

LEICESTERSHIRE POLICE AUTHORITY

PAPER MARKED

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Meeting **PROFESSIONAL STANDARDS COMMITTEE**
Date **THURSDAY 3 SEPTEMBER 2009 – 2.00 P.M.**
Report of **CHIEF EXECUTIVE**
Subject **INDEPENDENT CUSTODY VISITING SCHEME - UPDATE**

Purpose of report

1. The purpose of this report is to update members on the Independent Custody Visiting Scheme in Leicestershire for the periods 1 April 2008 to 31 March 2009 and 1 April 2009 to 31 July 2009.

Visits Undertaken 1 April 2008 to 31 March 2009

2. A total of 192 visits were undertaken throughout the Force area during the period 1 April 2008 and 31 March 2009. This is a decrease of 10 visits compared to the previous year. This was due to a combination of Keyham Lane being closed for two months for essential maintenance and the visiting target being missed 12 times as outlined in paragraph 5.

3. Detailed below is the number of visits per team:

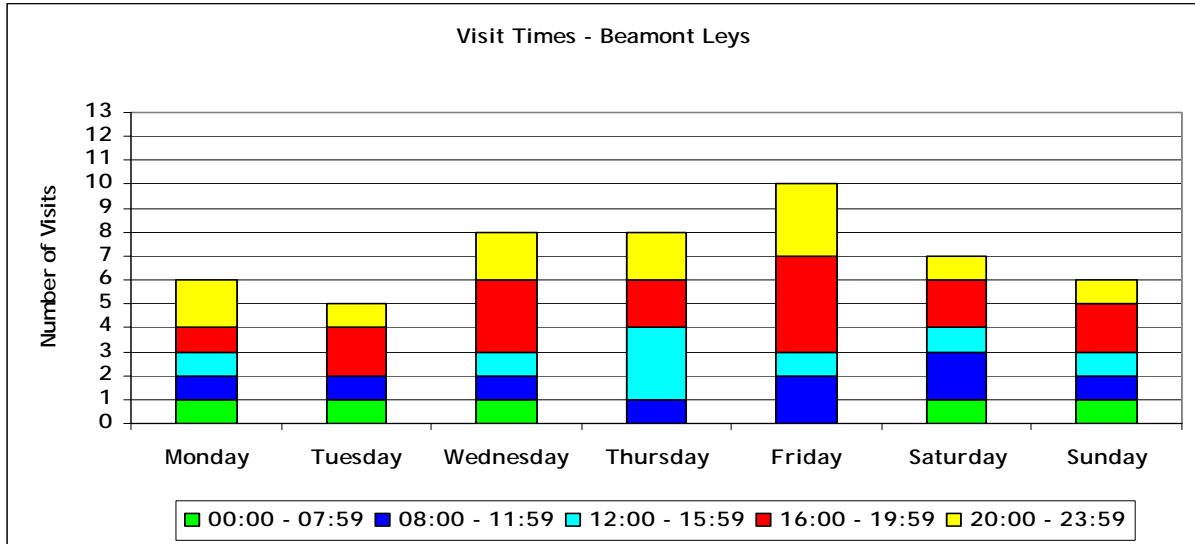
Euston Street	51
Keyham Lane	44
Loughborough	46
Beaumont Leys (includes 1 visit to Hinckley)	51
TOTAL	192

4. The current visiting target of one visit per week to each primary custody suite has been monitored quarterly at Area Co-ordinators' meetings. Throughout the year:
 - The target was consistently met and exceeded by Beaumont Leys and Euston Street custody visitors with the exception of one visit being missed at each custody suite.
 - The target was missed three times by custody visitors at Keyham Lane and seven times at Loughborough.
5. The main reason for the target being missed was contact difficulties between custody visitors and no alternative arrangements being made. In order to obtain an explanation for missed visits, a questionnaire was introduced in September 2008. Since its introduction there have been two missed visits – one where no arrangements were made and one where the visit could not be undertaken due to heavy snow.

