Visits

In 2008 the Panel made a total of 96 visits against the target of 104. This represents an achievement of 92% of the panels visiting target. The Panel raised a number of issues on their ICV reports (see page 6). Visits were reasonably well spread throughout the week with a majority of visits carried out between 18:00-21:00. Most visits took more than 60 minutes to conduct. Visits to Charing Cross took over an hour in a majority of cases, with four visits taking over one and a half hours.

Panel meetings

During the year the Panel maintained ongoing dialogue with the Police, with attendance by police representatives at panel meetings, to provide responses to queries raised from visits and updates on custody matters. The Panel has embraced the idea of continuous learning; a presentation on 'tasers' was delivered at one of the meetings to both the North and South Westminster ICVs.

Recruitment and publicity

Throughout the year, the work of ICVs was actively promoted; local recruitment included sending posters and leaflets to the libraries in Westminster and voluntary organisations. The MPA also regularly advertised in the Metro and Evening Standard newspapers. The panel is registered with Westminster Volunteer Centre and Advertises on the national volunteering website www.do-it.org.uk.

Through these efforts the profile of the work of ICVs was raised and two new members joined the Panel.

Meetings and events

During the year members represented the Panel at meetings of the London ICV Chairs with the MPA, the Independent Custody Visiting Association National Conference, the London ICV Conference and the ICV Christmas Social.

Visits to police stations

The North Westminster Panel visit Paddington Green and Charing Cross station, whilst the South Westminster panel visit Belgravia and Charing Cross stations, as well as Ebury Bridge, which is a British Transport Police station.

Both the North and South Westminster Panels share visits to Charing Cross with the North visiting the first floor and the South the ground floor, however, visits to Charing Cross station were carried out by North Westminster panel for the majority of the year as the ground floor of Charing Cross was unoccupied. The other stations in the borough, West End Central, Marylebone and Harrow Road, are now used as overflow stations or for special operations

The number of visits the Panel made to each station during the year under review is shown below:

1. Number of Visits

	No. of visits conducted	% annual target
Paddington Green (Westminster North)	51	98%
Charing Cross (Westminster Central)	45	86%
Total	96	92%

The figure for Paddington is inflated because it includes visits to the High Security Suite (H.S.S) when it is in operation (these visits are carried out by the Chairman and Vice-Chairs who have enhanced security clearance for this purpose).

2. Visit duration

	Paddington Green	Charing Cross
30 mins or less	21	7
31– 60 mins	25	9
61 – 90 mins	4	25
91-120 mins	1	4
More than 120 mins		

3. Visits Days & times

Paddington Green (including H.S.S)

Time slots	Mon	Tue	Wed	Thu	Fri	Sat	Sun
0000 – 0900 hrs							
0900 – 1200 hrs	1		3			1	2
1200 - 1500 hrs		2					3
1500 – 1800 hrs		1	2	1	1	1	2
1800 – 2100 hrs	2	2	8	10	4		1
2100– 2400 hrs		1	1	1			1

Charing Cross

Time slots	Mon	Tue	Wed	Thu	Fri	Sat	Sun
0000 – 0900 hrs							
0900 – 1200 hrs	1			1		1	1
1200 - 1500 hrs	1		2	1			3
1500 – 1800 hrs		2	4	3	2	1	2
1800 – 2100 hrs		2	4	11	1		
2100– 2400 hrs			1	1			

4. Visits and categories of detainees seen

	Paddington Green	Charing Cross
In custody	284	546
Seen	124	235
Refused	73	132
N/A	85	146
Female	36	82
Juvenile	21	8
Immigration	14	40
PACE	257	449
Other	27	10

The table above shows the number of detainees in custody at each station (In custody), the number of detainees who were seen by members of the Panel (Seen), the number who declined to be seen (Refused), and the number not seen because (a) they were out of their cell on interview, (b) they were with the Forensic Medical Examiner, (c) they could not communicate because of an inability to speak or understand English and an interpreter was not available or (d) they were asleep (N/A). It also shows the number of female detainees, the number of detainees who were juveniles (16 years of age or under), the number being held on behalf of the immigration service at the time of each visit, the number of detainees held under (PACE), and other categories of detainees seen such as suspect terrorist, bail act, prisoners (Other).

