

**Tower Hamlets
Independent Custody Visitors Panel**

**Annual Report
2010**

Contents

- 1. Introduction**
- 2. Aims & achievements**
- 3. Chairperson's report**
- 4. Recruitment and membership**
- 5. Visits to police stations**
- 6. Panel data**
- 7. Targets and plans for 2011**

Introduction

Welcome to the annual report of the Tower Hamlets Independent Custody Visiting Panel. The report covers the period from January 2010 to December 2010

The purpose of this 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 2011.

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 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 Independent Custody Visitors 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 the 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. Visitors normally carry out one visit a month on a rota basis. 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 speak to the detainees and check if they have been informed of their rights and entitlements. ICVs also comment on the condition of the custody suite including the cleanliness of the cells. 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.

Panel Meetings

The Tower Hamlets ICV panel holds quarterly meetings at the Idea Store in Bow. 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. An interim report is sent to all ICVs on a six weekly basis, in between meetings.

London Independent Custody Visiting Scheme

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. In April 2007 the MPA brought together the custody visiting arrangements managed by the boroughs into one London scheme. The scheme has the full support and cooperation of the Commissioner and the Borough Commanders, but is independent of the police. The MPA holds overall responsibility for the scheme's management and administration; 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 a balance of age, gender and ethnicity. 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.

How to Apply

To be eligible to become an Independent Custody Visitor in the Tower Hamlets 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 or special constables.
- 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. New panel members are paired with more experienced members of the panel until they have successfully completed a six month probationary period.

Aims and Achievements

The aims and objectives of the panel are laid out in the Home Office Codes of Practice (PACE), 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 each of the custody suites in the borough; Bethnal Green and Limehouse police stations;
- Holding panel meetings and
- Increasing public awareness of the London ICV Visiting Scheme.

Visits

The panel made a total of **77** visits throughout 2010 to Tower Hamlets police stations against a target of **104** visits to be carried out during the year, at a rate of one visit per week to each station. This represents an achievement of **74%** of the annual target. This is a **3% increase** in the number of visits carried out in 2009, which stood at 74 visits (71%).

Visits have been extremely well spread out through the week, though more visits could take place on Tuesdays and Saturdays. The spread of visits over a 24 hour period is not as varied. The majority of visits are being carried out between 08:00 – 11:59 and 16:00 – 19:59. More visits need to take place between 00:00–07:59, and also between 12:00 – 15:59 and 20:00-23:59. Whilst it is beneficial to carry out visits covering all 24 hours and visits at unsocial hours are encouraged, detainees are often taking advantage of their 8 hours of continuous rest during this time, despite this a visit was carried out between 04:00-07:59 during the year. This is a good achievement for the panel.

Panel meetings

Many panel members have busy home and professional lives, and some also maintain other community roles as well as that as an ICV. Attendance at panel meetings was unfortunately not so good during the year. It is hoped this will improve in 2011.

During the year the panel maintained ongoing dialogue with the police. The Panel is, and has been, excellently supported by the police custody inspectors for both stations. Quarterly panel meetings are held at the Idea Store Bow and all members are expected to try to attend. The panel wish to thank the Council's Library service for allowing it to meet there.

Training

As part of the MPAs commitment to providing ongoing support and training to ICVs, refresher training has been introduced to panel meetings covering a range of themes. Rather than have an additional evening for training, these training modules, are delivered within the monthly meetings and these have been received well by members. The MPA provided new panel members with initial training to enable them to carry out their role.

Recruitment and awareness raising

During the year, panel members and MPA staff undertook various initiatives to recruit new members and raise public awareness of the scheme; leaflets and posters were sent to the

libraries and voluntary organisations in the borough and the use of adverts in the Metro and Evening Standard proved to be a successful mechanism for recruiting. Unfortunately, two members left the panel during the year but an additional two volunteers were recruited

CPEGs (Community and Police Engagement Groups)

The MPA is keen to improve the links between panels and CPEGs thereby ensuring the community retains confidence in how those detained in police custody in London are treated during their detention. The Tower Hamlets Panel is represented at meetings of the Tower Hamlets Borough Policing Forum.

