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# 2020-2021 Annual Report

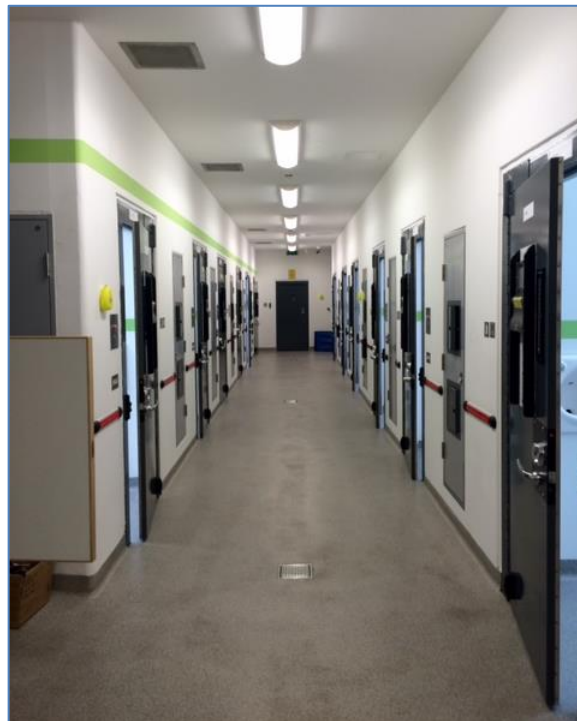
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## Independent Custody Visitors (ICVs)

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### Avon and Somerset Police and Crime Commissioner's Office

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*Figure 1: View of a Custody cell corridor*

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## Foreword

We have seen such a lot of change during this financial year, most prominently the response to the Covid-19 pandemic, with revised working practices and policies, virtual remand courts, Covid-19 secure custody corridors, PPE masks, gloves, goggles and aprons. The custody visiting scheme immediately adapted to remote visiting with Independent Custody Visitors (ICVs) speaking to detained people via the cell intercom or the new added corridor mobile phones, as well as reviewing Custody Records. The independent oversight of custody has continued throughout the pandemic and I am very proud of the scheme and what ICVs have achieved. I am also very grateful for the ongoing work of the Head of Custody, the lead Custody Officers working with the ICV panels and the Custody staff teams. Thanks to everyone who has supported the aim over the years whilst I have been PCC to strive to have an outstanding Custody provision.

Independent custody visiting is an essential element of the work of the PCC's office, in ensuring the police service is open and accountable to the people it serves and where Custody Units are scrutinised to ensure to safe and lawful detention of people, treating each person with dignity and respect. I will be passing on the strategic governance and oversight role to a newly elected Police and Crime Commissioner for Avon and Somerset when I step down and I am confident in the PCC's office staff and ICVs, with a wealth of experience and commitment to continue the statutory requirements for the new PCC.

Independent Custody Visiting gives the public a real insight into conditions in custody and reassurance that someone independent of the Police has regular oversight. ICVs emphasise that they do not want or need to know why the detained person is there but ask about their welfare, if they have been treated according to the law for their rights and entitlements. ICVs also provide a friendly smile and respectful and impartial conversation.

I welcome the additional recruitment of Avon and Somerset Constabulary's Custody Sergeants, Inspectors and Detention Officers, recently to full establishment level after previous shielding and minimum shift numbers. I commend their commitment to the role and responsibilities. Custody can understandably be a challenging environment – and assaults on officers regrettably occur, including during 2021. Detained people often have chaotic lives, mental ill health and substance misuse and this needs to be managed, with the assistance of partner agencies, such as Health Care Professionals. I encourage ICVs to continue to report the good aspects and compliments to Custody Officers as well as seeking assurances about any concerns and issues to resolve.

We rely on the enthusiasm, commitment and dedication of our volunteer ICVs and I thank them all for their dedication. I am very grateful to the work of Coordinators and Deputies at Bridgwater: Anita and Carrie, Daren and Steve; at Keynsham: Paul and Justine; and Patchway: Amie and Suzanne. Thank you to each and every ICV. I have huge appreciation of what Custody Visitors do towards increasing the public's trust and confidence. Custody Visitors are one of the 'critical friends' of the Police.

Finally, I would like to welcome the newest Custody Visitors who have successfully completed their probation and are now fully accredited Independent Custody Visitors. Continue your good work all and be proud.



*Sue Mountstevens, Avon and Somerset Police and Crime Commissioner  
April 2021*



## A word from the Head of Custody:

*"This past year has been a particularly testing time for the whole organisation and custody is no different. With staff having to work 24/7 at the custody units, operationally we do not have an option for working from home. The impact of shielding has had a major impact on our service and staffing levels and therefore our ability to provide a full service at all 3 units. During the last year the Custody department dealt with 17,167 arrests (8% decrease from the previous 12 months of 18713 (financial years).*

*The support and at the same time scrutiny that the Independent Custody Visitors brings to our role is invaluable. Not only ensuring we comply with government policy but most importantly assessing and check testing our care and service provided to detained individuals. I am extremely grateful for their work and the feedback they provide to ensure we get it right first time."*

Avon and Somerset Constabulary's Head of Custody, Chief Inspector McGowan

### Note from Kit Malthouse MP

Minister of State (Minister for Crime and Policing)



**'In particular, I am grateful to all independent custody visitors for the part they have played throughout the COVID-19 pandemic to ensure standards continue to be upheld'.**

**ICVA**  
The Independent Custody  
Visiting Association

## Welcome news regarding the Police Custody & Joint Interim Interview Protocol Changes:

At the start of the Covid-19 pandemic the NPCC, CPS and representatives of the legal profession agreed and introduced a Joint Interim Interview Protocol (JIIP). The JIIP allows remote legal advice to be provided with the intention of facilitating the safe operation of police custody, by reducing travelling and people in Custody units ('foot traffic').

NPCC Custody Lead DCC Nev Kemp has now written to Police Custody Leads, providing an update on a phased withdrawal from the JIIP in line with the easing of lockdown restrictions across England and Wales (currently planned to be **17 May 2021**).

Both the National Appropriate Adult Network (*Not remotely fair?* published 26 February 2021) and HMICFRS (*Custody services in a COVID-19 environment* published 20 April 2021) have previously identified remote legal advice within recent publications.

# Introduction

The Independent Custody Visitor (ICV) visiting process and procedure is governed by a Code of Practice which is issued by the Home Office (still currently 2013). See Annex 1. This states:

*“Systems must be in place to ensure that the output from visits is drawn rapidly to the attention of those in a position to make the appropriate response.*

*The PCC is responsible for drawing together issues and identifying trends emerging from visits in their area and addressing these with relevant police supervisors.*

*The PCC must have a regular and formal opportunity to raise concerns and issues with a designated senior officer with force-wide responsibilities. It will usually be appropriate for that officer to be of at least Assistant Chief Constable/Commander rank. Regular reports shall be provided by the administrator of the scheme to the PCC. These reports must be discussed at PCC meetings as appropriate and reflected in an entry about independent custody visiting in the PCC’s own annual report.”*

The full Code of Practice is published here but expected to be updated in 2021:

[http://icva.org.uk/uploads/publications/ICV\\_Code\\_of\\_Practice-APR2013.pdf](http://icva.org.uk/uploads/publications/ICV_Code_of_Practice-APR2013.pdf)

The pandemic has required Home Office temporary amendments to adapt, e.g. solo visits or remote visiting.



Figure 2: PCC Sue Mountstevens checking a Custody Unit cell

This ICV annual report provides an opportunity to highlight the work of the Police and Crime Commissioner’s (PCC’s) volunteers, to celebrate ICV and scheme successes and to describe how the PCC’s office have and are working on issues with the aim of making Avon and Somerset Constabulary’s Custody facilities ‘outstanding’ in the policing service provided. This ICV annual report documents how ICVs are assisting the PCC in discharging her duty in delivering oversight, openness and transparency. This is part of the PCC’s important role in being a bridge between the public and the Police. The ICV scheme delivers continuous improvement and, in doing so, boosts public confidence and reassurance, ICVs being the ‘eyes and ears’ as local members of the public. The information within this ICV Annual Report aims to provide the required information for an effective and transparent ICV scheme. The format of this report has been developed by the Independent Custody Visiting Association (ICVA) in consultation with ICV schemes, the Home Office, the National Preventive Mechanism and the inspectorates. It also adheres to the requirements with the ICVA Quality Assurance Framework.

Independent Custody Visiting Schemes exist to provide assurance to local communities that they can have confidence in the way the Police treat people who are held in custody. Ensuring effective management and oversight of the ICV Scheme is a statutory responsibility of the PCC and the PCC ensures that robust and effective procedures for establishing and maintaining the scheme are in place.



