

**Westminster
North & South
Independent Custody Visitors Panel**

**2009
Annual Report**

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Introduction

Welcome to the Annual Report of the Westminster Independent Custody Visiting Panel. The report covers a period from 1st January 2009 to 31st December 2009.

The purpose of the report is to:

- Evaluate the panels 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 2010

The Westminster ICV Panel operated as two separate panels in 2009, i.e. Westminster North & Westminster South. For the purpose of this report the two panels will be referred to as the Westminster ICV Panel. Please see page 4 for further details about proposals to amalgamate the two panels.

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.

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 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. The scheme has the full support and cooperation of the Commissioner and the Borough Commanders, but is independent of the police.

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 Sstaff, but more serious issues can be escalated further.

Panel Meetings

ICVs hold panel meetings on a regular basis. 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.

Amalgamation of Westminster panel

The MPA restructured during the latter part of 2009, this led to a reduction in resources for the ICV team, as part of this process a decision was made to amalgamate the two panels in Westminster borough. The changes will take effect from 1st January 2010.

How to Apply

To be eligible to become an Independent Custody Visitor in the 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

The panel made a total of 133 visits throughout 2009 to Westminster police stations against a target of 156 visits to be carried out at a rate of one visit per week to each station. This represents an achievement of 85% of the annual target. The panel raised a number of issues on their ICV reports (see page 9). Visits were reasonably well spread throughout the week, though more visits could take place on weekends. The spread of visits over a 24 hour period was not as varied. The majority of visits were carried out between 16:00-20:00.

Panel meetings

During the year the panel maintained ongoing dialogue with the police, with attendance by police representatives at panel meetings.

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 ICV scheme was 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.

Annual General Meeting (AGM)

AGM's were held during the year; Len Clark was elected as Chair of the North Westminster panel. Edward Wilson was elected as Chair of the South Westminster Panel.

MPA meetings and events

There have been several occasions in the year to increase engagement with other panels; the Chairs represented the panel at meetings of the London ICV Chairs with the MPA and ICV Cluster meeting for Chairs.

In June a summer social and awards evening was held for Independent Custody Visitors; Edward Wilson and Len Clark were awarded with ICV long service awards for 19 and 10 years service respectively.

Several members of the panel also attended diversity training and the panel was represented at the national ICVA (Independent Custody Visiting Association) conference in Leicester; the theme of the conference was 'The safety and dignity of those in police 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 faiths, races, genders, sexualities, abilities and age on the panel.

The MPA are responsible for recruiting, selecting and appointing all custody visitors and try to ensure a balance of age, gender and ethnicity. The panel welcomes applications from all sections of the community in line with stated policy.

The Westminster panel is fortunate to have a good number of volunteers undertaking visits. At the end of 2009 there were a total of 21 members on the panel.

Diversity

The City of Westminster is home to an enormously diverse population. The Westminster panel comprises of men and women with varying diversity in age and ethnicity though is not precisely representative of the borough. Application packs sent to potential new ICVs contain a diversity monitoring form but, as in all public bodies, disclosure of such information is voluntary.

Visits to police stations

There are three main MPS custody suites in the borough; Belgravia, Charing Cross and Paddington Green. The panel makes weekly, unannounced visits to these three stations. The other MPS stations in the borough, West End Central, Marylebone and Harrow Road, are used as overflow stations or for special operations. Westminster ICVs also visit the British Transport Police (BTP) facility at Ebury Bridge once a week.

The tables below shows data from the visits carried out for the period 1st January – 31st December 2009. Figures have been validated where possible but may be subject to anomalies in report forms

1. Number of Visits

Station	No. of visits conducted	Visit target
Belgravia	47	52
Charing Cross	58	52
Paddington Green*	28	52
Total	133	Percentage: 85%

Annual Target is 52 visits per 24/7-custody suite, i.e. 156 visits

*The figures for Paddington and Belgravia includes visits to the Secure Suite when it is in operation

Other stations visited	No. of visits conducted
Ebury Bridge British Transport Police (BTP)	35
Harrow Road	1
West End Central	2

2. Visit times

The table below shows the times visits were carried out

Time slots	Belgravia	Charing Cross	Paddington Green	BTP	TOTAL
0000 – 0359 hrs					
0400 – 0759 hrs					
0800 – 1159 hrs	7	9	1	3	20
1200 – 1559 hrs	11	11	13	5	40
1600 – 1959 hrs	31	35	10	21	97
2000 – 2359 hrs		3	5	3	11