MPA meetings and events

There have been several occasions in the year to increase engagement with other panels; The Chair and the Vice Chair attend the MPA London ICV Chairs meetings

In December a Christmas social and awards evening was held for Independent Custody Visitors; the Chair-Peter Tihanyi and Arun Chattopadhy, were both presented with awards and certificates for providing over 10 years service to Independent custody Visiting

Annual General Meeting (AGM)

An AGM was held during the year. Peter Tihanyi was re-elected as Chair and Madeleine Craggs as Vice Chair.

HMIP/HMIC inspection

There was an unannounced inspection by HMIP/HMIC (Her Majesty's Inspectorate of Prisons/Constabulary) in July 2009. Following on from this a working party was formed to implement the action plan from the Inspection recommendations. The Chair and Vice Chair are part of this group and have an input into improvement.

Chairperson's Report

The year of 2010 was an important one for custody visiting in London, during which changes imposed by the MPA due to financial and full-time staffing cuts were introduced. Quarterly meetings have not been particularly popular with ICV members and the reduction of meetings have probably accounted for poorer attendance as members cannot always make meetings as dates change. Many members also feel that ICV volunteers feel more distant from the scheme as a whole because of the infrequency of meetings.

Jennifer Ankrah who is a long standing employee of the MPA has been appointed to be the Tower Hamlets Panel Co-ordinator from January 2010. As always during the year we were sad to see some of our long-standing, established panel member's leave, mostly for personal reasons as they had moved, changed jobs, became ill or otherwise felt that they were no longer able to commit to the time required to be an independent custody visitor. We thank them all for their work whilst a member of our Panel.

As always we were also able to recruit new panel members and Tower Hamlets' Panel continues to operate at full strength. We also try hard to reflect in the panel the diversity within the borough and I am pleased to say that the independent custody visitors represent a good cross-section of the borough's population. We have also been fortunate in recruiting new visitors who are young, and as the average age of volunteers is in general high this is a welcome development. Indeed we are about to recruit some new panel members by interviewing prospective visitors who have been on a waiting list for some time. There has been ongoing training and all new visitors have undergone training and followed procedures around probation periods, accreditation etc. There was some training which took place during panel meetings, devised by the MPA and delivered by the co-ordinator. The majority of panel members enjoyed these short refresher courses. During the year Inspector Paul Boyle continued as the Custody Manager but towards the end of the year was replaced by Inspector Dave Ward. The Panel and honorary officers have a good relationship and strong communication links with the local police which has been a major contributor to effective working with Tower Hamlets MPS.

The Police Inspectorate undertook a thorough unannounced inspection of TH custody suites. ICVs were involved with the participation of the Chair. It was a thorough inspection and Tower Hamlets MPS came through relatively well. A working party was set up to consider and implement the recommendations. The Chair and Vice-Chair were members of the working party and are helping with considering and implementing the recommendations.

In summary the big changes announced in 2009 and implemented in 2010 have reduced the feeling of belonging by members of the panel. However the panel has functioned well and improved on their number of visits and other aspects of their core function.

Peter Tihanyi

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.

Tower Hamlets panel are fortunate to have a good number of volunteers undertaking visits and the panel has operated at full strength for the majority of 2010.

Unfortunately two members left the panel during the year, however, a further two people were interviewed and appointed to the panel. At the end of 2010 there were 19 members on the panel including one member on sabbatical and four on the waiting list. The optimum figure for a panel visiting two stations is 17 and the panel prides itself in maintaining strong membership.

The panel welcomes applications from all sections of the community in line with stated policy. The panel comprises of 8 men and 11 women with varying diversity in age and ethnicity.

Mr. Ian Oppenheim

It was with great sadness that the Tower Hamlets ICV panel received the news of the sudden death of one of its longest serving members, Ian Oppenheim, aged 86, in early February. Ian was one of the panel's most valued and experienced members. Ian served as an ICV for over 16 years; he joined the scheme as a Lay Visitor in 1992, has held the posts of Chair and Vice Chair of the Tower Hamlets panel over the years.

Visits to Police Stations

There are two custody suites in the borough of Tower Hamlets; Bethnal Green and Limehouse. The panel makes weekly, unannounced visits to both these stations.

The majority of visits have not raised many significant issues that required the attention of the MPA.