The PCC's office appoints volunteers from the local community to undertake the role of the Independent Custody Visitor and provides them with support and initial training - as well as on-going, regular training - to ensure that they can carry out their role effectively and with confidence. The ICV scheme also plays an important part in maintaining Police accountability to the local community and this annual report is a means to ensure that this information is published and available in the public domain.

Avon and Somerset Constabulary has 3 modern custody units, built in 2014 within the Police Centres at Patchway (near Bristol), Keynsham (near Bath) and Bridgwater (between Weston-super-Mare and Taunton). The Custody units have been carefully designed around the custody process, with the custody booking in/charge area centrally located, known as the 'Bridge', with cell corridors as well as holding rooms, fingerprint processing rooms, medical room and interview rooms. The Custody Unit also includes a vehicle docking area within the secure compound and CCTV throughout the Custody Unit.

## Statistics

Demographics of the detained persons going through custody by age, gender and ethnicity are shown in the tables below. This information has been provided by the Constabulary's Data Analyst. In summary, people detained are predominantly white males aged between 25-34 years and the highest number of detainees in custody is at the weekends, from around midnight to 3a.m. This is the same trend as for previous years.

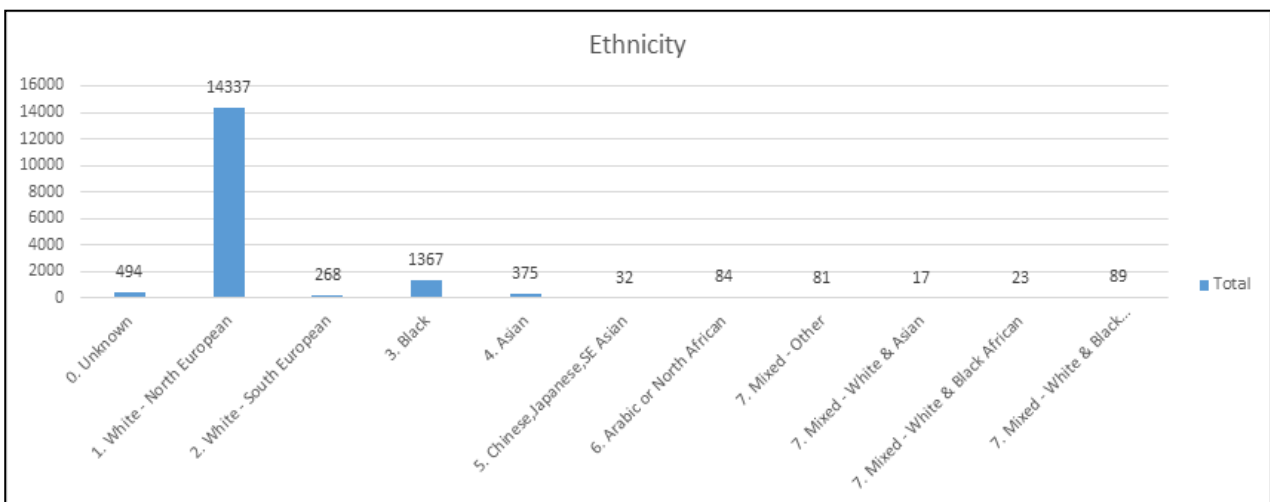


Figure 3: Detainees by Ethnicity. 85.07% White and 7.96% Black people. Total 17167

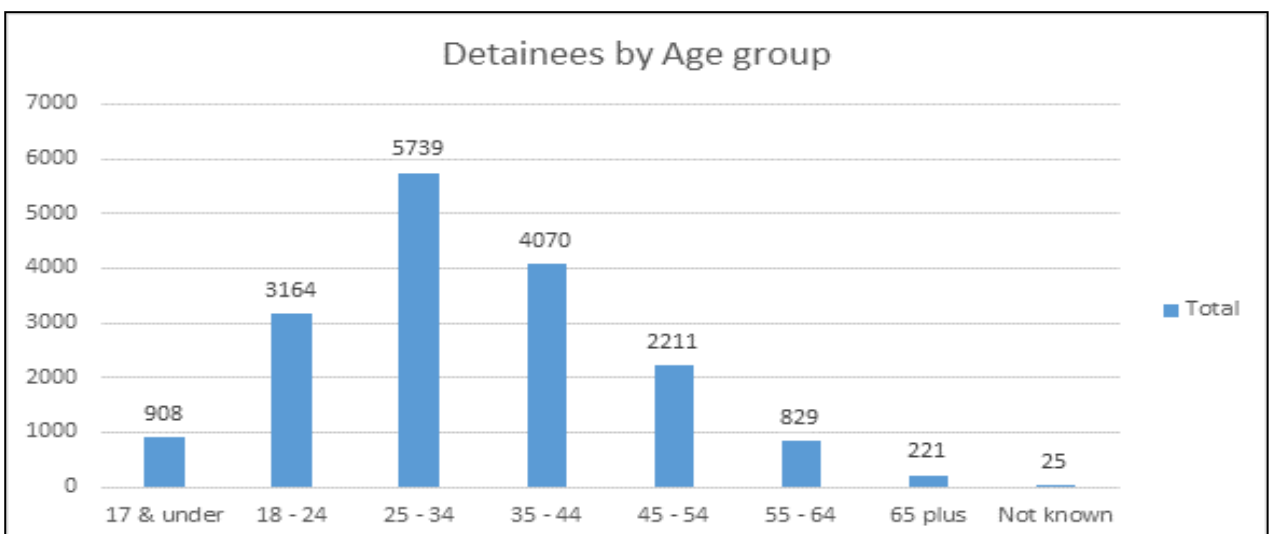


Figure 4: Detainees by Age (5% are children aged 17 and under). Total 17167

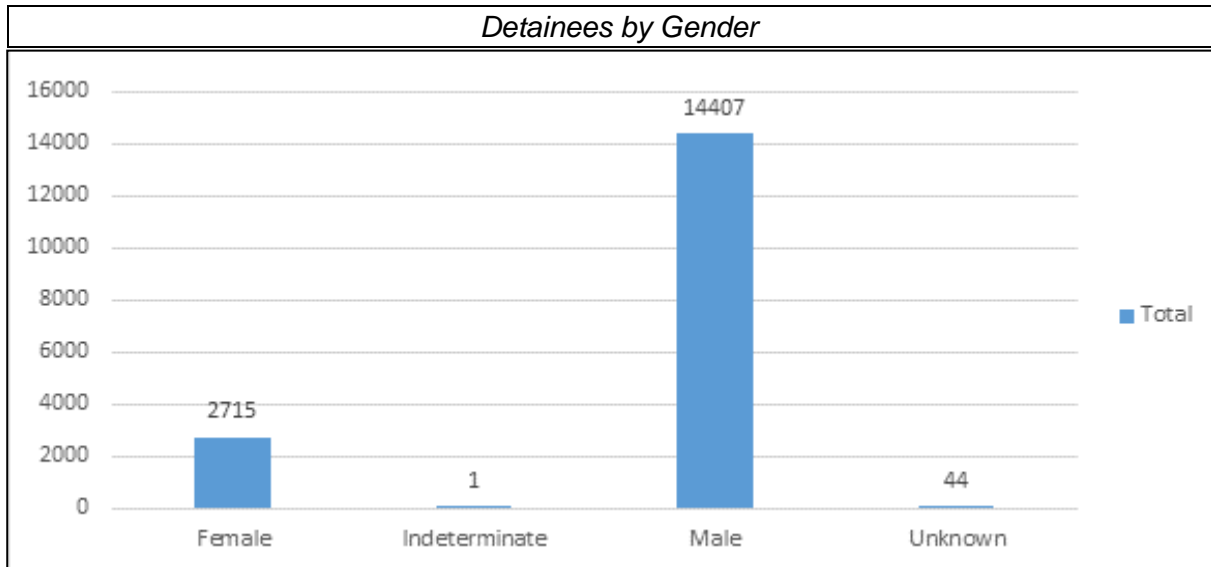
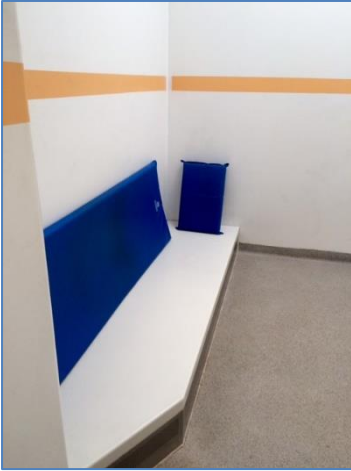


Figure 5: Detainees by Gender (15.82% Female, 83.92% Male, 0.01% Indeterminate, 0.26% unknown)  
Total 17167

