

# **ANNUAL REPORT OF THE AVON AND SOMERSET POLICE AND CRIME COMMISSIONER**

**1 April 2017 - 31 March 2018**

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Please extract from PCC Annual Report regarding the Independent Custody Visiting scheme for 2017-2018.

### **Case Study – Ensuring fair treatment of detainees in custody**

The Independent Custody Visiting (ICV) Scheme uses volunteers from the local community to observe, comment and report on the conditions under which people are detained in police custody. The Scheme provides an independent check on the operation of statutory and other rules governing the welfare of people in custody and helps to promote greater understanding and confidence in this process.

The Police and Crime Commissioner has a statutory duty under Section 51 of the Police Reform Act 2002 to make arrangements for detainees to be visited by independent custody visitors, to keep these arrangements under review, and revise them as required.

There are 3 policing centres where people are detained (in Keynsham, Bridgwater and Patchway). Each one has an established ICV Co-ordinator, supported by OPCC. There are 35 ICV volunteers in total (13 in Keynsham, 11 in Bridgwater and 11 in Patchway).

**Statistics:**

There were 19,691 detainees held at the 3 units during the year:

Bridgwater police centre – 6,173

Keynsham police centre – 6,273

Patchway police centre – 7,245.

236 visits to police custody took place

Patchway – 69 visits

Bridgwater – 84 visits

Keynsham – 83 visits

83% of detainees were available for a visit by ICVs and 62% gave their consent for a visit.

Key issues arising from ICV visits:

- Issues with availability of Health Care Practitioners (HCP): delays, no HCP on the premises at time of visit, or instances were detainees were awaiting medication resulting from issues with HCP provision. The issues with HCP have been escalated to the OPCC Senior Leadership Team to raise at regional performance meetings.

There was a follow-up inspection by HMICFRS following their previous full inspection. On return, a Senior Inspector (who had also inspected in 2016) described the Constabulary as having made "enormous progress" against the recommendations made and areas for improvement.

The Constabulary's use of PAVA (an incapacitant spray similar to pepper spray) in custody has been reduced significantly but more work is underway. The introduction of the Custody Use of Force scrutiny panel was highlighted for particular praise.

HMICFRS were satisfied that the Constabulary had addressed their previous concern around too many vulnerable detainees being held in custody because there was a lack of more appropriate options. Similarly, the Constabulary avoids detaining children where other options could be considered more appropriate such as voluntary attendance or application of a community resolution as an out of court disposal option.

HMICFRS agreed that 20 of the 26 'areas for improvement' identified in the 2016 inspection report had been addressed, and an update on the follow-up visit was provided to ICVs to inform their visits.

**Updates from ICV Panel Co-ordinators**

<u>Patchway Co-ordinator:</u>	<u>Bridgwater Co-ordinator:</u>
<p>Currently we have 11 ICVs at Patchway. We had three new recruits start in the autumn who are now fully trained and confident in the role. We have just interviewed for more which, hopefully, will enable us to increase the number of visits that we carry out. We currently visit on average once every 5 days.</p> <p>We have had minor problems with the electronic reporting system and are grateful to the Keynsham coordinator for volunteering to collate these problems and liaise with the developer to sort them out.</p> <p>The exercise yard floors have been resurfaced after problems with damp and algae.</p> <p>The Patchway visitors have raised issues about the availability of medical staff as on a number of occasions</p>	<p>Currently there are 9 ICVs at Bridgwater including the co-ordinator. Recruitment was undertaken earlier this year and three new ICVs will be appointed to the panel. There have not been any major issues with the electronic reporting methods. The exercise yards at Bridgwater have had a new resin surface laid to replace the previous surface which had deteriorated. The new surface material is much better.</p> <p>Custody records are largely being reviewed during visits when ICVs are not able to see a detainee. There continue to be some minor issues with passwords but is mainly due to</p>

<p>the medical provision has not appeared to be at the expected level. There have not been any S136 Mental Health Act detainees at the custody suite during the year when we have visited, though there have been detainees with mental health issues. We continue to have a good working relationship with the custody staff at Patchway, and we have witnessed members of staff dealing patiently and sensitively with those in distress</p>	<p>confusion between passwords to logon to the police system and the password to logon to the custody app for the electronic reporting. We have a good rapport with the custody staff and everything is good at Bridgwater.</p>
<p><u>Keynsham Co-ordinator:</u></p> <p>In general there have been few complaints from detained persons (DPs) during our visits. The usual one is that DPs do not know what is happening with the investigation, but they quickly understand that that is out of Custody's control. There is a certain frustration that their lawyer is not available quicker, but again that is out of Custody's control. With no HCP based on site, delays can build up and caused concerns for those already on medication. If they do not have medication with them there is upset if HCP says that they can miss a dose. We are seeing more with Mental health issues, but the police are getting good at identifying them and putting them on elevated observation levels. Usually after handover the staff are familiar with all in Custody. One outdoor exercise area has been resurfaced and cleaned. From the way that the staff open the cell doors and introduce us to the DPs it is clear that they quickly build up a good relationship based on care.</p> <p>The number of ICVs available has fluctuated due to health issues and family responsibilities. We are running on minimum numbers. However we have not missed any visits, showing we are a cohesive group committed to the Custody Visiting Scheme. The strength of the team is their willingness to swap, change or do extra visits. They do this within the team and the coordinator has never had to step in and reorganise the rota. Visitors are very cooperative. This can also be seen when doing visits, they recognise each other's strengths. The year has been quite trying with the introduction of electronic reporting. By the end most people seem quite confident using the system and see its value. The ICVs take issues raised by DPs seriously and question the staff about the issues raised. At times we check the Custody records to get the detail of what they have been shown.</p> <p>One thing that the whole team appreciates is the way that the Custody staff welcome them and show them round. The panel meetings are well attended ensuring that everyone is up to date with issues of concern and changes in practice. A lot of our understanding of what happens in Custody comes from the Inspector's input to the panel meetings. With information and examples to help us understand. The level of commitment and interest within the panel is partly due to his willingness to explain to us the procedures and thought processes that operate within custody.</p>	

If you are over 18, and have been living or working in the Avon and Somerset area for at least three years you would be eligible to apply to become a custody visitor. For more information about the ICV scheme, please see the website: <https://www.avonandsomerset-pcc.gov.uk/Take-Part/Custody-Visiting.aspx>



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<https://www.avonandsomerset-pcc.gov.uk/Official-site.aspx>