FACILITIES AT STATIONS

Paddington Green

This is a busy and efficiently run station with 22 cells. From time to time, for operational reasons, it has been necessary for the Custody Suite to be based in the old Paddington Police Station in Harrow Road near the junction with Elgin Avenue.

Paddington Green High Security Suite

The last Annual Report recorded that 19 visits were made to the Secure Suite. This year the number of visits recorded was 9 and the total number of detainees seen was 21 (20 less than in the last year). Unlike visits to other Custody Suites visits to the High Security Suite are usually, though not always, arranged in advance because detainees held here are often on interview for prolonged periods. The Custody Officer usually liaises with the Panel Chair to advise on times during the day or evening when detainees might be available to speak with Custody Visitors. These visits are carried out by the Chair and one of the Vice-Chairs and when detainees are kept in for more than seven days a second visit is made. Every effort is made to carry out a visit whenever the High Security Suite is in use.

Charing Cross

This is also a busy and efficiently run station with 45 cells and the highest throughput of detainees in Westminster. The Panel noted during the year that visits to Charing Cross were took longer due to an increase in the throughput of detainees in the borough (10,363 detainees were processed during 2008 compared with 7,154 during 2007).

DETAINEES ENTITLEMENTS AND RIGHTS

The main issues raised by ICVs following their visits were:

- the offer of showers to detainees held overnight in custody, especially those due to appear in court the following morning
- the length of time immigration detainees are held in police stations
- requests for telephone calls
- response times of Doctor's (FME-Forensic Medical Examiner)
- shortage of Appropriate Adults, which means that vulnerable detainees sometimes have to spend an inordinate amount of time in a cell.

GENERAL MATTERS

Appropriate Adults

The Panel continues to encounter vulnerable adults (detainees with mental health problems and juveniles (aged 16 or under)) among detainees who are often in police custody for longer than necessary, due to a lack of suitably trained Appropriate Adults who are required to be present when such detainees are charged if a detainee cannot be supported by a family member to act in this capacity. A local Panel of trained volunteers act as Appropriate Adults who can be called out between 9.00a.m. and 12.00p.m.

The panel is seeking volunteers and further information on becoming an Appropriate Adult can be obtained from Robert Driver on 020 7641 8055 or by e-mailing him at rdriver@westminster.gov.uk.

Cover is also provided by Social Services staff employed by the Council and ICVs have come across juveniles or other vulnerable adults that had to be kept in cells for some time because of difficulties in getting hold of an Appropriate Adult. There is still a need for more 'safe accommodation' to be made available to house children of detainees while they are in custody.

Blankets and heating

It is generally accepted that detainees who are kept overnight should be offered a blanket during colder weather for they are not always aware that blankets are available. The Panel also raised the issue of heating at Paddington Green as the temperatures in the cells are not thermostatically controlled.

Dedicated Detention Officers

The Panel welcomed the introduction four years ago of Dedicated Detention Officers (DDOs) who are now operating in each of the stations in Westminster. DDO's are not police officers but civilians who receive special training to enable them to take the place of gaolers who are police officers drawn from other duties to spend a short time looking after the welfare of detainees in police stations. DDOs have their own uniform and work with the Custody Officers within Custody Suites thus releasing the PC gaolers for other professional duties. The Panel feels that having these specialists is of benefit both to the detainees and the Custody Officers.

Detainees under the influence of alcohol or drugs

The Panel continues to believe that Police Stations are unsuitable places for the detention of persons under the influence of alcohol or drugs and again requests that Westminster City Council gives serious consideration to the provision of suitable centres equipped and staffed to deal with these detainees. The introduction of the Drug Referral Initiative was a step in the right direction but more needs to be done.