Time (hour) / Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
24:00 - 01:00	115	109	111	128	135	179	195
01:00 - 02:00	148	96	118	118	111	182	190
02:00 - 03:00	97	95	100	100	86	178	152
03:00 - 04:00	80	78	65	50	76	121	124
04:00 - 05:00	52	57	72	70	71	91	92
05:00 - 06:00	45	44	75	59	58	72	84
06:00 - 07:00	24	28	32	27	37	41	43
07:00 - 08:00	35	50	35	34	35	21	30
08:00 - 09:00	74	90	92	70	66	52	39
09:00 - 10:00	84	114	128	100	98	82	70
10:00 - 11:00	88	119	128	110	113	90	71
11:00 - 12:00	91	114	141	109	127	81	94
12:00 - 13:00	105	98	128	113	101	93	100
13:00 - 14:00	79	99	110	103	100	90	104
14:00 - 15:00	92	95	115	95	101	95	94
15:00 - 16:00	84	81	96	112	101	103	106
16:00 - 17:00	140	92	120	119	104	105	107
17:00 - 18:00	144	118	133	93	111	124	124
18:00 - 19:00	131	147	132	126	113	124	131
19:00 - 20:00	125	112	112	112	139	129	116
20:00 - 21:00	110	107	117	119	141	142	118
21:00 - 22:00	140	144	109	141	156	134	135
22:00 - 23:00	114	109	98	102	156	150	111
23:00 - 24:00	141	116	115	127	156	187	110
<b>Totals:</b>	<b>2338</b>	<b>2312</b>	<b>2482</b>	<b>2337</b>	<b>2492</b>	<b>2666</b>	<b>2540</b>

Figure 6: Detainees by Booking-in time. Total 17167

## How the ICV scheme works



ICVs are volunteers, over 18 years old, from diverse backgrounds who live or work within the local policing area. Visits are unannounced and can take place any time of the day or night.

ICVs go straight to the Custody Unit main door, press the intercom to announce themselves (with photo ID cards viewed via CCTV) and request immediate access into the unit.

The ICVs are given a report of cells occupied and are allocated an Escorting Officer to open the cell door so that the ICVs can self-introduce and ask the detained person if they wish to talk.

*Figure 5: Standard library photo - Cell interior example*

Conversations between the ICVs and detainee (out of hearing of the Escorting Officer, but still in sight) focus on the detainee's welfare needs and the provision of rights and entitlements under the Police and Criminal Evidence Act (PACE).

ICVs also may review a detainee's custody record, to seek assurances about any concern or to check about an item mentioned by the detainee. The custody record includes a detention log which records all aspects of the detention such as the booking in, risk assessment, processing, cell checks, meal and drink provision, blanket provision, exercise yard time, shower, reading and religious material provided, Health Care Professional (HCP/nurse) attendance, legal representation, Appropriate Adult presence where necessary for safeguarding children and vulnerable adults, as well as the regular Inspector's Review of the detention. The ICVs receive a redacted version of the Custody Record which excludes personal data, medication and arrest information.

ICVs do not wish or need to know the identity of the detainee or the reason for the detention. It is not relevant to the role. Any issues raised by the detainee or concerns of the ICVs are discussed as appropriate with custody staff with the aim of resolving requests as soon as possible, such as providing a magazine or a drink. ICVs also inspect and comment on the general condition and facilities of the custody unit including the cells, kitchens, storage rooms, exercise yards, shower areas and ensure that religious material is stored respectfully.

ICVs look, listen, observe and create an electronic Visit Report for the PCC's lead officer and Custody Inspector on the ICVs' findings. Any issues not immediately sorted out during the ICV visit are recorded in the Visit Report and remain outstanding until they are responded to, actioned as appropriate by the Lead Custody Inspector and acknowledged within the electronic ICV Visit Report.

Any thematic and serious issues are raised with the Head of Custody and the PCC kept informed. The PCC and Chief Constable also discuss any high level items and this has includes the annual discussion about frequency of ICV visits. The ICV Reports are significantly positive. There have been no deaths in custody during the year and no reports by ICVs of any unfair treatment of detainees by Custody staff.

Independent Custody Visiting schemes are supported nationally by the Independent Custody Visiting Association (ICVA). ICVA is a voluntary organisation that promotes the custody visiting process nationally through advocacy, training, publicity and ongoing support to all involved in the process. Ultimately, ICVA aims to assist the Home Office, PCCs and other interested bodies in the formulation of best practice for custody visiting schemes, increasing public awareness and understanding.



## Avon and Somerset Constabulary area - ICV Scheme

There has been active recruitment of new volunteers during 2020-2021 for Bridgwater, Keynsham and Patchway, with 3 new ICVs appointed. The total number of ICV volunteers is 35 (March 2021), 19 female and 16 male, no transgender. The age range is from 21 to 81 and 8% (3) ICVs have minority ethnicity. Some ICVs have declared disabilities and ICVs cover a range of backgrounds including students, working, non-working and retired people.

Promotion and publication of ICV activities is ongoing. Advertising and appointments take place as required when volunteers either reach the maximum 9 year term or stand down for a number of reasons, including moving away, moving to full time work or for health or personal reasons. The aim is to keep the ICV scheme as diverse and inclusive as possible. Appointment activity, including positive action for increased ethnicity representation, will continue to take place for Keynsham, Bridgwater and Patchway ICV Panels during 2021-2022. However, the Teams are currently at full capacity, particularly for the weekly visit frequency newly introduced (instead of 4 day frequency, pre pandemic March 2020).

Of the newly appointed ICVs, 4 have induction training to be re-arranged. The initial arrangements had to be postponed due to the Covid-19 restrictions from 23 March 2020.

The ICV scheme's Terrorism Act (TACT) trained ICVs' training has not been refreshed over the last few years because Avon and Somerset Constabulary are not designated to detain anyone under TACT. Should this situation change then appropriate vetting levels will be re-introduced and training will be provided so that a sub-group of ICVs can visit people detained under the Terrorism Act.

## Comments from Panel Coordinators



*Figure 6: Volunteers are priceless. Trained ICVs ensure openness and transparency of Custody*

### Keynsham: Panel Coordinator Paul

Last year's report ended with the first Covid Government lockdown at the beginning of March 2020, taking the country completely unaware of a Worldwide Pandemic with as we all now know, consequences of an extremely high death rate.

The start of this annual report follows on from April 2020, 12 months of complete and utter turmoil for the whole country. Our usual Custody Visiting site visits were cancelled immediately because of the Government National lockdown legislation, urging the country to work from and stay safe at home. Coordinators and Panel quarterly meetings adapted to online/remote Teams meetings and the PCC's office came up with an alternative plan to replace onsite visits with remote visits from home.

The 4 day frequency visits changed to once every 7 days, the pair of ICVs would inform Kathryn (ICV Scheme Manager) of the chosen day and time of their scheduled visit. In the ICV Database/App resources, Custody Records would be accessed to be read. A Custody Cell List would then be sent by email. Between the paired ICVs, the input of information could then be entered to create the digital report. One telephoning the Custody Unit and talking to Detainees through the Cell intercom or corridor mobile phone and the other reading the Custody Records of at least 3 Detainees, some ranging from around 8 pages, up to a marathon 60 pages long.

The Keynsham Panel responded with gusto, as we just had 6 new ICVs including 1 awaiting induction training and now completed, all who now have had their 6 month reviews and with little experience of visits, some telephone support from myself if required and a few tweaks, it appears to be working very well, everyone soon got up to speed.

5 ICVs completed 6 years in the role, were reviewed and agreed to complete another 3 years, to complete the maximum of 9 years as a Custody Visitor, circumstances permitting.

2 ICVs unfortunately decided to step down from the scheme due to personal circumstances and they were thanked for their commitment to the scheme, one completing 6 years in the role. Again because of illness (unrelated to Covid symptoms) a couple of ICVs took a short timeout.

Keynsham Panel has now a compliment of 12 ICVs.

When Government lockdown restrictions were lifted, for short periods, a small number of the Keynsham team were happy to resume onsite custody visits, with the required PPE being worn and abiding by the Custody safety protocol. Designated Covid corridor cells used for suspected Covid Detainees were not entered but assurances were sought about the Detainees welfare, rights and entitlements.

Every 7 day visit, be it onsite or remote, has been completed with none being aborted over the past 12 months. On very rare occasions the Custody Unit was closed due to operational deep-cleans or a shortage of staff due to self-isolating or shielding. No visits were scheduled on these occasions, as prior notice was given.

Every member of the Custody staff have been so friendly, helpful and professional, in such adverse conditions and doing their job over and above what can be expected of them in such surreal circumstances, not forgetting that they also have families to return home to.