Day and Time of Visits

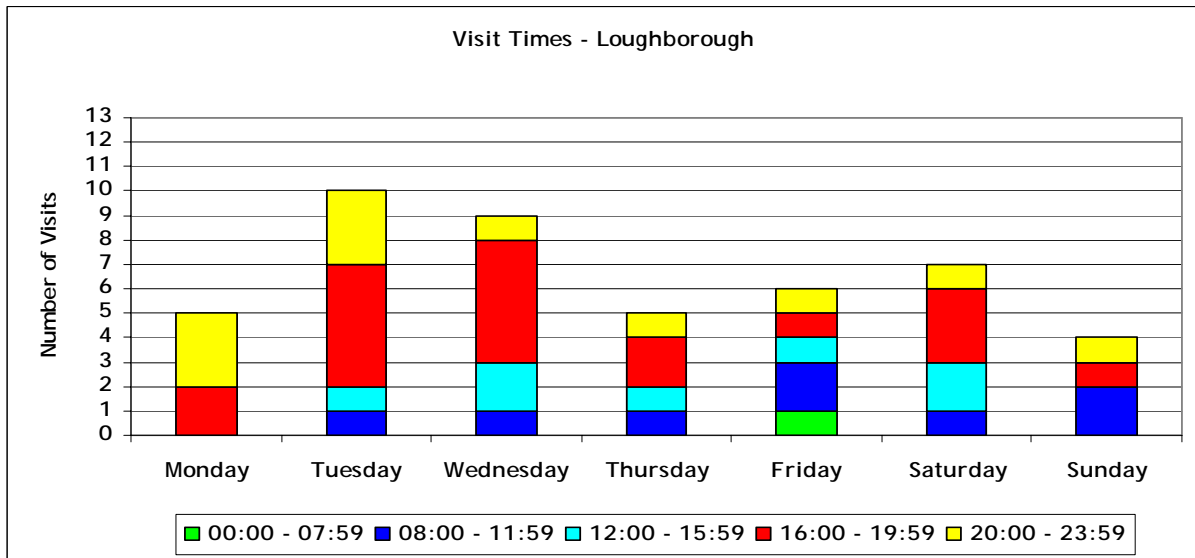
6. The charts below highlight the day and period of the week when visits were undertaken by custody visitors during the year 2008/09:

Beaumont Leys



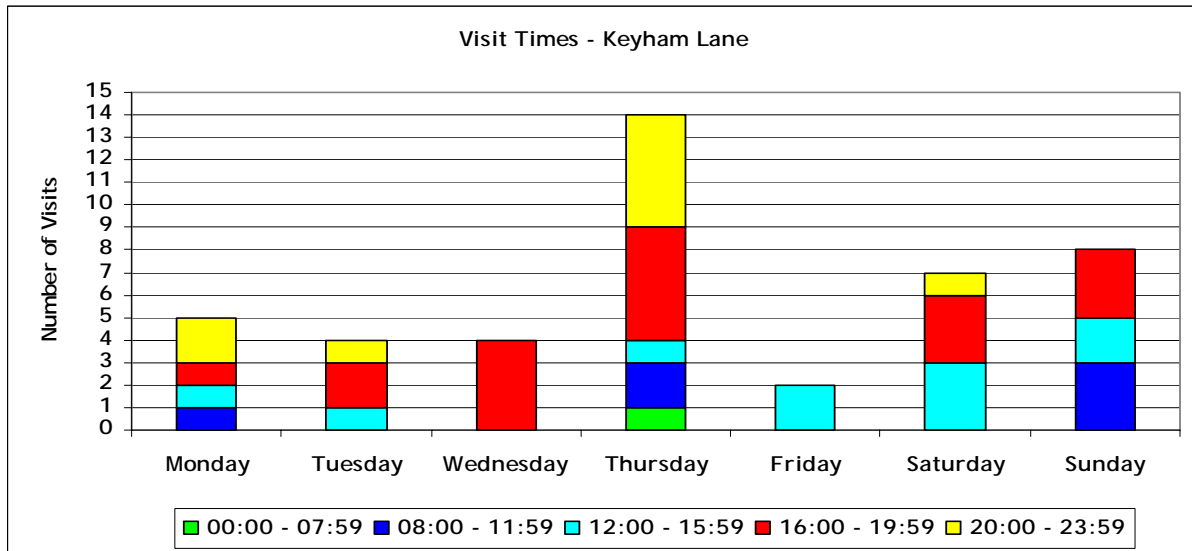
7. Overall there was an excellent spread of visits across all times of the day and days of the week. The only times when visits were not undertaken were before 8am on Thursday and Friday and 12pm to 4pm on Tuesdays. Otherwise all other times and days of the week were covered.

