

**Tower Hamlets
Independent Custody Visitors Panel**

**Annual Report
2009**

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 2010**

Introduction

Welcome to the annual report of the Tower Hamlets Independent Custody Visiting Panel.

The report covers the period from January 2009 to December 2009

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 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

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 monthly 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.

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 74 visits throughout 2009 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 71% of the annual target. This is a 7% decrease in the number of visits carried out in 2008, which stood at 81 visits (78%).

Visits have been extremely well spread out through the week, though more visits could take place on Tuesdays. 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.

Self-introduction

The Tower Hamlets Panel took part in the Self-introduction pilot with three other panels.

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.

The London pilot lasted for 4 months, starting on 1st October 2008 and ending on the 31st January 2009. Data from the visits undertaken during the pilot period indicated an increase in the acceptance of visits in three out of the four pilot boroughs; Tower Hamlets (13.69%), Bromley (9.12%), and Kingston (16.99%). Although encouraging and positive, the figures from the visit report forms alone were not conclusive and did not significantly indicate improved visit acceptance levels comparable with the original Portsmouth pilot. There were also some reservations from members of the panel in terms of choice the detainee has as it may be difficult for them to refuse the visit once the ICVs are in the cell. A second pilot phase lasting 6 months involving further panels, was initiated starting on 1st June 2009 and

ending on the 30th November 2009. A decision will be made in 2010 on whether or not to continue with self introduction.

Panel meetings & training

Many panel members have busy home and professional lives, and some also maintain other community roles as well as that as an ICV. Despite this, attendance at panel meetings and visit performance has been fairly good throughout the year.

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. Monthly 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, 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.

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, or a representative attends the MPA London ICV Chairs meetings and ICV Cluster Meeting for Chairs.

In June a summer social and awards evening was held for Independent Custody Visitors; Ian Oppenheim, a valued member of the panel was awarded with a long service award. An award and certificate was also presented to Suzette Barry for her long service of over 10 years.

The panel was represented at the national ICVA (Independent Custody Visiting Association) conference in Leicester in November by Ann Edmead; the theme of the conference was 'The safety and dignity of those in police detention'.

River Boat Trip

A River Boat trip was organised in April. Eight members of the Tower Hamlets and Hackney panel attended and reported that it was a very educational and informative trip.

Annual General Meeting (AGM)

An AGM was held during the year. Peter Tihanyi was 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) on 27th & 28th July to monitor Custody policies, procedures and make recommendations. ICVs were not being inspected but the reports that are completed on visits were viewed and formed part of the report.

A de-brief was given following the inspection and overall they were impressed with the professionalism and work ethic of Tower Hamlets custody staff. However there were a few concerns raised including delays in Appropriate adult provision, the condition of Limehouse station, Forensic fridges with out of date DNA samples contained within which is now being monitored weekly by a DDO.

A working group was set up following the inspection with the aim of formulating the action plan to implement the Inspection recommendations. A panel representative was asked to sit on the HMIC Working Group to be involved in the discussion of the recommendations of the report and have an input into improvement.

Project Herald

Project Herald consists of 3 strands; the first is the introduction of Designated Detention Officers, the second, Forensic Intervention and the third, Custody Medical Provision.

There would eventually be six Custody Nurses employed on a permanent, full time basis in Tower Hamlets instead of FMEs on call, thereby giving detainees faster access to medical treatment. FMEs will still be required but will work shifts and be stationed in the custody unit for the duration of their shift.

There would also be 28 DDOs due in Tower Hamlets who will be responsible for booking in detainees and inputting information, under the Custody Sergeant's supervision. This will free up the custody officer's time to concentrate on other duties.

Chairperson's Report

The year of 2009 was an important one for custody visiting in London but particularly in Tower Hamlets.

Ed Bird our co-ordinator after a year of office left in July 2009 to become a full time policeman working for the Metropolitan Police Service (MPS). Mike Dodsworth our previous co-ordinator was appointed temporarily to act as the panel co-ordinator until the end of 2009. 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 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. Inspector Paul Boyle continued as the Custody Manager in 2009. The Panel and honorary officers have a good relationship and strong communication links with Inspector Boyle which has been a major contributor to effective working with Tower Hamlets MPS.