Reading Custody Records, the number of Detainees with Mental Health issues has been immensely high and as always, they have been looked after with such devotion, keeping them safe from injury to themselves, to an extremely high standard, although at times, without a full complement of the required staff, due to Covid.

There have been no adverse incidents to report and I find it a total pleasure to be a Critical Friend.

**Bridgwater: Coordinator Anita**

Custody is a changing environment and Covid-19 has accelerated change. I am proud that Bridgwater ICVs together have dealt with the Pandemic with amazing resilience, adaptability, commitment and stepping out of their comfort zone. Senior Managers have adapted and have been creative with ideas and solutions. All together the Bridgwater ICVs have been an amazing dynamic, transforming team.

**Patchway: Deputy Coordinator Suzanne**

The Patchway Team is a great team and I am proud to be a part of it.

## PCC's office activity overview

Changes to PACE Code C and H in July 2019 regarding Menstrual Care and Dignity in Custody have continued to be highlighted and subsequently scrutinized by ICVs, such as ensuring female detainees are offered sanitary towels/tampons, that this is recorded on the Detention Log, along with the offer of a conversation with a female Officer and asking females detained in custody if they are pregnant. Also, information that the in-cell toilet is pixelated on the CCTV.

The quarterly Panel meetings for Bridgwater, Keynsham and Patchway provide an opportunity for ICVs to meet together, albeit remotely/online during 2020-2021, and for each ICV to highlight any issues and good practice. The standing agenda items include an update from the Lead Custody Officer, an update from the ICV Panel Coordinator and an update from the PCC's office, as well as a training topic. The training themes have been: Custody Record reviewing, detainee observation levels; Detainee Mental Health; Children & Young people (17 and under) in custody; and Death and Serious Injury (DSI) and near misses in custody.

There was no Annual Conference during 2020 due to the Covid-19 Pandemic. However, the one day Induction Training was delivered remotely in Keynsham, Patchway and Bridgwater in 2020 for newly appointed Custody Visitors as well as being offered as a refresher for any Custody Visitor. Attendance by the Custody Inspector during the training session for a Q&A session is very helpful.

Avon and Somerset PCC has again offered to host the next one day South West Regional ICV conference at Portishead Police Headquarters in the Autumn of 2021 (postponed from September 2020), where ICVs meet up from Devon and Cornwall, Dorset, Wiltshire, Gloucestershire and Avon and Somerset and have guest speakers on relevant topics, such as the IOPC (independent investigations of DSI) and Head of Custody presentation.

The PCC's Volunteers Management Officer, Kathryn Palmer, has attended tours of the Custody Units at Bridgwater, Keynsham and Patchway and also shadowed Custody Visitors visits at each of the 3 Custody Units with newly appointed ICVs. The standard of the Custody facilities are impressive and also there is evidence seen of a respectful culture within custody. New Custody Sergeants and Detention Officers are welcomed to increase the shifts to full establishment level. There are also good critical-friend working relationships between the ICVs and the Constabulary. This is also the situation between ICVs and the PCC's office, as evidenced within the ICV 6 monthly induction and 3 yearly reviews (the latter a Home Officer requirement). The PCC's office fostered a good working relationship with the Constabulary's Head of Custody Chief Inspector Debbie Palmer-Lawrence (until requested to run another Department) and then from January 2021 the new Head of Custody Patrick McGowan. The Head of Custody attends the quarterly Coordinators meetings, which since April 2020 have been online rather than at HQ. With a shared vision for the Constabulary to be outstanding, this positive working relationship also applies to Custody Officers and Staff, particularly with the 3 Lead Custody Officers (two Inspectors and a Custody Sergeant) who attend each ICV Panel meetings to represent their specific Custody Unit.



Figure 7: Bridgwater Police Centre. Far right, ground floor is the Custody Unit

The National ICVA Conference planned for early 2021 was unfortunately cancelled due to the Covid-19 pandemic and lockdown regulations and was not run remotely. However, ICVA remote meetings took place on the topics of Scheme Managers discussions, Appropriate Adults (Cardiff University based, Jan 2021) and a conversation with a previous detained person.

The PCC's Public Relations and Media staff continue to actively promote information about the ICV scheme via social media, twitter and Facebook, as well as the PCC's newsletter. There has not been any presentations face-to-face at public events this year due to the Pandemic.



Figure 8: ICV appointment advert example



## ICV activity overview – Custody Visiting Data

Quarterly statistics are sent by the PCC's office to the Independent Custody Visiting Association (ICVA) for national collation, as in the table below. However, the updated data sourced from the Constabulary since these figures states the total detainees during the 2020-21 financial year that have been held within the three Avon and Somerset Constabulary Custody Units is revised up to **18,677 arrests** (3.4% decrease from the previous 12 month total of **18,889**).

The number of detained people per Custody Unit and weekly ICV visits recorded for 2020/2021:

Quarter/year	Total number of detainees through custody	Number of ICV visits	Total number of detainees in custody at time of ICV visits	Total number of detainees unavailable	Number of detainee Custody Records reviewed	Total number of detainees visited
Quarter 1	4277	32	298	37	96	102
Quarter 2	4814	43	370	75	126	94
Quarter 3	4165	36	288	43	78	95
Quarter 4	3884	36	242	36	116	70
<b>Totals:</b>	<b>17140</b>	<b>147</b>	<b>1198</b>	<b>191</b>	<b>416</b>	<b>361</b>

Due to Covid-19, face-to-face visiting between ICVs and Detainees has been reduced, replacing most weekly visits with telephone conversations and Custody Record reviews, i.e. remote visiting. The frequency of visiting has been 1 visit every 7 days at each of the 3 Custody Units, again this being introduced when the Pandemic was announced with the first lockdown in March 2020. In addition to **361 Detainees visited** by ICVs, there has been an additional **416 Custody Records reviewed** remotely during the **147 Custody visits**.

Arrests and detentions continued throughout the Pandemic but with newly introduced Custody Unit Covid-19 safety processes, including remote Staff Shift changeovers and a detainee suspected Covid-19 separate cell corridor, as well as Personal Protective Equipment (PPE) of masks, gloves, goggles and aprons. Masks (and hand wash basins in all cells) are available for detainees on an optional basis.

Previous year 2019/2020 data is below (visits once every 4 days in each of the 3 Custody Units):

Quarterly data submitted to ICVA	Total number of detainees through custody	Number of ICV visits	Total number of detainees in custody at time of ICV visits	Total number of detainees unavailable	Total number of detainees visited
Quarter 1	4654	66	545	121	280
Quarter 2	4844	65	593	112	325
Quarter 3	4657	67	571	126	281
Quarter 4	4567	56	520	97	316
<b>Totals:</b>	<b>18722</b>	<b>254</b>	<b>2229</b>	<b>456</b>	<b>1202</b>

The tables below are a graphical overview of the ICV visits during the financial year 2020-2021:

