

Kensington & Chelsea Independent Custody Visitors Panel

Annual Report 2009

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Introduction

Welcome to the Annual Report of the Kensington & Chelsea 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 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 2010

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

The Kensington & Chelsea Independent Custody Visitors make unannounced visits to the three custody suites in the borough; Chelsea, Notting Hill and Kensington. Kensington is used as an overflow station. Chelsea custody suite is the busiest of the three 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.

During the Notting Hill Carnival period, Kensington and Chelsea stations are used and Notting Hill station is closed. ICVs visit the custody suites during this busy period. All arrests from the carnival are sent to pre-arranged custody charge centres out of the borough to be bailed to return at a later date.

Panel Meetings

The Kensington & Chelsea panel holds regular meetings at Kensington Town Hall. 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 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 Kensington & Chelsea, 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.

Acknowledgements

The MPA would like to thank all members of the Kensington & Chelsea ICV panel, past and present, for their hard work, dedication and contribution to Independent Custody Visiting.

How to Apply

To be eligible to become an Independent Custody Visitor in the Royal Borough of Kensington & Chelsea 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 the custody suites at Chelsea and Notting Hill Station
- Holding monthly panel meetings and
- Increasing public awareness of the London ICV Visiting Scheme.

Visits

The panel made 74 visits against a target of 104; this represents an achievement of 71% of the annual target. This is a significant achievement compared to 46% of visits in 2008. The panel also made five visits to Kensington police station, when in use.

A better spread of visits was achieved through the year when compared with 2008; with an increased number of visits at weekends. The majority of visits were carried out between 16:00-20:00. Most visits took less than 60 minutes to conduct. Visits to Chelsea took over an hour in two cases, with four visits taking over one and a half hours.

Issues arising from visits

Few specific concerns over detainee treatment were noted during the year, however, those issues that the police have been asked to address include the conditions of detention and infrastructure. During the early part of the year, the FME (Forensic Medical Examiner) contract was revised; ICVs did not observe any problems regarding the call out of FME's but continue to monitor the situation.

Panel meetings & training

During the year the panel maintained ongoing dialogue with the police. Inspector Steve Whitfield attended panel meetings to provide responses to queries raised from visits and updates on custody matters.

The panel has embraced the idea of continuous learning and a brief refresher training module was delivered at one of the panel meetings. In September, PC Julian Millins from the MPS Officer's Safety Training unit, gave an interesting presentation on handcuffs application and baton techniques, and in November, David Lowman, an experienced appropriate adult from the borough gave a presentation on the important role of appropriate adults.

The MPA provided new panel members with initial training to enable them to carry out their role, and a member of the panel attended the MPA/MPS diversity training workshop.

Recruitment and awareness raising

During the year, panel members and MPA staff undertook various recruitment 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.

One of the objectives of the panel for 2009 was to recruit an additional five volunteers to the panel and maintain a minimum membership of 15 ICVs. The panel exceeded this target and recruited an additional nine new members. The panel had 17 members at the end of 2009.

Assistance from other panels

ICVs from other panels assisted in training new members during visits. The panel is grateful for the assistance Peter Waterhouse, Vice Chair of Enfield ICV panel and Jeannine Andre, Chair of Ealing ICV panel.

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 panel's annual report was presented at the Kensington & Chelsea CPEG during the year.

Annual General Meeting (AGM)

An AGM was not held during the year, however, Rickard Jonsson & Ben Braithwaite agreed to continue in their role as joint Co Chairs

MPA meetings and events

The Co Chairs represented the panel at meetings of the London ICV Chairs with the MPA, ICV Cluster Meeting for Chairs of the Central and North panels. The panel was also represented at the Independent Custody Visiting Association National Conference in Leicester in November.

Chair's Report

It has been an interesting year in Kensington and Chelsea ICV panel; we have worked hard on getting new members on board. It has been difficult at times to schedule visits to all the police stations in the borough, but the panel members have gone out of their way to make sure we cover as much as possible.

