



**AVON &
SOMERSET**
POLICE & CRIME
COMMISSIONER

INDEPENDENT CUSTODY VISITING SCHEME

HANDBOOK

CONTENTS:

Contents	Page
Foreword	4
Section 1: Introduction and Objectives	
Section 2: About the Avon and Somerset Custody Visiting Scheme	
Management of the Scheme	6
Equality, Diversity and Human Rights	7
Complaints Procedures	7
Section 3: About the Custody Visitor Role	
Eligibility	9
Recruitment and Selection	9
Training	10
Probationary Period	10
Tenure and Term Renewal	11
Termination of Appointment	11
Expenses	12
Insurance	12
Publicity and Confidentiality	13
Section 4: Custody Visiting Arrangements	
Visiting in Pairs and exceptions	14
Frequency and Timing of Visits	14
Effective Working Relationships	15
Section 5: Custody Visiting Procedures at Police Stations	
Immediate Access to the Custody Area	16
Access within the Custody Area	16
Closed Circuit Television (CCTV)	16
Health and Safety	17
Access to Detainees	18
Maintaining the Privacy of Detainees	19
Consent to Custody Visits by Detainees	19
Access to Custody Records	20
Cells in the Custody Unit – Children; No Multiple Occupancy	21
Conversations between Detainees and Custody Visitors	21
Treatment of Detainees	22
Deaths in Custody	23
Prisoner Escort and Custody Services and Lay Observers	23
Remand and Sentenced Prisoners	24
Persons Detained under Section 136 of the Mental Health Act 1983	25
Detainees who have been subjected to PAVA Spray	25
Vaccinations	25
Impartiality	26
Confidentiality	27
Section 6: Custody Visiting Reports and Follow Up Action	
Completion of Reports	28
Reports on Unsatisfactory Treatment and Conditions	28
Custody Visitor and Custody Staff Relationships	29

ANNEXES – In separate documents

A. Home Office Code of Practice on Independent Custody Visiting

B. Police and Criminal Evidence Act - PACE - Code C

C. Panel Coordinator (including Deputy) Role Profile

D. ICV Person Specification

E. ICV Role Description

F. Volunteers' Agreement

G. End of Trial 6 months' Induction Period Form

H. End of 3 years' Term Review Form

I. Custody Visitor Expense Claim Form

J. Custody Visiting Checklist

K. Employer Liability Insurance Certificate

History of Changes:

Version 4 2018: General update; Rota circulation to ICVs; Leave personal items in ICV box or Custody report room.

V5 2019: Annex letters revised; Annex K added; Section 3: Insurance. Narrative removed regarding over 75 year olds. Insurance is the same for all ages.

Access to Detainees: Denied or limited access explained for 2 reasons: i. ICV safety or ii. Prevention of the interference with the justice process.

V6 2019: Updated for PACE Code C changes.

V7 2020: Refresher read.

V8 2021: New PCC foreword; Pandemic blended ways of working added; PACE code C link added; Appointment termination; ICV impartiality and effective working relationships.

FOREWORD

The Avon and Somerset Custody Visiting Scheme makes a vital contribution to my role promoting public trust and confidence in the Police and holding the Constabulary to account for the services they provide. We are proud to have one of the largest schemes in the country, with approximately 40 volunteers visiting custody units across our policing area, with the aim of making custody provision outstanding.

This handbook provides a guide for both trained and vetted volunteer Custody Visitors and custody staff so that the scheme is efficient and effective in safeguarding the welfare and ensuring the rights and entitlements of detainees, as well as giving praise when best practice is seen and equally addressing any niggles or concerns where they arise. This guidance aims to make sure that Custody Visitors are clear about their role and aware, from the outset, of what they can expect from the Office of the Police and Crime Commissioner throughout the time as volunteers.

May I thank you all formally for your contribution to our Independent Custody Visiting Scheme. We couldn't do it without you and your time and commitment is very much appreciated.