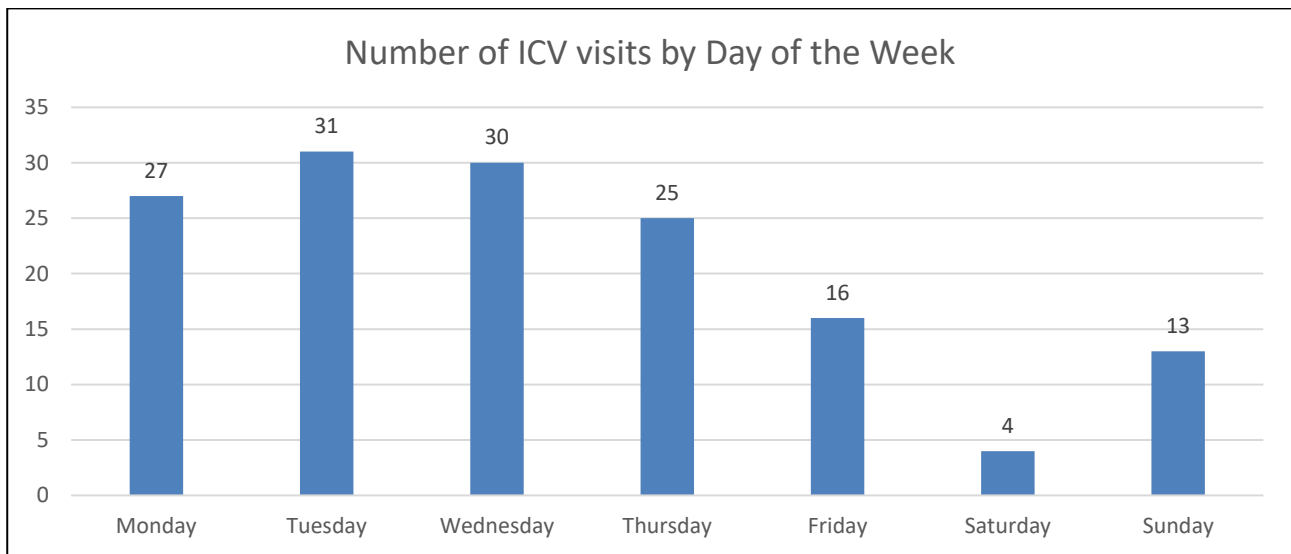


Figure 9: ICV Visits by Day. Total 146 visits 1/4/2020-31/3/2021

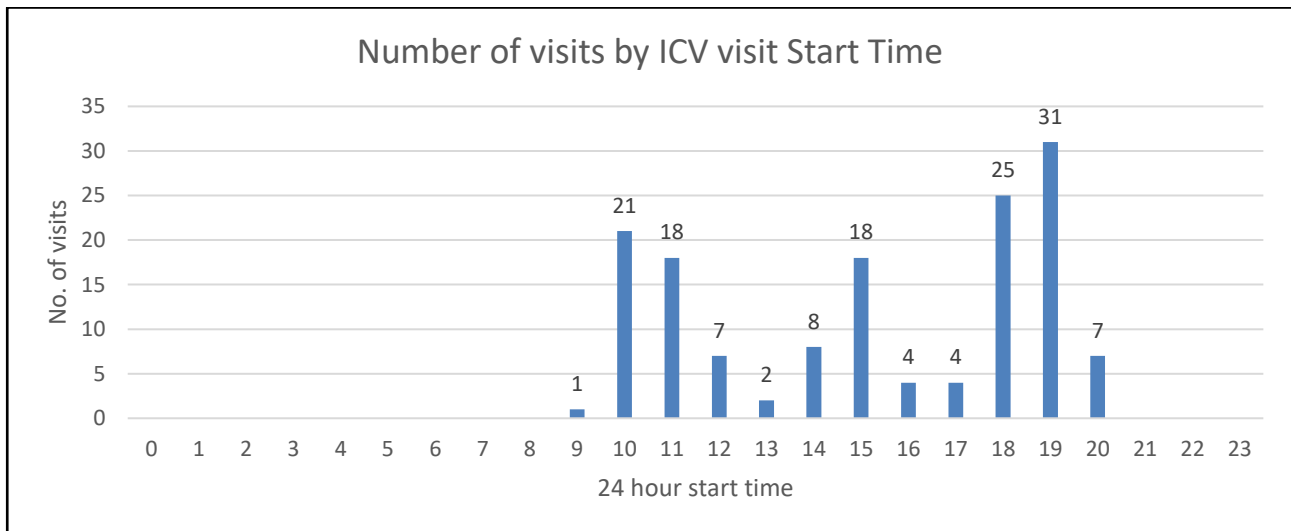


Figure 10: ICV Visits by Time. Total 146 visits

Visits are arranged by each ICV pair for their rota week but predominantly occurred on **Mondays to Thursdays (77%)** and at **10-11am and particularly 6-7pm** as the most popular visit start times. Requests have not been made as normal at the Quarterly Panel meetings for more weekend visits due to the Pandemic and volunteers wellbeing of paramount importance. However some ICVs are proactively planning to start visits after 10pm. ICV visits take up to 90 minutes, with an additional 30 minutes for Report writing, therefore, ICVs are within the Custody Unit from times ranging from 9a.m. to approximately 10p.m. but mainly remote visiting.

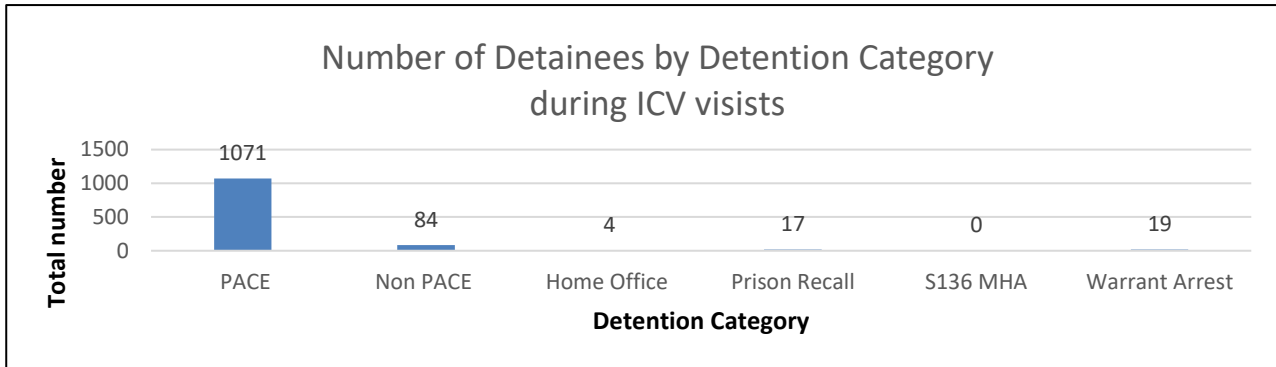


Figure 11: Detainees by Detention Category. Total 1195 detainees in custody during visits.

During ICV visits **90%** of Detainees were detained under the Police and Criminal Evidence Act 1984 (**PACE**). The aim is to have no people detained under section 136 of the Mental Health Act because Custody is not an appropriate environment. However, when beds (places of safety) are not available then Custody has to be used as the last resort.

The Home Office category relates to UK Border Agency regarding immigration.

Non-PACE examples include Breach of Bail, a Notice, Drunk/Disorderly, as well as Prison recalls and Warrant arrests but the latter two can also be categorised specifically.

### Detainee Availability

The number of detainees in Custody at the time of ICV visits, the number of detainees available and the number of detainees giving consent to talk with the ICVs is shown in the chart below.

The total number of detained people in custody during ICV visits over the 12 month period is **1195**. The total number of detainees available was **1006** (i.e. in their cell or available to visit in the exercise yard, but not for example at interview, with the nurse, at hospital or in data processing). 360 detainees gave their consent to speak with the ICVs during onsite visits. However:

**Note:** The 'consent to visit' numbers are relatively low due to the mid Pandemic method of working, where most ICV visits have been remote, not onsite, ICVs reviewing redacted custody records and dip sampling some detained people for telephone conversations, prioritising children, females, relatively long detention times (mean 12 hours detention time) and any known vulnerable adults.

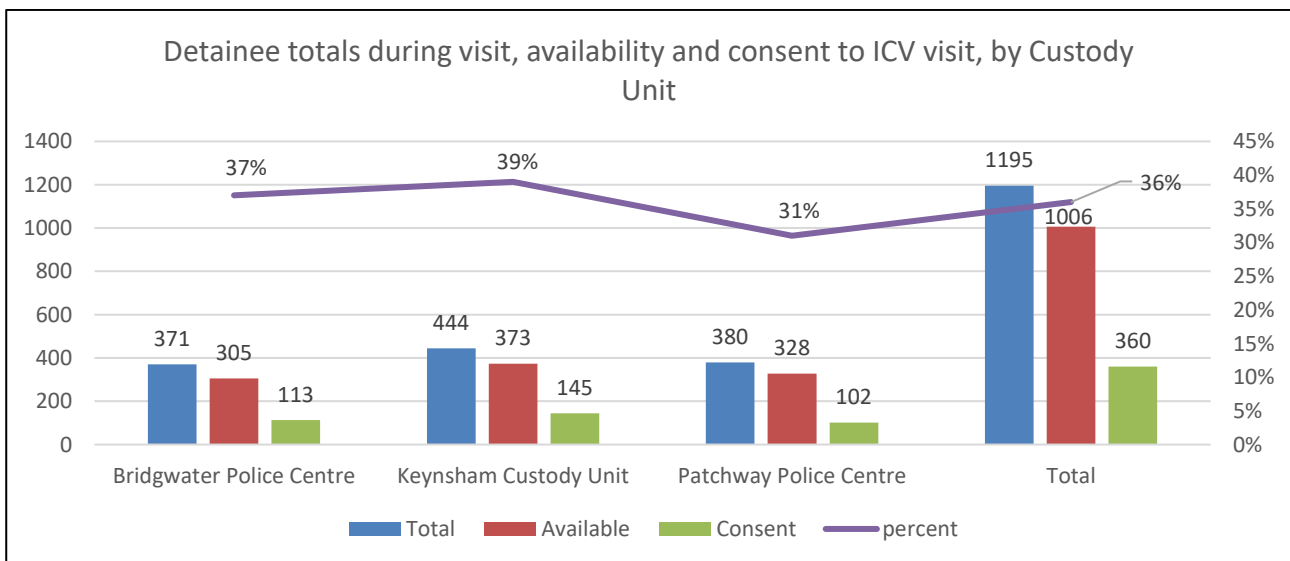


Figure 12: Detainee Availability

**Adults and children** in custody during the visit time is shown below.

The number of young people in custody is being monitored and given high priority for visits to these young people. The number of children (17 and under) detained in custody has reduced to

5% during ICV visits (57 during visits and a total of 908 (also 5%) in custody for the whole 12 months). This compares with the previous year of 7% (130 during visits and 1263 total in custody for the whole year 2019-20).