The main issues raised by ICVs on behalf of detainees were:

- a number of detainees had language difficulties and required the services of an interpreter. ICVs are able to use Language Line to communicate with a detainee if it is felt that detainees who cannot be communicated with are in danger, or ICVs are concerned about them
- requests for legal advice
- requests for telephone calls
- requests for food drink
- requests for medical attention
- detainees have complained of feeling cold on numerous occasions. The panel observed that the heating system is very old and have been told that it is unlikely to be replaced due to the cost and plans for a new build custody suite in the future
- A number of detainees had special religious requirements, such as a request for a watch during the month of Ramadan.

Panel members also raised concerns regarding

- the poor supply of blankets to custody suites; blankets sometimes go missing or are 're-located'
- the custody suite was sometimes reported as being unclean and this was raised with the head of the cleaning services.
- Access to start of visits delayed without being given a good reason initially; access can only be delayed for health and safety reasons, for example if there is a disturbance in progress in the custody area that may place ICVs in danger. If delays occur, a full explanation has to be given to ICVs and noted on the report form. This is an ongoing learning issue, at the same time ICVs are encouraged to educate custody staff if they do make a mistake so they can learn.
- There is an underlying problem with the Appropriate Adult (AA) scheme in Tower Hamlets which has led to unacceptable delays in juveniles seeing an AA. This was highlighted in the HMIC inspection in 2009, and following on from these volunteers were sought from the community, including the panel to revamp the Appropriate Adult scheme. The scheme was re-launched this year
- There is concern about the lack of washing facilities available to detainees after using the toilet or before meals etc. There is also concern about the use of paper towels for drying by detainees after the use of the shower,

There were no significant concerns raised during the year that have not been addressed and dealt with either during a custody visit or through the panel meetings.

Fortunately no significant issues have been raised in 2010 that have required intervention and ICVs have been well received and accommodated by Custody Staff. The relationship with custody staff has continued to be positive and panel meetings have been frequently well attended by the Custody Manager or other Custody staff.

Data from Panel Visits

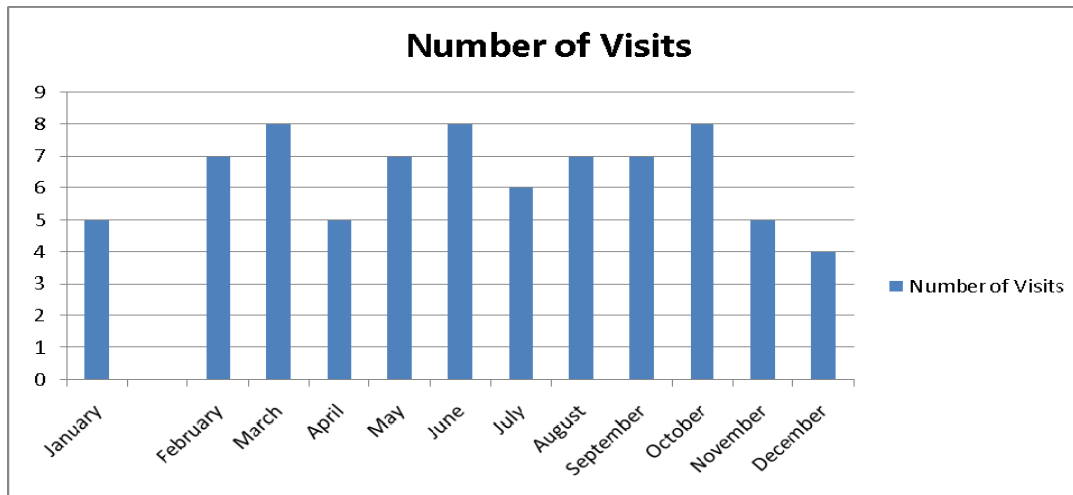
1. Annual number of Visits

Station	Annual no. of visits	
Bethnal Green	39	
Limehouse	38	% of Annual Target
Total	77	74%

*Annual Target is 52 visits per 24/7-custody suite.