During 2009 at a Panel Chairs' meeting announcements of major changes in the way the panels would be administered by the MPA were made. The major change involved changing panel meetings for all panels to being quarterly. It was disappointing that the MPA did not consult on the best way to cut resources and implement change with their volunteers, and there was opposition to the changes and fear that it will result in less commitment from ICVs. It was finally agreed that panels can hold interim meetings without input from the MPA halfway during the interval between official meetings. There were some protest meetings and letters written and seven resignations as a result of the changes and cuts implemented by the MPA. We enter 2010 with some concern about the future of ICV panels in London, including concerns about Tower Hamlets and some fear from the current Chair.

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 there have been big changes during 2009 but the panel continued to weather them and function relatively successfully.

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 2009.

Membership

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 2009 there were 20 active members on the panel with one member on sabbatical. The optimum figure for a panel visiting two stations is 17 and the panel prides itself in maintaining strong membership.

Diversity

The active panel comprises of 9 men and 11 women with varying diversity in age and ethnicity.

Recruitment

At the end of 2009, there were five applicants on the panel's waiting list. Although the panel is now regarded as full, it is hoped that one or two new members will be appointed in 2010 to keep membership levels high.

The panel welcomes applications from all sections of the community in line with stated policy.

Visits to Police Stations

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

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:

- requests for telephone calls
- requests for legal advice
- requests for food drink
- requests for medical attention
- detainees have complained of feeling cold on numerous occasions.
- 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

Panel members also raised concerns regarding

- the poor supply of blankets to custody suites and the inappropriate storage of blankets.
- the custody suite was sometimes reported as being unclean and this was raised with the head of the cleaning services.

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.

ICVs also noted that new staff at the front desk, and Escorting Officers sometimes do not have any knowledge of ICVs or their role or introduced ICCs incorrectly which has caused some delay and confusion on visits. Whilst instruction regarding ICVs does form part of an Officers training, Inspector Boyle encouraged ICVs educate them if they do make a mistake so they learn.

There is an underlying problem with the AA scheme in Tower Hamlets which has led to unacceptable delays in juveniles seeing an AA. This was highlighted in the HMIC inspection and following on from this volunteers were sought from the community, including the panel to revamp the Appropriate Adult scheme. The scheme is expected to be re-launched as a priority task in the new year

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 monthly panel meetings.

Fortunately no significant issues have been raised in 2009 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

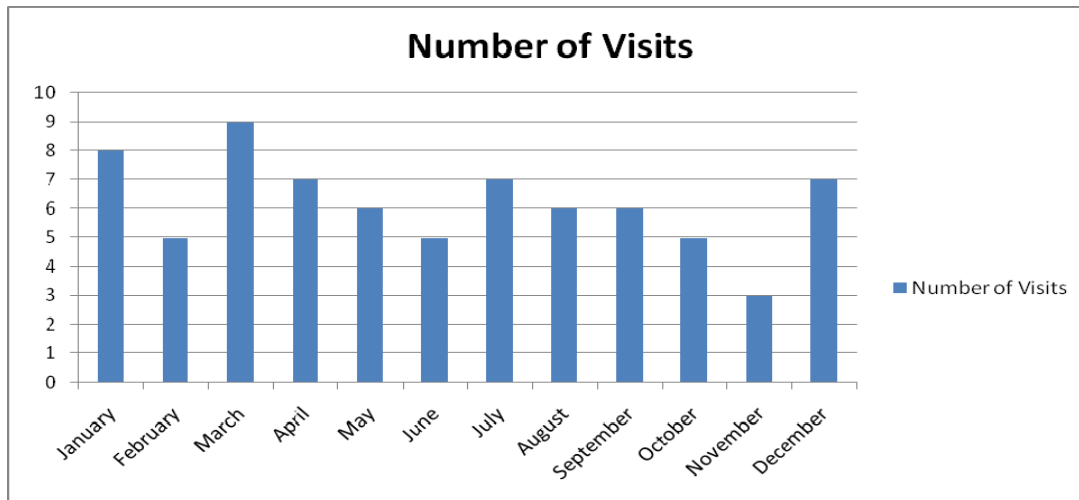
1. Annual number of Visits

Station	Annual no. of visits	% of Annual Target*
Bethnal Green	40	76.92
Limehouse	34	65.38
Total	74	71%

