

London Independent Custody Visiting Scheme



Annual Report 2009



Foreword

Welcome to the 2009 annual report of the London Independent Custody Visiting (ICV) Scheme.

The Metropolitan Police Authority (MPA) exists to ensure that the police are accountable for the services they provide to people in the capital. The Authority has been given a number of statutory responsibilities, including under paragraph 51 of the Police Reform Act 2002, the management of the independent custody visiting scheme.

The independent custody visiting scheme, formerly 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 independent custody visitors have evolved throughout the United Kingdom as an important means of securing police accountability for the local communities they serve.

Independent custody visitors play a role in bringing police and communities closer together and enhancing public perception of police procedures and practices in relation to custody. It is now mandatory for each police authority in the country to have a custody visiting scheme in place.

The purpose of this report is to give a general overview of the work of the London ICV Scheme.

As of December 2009, the MPA had 424 volunteers across London giving up their free time to provide independent scrutiny of the treatment of those held in police detention and the conditions in which they are held. Twenty-six years on from Lord Scarman's report it is as important as ever that Londoners have confidence in the police. Independent custody visiting continues to be crucial in helping to build and maintain community confidence in this significant area of policing.

I would like to thank all our volunteers for their dedication and hard work throughout 2009. The MPA and the Metropolitan Police Service (MPS) appreciate the vital contribution they make to help improve the standard of custody provision in London.

Kit Malthouse
Chair
Metropolitan Police Authority

Introduction

The London Independent Custody Visiting Scheme

The 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 with the police 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 to provide a custody visiting scheme in its area. The scheme has the full support and cooperation of the Commissioner and each borough Commander, but is independent of the police. The MPA holds overall responsibility for the scheme's management and administration.

Who are Independent Custody Visitors?

Independent Custody Visitors (ICVs) are members of the local community who volunteer to visit police stations unannounced to check on the treatment and welfare of people held in police custody.

They come from a variety of backgrounds and sections of the community. They must be over 18 and

have no direct involvement in the criminal justice system; for example, they may not be serving police officers or magistrates. Other people such as solicitors or probation officers, may also be excluded, to prevent possible conflict of interests for the individual. This maintains the independence of the scheme as a whole.

Independent 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.

The structure of independent custody visiting in London

An independent custody visitors' panel operates within each borough. The scheme is made up of over 400 volunteers across 32 panels.

The panels visit each 24/7 operational custody suite in their borough once a week.

Each panel elects a Chair and Vice Chair, who provide leadership for the panel locally and can reflect local needs and concerns.

A co-ordinator, employed by the MPA, supports each panel. The panel liaises with the local custody manager who will attend (or send a representative) to each panel meeting to discuss any queries or problems that have arisen out of the custody visits.

The role of Independent Custody Visitors

Visits are always made in pairs, and are unannounced. The objective of all visits is to monitor and report on the treatment and conditions of individual detainees and to check that their rights and entitlements have been upheld.

During their visit, custody visitors are escorted by a custody sergeant/officer or Designated Detention Officer (DDO) at all times. Every detainee being held (and not in interview at the time of the visit) is offered the opportunity to speak with the custody visitors, but may choose not to. For the visitors' protection interviews are carried out within sight, but out of hearing of, the escorting police officer.



Strict rules of confidentiality apply. Detainees are only identified by their custody numbers, and the details of

what visitors see and hear must be treated as confidential. Custody visitors are not concerned with the alleged offence and must maintain their independence and impartiality at all times. They cannot provide advice to any detainee. They do not become involved or take sides, but are there to look, listen and report on conditions in custody at the time of their visit.

Reporting on visits

After every visit, custody visitors fill out a report form outlining the details of the visit.

The form contains all the information about the visit, including details of problems that were resolved immediately and those that need further action. Copies of the reports are provided for the police, the MPA and the ICVs' panel for follow up and discussion.

Where concerns cannot be resolved immediately, the police will report back to the next panel meeting on how they were resolved after the custody visitors left the station. Most issues are raised and dealt with locally by each panel, but should any more serious issues arise, or if problems seem to be occurring across London then the MPA may raise these directly with the MPS Custody Directorate - the department responsible for custody suites, policies, practices and procedures relating to those in custody across London.

Developments for 2009

Panel performance

The performance of the scheme as a whole is dependent on the performance of the 32 individual panels which it encompasses. Key performance measures include identifying the number of visits taking place against set objectives, how effectively issues arising out of visits are addressed, how effectively the panel communicates with the local community about the scheme and how effectively the MPA recruits to the scheme (in order to be able to fulfill the scheme objectives).