Mark Shelford
Police and Crime Commissioner for Avon and Somerset

AVON AND SOMERSET INDEPENDENT CUSTODY VISITING SCHEME HANDBOOK

SECTION 1: INTRODUCTION AND OBJECTIVES

This Handbook has been produced for the information and guidance of people who undertake the role of Independent Custody Visitor (ICV) to Police Stations and those responsible for the custody and welfare of persons in Police detention. All Custody Visitors are given a copy of this handbook. Copies have also been issued to Custody Units within Avon & Somerset, for the information of Custody Staff, and so that it may be referred to at the Police Station by Custody Visitors and Police Officers.

Custody Visiting (previously known as 'Lay Visiting') to Police Stations owes its origin to Lord Scarman's report following the Brixton riots in 1981. That Scarman report recommended a system of independent, unannounced inspection of procedures and detention in police stations by members of the local community. The intention was to counteract public mistrust of the police and to increase their accountability. Pilot schemes were set up, and provisional guidance was produced by the Home Office. Custody Visiting became a statutory requirement in 2002, under Section 51 of the Police Reform Act. The responsibility for organising and overseeing the delivery of Custody Visiting transferred from the Police Authority to the Police and Crime Commissioner in November 2012, in consultation with the Chief Constable.

The purpose of custody visiting is to enable members of the local community to observe, comment and report on the conditions under which people are detained at police stations. The Scheme provides an independent and impartial check on the way that police personnel carry out their duties with regard to detained persons and is aimed to increase public confidence in these matters.

Custody visiting must be carried out with the consent of all parties involved: the community from which volunteers are appointed, the police, and the detainee. Non-consensual checks may take place in the interests of a detainee where consent cannot be given because of language, understanding or health difficulties.

In carrying out visits, Custody Visitors should be guided by the Home Office Codes of Practice governing custody visiting. This is a separate document - Annex A.

Training is provided for all Custody Visitors to ensure that they are aware of the law and how it applies to the detention of people in police custody, and that they have knowledge of a detainee's rights and the limits of police powers. The Police and Criminal Evidence Act 1984 (PACE) Code C (see summary in document Annex B), deals with the Detention, Treatment and Questioning of Persons by police officers and procedures that must be followed is of particular relevance to Custody Visitors in their role. Copies of PACE Code C are available in all police stations.

SECTION 2: ABOUT AVON AND SOMERSET CUSTODY VISITING SCHEME

Management of the Scheme

Avon and Somerset Police and Crime Commissioner is responsible for establishing and maintaining the Custody Visiting Scheme within the Avon and Somerset Constabulary area, and for ensuring that the Scheme is effective.

The frequency of custody visits is set by the Police and Crime Commissioner, in consultation with the Chief Constable. The Police and Crime Commissioner receives reports on an annual basis providing an analysis of custody visits undertaken throughout the year, issues raised and how Custody Visitor's concerns have been addressed. This annual report is published on the Police and Crime Commissioner's website.

The Custody Visiting Scheme is currently organised into 3 Panels - aligned to the designated custody units in the Avon and Somerset Constabulary area. Custody Visitors are allocated upon appointment to a Panel. Unannounced visits are made at least once per week to the 3 designated custody units.

The Office of the Police and Crime Commissioner (OPCC) has responsibility for organising and overseeing the delivery of the Custody Visiting Scheme. The OPCC may therefore request that Custody Visitors transfer between Panels (subject to agreement) in order to meet visiting requirements. Any specific requests for transfer must also be directed to the OPCC for consideration and approval on the basis of overall Panel strength and the circumstances relating to the individual request.

A Coordinator is appointed from each Panel to organise the rota of visits and to act as the first point of contact for Custody Visitors if they have any difficulties. Panels meet on a quarterly basis, attended by the local Custody Inspector and a member of the OPCC staff. Panel Coordinators also meet quarterly with the Constabulary's Head of Custody and PCC's Lead Staff to discuss common issues across panels and contribute to the development of the scheme. A role description for Panel Coordinators is in document Annex C.