I would also like to extend a thank you to the members of other ICV panels that have helped us during the year, it has been much appreciated.

We are pleased that we managed to cover 71% of the scheduled visits, compared to 46% in 2008. We will try and improve on this figure in 2010, we have set a target of covering 80% of the visits, and in order to achieve this we will discuss with the panel how to best achieve this and make sure we have everyone's buy in to the target.

In conclusion we firmly believe that the panel has made a significant contribution towards the safety and welfare of the detainees during 2009 and we look forward to doing more during 2010.

Finally we would also want to extend a thank you to Jennifer for looking after the administration and recruitment efforts for the panel and to Inspector Whitfield, the borough Custody Sergeants and the Borough Commander Chief Inspector Mark Heath, for working with us to help the detainees in the best possible way.

Ben Braithwaite & Rickard Jonsson

Joint Chairs Kensington and Chelsea ICV Panel

Membership

The following were members of the panel in 2009

	Date of appointment
Jonathan A'Lee	November 2007
Godfrey Ashmore	July 2008
Robert Birmingham	March 2003
Ben Braithwaite	November 2005
Shane Carter	August 2009
Rona Davis	June 2008
David Gates	July 2008
Rickard Jonsson	June 2005
Vassiliki Stavrou	October 2001
Marco Picardi	May 2009
Tessy Aina	June 2009
Mitesh Brahmhatt	May 2009
Maki Elmahi	June 2009
Thomas Golla	May 2009
Barbara Horsford	November 2009
Safia Salih	July 2009
Virginia Stephens	September 2009

The following members left the panel during 2009:

Asanka Hewage
Lorraine Vernon

Diversity of the panel

The Royal borough of Kensington & Chelsea is home to a relatively diverse population. The membership of the panel is relatively diverse in terms of age, gender and ethnicity, though is not precisely representative of the borough.

Data from visits to police stations

The target number of visits for Chelsea and Notting Hill stations are 52 visits per station i.e. a total of 104 visits a year.

1. Number of Visits

Station	No. of visits conducted	Annual target	% annual target
Chelsea*	42	52	81%
Notting Hill	32	52	62%
Total	74	104	
% for 2009	71%		

(% for 2008 = 46%)

Five visits were also conducted to Kensington

2. Visit times

Time slots	Chelsea	Notting Hill	Kensington
0000 – 0359 hrs			
0400 – 0759 hrs			
0800 – 1159 hrs	8	5	3
1200 – 1559 hrs	7	5	1
1600 – 1959 hrs	23	16	
2000 – 2359 hrs	4	6	1

3. Visits Days

	Chelsea	Notting Hill	Kensington
Monday	3	4	2
Tuesday	4	7	
Wednesday	7	2	
Thursday	8	7	1
Friday	5	3	
Saturday	8	2	
Sunday	6	7	2

**Chelsea closed for refurbishments for 3 weeks (16 Nov-6 Dec '09) for installation of smoke alarms in the cells. Kensington was used instead.*