In the period from January to December 2009, a total of 2486 visits were carried out. The majority of panels met, or came very close to meeting their performance target.

For further information about each panel's annual report please go to:

www.mpa.gov.uk/partnerships/icv/annual-reports/2009/

Recruitment

Recruitment was ongoing throughout the year but continues to be less of a priority, as membership has stabilised. Almost all panels had the requisite number of ICVs to meet their visiting requirements and it has been

necessary to operate waiting lists for some panels.

Community Confidence

The first pan-London annual report was produced in June and was distributed to panels and key stakeholders. It was also placed on the MPA website.

Links between panels and CPEGs (Community Consultative Groups) have been actively encouraged and are developing in most boroughs, with a majority of panels presenting their annual report to the CPEG. Work will continue to encourage panels to develop and maintain these relationships.

Communication

Panel Chairs and Vice Chairs are invited to meetings with the MPA twice a year. At one of the meetings the Chairs listened to a talk on mental health and detention, with particular reference to the Bradley report. As well as listening to the speaker, ICVs have the opportunity to raise issues of concern in relation to custody, to gain updates from the MPA on a range of issues and to hear from their colleagues in other boroughs.

London ICV Scheme newsletters were produced on a bi-monthly basis and are available on the MPA website.

The ICV Scheme continues to report to the MPA Community Engagement and Citizen Focus Sub-committee at meetings which are open to the public, and on the MPA website.

Raising awareness

The ICV London Facebook page was launched on the 4th of June, to coincide with Volunteers Week. The page allows a wide and diverse audience to be reached and is particularly helpful in raising awareness amongst younger people, whom we have identified as under-represented within the scheme and are therefore a target audience. New information is posted to the page on a regular basis and the page can also be used to promote wider MPA initiatives, such as the consultation on policing priorities.

Also to coincide with Volunteers Week, a radio advert was aired on five local radio stations. In addition, Nusound

radio, which broadcasts in East London and has an estimated 2000 listeners per show, featured a ten minute live interview with a member of the ICV team who was able to explain and promote the scheme on air, as well thanking our volunteers for their time and commitment. The interview is available on the MPA website and has been linked to our Facebook page. Alternative methods of advertising, such as the radio advert, Facebook and community TV have meant that the location and method of advertising across London has been broadened, enabling the scheme to reach a wider and more diverse audience.



ICV social evening and awards ceremony

Volunteers Week activities culminated in an ICV social evening and awards ceremony, hosted by MPA Chair, Kit Malthouse, at

City Hall. Approximately 120 ICVs attended and awards were presented for long service, as well as assistance to other panels, best performance and most improved panel during the year. Individuals who had helped out other panels during the year also received a special mention.

Conferences

The MPA community engagement conference “Policing with Authority” on the 27th of June included a workshop on independent custody visiting, which aimed to increase community confidence in (custody) policing by raising awareness of the ICV scheme.

Seventeen ICVs from London attended the national Independent Custody Visitors Association (ICVA) conference in Leicester in November 2009.

Training

Five initial training courses were delivered throughout the year for new ICVs. A further 6 modules of refresher training have been developed by the ICV team to meet ICVs’ identified ongoing learning needs. We now have 13 modules which can be delivered ‘in panel’ as short, stand alone exercises, or can be used together to deliver a longer ‘refresher training evening’.

Two diversity training sessions were also held during the year.

Self introduction

Self introduction involves ICVs introducing themselves to detainees directly and asking the detainee whether or not he/she wishes to speak with them, rather than being introduced by the escorting officer.

In October 2008 the MPA started to pilot ‘self-introduction’ in four boroughs. This followed a request from ICVs in London who were aware of a trial in Hampshire where uptake on visits increased by 35% during a similar trial.

The extended trial started in June 2009 and continued until the end of December 2009. The pilot will be evaluated in 2010 and a decision made about whether to extend it further.

British Transport Police (BTP)

The MPA has a contract with British Transport Police Authority to deliver a custody visiting service for 4 BTP custody suites in London. A further two new BTP custody suites are to be visited by ICVs in London from 2010.



Emerald and HMIC/HMIP inspections of custody suites

A 6 year programme of inspections of all custody facilities in the UK by HMIC/HMIP is underway in line with Human Rights legislation. Inspections can be announced or unannounced.