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

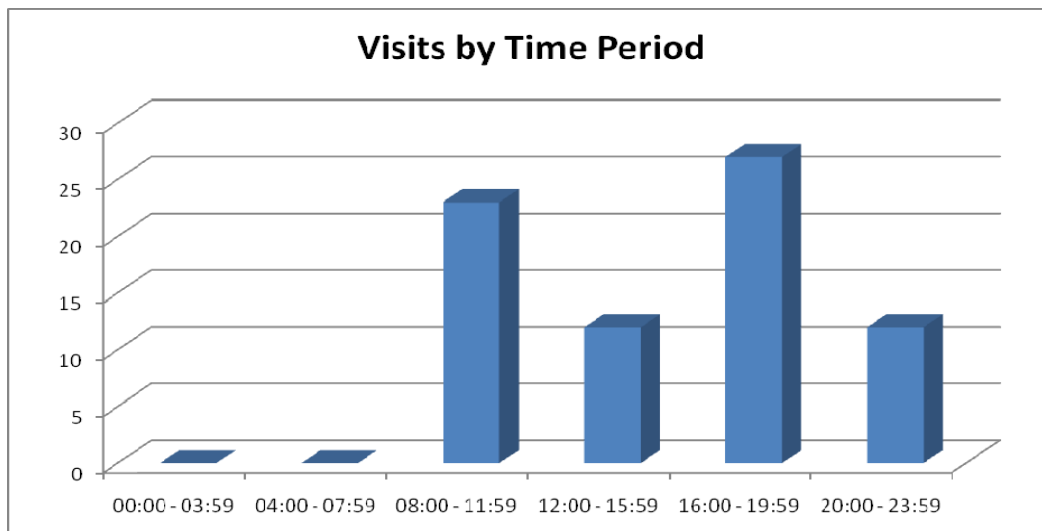
2. Visits per month

The following graph indicates the number of visits per month



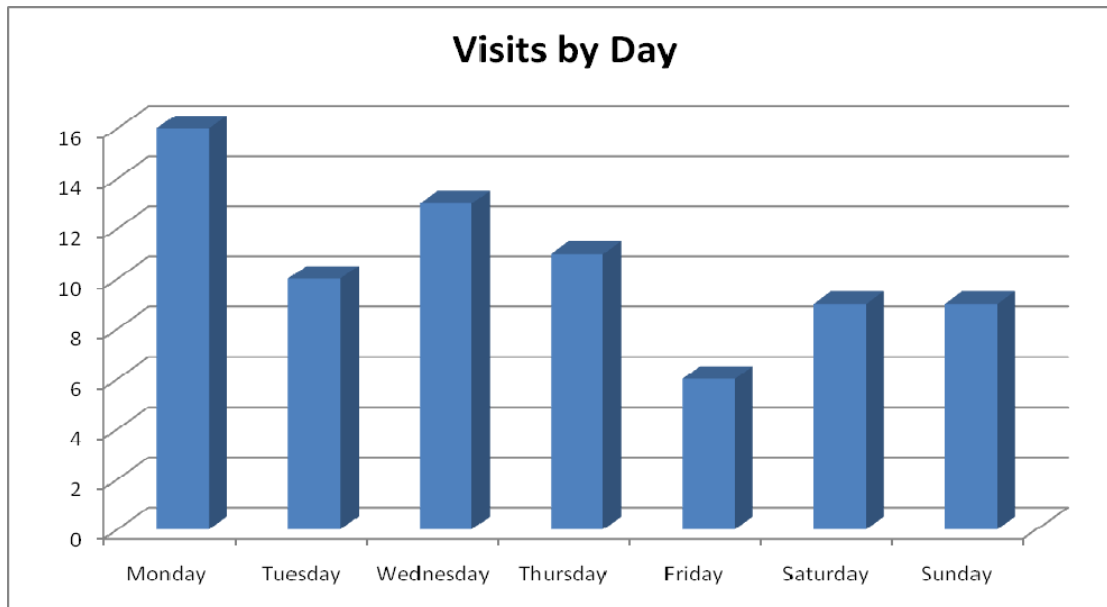
3. Time of Visits

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



4. Day of Visits

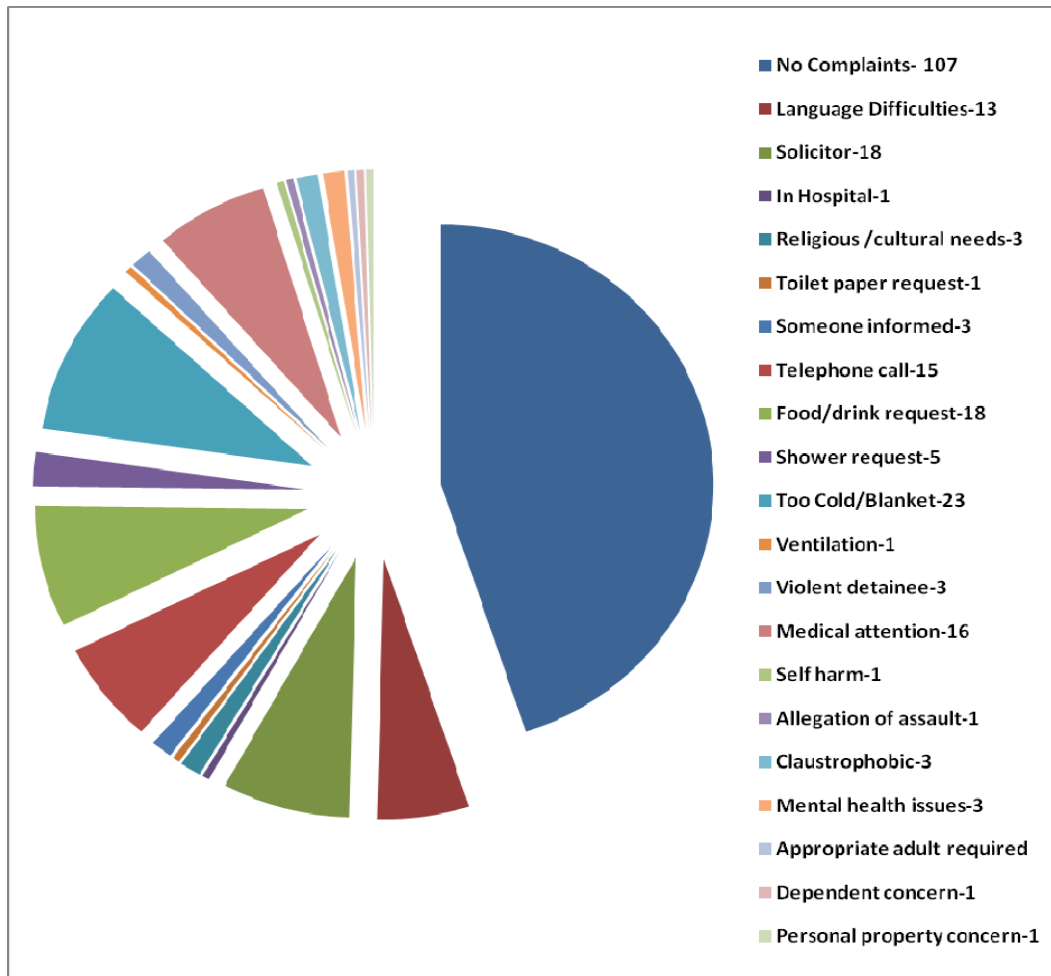
The following graph shows the days on which visits have taken place.



5. Numbers and categories of detainees

Number of detainees in custody at time of visits	361
Number of detainees accepted visit by ICVs	253
Number of detainees refused ICV visits	24
Number of detainees asleep at time of visits	26
Number of detainees out of cell at time of visits (interview etc)	39
Immigration detainees in custody at time of visits	13
Juvenile detainees in custody at time of visits	29
Female detainees in custody at time of visits	34

6. Details of detainees' concerns/issues:



Targets & plans for 2010

- 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.