Loughborough



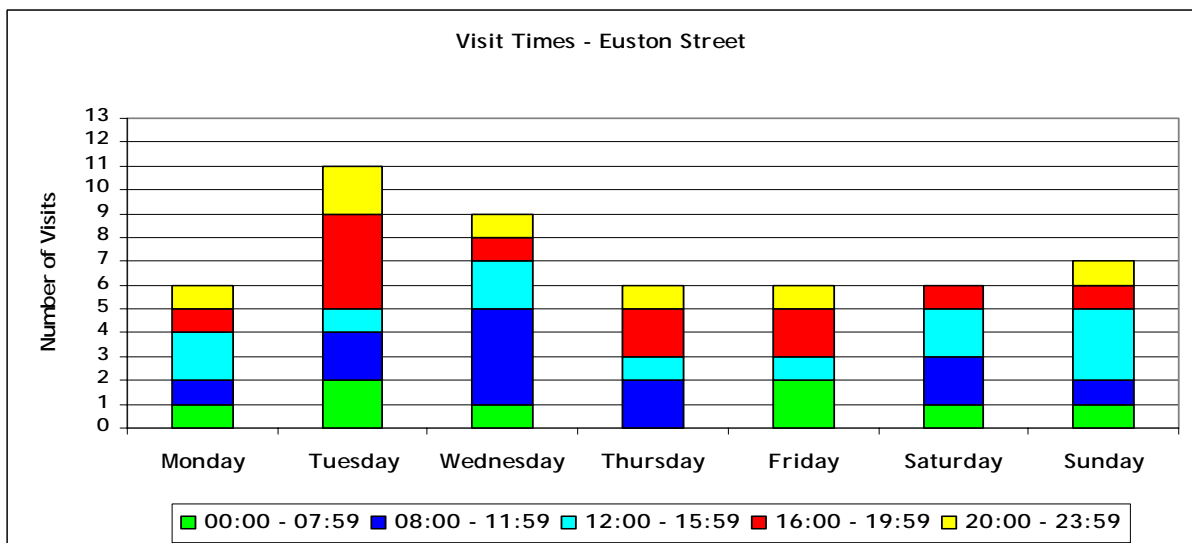
8. Overall there was a lack of visits before 8am. The majority of visits were undertaken after 4pm however there was a concerted effort in the last six months of the year to vary visit times.

Keyham Lane



9. Overall nearly 69% of weekday visits were undertaken after 4pm. There was a lack of visits before 8am, between 8am to 12 noon on Tuesday, Wednesday, Friday and Sunday and after 8pm on a Wednesday, Friday and Sunday.

Euston Street



10. Overall there was an excellent spread of visits across all times of the day and days of the week. The only times not covered were before 8am on Thursday, between 8am and 12 noon on Friday and between 8pm and midnight on Saturday.
11. During the year a visits gaps chart was introduced for custody visitors to easily identify when visits had not been undertaken at their custody suite. This was distributed on a monthly basis.

Detainees seen, not seen or who refused a visit by Custody Visitors

12. The number of detainees seen, not seen or who refused a visit during the period 1 April 2008 and 31 March 2009 are outlined below:

	<u>Beaumont Leys</u>		<u>Loughborough</u>		<u>Euston Street</u>	<u>Keyham Lane</u>
	pre Self-Intro	post Self-Intro	pre Self-Intro	post Self-Intro		
Total number of detainees	114	199	63	169	530	223
Number offered visit	81	128	41	103	289	145
Number seen	59	126	31	100	272	141
Number not offered a visit	33	71	22	66	244	78
Number who refused a visit	22	2	10	3	14	4
% of those offered visit who agreed to be seen by ICVs	73%	98%	76%	97%	94%	97%

13. Following a successful pilot at Euston Street and Keyham Lane, self-introduction was rolled out across all custody suites on 1 August 2008. From the implementation date to 31 March 2009, all custody suites increased their take-up rate to between 94% and 98%. The number of refused visits at Beaumont Leys dropped from 22 to 2. Similarly at Loughborough the number dropped from 10 to 3. Euston Street and Keyham Lane continued to maintain the excellent take-up rate experienced during the self-introduction pilot.