4. Visit duration

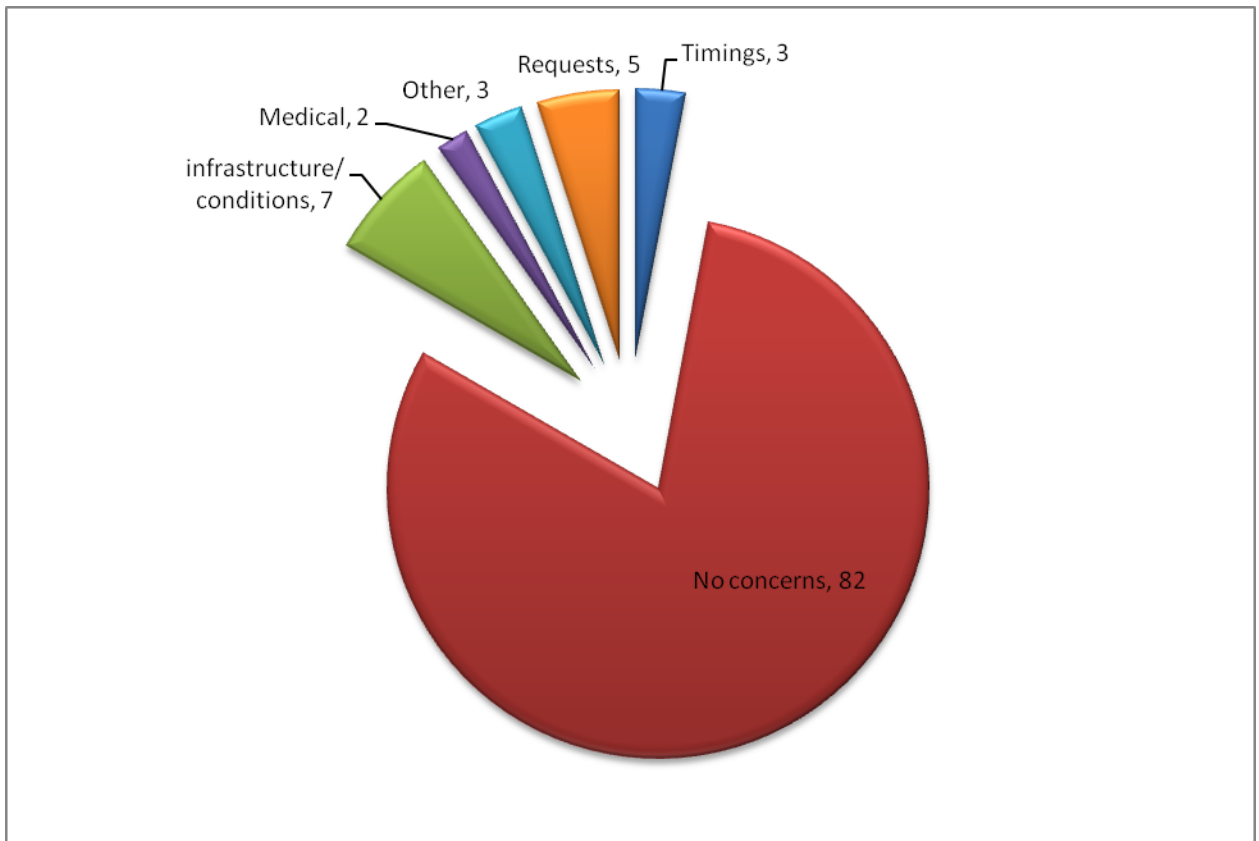
	Chelsea	Notting Hill	Kensington
Less than 30 mins	21	29	4
30 – 60 mins	19	3	
61 – 90 mins	2		1
91-120 mins			
More than 120 mins			

5. Visits and categories of detainees seen

	Chelsea	Notting Hill	Kensington	Total
Total no. of detainees in custody at time of visits	134	55	7	196
Detainees spoken to	62	34	5	101
Immigration detainees in custody at time of visits	0	0	0	0
Other	9	6		15

In 2009 over 5000 detainees passed through the borough's custody suite

6. Issues raised by detainees and ICVs



Timings
Medical
Requests

Infrastructure/Conditions
Other
No concerns

Issue/concern	No. of times raised
Release time of juvenile	2
Release time of mental health detainee	1
FME required	2
Phone call request	1
Water request	1
Food request	1
Blanket request	2
Repairs required	2
Stiff WC handle	2
Dirty cell/toilet	3
Staffing/escort issues	2
Marks on wrist from handcuffs	1
No concerns	82

Targets & Plans for 2010

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

- To ensure weekly visits are maintained to Chelsea and Notting Hill 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 maintain a minimum of 17 panel members
- Together with the MPA, to continue to promote and raise awareness of the work of Independent Custody Visitors in Kensington & Chelsea