Project Herald

Project Herald consists of 2 separate strands – a change in medical and health service provision and the increase in number and enhanced role of Designated Detention Officers (DDOs) in custody suites. ICV panels have noted a significantly improved service in custody suites where permanent custody staff are employed and anticipate the DDOs programme will provide further benefits to detainees.

Inspections of five MPS custody suites at Lambeth, Ealing, Tower Hamlets, Enfield and Hackney have been undertaken. Review of the inspections has led to a new forensic exhibition, SOP, replacement of refrigeration facilities and a review of cleaning contracts.

Provision for detainees held under the Terrorism Act

ICVs with enhanced clearance continue to visit suspected terrorist detainees held at Paddington Green police station. The refurbishment of the secure suite at Paddington Green was completed on July 1st 2009.

Issues and concerns arising from visits

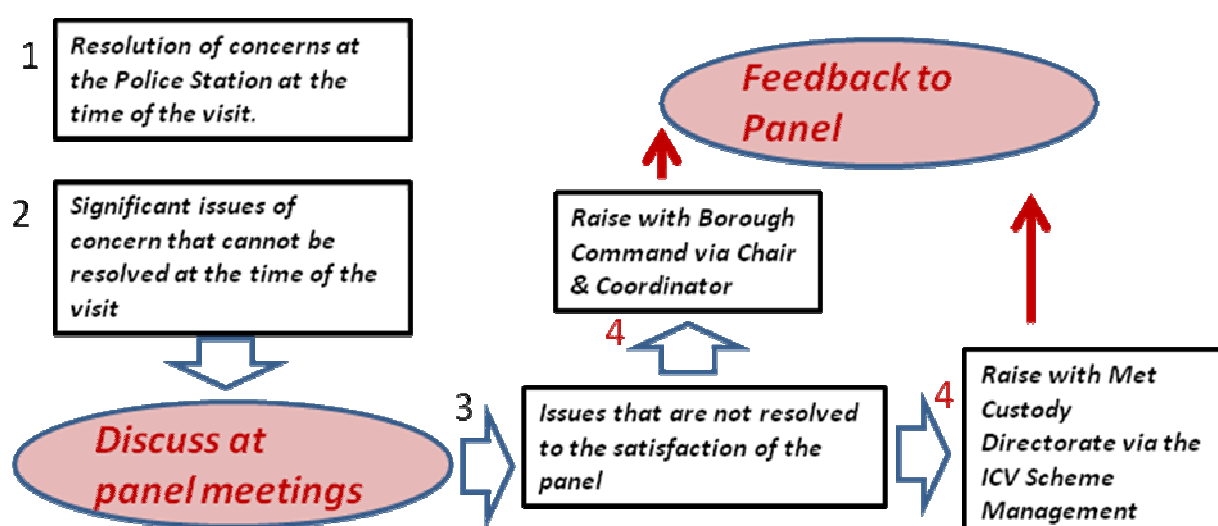
Issues or concerns which arise out of ICV visits are addressed with the police by the ICVs on completion of the visit. Where an immediate response cannot be given, the MPS is asked to provide a response to the next meeting of the ICV panel, which a police representative attends.

Where a significant issue of concern is identified, the panel Chair or MPA coordinator will usually seek a response from the police prior to the panel meeting. Clear processes are in place to allow issues to be escalated locally where necessary.

It is critical that all issues raised are dealt with to the satisfaction of the panel concerned and it is the panel's responsibility to ensure, with support from the MPA Coordinator, that the response they receive from the police fully addresses their concerns.

ICVs are aware that issues which have not been resolved to the panel's satisfaction locally can be escalated via the MPA to the Custody Directorate (*see chart below*). The ICV Scheme Manager has regular scheduled meetings with the Custody Directorate to share information and raise relevant pan-London or borough concerns. Responses from the Custody Directorate are fed back to individual panels and the ICV Newsletter provides a broader mechanism to share with ICVs information from these meetings.

Escalation process



Across the scheme as a whole, no major complaints were raised by detainees during the vast majority of ICV visits. Where issues are raised, the majority were of a relatively minor nature, such as requests for food or drink. This is a very positive outcome for the scheme.

