



MPA

Metropolitan Police Authority

South Westminster Independent Custody Visiting panel

Annual Report 2008



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Introduction

Welcome to the Annual Report of the South 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 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 into Lord Scarman's report into the civil disorders in London 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, 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 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.

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 their 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.

Panel Meetings

The South Westminster panel has monthly meetings that are held at the MPA offices in Westminster. 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 criminal justice issues.

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.

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 each of its operational stations
- Holding monthly panel meetings and
- Increasing public awareness of the London ICV Visiting Scheme.

Visits

For the majority of the year the panel achieved its visiting target of one visit per week. The panel managed a visiting level of 76% overall (79 out of 104 visits over the year), which is an increase on last year's visiting level of 60%.

Panel meetings

Attendance at the monthly panel meetings was fairly good; however a few members could not attend on occasions due to holidays, exams and other commitments. Martha Godwin, a Lawyer from the CPS (Crown Prosecution Service) and borough Crime Prosecutor, was invited to speak to the panel about the work of the CPS. A refresher training module was also delivered at one of the panel meetings. The panel continued to receive the minutes of the North Westminster ICV panel and were invited to attend one of their meetings to listen to a presentation on the use of the 'taser' gun.

Recruitment and Publicity

One of the objectives of the panel for 2008 was to recruit additional volunteers to the panel and maintain a minimum membership of 12 ICVs. The panel met this target and recruited an additional twelve new members. Panel members and MPA staff undertook various recruitment initiatives; leaflets and posters were placed at doctor's surgeries, libraries and community centres. Adverts were also placed in the Metro and Evening Standard newspapers which generated a lot of interest. The diversity of the panel increased with the recruitment of additional members.

MPA meetings and other events

The Chair, Edward Wilson, represented the panel at meetings of the London ICV Chairs with the MPA, ICV Cluster Meeting for Chairs of the Central and North panels and the MPA/MPS Stop & Search Conference. In addition, Melanie Baker represented the panel at the Independent Custody Visiting Association National Conference at Stratford Upon Avon in November. Members of the panel also attended the London ICV Conference in April and the ICV Christmas Social in December.

Visits to police stations

The Panel visits three custody suites in the South Westminster area; Belgravia and Charing Cross for the Metropolitan Police Service, and Ebury Bridge, which is a British Transport Police station.

The visits to Belgravia and Ebury Bridge usually follow each other because of their close proximity. Ebury Bridge has been visited historically (as a courtesy), but this arrangement was formalised in June 2007.

The North Westminster panel visit Paddington Green. The North and South Westminster panels share visits to Charing Cross, with each panel visiting a different floor of the custody suite. However in 2008, visits to Charing Cross were carried out by North Westminster ICV panel for the majority of the year due to the closure of the ground floor of Charing Cross. The other stations in the borough, (West End Central, Marylebone and Harrow Road) are now used as overflow stations or for special operations.

Charing Cross

This is an extremely busy and efficiently run station with a total of 45 cells. The station is used as a charge suite during the Notting Hill carnival weekend in August.

Belgravia

Belgravia station has 16 cells. Part of the station is designated as a secure suite for detainees held under TACT (Terrorism Act Code 2000). A caged area has been built at the corner of the station for TACT detainees to exercise. There is a protocol in place allowing the police to inform the panel Chair if a person held under TACT 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.

Ebury Bridge

Ebury Bridge station contains four cells. The panel noted that the station is in need of major refurbishment and representations have been made to the BTP about this matter. There were plans for a total refurbishment and upgrade to extend the existing cells from 4 to 12 but this has been put on hold.

ICVs could not get access into the station on two occasions due to leaking toilets. The custody suite re-opened the following day after the leaking toilets had been fixed and a deep clean had been carried out. Detainees were transferred overnight to the City of London Police.

Closure of Stations

Belgravia and Charing Cross custody closed intermittently during the year for various repair works.

Panel members have noted that in all stations, despite constant busy times, staff are professional, courteous and extremely helpful to ICVs panel.

Throughput of Detainees

The panel observed that visits to Charing Cross and Belgravia were taken longer due to an increase in the throughput of detainees in the borough. On one of the visits there were 19 detainees in custody and the visit took over two hours.

Detainee treatment and entitlements

No significant matters have arisen. The main issues raised by ICVs following their visits were:

- the collection times of immigration detainees held over 24 hours
- requests for telephone calls
- request for and the response times of solicitors
- request for FME's
- the offer of showers to detainees held overnight in custody, especially those due to appear in court the following morning
- the FME room door and medical cabinet left open

The police always provide a response to issues raised, which enables panel members to monitor detainees rights and entitlements.