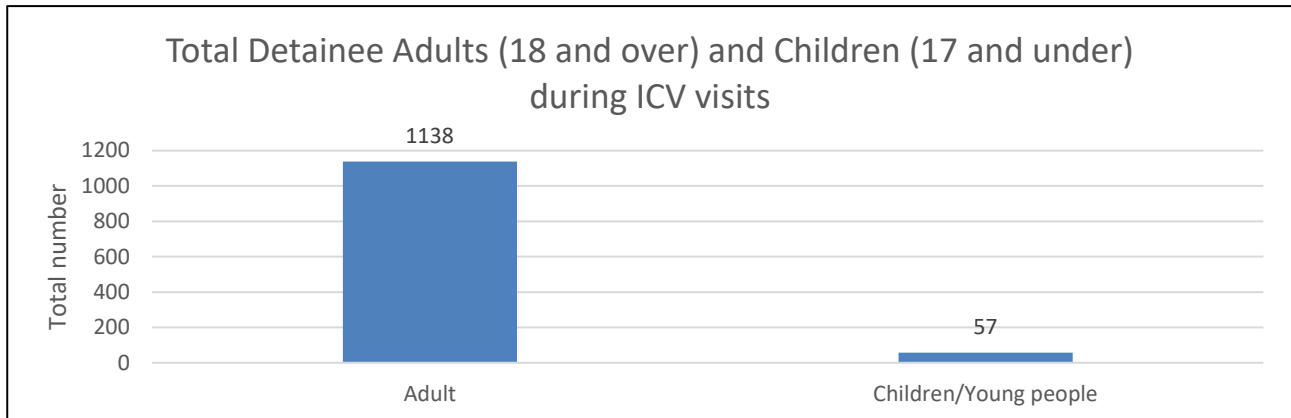


Figure 13: Detainees by age. Total 1195 detainees in custody during visits.

ICVs have continued to record their concerns in ensuring Local Authority accommodation is obtained (preferably local) as soon as possible for young people at the post-charge stage and that the detention time is kept to a minimum. ICVs also seek assurances that a mandatory Appropriate Adult has been offered to the young person and arranged (usually a family member but if not a trained volunteer from either Brandon Trust or for Bridgwater the Youth Offending Team), ICVs also check the preference for a cells with the full length window in the cell door (not just the small hatch) and children are taken to a separate room when they arrive at the Custody Unit, for booking in (away from adult detained people) and then for the minimum time in a separate cell corridor where possible.

### Delayed Visits – Reasons why an ICV visit was delayed over 10 minutes

There have been 9 delays (out of a total of 146 visits) during the 12 months (during 2020) relating to ICV visit start times for either physical/onsite access to the Custody Unit or for remote visits, (4 at Bridgwater, 2 at Patchway and 3 at Keynsham).

All Patchway and Keynsham delays related to remote/telephone call ICV visits, awaiting Custody Staff to provide the Custody Unit Cell List and redacted Custody Records for ICV review. The reasons were all due to limited staffing (some Covid-19 shielding, self-isolating or on sick leave). The PCC's ICV Scheme Manager was later in 2020 authorised to have direct secure login access to the Custody Niche Database to extract the required ICV reports. Therefore this delay reason has been resolved.

Of the 4 Bridgwater Custody Unit delays for ICVs starting their visit, 2 were for remote visiting: one being a technology issue where there was a temporary telephone line shutdown and the second was a visit where 19 detainees were in custody with minimum staffing of 3 Detention Officers (DOs) and 2 Sergeants (one Sergeant acting as a DO). Custody Records were not produced for ICVs because of the workload of Custody Staff, putting Detainees first. For 2 onsite Custody Visits the delays were: Staff occupied dealing with an incident (15 minute wait); and Staff occupied in organising a Detainee's release, where Social Services would not allow the risk of bail due to the female Detainee's behaviour and the Social Services' associated responsibility.

### Abandoned Visits – Reasons for delayed or denied access over 20 minutes

There have been 4 abandoned ICV visits:

Patchway April and Nov 2020: Due to the Unit being totally closed for deep cleaning.

Bridgwater Sep and Nov 2020: Due to staff shortages and inability to provide staff for the ICV visit.

### Custody Visitor reports

Many ICV General Comments within the Visit Report include praise and compliments to the Custody staff, that there are no issues or problems and that all is as expected, to a high standard. Also,

custody kitchen cleanness, ready meal food in date-order, showers and sink area cleanliness, exercise yards clean and slip-free (leaves) and religious material neatness and respectfulness.

### **Custody Visit issues during visits and resolutions**

- Right to Legal Advice (22): ICVs seeking assurances that free legal advice was offered.
- Sanitary towels/tampon supply (15): Female detainees state that they have not been offered a Female Hygiene Pack (Sanitary towels/Tampons). If a pack is needed this is passed on to action.
- Rights that someone is informed of the arrest (14): ICVs forward to Officers, sometimes no contact numbers provided, phone locked, incommunicado or named person isn't or doesn't want to respond.
- Medication request (14) or Nurse seen but further medical advice requested (13): Passed on.
- Referral to ASCC (Vulnerable person or Mental Health) arrangement (12): Passed on.
- Inspector's Review of a Detainee's detention (11): ICVs check the last review time or if detainee was/is asleep and awake now.
- Vulnerable Adult: Appropriate Adult arrangement (10): ICVs seek confirmation if an AA is awaited and if a family member, care worker or support worker is the support person or a trained AA is arranged.
- Child detainees Appropriate Adult (AA) arrangement (6): As above.
- Self-harm disclosed (6): ICVs pass on information and check Custody Records for care plan and observation level.
- Communication Issues (6): Seeking a Constabulary response about Language Line (telephone) and Interpreters (in person) for Detainees or ICVs using their Translation sheets when English is not understood, or the Picture cards when a Detainee cannot read or understand English.
- Condition of the cell (5), e.g. a Detainee's 'dirty protest', toilet paper, food, drink or water thrown on cell walls, ceiling, floor or CCTV camera. One detainee was anxious about the reddish marks on the cell floor and wall that she thought was blood and staff took action.
- PAVA used (4): Use of force tool recorded and HCP response sought or use of cell sink water.
- Update to detainee requested (4): ICVs sought timing of next Inspector's review of detention or general response from staff to update the detainee on the investigation or situation progress.
- Other Communication Issues, i.e. autism or learning difficulties (3): ICVs sought assurances that a HCP and/or ASCC services assessed the Detainee and also that an Appropriate Adult was assigned. In one ICV visit an illiterate detainee was verbally given their Rights.
- Use of Force (3): ICV recorded an issue, e.g. Taser and nurse or Hospital to remove barbs.
- Disrespectful treatment (3): ICVs reported this to Custody staff or explained the complaint process. One detainee said they'd been called a 'twat'. Another Detainee – a vulnerable adult – wanted an AA during processing. He received an apology from staff after, which was accepted.
- Child's medical assessment arrangement (1): ICVs forwarded a request for another nurse visit.
- Nicotine tablet/lozenge request (3): ICVs passed on request. There is a limit of 1 tablet per hour.
- Alleged Assault in custody (1): ICVs passed on to Custody Inspector to handle as a complaint.
- Shower awaited (1).

### **High level concerns:**

- Virtual Remand Courts: Concern about lower standards of legal advice and also staffing pressures. ICVs noted that informed consent may have been given verbally by the Detainee to the Custody Staff but it was not always recorded on the Custody Record. Advice/learning passed to Staff.
- Minimum staffing levels during 2019 and 2020 have been of concern and reported by ICVs to the PCC's office. A minimum staff resourcing resilience document was written, Chief Officer led 'Gold Group' was instigated for part of 2020 and to resolve this problem the Constabulary recruited and trained additional Custody Sergeants, Inspectors and Detention Officers to achieve full staffing levels for DOs and Sergeants, all trained (including knowledge of the Custody Visiting Scheme), mentored and in post.