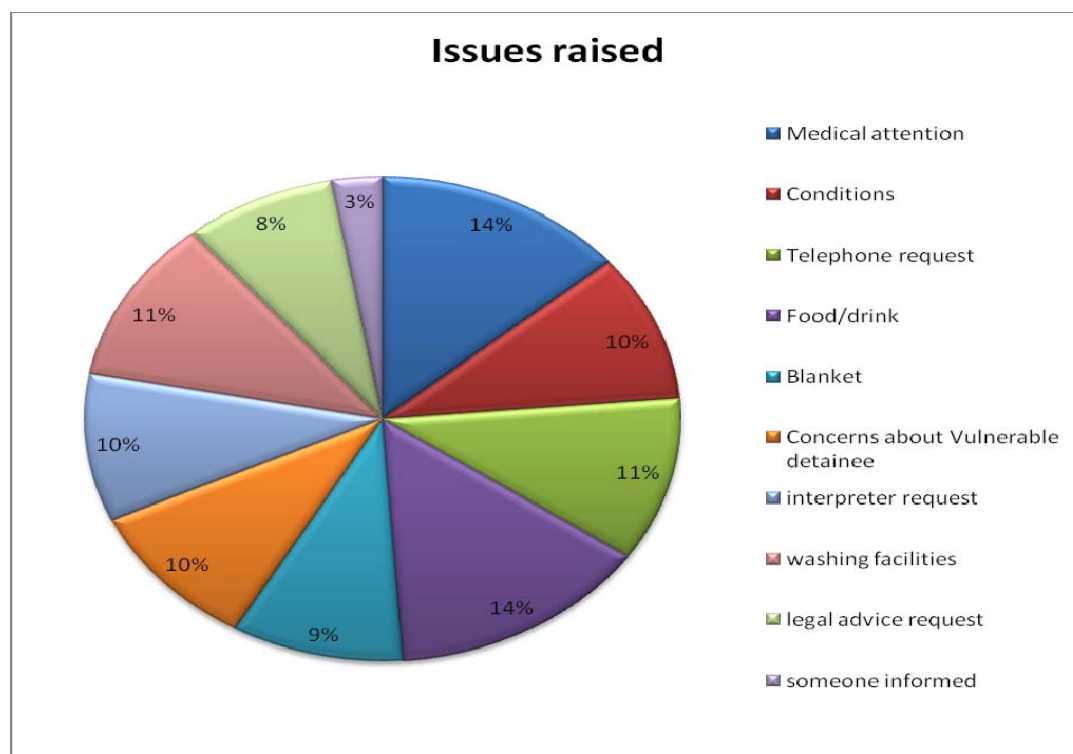
Requests such as those mentioned have often not been denied, more so the detainees did not know they could ask. Also they may not have been in detention when other services such as food etc were being offered. In raising these concerns on behalf of detainees, their questions, queries and requests are often resolved.

Other issues identified across the scheme in 2009 include:

- *Blanket and track suit supply issues; ICV Coordinators will monitor supply procedures in their boroughs to identify areas of good practice which can then be disseminated.*
- *The ICV Team have identified a single point of contact with UK Border Agency transport services in order to raise issues around the collection of immigration detainees from MPS custody suites.*
- *Custody Directorate, alongside the ICV Team and ICVA will produce guidance on reasonable requests for the use of language line/interpreter facilities where detainees who don't speak English appear to be vulnerable or distressed. The guidance will be customised and delivered to ICVs and custody staff.*

Custody Directorate invited the ICV Team, and potentially ICV Chairs, to review and comment on the training provisions for custody inspectors, custody sergeants and DDOs.

The table below shows the most frequent issues or concerns that were raised from ICV visits during 2009:



Conclusion

The Scheme now has more than 420 dedicated and valued volunteers across London's 32 panels. During 2009 the London ICV scheme achieved some great results. The MPA ICV Scheme continues to be a model of good practice and is often referred to by international organisations when looking at how detainees in other countries are held. Examples of how far reaching this reputation has stretched include links with organisations in China, Russia and Ukraine. We would like to thank all of our volunteers for their hard work and commitment in 2009 and hope that we can build on these successes in 2010.

Abbreviations used in the Annual Report:

- BTP British Transport Police
- CPEG Community and Police Engagement Group
- DDO Designated Detention Officer
- FME Forensic Medical Examiner
- HMIC Her Majesty's Inspectorate of Constabulary
- HMIP Her Majesty's Inspector of Prisons
- ICV Independent Custody Visitor
- ICVA Independent Custody Visiting Association
- ICVP Independent Custody Visiting Panel
- MPA Metropolitan Police Authority
- MPS Metropolitan Police Service
- PACE Police and Criminal Evidence Act 1984
- SOP Standard Operating Procedures

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
www. www.mpa.gov.uk/partnerships/icv