Doctors' Visits

Members of the Panel have been concerned to learn of the delays that are occurring between the time a Custody Officer telephones for a doctor (Forensic Medical Examiner) to visit a detainee and the time that the doctor arrives – sometimes this takes several hours. There is the option of calling an ambulance and having a detainee taken directly to hospital – as occurs frequently – but it is not always an easy decision to take and in any event when the request for a visit by a doctor is made it is not known how long the delay will be. This could of course be a matter of life and death. A new contract is due to be introduced in 2009. It is hoped this will bring improvements to the service.

Immigration Detainees

It will have been noted that Custody Visitors frequently encounter detainees who are kept in police stations on behalf of Her Majesty's Immigration Service. In the past their detention would often last for as long as five days although Police Station cells were

never designed for long-stay accommodation and are clearly unsuitable for such use. In common with other Panels the problem of immigration detainees being housed in police cells has been highlighted for some years. The panel are pleased to record that as a result immigration detainees are now kept in police stations for much shorter periods before being transferred to more suitable accommodation. However, it has been observed that the length of stay of Immigration Detainees is beginning to increase again and this is through no fault of the police but because holding centres are apparently full: the Immigration Service needs to do something about this as a matter of urgency.

Pillowslips

The good hygiene practice of issuing each detainee with a clean disposable pillowslip had to be discontinued some years ago for safety reasons and a new source of pillowslips has still not been found. The Panel hopes that it will not be too long before pillowslips can once again be issued to detainees, subject of course to risk assessment.

Police Community Consultative Groups

The Panel is represented at the meetings of the Paddington/Marylebone PCCG and the Central Westminster PCCG

Reading Material

Panel members continue to provide reading material for the use of detainees within the stations on a regular basis.

Showers

Each station has at least one shower installed for the use of detainees but the Panel feels that all too often the detainees are not made aware of this and that the police need to be more pro-active in letting them know that a shower can be made available, particularly where they are detained for more than 24 hours. The panel feels that detainees who are kept in cells overnight should be offered a shower as a matter of course and while this isn't always possible they should at the very least be given the opportunity to wash and clean their teeth.

Significant changes

Merger of Westminster Division and Review of Custody Provisions

Prior to January 2008, Westminster had five police stations in operation 24 hours a day. In 2008, the MPS carried out a review of custody provisions in the borough and amalgamated the five Westminster divisions into three; this resulted in the borough having three operational custody suites; Belgravia station, Paddington Green station and Charing Cross station. It also recommended, among other things, the centralised management and standardisation of custody provision in Westminster.

This reduced the number of MPS stations visited by ICVs in the borough from five to three.

Installation of NSPIS (National Strategy for Police Information Systems)

In March 2008, NSPIS was installed in the borough. NSPIS is a Met computer system linked to the Police National Computer (PNC) and other electronic databases in the criminal justice system, making it easier to transfer information from custody to the courts etc.

An NSPIS Project Officer attended one of the Panel meetings to give a presentation to members. Some members reported problems in accessing the NSPIS records at the early stages but these issues appear to have improved.

Refurbishment of Paddington Green High Security

The High Security Suite at Paddington Green closed in December for refurbishment. The Chair, along with other stakeholders, visited the Suite before the closure to complete a survey in order to gather opinions on the existing terrorist detention holding facilities. The Chair will be invited to view the upgraded suite after the refurbishment programme, which is expected to be completed by mid 2009.

Proposal to Amalgamate the Westminster panels

In November 2008 the MPA proposed the amalgamation of the two existing ICV Panels in the borough to form a single Westminster ICV Panel. A decision is expected to be made in early 2009.

Membership

There were 15 members of the panel as at February 2008. One member resigned during the year

AGM (Annual General Meeting)

Len Clark was re-elected as Chair at the panel's AGM in October 2008. Brian Beamish, Claudius Pascal and Vicky Wegg-Prosser were re-elected as Vice Chairs.

Objectives for 2009

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

- To continue to ensure that the rights and interests of detainees are upheld and to raise concerns promptly and effectively with the local police or the MPA as appropriate.
- To maintain weekly visits to each of the 24/7 custody suites
- To recruit additional members to the Panel and maintain a minimum membership of 17 members
- To work together with the South Westminster Panel in sharing a greater awareness of custody issues in the borough.