3. Visits Days

The table below shows the day's visits were carried out

	Belgravia	Charing Cross	Paddington Green	BTP	TOTAL
Monday	6	8	6		20
Tuesday	11	7	5	5	38
Wednesday	12	9	1	10	31
Thursday	7	10	5	9	30
Friday	6	9	5	6	25
Saturday	3	6	2	3	14
Sunday	2	3	4	1	10

4. Visit duration

The table below shows the duration of visits

	Belgravia	Charing Cross	Paddington Green	BTP	TOTAL
Less than 30 mins	10	10	13	24	57
30 – 60 mins	27	23	16	7	74
61 – 90 mins	11	15	3		29
91-120 mins	3	3			6
More than 120 mins	2	1			2

5. Visits and categories of detainees seen

	Belgravia	Charing Cross	Paddington Green	BTP	Total
Total no. of detainees in custody at time of visits	258	435	167	70	930
Detainees spoken to	135	240	72	30	477
Immigration detainees in custody	35	38	10	5	88
Juveniles	10	13	10		33
Other (TACT*, Prisoner, Bail act-pending court, prisoners)	1	2	4		7

*TACT-Terrorism Act 2000

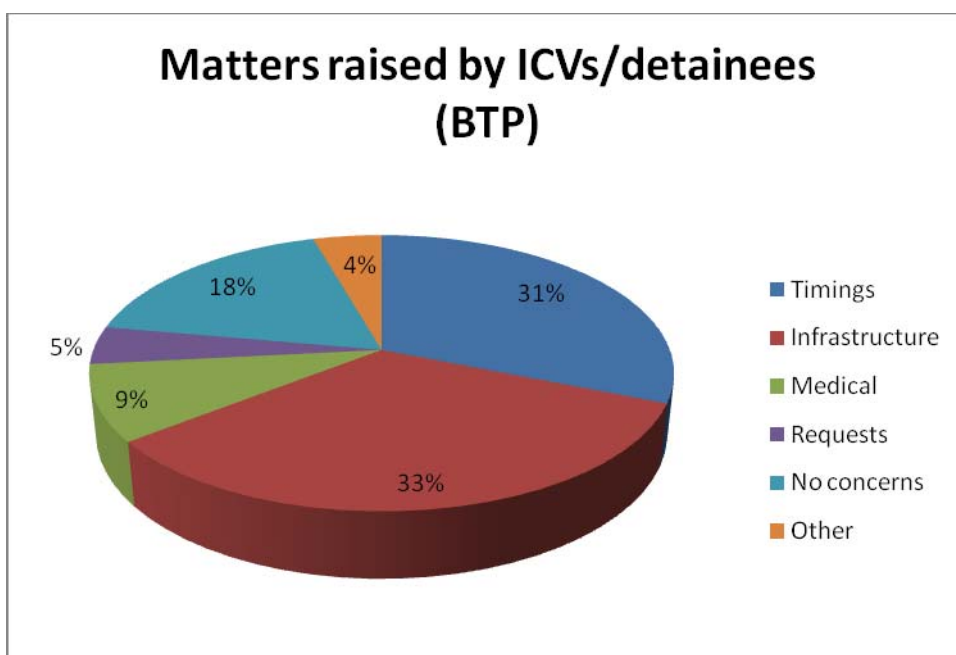
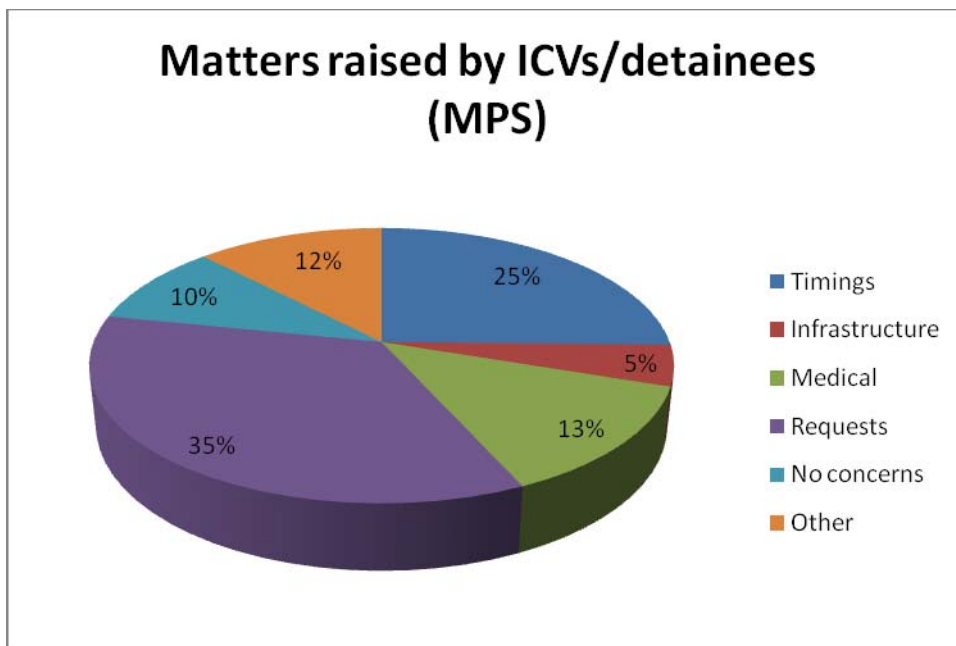
The majority of detainees in custody at time of ICV visits were held under PACE (Police & Criminal Evidence Act)