The Scheme is supported by:

- OPCC Staff – Staff within the OPCC provide support for the management, administration, policy development and training requirements of the Scheme.

Equality, Diversity and Human Rights

Promoting equality and diversity is an important element of the work of the OPCC. As representatives of the Police and Crime Commissioner, Custody Visitors are expected to carry out their role in accordance with these principles. Further information about the Police and Crime Commissioner can be found at **www.avonandsomerset-pcc.gov.uk**

The Police and Crime Commissioner also has a duty to monitor the performance of the Constabulary in complying with duties imposed by the Human Rights Act 1998. The Custody Visiting Scheme makes an important contribution to

safeguarding the rights and welfare of people held in police detention, and checking the conditions in which they are held.

Training in these duties, and how they relate to the role of the Custody Visitor, is provided upon appointment, and thereafter through Panel Meetings, the Custody Visiting Newsletter, and additional training sessions as required.

ICVs represent the community and aim to provide public confidence. The PCC's office will endeavour to ensure the ICV membership of the panels reflects the diversity in the community.

Complaints Procedures

It is the responsibility of the Police and Crime Commissioner to address any concerns in relation to the frequency of visits and the effectiveness with which visits are carried out during the course of the year.

Any complaints relating to the Custody Visiting Scheme should be dealt with as follows:

Complaints about the Custody Visiting Scheme

The Police and Crime Commissioner has overall responsibility for the Custody Visiting Scheme. Any complaints in relation to the Custody Visiting Scheme, services provided by the OPCC, or Staff or Members involved in the Scheme should be made ideally in writing to the Chief Executive of the OPCC. Complaints will be dealt with in consultation with the Police and Crime Commissioner as appropriate.

Complaints against Police Personnel

Complaints by Custody Visitors against police personnel should be raised at the time with the Custody Sergeant or Duty Inspector. If it is considered inappropriate to raise the complaint at the time, details should be forwarded to the PCC's Custody Visiting and Volunteers Management Officer (ICV Scheme Management Officer) who will pass the complaint to the Constabulary to be dealt with under police complaints procedures.

In either situation, all complaints relating to police personnel must be notified as soon as possible by the Custody Visitor to the ICV Scheme Management Officer, ideally in writing via email.

Complaints against Custody Visitors

Complaints against individual Custody Visitors may come from different sources, including detainees, police personnel, fellow visitors, or others who may come into contact with them in the course of their duties.

In the event that a complaint is made against a Custody Visitor, the following procedure will be followed:

- The ICV Scheme Management Officer will request that the complaint is put in writing, if it has not already been done so.
- The ICV Scheme Management Officer, on receipt of the written complaint, will notify the Custody Visitor of its receipt and content.
- The Custody Visitor will be given the opportunity of responding to the complaint in writing.
- The ICV Scheme Management Officer will make the necessary enquiries to determine the substance of the complaint.
- The ICV Scheme Management Officer will agree findings and recommendations with the Chief Executive and inform the Custody Visitor of the outcome in writing.

If the Custody Visitor wishes to appeal against the outcome, the appeal should be made in writing to the Police and Crime Commissioner. Every attempt will be made to resolve the complaint in a timely manner.

SECTION 3: ABOUT THE CUSTODY VISITOR ROLE

Eligibility

Subject to the exceptions set out below, the PCC's office may appoint as a Custody Visitor any person over 18 years of age who lives, works or studies in the Avon & Somerset Constabulary area. Custody Visitors should be persons of good character who are able to make unbiased observations, in which the community can have confidence, and which the police will accept as justified. Applications are welcomed from all sections of the community, in order to represent the community with the aim of maintaining public confidence. The OPCC endeavours to ensure that Custody Visitors recruited to the Scheme are reflective of the diversity of the local population.

Anyone who has been convicted of an offence which could be punishable with imprisonment within the last five years, or who has ever served a term of imprisonment or detention, may not be suitable for this reason. All applicants are required to complete a vetting questionnaire. Applicants will be asked to include details of any convictions, other than those which are spent by reason of the Rehabilitation of Offenders Act 1974, and to consent to police vetting enquiries being made.