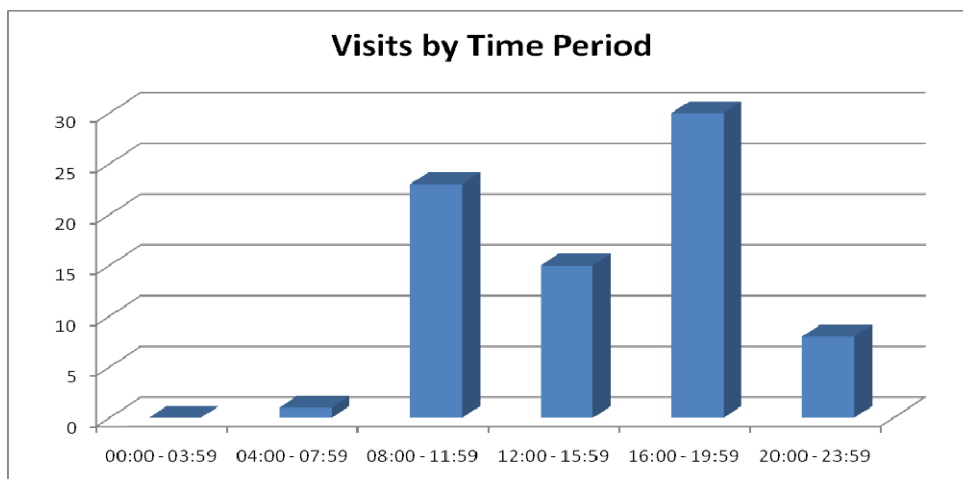
2. Visits per month

The following graph indicates the number of visits per month



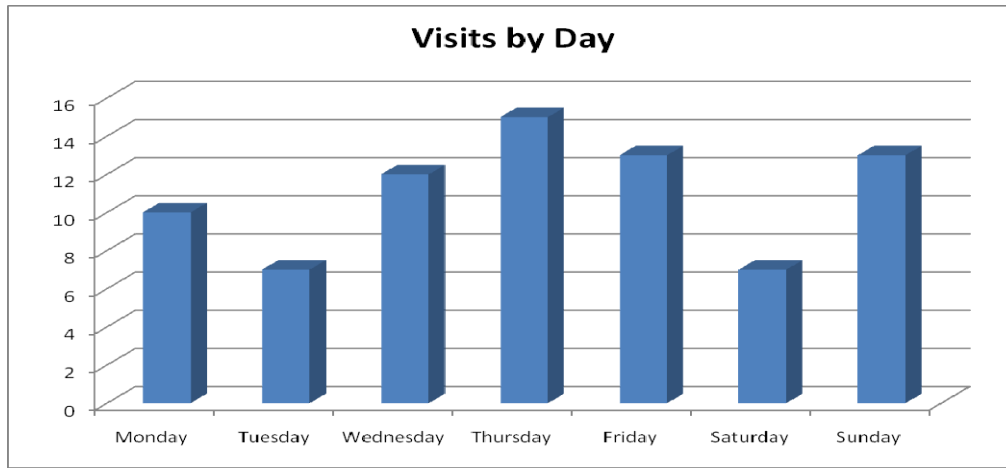
3. Time of Visits

The following graph indicates the time periods in which visits have taken place



4. Day of Visits

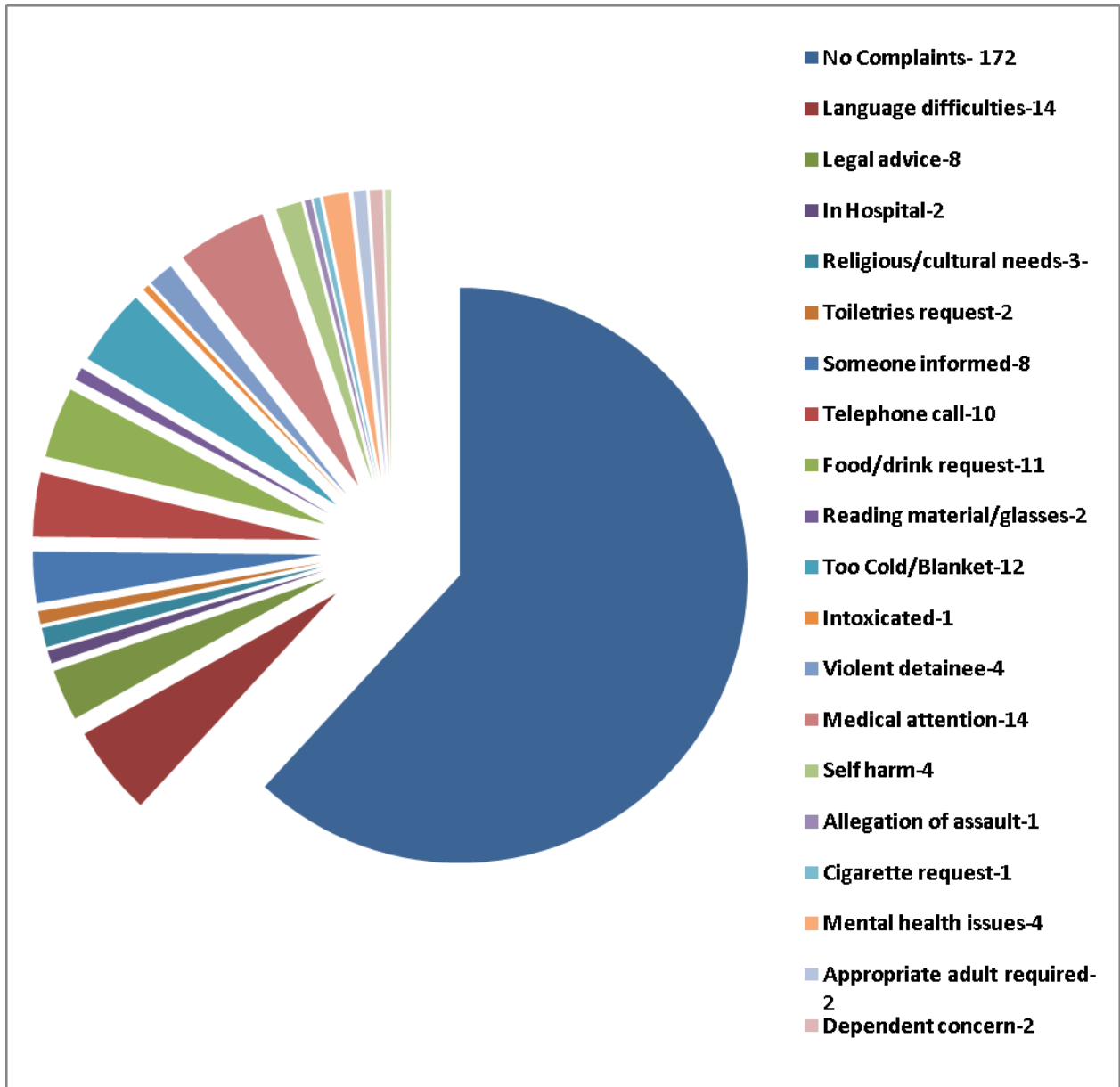
The following graph shows the days on which visits have taken place.



5. Numbers and categories of detainees

Number of detainees in custody at time of visits	434
Number of detainees accepted visit by ICVs	240
Number of detainees refused ICV visits	47
Number of detainees asleep at time of visits	56
Number of detainees out of cell at time of visits (interview etc)	40
Immigration detainees in custody at time of visits	7
Juvenile detainees in custody at time of visits	31
Female detainees in custody at time of visits	26

6. Details of detainees' concerns/issues:



Targets & plans for 2011

- To make a total of 104 visits over the year at a rate of one visit to each station (i.e. Bethnal Green and Limehouse Police Stations).
- To maintain the excellent distribution of visits across the week.
- To improve the distribution of the times of visits across the 24 hour period, to include visits between 00:00 – 07:59.
- To maintain panel membership above a minimum of 17 volunteers.
- To maintain and improve upon the level of communication with Tower Hamlets police, the custody manager during panel meetings and custody staff during visits.
- To continue to ensure that the rights and interests of detainees are upheld. To raise concerns promptly and effectively with the local police or the MPA as appropriate and to challenge where 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.
- 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 diversity of the London Borough of Tower Hamlets across all strands.
- To investigate new initiatives designed to target different types of people and increase the take up of the ICV role.