Issues Recorded

14. Throughout the year, a number of health and safety issues were reported by custody visitors including cleaning machines being left in the corridor at Beaumont Leys, broken locks on cells and an overflowing biohazard bin. All issues were resolved.
15. Custody visitors at Euston Street reported dirty dishes and cutlery being left in cells on a couple of occasions. Staff were advised by Ch/Insp Wells to remove all used items as soon as possible to minimise the risk of self-harm.
16. There were a number of building issues reported at Keyham Lane including loose and peeling plaster in cells. These were rectified in the programme of maintenance work completed in December 2008.
17. Custody visitors at Keyham Lane reported that one detainee had missed three thirty minute visits during the night due to information being recorded on a manual whiteboard and not the electronic one. This resulted in the removal of the manual whiteboard and in a column being included on NSPIS to show the visiting regime. Also one immigration detainee had not been offered exercise or a shower in two days. Raising this issue resulted in guidance being provided Force-wide to staff to ensure that such detainees are spoken to via Language Line each day to ascertain whether they have any welfare needs.
18. At Loughborough there was a delay in a cold water dispenser being installed due to the electrical supply however this was resolved. There were also concerns about a strong smell of sewage in the custody suite. Work is ongoing with Estates to find a permanent solution.
19. The majority of requests from detainees related to the provision of refreshments, blankets, phone calls and reading material.

Operation Safeguard

20. Operation Safeguard is the formal arrangement of the utilisation of police cells to accommodate Home Office prisoners when prison service accommodation has reached its operational capacity.
21. Coalville custody suite was utilised in April, May and June for Operation Safeguard prisoners. During this time 3 visits were undertaken however no prisoners were being held at the time of the visits.
22. In July 2008 Operation Safeguard moved to Euston Street and custody visitors on that team undertook visits to Safeguard prisoners during the course of their weekly rostered visits. Out of the 19 prisoners offered a visit, 15 were seen by custody visitors. Requests received included the provision of reading material, refreshments, blankets and medication.
23. In October 2008, the Home Office informed the Constabulary they no longer required them to provide facilities for Operation Safeguard prisoners.

Recruitment

24. Between 1 April 2008 and 31 March 2009, thirteen custody visitors were appointed to the Scheme and ten resigned for a variety of personal and work related reasons. Exit interview forms were forwarded. Custody visitors commented that the training was excellent and Area Co-ordinators and fellow custody visitors were approachable and supportive. There were no issues of concern with how the Scheme operated.

Review of Appointments

25. During the year, seventeen custody visitors' appointments were reviewed as part of the three yearly review process. Following this, ten appointments were renewed for a further three year term. Three were renewed for a one year term to monitor attendance at team meetings. Four appointments were terminated due to poor performance including the visiting target being missed due to contact difficulties and non attendance at team meetings.

Training

26. Throughout the year the following training was delivered to custody visitors:
 - Autumn 2008 – induction training
 - October 2008 – diversity training as part of the East Midlands' Regional Conference held in Nottingham
 - February 2009 – regional advanced training.
27. Evaluation of the training was undertaken and has previously been reported to the Committee.

Regional Collaboration

East Midlands' Regional Conference

28. Nottinghamshire hosted the East Midlands' Regional Conference for Independent Custody Visiting on Saturday 4 October 2008. The event was attended by 99 custody visitors from across the region.
29. Evaluation was undertaken by Nottinghamshire's Scheme Administrator and has previously been reported to the Committee.

Regional Meetings

30. Scheme Administrators met four times during 2008/09 in Leicestershire, Northamptonshire, Lincolnshire and Nottinghamshire. The meetings provided an opportunity to share good practice. Some of the items addressed included:
- A regional Action Plan
 - Introduction of a regional application pack
 - A regional risk assessment for custody visiting
 - A regional training strategy
 - Regional training sessions and conferences
 - Regional appointments to ICVA Executive Committee
 - Comparison of performance information
 - Introduction of Key Performance Indicators.

Independent Custody Visiting Association (ICVA)

31. During the year ICVA provided a Scheme Administrators' Conference on 16, 17 and 18 July in Manchester and an Annual Conference on 1 November 2008 in Stratford-upon-Avon.
32. The Deputy Chief Executive attended meetings of the ICVA National Executive Committee throughout 2008/09. Issues discussed included:
- Home Office funding for ICVA
 - The governance of ICVA.
 - Membership subscriptions.
 - Business Plan.

Meetings with Area Co-ordinators

33. The Deputy Chief Executive and Members' Services Officer met with the Area Co-ordinators, Chief Inspector Wells and Inspector Thorpe on 3 June, 21 August, 2 December 2008 and 18 March 2009. Items discussed at the meetings included:
- Issues arising from each Area
 - Visits undertaken
 - Responses from the Force to issues recorded at the time of visits
 - Current custody visitors
 - An update from the Force on custody activities
 - Revision of Risk Assessment for custody visitors
 - Scheme Administrators' Conference
 - ICVA Annual Conference
 - Review of Appointments
 - Regional Conference
 - Self-Introduction
 - Operation Safeguard
 - Revision of prompt card
 - Safer Detention Action Plan
 - Feedback from ICVA Executive Committee.