Data from panel visits to police stations

1. Number of Visits

Station	No. of visits conducted	% annual target
Charing Cross	4	n/a *

	Target 2008	No. of visits conducted	% annual target
Belgravia	52	44	84.6
Ebury Bridge	52	35	67.3
Total	104	79	76%

2. Visit times

Time slots	Belgravia	Charing Cross	Ebury Bridge
0000 – 0359 hrs			
0400 – 0759 hrs			
0800 – 1159 hrs	7		1
1200 – 1559 hrs	8	1	10
1600 – 1959 hrs	23	3	19
2100 – 2359 hrs	6		5

3. Visits Days

	Belgravia	Charing Cross	Ebury Bridge
Monday	3		4
Tuesday	4	1	3
Wednesday	13		8
Thursday	9		9
Friday	9	3	5
Saturday	2		5
Sunday	4		1

4. Visit duration

	Belgravia	Charing Cross	Ebury Bridge
Less than 30 mins	4	1	27
30 – 60 mins	21	2	8
60 – 90 mins	15	1	
90-120 mins	3		
More than 120 mins	1		

5. Visits and categories of detainees seen

	Belgravia	Charing Cross	Ebury Bridge	Total
Total No. of detainees at time of visits	389	35	65	489
Detainees seen	165	19	33	217
PACE detainees	225	26	48	
Immigration detainees	45	4	6	
Other	5		1	

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, seven days a week. In 2008, the MPS carried out a review of custody provisions in Westminster and amalgamated the five Westminster police divisions into three; This reduced the number of MPS stations visited by ICVs in the borough from five to three 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.

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 a panel meeting 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.

Russian Delegation Visit to Charing Cross Custody

The Chair, Edward Wilson, met with a delegation from Russian who were visiting the UK to look at detention facilities oversight arrangements in prisons and police stations. The delegation were given a short tour of Charing Cross custody.

Refurbishment of Paddington Green High Security

The High Security Suite at Paddington Green closed in December for refurbishment; 'Ordinary' detainees were moved to Harrow Road station and Belgravia was used instead for detainees held under TACT (Terrorism Act 2000). The Chair, along with other stakeholders, visited the Suite before the closure to view the facilities and complete a questionnaire. A further visit will take place once the refurbishment programme is completed.

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.

Chair's report

I would first of all like to take the opportunity to thank the current members, their work in keeping the panel going has shown a commitment to the scheme even when things have been difficult. I would also like to thank those custody visitors who have left the panel for various reasons for their work during the time with the panel.

My thanks also go to the police representatives at the three stations we visit; Charing Cross, Belgravia & Ebury Bridge for their help, support and assistance even with their busy schedules.

We now have three police custody suites following the changes in custody provision in the borough. The throughput of detainees in the borough has increased, which has led to visits taken longer than before. There were over 30,000 detained in the MET facilities last year and over 400 detained in the BTP facilities at Ebury Bridge.

We are still enjoying the successful working relationship with Belgravia, Charing Cross and Ebury Bridge and still maintain a critical eye on the way detainees are treated in police custody.

We are still able to visit on a weekly basis, although a few visits were missed during the course of the year.

The MPS are now using NSPIS, which has taken over from hand-written to electronic custody records. This has helped us when we visit custody suites.

Since the last report BTP has now dropped the major refurbishment of Ebury Bridge due to lack of funds, as I understand a complete re-paint is planned for 2009, including the cell floors, walls, booking in area and interview rooms, storage, food areas and other works. These are 'nagging' problems which the BTP Authority need to address as soon as possible. I will be writing to the Chief Constable regarding this matter.

Finally, once again, my thanks go to the panel members for all their hard work and dedication; to Steven Mitchell, Laura Giuliani, Melanie Baker, and all the new ICVs that joined the panel, Johnny Champion, Nina Ulrich, Kookyeong Lee, Tristan Pedelty, Hesham Jilou, Marianne Regen, Jane Davis, Wakas Khan and Joan Vidal. Many thanks again.

In 2009 we hope to be able to continue our work in ensuring that the rights and entitlements of detainees are met, and continue to work as critical friends to the police, whilst maintaining our independence.

**Edward Wilson,
Chair of Westminster South ICV Panel**

Membership

Panel Membership 2008:

Edward Wilson (Chair)	appointed 1985 to 1999, reappointed 2004
Steven Mitchell	appointed 2005
Andrew Adegbile	appointed 2007
Melanie Baker	appointed 2002 (transfer from Richmond ICV Panel June 09)
Johnny Champion	appointed 2008
Kookyeong Lee	appointed 2008
Wakas Khan	appointed 2008
Hesham Jilou	appointed 2008
Nina Ulrich	appointed 2008
Marianne Regen	appointed 2008
Joan Vidal	appointed 2008
Tristan Pedelty	appointed 2008
Jane Davies	appointed 2008

During 2008, the following members resigned/left the panel:

Christine Castledine	
Tanya Roberts	appointed 2008
Shibly Sanayat	appointed 2008
Juan Guerrero Avila	appointed 2008

Edward Wilson was appointed the Chair of the panel at their AGM (annual general meeting) in June 2008.

Diversity of the Panel

The MPA is responsible for recruiting, selecting and appointing all custody visitors and tries to ensure a balance of age, gender and ethnicity.

The City of Westminster is home to an enormously diverse population, although a significant number of its residents are from minority communities, they are widely varied in origins, with comparatively few cohesive community groups.

The membership of the South Westminster panel is relatively diverse in terms of age, gender 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.

Objectives for 2009

The Panel's aims and objectives for the forthcoming year 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 maintain the membership of the panel to a minimum of 15 members.
- Together with the MPA, to continue to promote and raise awareness of the work of Independent Custody Visitors in Westminster
- To attempt to ensure that the panel reflects the diversity of the borough
- Together with the North Westminster ICV panel, to share a greater awareness of custody issues in the borough as a whole, alongside training and development opportunities