6. Matters raised by ICVs & detainees

The main issues raised by ICVs and detainees following their visits were:

- requests for telephone calls, food, water and legal advice
- the offer of showers to detainees held overnight in custody, especially those due to appear in court the following morning
- response times of Appropriate Adults, which means that vulnerable detainees sometimes have to spend an inordinate amount of time in a cell.
- response times of FME's (Forensic Medical Examiners)
- the conditions/infrastructure of the custody suite at the BTP station

The charts below illustrates the main issues raised



Self introduction pilot

The Westminster panel took part in the self-introduction pilot with eight other panels starting from 1st June 2009 and ending on the 30th November 2009.

Self introduction involves ICVs introducing themselves directly to detainees and enquiring whether or not the detainee wishes to see them. ICVs also directly ask the detainees if they can look at their custody record. The pilot was suggested following a trial in Portsmouth in 2005, which resulted in a 35% increase in the number of detainees seen from approximately 63% to 98%. Self Introduction has now been rolled out across the whole of Hampshire and some other police authorities also operate self-introduction. Data from the visits undertaken during the London pilot period indicated an increase in the acceptance of visits, however, concerns were also raised regarding the privacy of the detainee; a detainee may not want to be seen by a member of the community whilst in police detention, and might therefore prefer the police to do the introduction first. A decision will be made in 2010 on whether or not to continue with self introduction.

POLICE STATIONS

Paddington Green (Ordinary Suite)

Paddington Green station has 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 secure suite at Paddington Green re-opened in July 2009 following six months of refurbishment. The newly refurbished suite contains 8 cells, cell furniture, improved washing facilities and a new exercise yard. Unlike visits to other custody suites visits to the secure suite are usually, though not always, arranged in advance because detainees held here are often on interview for prolonged periods. There is a protocol in place allowing the police to inform the panel Chair if a person held under TACT (Terrorism Act Code 2000) is detained. The Chair would then carry out a visit with an experienced panel member who has enhanced vetting clearance; this is in the interest of public reassurance. Every effort is made to carry out a visit whenever the High Security Suite is in use.

Charing Cross

This station has 45 cells and the highest throughput of detainees in Westminster. The station was converted from the old Charing Cross hospital.

Belgravia

Belgravia station has 16 cells. Part of the station is designated as an overflow secure suite for detainees held under TACT. A caged area has been built at the corner of the station for TACT detainees to exercise.

Ebury Bridge

Ebury Bridge station contains 4 cells. The station closed in August for refurbishment and transferred to Hammersmith BTP. The station will remain closed until November 2010. ICVs from both the Hammersmith & Westminster panels agreed to shared visits to the Hammersmith BTP facility.

Targets & Plans for 2010

The Panel's aims and objectives for 2010 are as follows:

- To ensure weekly visits are maintained to Belgravia Charing Cross, Paddington Green and Ebury Bridge custody, thereby increasing the panel's visiting performance against its targets.
- 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 vary the times and days of visits in order to provide a better spread over 24 hours, particularly between the hours of 20:00-07:59 and on weekends
- To maintain and improve upon the level of communication with Westminster police during visits and panel meetings.
- To maintain a minimum panel membership of 25 ICVs
- Together with the MPA, to continue to promote and raise awareness of the work of Independent Custody Visitors in Westminster