Newsletters

34. Following each quarterly meeting with Area Co-ordinators a Newsletter was produced and distributed to all custody visitors informing them of recent developments and updates and also providing notification of forthcoming meetings and events.

Leicestershire Independent Custody Visiting Annual Report

35. The Authority produced an Annual Report for the Independent Custody Visiting Scheme in Leicestershire for 2007/08. The report was published on the Authority's website and distributed as follows:

- All custody visitors
- Association of Police Authorities
- Chief police officers
- Custody Managers, Sergeants and Detention Officers
- BCU/LPU Commanders
- Front Enquiry Offices at all Local Policing Units
- Staff Associations
- Local Resilience Forum and Local Criminal Justice Board
- Alan Brown, Police Leadership and Powers Unit at the Home Office
- Police authorities in the East Midlands' region
- ICVA Executive Committee members
- PAGRI members
- Police Authority Consultation Panel members
- Council offices in Leicester, Leicestershire and Rutland
- LGBT Centre, The Peepul Centre, African Caribbean Citizens Forum, Pakistan Youth and Community Association
- Youth Voice
- Local community centres, organisations and Neighbourhood Watch
- Local university libraries
- Libraries and Voluntary Action centres in Leicester, Leicestershire and Rutland
- Local press and radio
- HMIC
- Internal and external auditors

Financial Implications

36. The budget allocated for custody visiting in Leicestershire in 2008/09 was £4,715. The amount spent on administering the Scheme was £2,795, with savings resulting from income received for regional events hosted by Leicestershire.

Visits Undertaken 1 April 2009 to 31 July 2009

37. A total of 64 custody visits have been undertaken during the period 1 April 2009 to 31 July 2009. Outlined below is the number of visits custody suite:

	<u>April</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Total</u>
<u>Primary Sites</u>					
Euston Street**	5	4	4	4	17
Loughborough	3	5	3	3	14
Beaumont Leys/Wigston*	5	3	5	4	17
Keyham Lane	3	5	5	3	16
<u>Total</u>	16	17	17	14	64

38. A minimum of one visit per week should be undertaken to each of the primary custody suites. The target was missed once at Loughborough due to a family emergency, and once at Beaumont Leys and Keyham Lane due to no arrangements being made. Missed visit questionnaires have been forwarded.

Issues Recorded

39. Items which have been raised as a result of the visits since 1 April 2009 are outlined below:

Issue

Response

Wigston

Lack of ventilation in cells and chute.

Visit occurred during very hot spell of weather.

Keyham Lane

Detainees held for long periods should be offered exercise. Ambient meals not marked as Halal.

The detainee in question declined exercise following the custody visit however Custody Manager reminded staff of the requirement under PACE to offer brief outdoor exercise daily if practicable. Criminal Justice confirmed that two meals have the phrase "prepared according to Islamic law" which means they are Halal.

Issue around siting of CCTV cameras in custody suite.

Camera installed in fingerprint and drug testing room and removed from shower area.

Loughborough

Medical room reported to be very hot due to no air conditioning.

Visit occurred during very hot spell of weather. Safer Detention walk though will identify any refurbishment required in forthcoming programme of work.

Euston Street/Beaumont Leys

Concerns regarding staffing levels at Beaumont Leys as suite very busy – 1 Sergeant and 1 Detention Officer.

The minimum cover for Beaumont Leys during closure is 1 Sergeant and 1 Detention Officer. Where possible staffing is set at 1 Sergeant and 2 Detention Officers. Due to annual leave/abstractions there are times when only minimum staffing is possible. Situation monitored by Criminal Justice.

Dirty dishes in cells on two occasions.

Staff reminded to remove used crockery as soon as possible.

Detainees seen, not seen or who refused a visit by Custody Visitors

40. The number of detainees who refused a visit, were seen or not seen by Custody Visitors during the period 1 April 2009 and 31 July 2009 were as follows:

	<u>Beaumont Leys/ Wigston</u>	<u>Loughborough</u>	<u>Euston Street/ Beaumont Leys</u>	<u>Keyham Lane</u>
Total number of detainees	87	97	150	94
Number offered visit	56	66	98	65
Number seen	54	66	95	60
Number not offered a visit	31	31	52	29
Number who refused a visit	2	0	3	5
% of those offered a visit who agreed to be seen by ICVs	97%	100%	97%	97%

Current custody visitors

41. The number of custody visitors on each team is indicated below:

Loughborough	-	13
Keyham Lane	-	13
Wigston	-	11
Euston Street	-	13

42. Since 1 April 2009 three custody visitors have left the Scheme. Reasons include other voluntary commitments, shift work and gaining employment with the Constabulary resulting in the custody visitor being unable to continue in the role.