Applications will not be considered from people who are or have been:

- (a) Justices of the Peace in Avon & Somerset; or
- (b) An officer or ex-officer of a Police Force (this may include serving and former members of the Special Constabulary, Police Community Support Officers (PCSOs) and support staff employees); or
- (c) Under the age of 18 years (at the time of appointment)

Other people may be excluded if they have a direct involvement in the criminal justice system in Avon & Somerset, such as solicitors, officers of 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.

Recruitment and Selection

The OPCC will seek to appoint sufficient Custody Visitors to ensure that visits can be made in line with the agreed visiting frequency and in accordance with agreed rotas. The OPCC will recruit Custody Visitors by inviting applications from the general public. This will be done by means of public advertisement using local media, and any other means which the OPCC may consider suitable.

Selection will be made on the basis of an agreed recruitment process.

All potential applicants will be sent an Application Pack.

Custody Visitors are appointed following an interview, undertaken by the selection panel (which should usually include the ICV Coordinator of the relevant

Panel). Selection will be based on an applicant's suitability as detailed in the Person Specification (see document Annex D) and Role Profile/Description (Document in Annex E), and in line with the PCC's commitment to Equality and Diversity. All appointments are subject to satisfactory references and vetting.

ICV Photo ID card

Successful applicants will be issued with an Identity Card bearing the holder's photograph. The Identity Card will authorise the holder to visit the Avon and Somerset Constabulary Police Centre's custody unit assigned to the ICV. Custody Visitor Identity Cards must be used only for the purpose of making custody visits and going to the Custody Unit, Enquiry Desk or the Panel meeting. No other access to any other area in the Police Centre is allowed or authorised. If a Custody Visitor is found to be using his/her ID card for any other purpose, it will be withdrawn and appointment as a Custody Visitor may be terminated.

Training - Induction and Initial Training

Successful applicants will be required to participate in the following training sessions:

- **Induction:** arranged with the OPCC to carry out a shadow visit at the local Custody Unit and to go through the Custody Visiting Induction Pack. This is ideally conducted by the Panel Coordinator. Also a tour of Custody will be arranged and can be carried out before an Identity Card has been issued.
- **Induction Training:** a one-day training session organised by the OPCC in conjunction with the Independent Custody Visiting Association (ICVA) to provide those who are appointed with the basic knowledge and skills needed to make visits.
- **Cultural Awareness and Diversity Training:** organised by the OPCC in conjunction with the ICVA to advise Custody Visitors of the duties under equalities legislation and how they apply to their role.

Trial Period

Upon completion of vetting checks and references, new Custody Visitors will be issued with an ID pass. Custody Visitors MUST be in possession of a valid ID pass in order to carry out visits. All appointments are subject to a 6 month trial, and the will only be confirmed on successful completion of this period.

Custody Visitors are required to carry out visits during their probation period. Visits are always undertaken in pairs, and new visitors will be paired with experienced visitors and preferably on at least one occasion with the Panel Coordinator. Custody Visitors are able to start making visits before Initial Training has been undertaken. Along with discussion of practical issues and difficulties after visits have been completed, this will provide valuable practical training.

Panel Coordinators will be asked to complete a form at the end of this trial period (see document Annex G) which will be returned to the OPCC for

consideration. The following issues may be taken into account in deciding whether to confirm an appointment:

- Number of visits undertaken
- Feedback from fellow Panel Members and the Panel Coordinator
- Feedback from Custody staff
- Attendance at panel meetings (where applicable)
- Attendance at training sessions

Successful completion of the 6 month probationary period will be confirmed in writing by the ICV Scheme Manager to the Custody Visitor.

Tenure and Term Renewal

Following a 6 month trial period, Custody Visitors will be appointed for a total 3 year period during which they will carry out their duties in accordance with the terms of the Custody Visiting Agreement. Custody Visitors can seek to renew their appointment up to a maximum of 9 years' service.