**Other concerns:**

- The Custody Unit Metal detector 'wand' missed a razor blade in a female detainee's underwired bra. A 'Near-Miss' was formally recorded.
- Increased detention times (an average of an extra 2-3 hours) where a Virtual Remand Courts was necessary.
- Some unit closure times due to reduced staffing and a water leak, in addition to deep cleans.
- Ongoing concerns about Local Authorities are their statutory requirement to provide accommodation for children post-charge.
- Cell intercom (analogue) poor audio quality. The Constabulary review report and plans for digital phone installation into a Bridgwater pilot cell (on hold during 2020-21) and bid/funding request is welcomed for 2021. An action carried forward.
- The cell sinks allow water to run for less than 20 seconds, with 10 minute gaps. A Covid-19 concern.
- Exercise yard recommended distraction items, such as a soft ball and painted goal posts on the end walls. The Bath University review and Autism friendly cell proposal, as well as authorised work on the yards is awaiting roll out. Delayed by Covid-19.
- Weekly Risk Assessment of Exercise yards now includes checks for wet leaves (in Autumn) as a slippage risk and well as checking and cleaning the walls (graffiti and algae).
- Police Niche database program changes were requested by ICVs to include the August 2019 PACE Code C female dignity changes (offer of: a Conversation with a female officer and sanitary towels/tampons) as a mandatory booking-in Risk Assessment recording item rather than free-format text on the Detention Log.
- March 2020: Covid-19 being managed but initially a lack of PPE and 3 Custody units reduced to 2 for 14 days. Staffing reduced by 30% (shielding).
- Detainee feelings expressed of excess force used during arrest and ICV advice given about the complaints process.

**Custody Visit Positive Findings and Examples of good practice from the Constabulary:**

- March 2020 set up within 24 hours by Avon and Somerset Constabulary for virtual remand courts and remote working, using Constabulary's laptops and IT equipment.
- Good Covid-19 Policy introduction for the management of the virus risk, harm and threats, including enhanced cleaning (and Unit closures for deep cleans), efficient and effective management in Custody Units when there was minimal staffing levels due to the Pandemic.
- Suspected Covid-19 detainees detained in a separate cell corridor with enhanced cleaning protocol.
- Social distancing, PPE, including masks, gloves, aprons and goggles Custody staff shift change-over briefings are remote/online, to avoid inter-team contact; Withdrawal from virtual courts to increase staff resources; excellent examples of staff welfare management of detainees, including with mental ill health. Also, ICVs have passed on their compliments to Detention Officers and Custody Sergeants for the high quality of running the units as well as facilitating the ICV visits. This thanks is very well received by Custody staff, especially during the pandemic and working to the Covid-19 updated standard operational processes.
- A sink in every cell, as standard, for regular hand washing and soap provision. See concern below.
- Custody staff shift change-over briefings switched to remote/online, to avoid inter-shift contact.
- Withdrawal from virtual courts in November 2020 welcomed, to increase staff resources.
- New mobile phone in each cell corridor (4 corridors of 12 cells in Patchway and Keynsham and 3 corridors of 12 cells in Bridgwater), in addition to cell intercom (analogue) phones.
- Health Care Professionals (nurses) remaining onsite in each Custody Unit, working 12 hour shifts (7 to 7).
- Although the PCC commissioned services of staff within the vulnerable detainee support team (ASCC: Advice and Support in Custody and Courts) worked remotely during part of the pandemic rather than onsite, the service continued throughout for the mentally ill detainees and

other vulnerable detained people. ASCC assess and arrange on-going support plans for detainees post-release.

- Examples of ICVs commending Custody Staff for their professionalism, being friendly and interested.
- Free clothing provision for Detainees (i.e. tracksuit as well as T shirts, jog bottoms, pants, socks, including donations from ICVs).
- Continued magazines/reading material provision, although more limited due to the Pandemic.
- Continued exercise yard provision.
- Free wash items for detainees, including toothpaste, toothbrush and soap.
- Cotton towels for showing rather than paper towels.
- Good range of meals and drinks, including the return of hot chocolate and introduction of porridge (the all-day breakfast was not a popular choice).
- Appropriate Adult (PCC commissioned for adults) service provision continued, mandatory legislation for children and also for vulnerable adults, with no issues raised.
- Custody Record recording of Informed Consent from Detainees regarding remote Solicitor advice/interviews.
- Recording on female detainee Custody Records: Female officer point of contact and offer of good provision of sanitary items (different sizes of tampons/towels) and incontinence pads.
- Continued cell toilets pixilation on CCTV camera viewing.
- Good use of the Exercise Yards for detainees with high anxiety in the cell, as a calming/de-escalation method.
- Good use of the Language line and ICVs using the Translation Sheets and picture cards during their visits where English is not understood by a detainee.
- Religious material kept tidily and respectfully, although prayer mats temporarily withdrawn for cleaning.
- ICV highlighted Detention Officer's long conversation with Detainee, showing empathy.
- New Custody staff training provision, including the Custody Visiting scheme.
- Nicotine tablet continued availability for smokers (smoking prohibited in custody).
- Respectful acknowledgement of religions, e.g. during Ramadan, meals provided to Muslims after sunset and arrangements for Muslim detainees wishing to wash their feet before prayers (the cell sink being too high). ICVs also noted Ramadan dates and times advised to staff.

### **Examples of where ICVs have effected or requested change:**

- ICVs have been committed to continuing with remote visits to custody and Custody Record reviews throughout the Covid-19 pandemic, which has allowed for continuous monitoring of detainees as well as a blended return to onsite ICV visits to see and speak to detainees.
- ICVs have been proactive in their enquiries about detainee(s) access to hygiene and reported good practices/matters requiring follow up in a timely manner.
- Fire policy review by the Fire Service was welcomed by ICVs after the policy review request.
- A wide range of books and magazines continue to be donated by ICVs.
- ICV review of detainee cutlery, including environmentally friendly and safe options.
- ICVs continue to donate clothing to the Custody Units to risk assess for detainees.
- ICVs continue to suggest distraction items for detainees, e.g. origami A4 paper (no pen required which needs risk assessment) and puzzles.
- ICVs passing on information to Custody Staff when a Detainee states they have changed their mind about having a legal representative.
- ICVs forwarding information to Custody Staff when Detainees disclose only to ICVs that the detainee has medication requirements.
- ICV Visit Report general summary inclusions of compliments to Detention Officers and Sergeants are passed on to the Custody staff and Custody Lead Officer and Head of Custody. The thanks is very well received and welcomed and the good feelings of staff can positively influence the morale of others, including detainees.

- Niche Police database change request regarding mandatory input for female dignity and informed consent for remote legal advice. In the meantime, it's Custody staff free format narrative input.

**Other points of interest:**

- ICVs continue to request an update on the delayed cell analogue intercom upgrade to a better audio, digital system.
- ICVs also continue to request updates on the delayed autism-friendly cell re-decoration pilot. Cells for vulnerable detainees and a better environment for detainees on the autism spectrum (such as pastel wall paint colours, softer lighting and screens displaying programs or detention information) pilot in one Keynsham Custody Unit has been delayed by the Pandemic. However, as an action carried forward, ICVs will follow the progress of the pilot and any rollout to more cells, funding costs (bid request) allowing, over the next 12 months.
- ICVs continue to request for the Exercise Yards to have a ball and painted goal on the end walls. Again, delayed due to the Pandemic.

## Annex 1: ICV Code of Practice

The Home Office published Code of Practice on Independent Custody Visiting (2013) is published on the ICVA website:

[http://icva.org.uk/uploads/publications/ICV\\_Code\\_of\\_Practice-APR2013.pdf](http://icva.org.uk/uploads/publications/ICV_Code_of_Practice-APR2013.pdf)

This includes:

*“This Code of Practice on independent custody visiting is issued in accordance with section 51 of the Police Reform Act 2002, as amended by section 117 of the Coroners and Justice Act 2009 and paragraph 299 of Schedule 16 to the Police Reform and Social Responsibility Act 2011. Local policing bodies and independent custody visitors (ICVs) shall have regard to the Code in carrying out their relevant functions. ...”*

(page 5)



Figure 14: Image of person in a cell with blanket & mattress (the thinner option)

## Annex 2: Independent Custody Visitor Person Specification

**Essential criteria** are requirements necessary for safe and effective performance in the role, whilst **desirable criteria** list elements that would contribute to potentially improved performance in the role.