43. Exit questionnaires were forwarded to those leaving the Scheme. Comments received include commending the training and support provided and the professional relationship between custody staff and custody visitors. One commented that more frequent visits would have been welcomed.

Diversity Issues

44. Equality monitoring data has recently been collated for current custody visitors to monitor all six strands of diversity. Of those who provided information:

- 54% are female and 46% are male.
- 18% are aged below 35, 16% between 35 and 54, 23% 55 and over.
- 13% of custody visitors are disabled.
- 64% are White British, 23% Asian Indian, 7% White Other, 4% Asian Other and 2% Black African.
- 95% are heterosexual, 2.5% gay/lesbian and 2.5% bisexual.
- 32% are Church of England, 13% Hindu, 10% Sikh, 10% Christian, 5% Catholic, 5% Muslim, 2% atheist, 2% agnostic, 2% Baptist, 2% Methodist, 2% Buddhist and 15% no belief or faith.

Training

45. An advanced training session for custody visitors will be held on Thursday 29 October 2009. The programme will include sessions on autism, immigration and the work of Addaction. All custody visitors will be invited to attend to fulfil their commitment to the Memorandum of Understanding which outlines that at least one advanced training session should be attended per three-year appointment.

East Midlands' Regional Conference

46. Northamptonshire will host this year's East Midlands' Regional Conference for Independent Custody Visiting on Saturday 3 October 2008. The event will be attended by custody visitors from Leicestershire, Derbyshire, Lincolnshire, Northamptonshire and Nottinghamshire.
47. The programme includes presentations on developments in custody visiting from the Association of Police Authorities Lead for Custody Visiting, the drugs market, the Crown Prosecution Service role in the criminal justice system and a custody food tasting session.

ICVA Conferences

48. The Scheme Administrators' Conference 2009 took place on 24 and 25 June in Birmingham and was attended by the Members' Services Officer and Deputy Chief Executive. The conference included sessions on the PACE Review and Joint Working, Collaboration Opportunities giving the East Midlands' regions as an example, Human Rights and HMIP/HMIC Joint Inspections of custody. ICVA launched their new training material for custody visitors and there were workshop sessions on publicity, working protocols, recruitment and feedback.
49. The Annual Conference 2009 will take place on Saturday 14 November at the Ramada Jarvis Hotel, Granby Street, Leicester and will be opened by the Chairman of the Authority and Chief Constable. Four custody visitors from each team will be given the opportunity to attend. The programme is currently being finalised.

Meetings with Area Co-ordinators

50. The Deputy Chief Executive and Members' Services Officer met with the Area Co-ordinators, Chief Inspector Wells and Chief Inspector Thorpe on 2 June 2009. Items discussed at the meetings included:
 - Issues arising from each Area
 - Number of visits undertaken
 - Responses from the Force to issues recorded at the time of visits
 - Current custody visitors and reviews of appointment
 - An update from the Force on custody activities and Safer Detention Action Plan
 - Scheme Administrators' Conference
 - ICVA Annual Conference
 - Regional activities.
 - ICVA Executive Committee update.
51. Further meetings are planned for 7 September 2009, 9 December 2009, 11 March 2010, 2 June 2010, 14 September 2010 and 1 December 2010.

Annual Report 2008/09

52. The Authority has produced an Annual Report for the Independent Custody Visiting Scheme in Leicestershire for 2008/09. A copy of the document is attached as

Appendix 'A' to this report. The report was published on the Authority's website and distributed as outlined in paragraph 40.

Financial Implications

53. The cost of administering the scheme in Leicestershire up to 31 July 2009 was £1005. Expenses incurred to date are for custody visitor travel and mileage.
54. Costs incurred for the East Midlands' Regional Conference will be split equally between the five participating authorities. It is anticipated that the cost for Leicestershire will be in the region of £800 which includes transport to the venue. A detailed update will be provided at the next meeting of the Committee.
55. The costs which will be incurred for attending the ICVA Annual Conference in November will include a delegate fee of £40 per person.
56. All costs will be contained within the Police Authority budget for 2009/10.

Recommendation

57. Members are asked to comment on the current position regarding the Independent Custody Visiting Scheme in Leicestershire.

Persons to Contact

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