	CRITERION	COMPETENCY
ESSENTIAL	<b>Eligibility</b>	<p>Must be 18 years of age+ and live or work in the Avon and Somerset Constabulary area.</p> <p>Must hold a current driving licence or be able to travel around the force area by alternative means.</p> <p>Ineligible are: Past or serving Police Officers, PCSOs, Specials, Police Staff or Volunteers of any Police Constabulary;</p> <p>Ineligible are: Volunteers in the Appropriate Adult Scheme due to a possible conflict of interest.</p> <p>Ineligible are: Past or present Justices of the Peace in the Avon &amp; Somerset Policing area.</p> <p>Other people may be excluded if they have a direct involvement in the Criminal Justice System within the Constabulary area, such as Solicitors, staff in the CPS, Probation Service or Prison service. Each application will be treated on its merits, but the over-riding factor will be to prevent possible conflicts of interest and to maintain the independence and integrity of the Scheme as a whole.</p>
	<b>Working with people</b>	<p>Able to demonstrate the ability to work as part of a team</p> <p>The ability to establish and maintain good working relationships with a wide range of people</p>
	<b>Effective communication skills</b>	The ability to communicate effectively orally and in writing
	<b>Working within guidelines</b>	Previous experience of working to established guidelines and procedures
	<b>Reporting skills</b>	Computer literate and previous experience of completing and submitting records
	<b>Respect for people</b>	Capacity to treat all people fairly and with respect, to value diversity and respond sensitively to difference

	CRITERION	COMPETENCY
DESIRABLE	<b>Additional useful experience</b>	Previous knowledge or experience in custody visiting or Active community involvement as a volunteer
	<b>Flexibility</b>	<p>Able to offer assistance in fulfilling scheduled visits in other panels, promoting exchange of skills and experiences across visiting panels</p> <p>Able to visit at a higher frequency if and when asked to do so by the panel coordinator</p>



## Annex 3: Independent Custody Visitors Role Profile

### Role

To undertake custody visits with other panel custody visitors, checking on the conditions in which a detainee is kept, their health and well-being and rights and entitlements with reference to the Police and Criminal Evidence Act, 1984 (PACE) code of practice (Code) C (regarding Custody).

### Responsibilities

- To carry out custody visits to custody units in line with the panel rota, scheme guidelines and training received.
- To carry out the duties of an Independent Custody Visitor as set out in the scheme's handbook, giving due regard to Health and Safety requirements of the custody visiting scheme and custody unit.
- Where appropriate, to review the detainee's custody record to clarify and check any concerns raised by the detainee.
- To complete an electronic Custody Report after each custody visit, highlighting any concerns or requests arising from the visit and any issues that need to be resolved.
- To complete and submit any necessary documentation relating to the scheme, or in connection with the appointment process in a timely manner.
- To retain a good working relationship with key people (stakeholders), including custody visiting colleagues, the Police and Crime Commissioner's office, custody staff and any other interested groups or individuals.
- To attend and take an active part in at least two of the four Independent Custody Visitor panel meetings per year.
- To commit to a three year term as an Independent Custody Visitor. An optional two additional terms are permitted, totalling 9 years.
- To keep the panel coordinator and other panel members informed of any problems relating to meet the requirements of the visiting rota – averaging one custody visit per month - or changes in personal circumstances
- To attend seminars, developmental and training sessions as and when required.
- To contribute towards the success of the independent custody visiting scheme, promoting improvement in the way that the scheme is delivered.

## Annex 4: ICV Electronic Visit Record

Content:

Visit unique reference

Start of Visit

End of Visit

Location of Custody Unit

ICV name 1

ICV name 2

Custody Inspector

Escorting Officer and Sergeant

Cell no.

Category of detention

Record number

Type (Adult or Juvenile/Child)

Gender

Visit details:

Available for visit?

Visit consent given?

Custody Record consent?

Custody Record viewed?

Observation Level

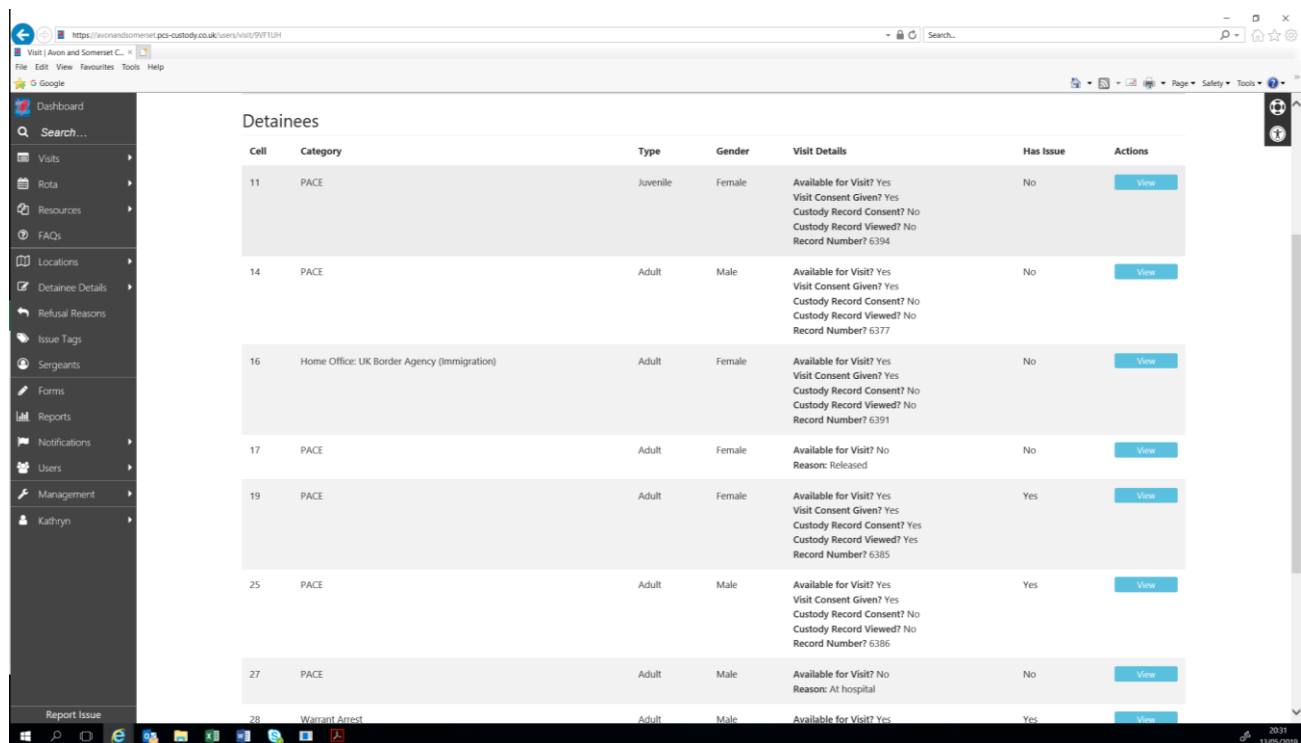
An Issue?

Issue category

Issue narrative/details

Issue to resolve

Comments – free format



The screenshot shows a web application interface for the Independent Custody Visiting Scheme. On the left is a sidebar menu with options like Dashboard, Search, Visits, Rota, Resources, FAQs, Locations, Detainee Details, Refusal Reasons, Issue Tags, Sergeants, Forms, Reports, Notifications, Users, Management, and Kathryn. The main area displays a table titled 'Detainees' with columns: Cell, Category, Type, Gender, Visit Details, Has Issue, and Actions. The table lists several detainees with their respective details and a 'View' button for each.

Cell	Category	Type	Gender	Visit Details	Has Issue	Actions
11	PACE	Juvenile	Female	Available for Visit? Yes Visit Consent Given? Yes Custody Record Consent? No Custody Record Viewed? No Record Number? 6394	No	<a href="#">View</a>
14	PACE	Adult	Male	Available for Visit? Yes Visit Consent Given? Yes Custody Record Consent? No Custody Record Viewed? No Record Number? 6377	No	<a href="#">View</a>
16	Home Office: UK Border Agency (Immigration)	Adult	Female	Available for Visit? Yes Visit Consent Given? Yes Custody Record Consent? No Custody Record Viewed? No Record Number? 6391	No	<a href="#">View</a>
17	PACE	Adult	Female	Available for Visit? No Reason: Released	No	<a href="#">View</a>
19	PACE	Adult	Female	Available for Visit? Yes Visit Consent Given? Yes Custody Record Consent? Yes Custody Record Viewed? Yes Record Number? 6385	Yes	<a href="#">View</a>
25	PACE	Adult	Male	Available for Visit? Yes Visit Consent Given? Yes Custody Record Consent? No Custody Record Viewed? No Record Number? 6386	Yes	<a href="#">View</a>
27	PACE	Adult	Male	Available for Visit? No Reason: At hospital	No	<a href="#">View</a>
28	Warrant Arrest	Adult	Male	Available for Visit? Yes	Yes	<a href="#">View</a>

ICV General Comments – free format.  
Custody Inspector General Comments.