At the end of each 3 year term, and subject to the Custody Visitor wishing to continue, the Panel Coordinator (or Scheme Manager) will be asked to complete a Term Renewal form (see document Annex H) which will be returned to the PCC's office for a decision. The following issues will be taken into account in deciding whether to renew an appointment:

- Continuing ability and willingness to carry out their role effectively
- Number of visits undertaken
- Feedback from fellow Panel Members and the Panel Coordinator
- Feedback from Custody staff
- Attendance at panel meetings
- Attendance at training sessions

Vetting will take place at each 3 year renewal. The outcome of the renewal process will be confirmed in writing.

Termination of Appointment

Although the role is voluntary, the OPCC has the right to terminate the appointment of any Custody Visitor whose conduct is not felt to be of the required standard. Expectations are set out in the Volunteers' Agreement which Custody Visitors are required to sign upon appointment. Circumstances in which termination of appointment may be considered include: misuse of the Identity Card, conviction of a criminal offence, abusing one's position as a Custody Visitor, and breaching the guidelines and Code of Practice for the Custody Visiting Scheme.

Termination of appointment may also be considered in light of changed circumstances. Under vetting requirements, Custody Visitors must notify the OPCC if they are arrested, cautioned or charged with a criminal offence or are the subject of an Anti-Social Behaviour Order, Acceptable Behaviour Contract or any other Police Order or Notice, such as a Domestic Violence Protection Order or Domestic Violence Protection Notice. In such circumstances, the OPCC may suspend the appointment of that Custody Visitor until the outcome of any criminal proceedings is known. If the Custody Visitor is subsequently found to be

not guilty, they will be reinstated. In the case of a caution or a Police Notice, Order or Contract, the OPCC will review the appointment of the Custody Visitor with regard to the nature of the offence.

There is an expectation that Custody Visitors will undertake a minimum of one visit per month. Where a Custody Visitor fails to make a visit within a three month period and/or regularly fails to attend panel meetings and training seminars and no good reason for this has been received, the OPCC will consider whether that person's appointment should be terminated.

The procedure for considering termination of appointment is as follows:

- The ICV Scheme Management Officer will advise the Custody Visitor in writing of the grounds on which termination is being considered. The OPCC may, where appropriate, seek the views of the Panel Coordinator and request that the Custody Visitor is removed from the rota.
- The Custody Visitor will be given the opportunity to respond either in writing or through a meeting with the ICV Scheme Management Officer or OPCC Senior staff.
- The ICV Scheme Management Officer will agree findings and recommendations with the Chief Executive of the OPCC and inform the Custody Visitor of the outcome in writing.
- If the Custody Visitor wishes to appeal against the outcome, the appeal should be made in writing to the Chief Executive of the OPCC.
- Every attempt will be made to resolve the complaint in a timely manner.

Resignations: If a Custody Visitor chooses to resign (stand down) then the ICV Scheme Management Officer will discuss this with the Custody Visitor. Withdrawal of a resignation will be considered for a first resignation. However the ICV Scheme Management Officer has the right to accept a second resignation without further discussion or any additional withdrawal of that resignation.

Expenses

Custody Visiting work is entirely voluntary, but travelling expenses will be payable to all Custody Visitors. Public transport fares or private car mileage, at the agreed rate, will be paid. Public transport fare claims must be supported by a receipt. Travel expenses can also be claimed for telephone calls and attending training sessions. (A copy of the Custody Visiting Claim form is the document Annex I). Rates are reviewed annually (from 1 April) in line with rates set by the HMRC. Claims should be made on a quarterly basis, or more frequently according to your personal circumstances, and should be emailed to the ICV Management Officer or returned by post to the PCC's Chief Executive, Avon and Somerset Police Authority, Police Headquarters, Valley Road, Portishead, BS20 8JJ.

Custody Visitors are reminded that expenses paid by the OPCC may be subject to tax, and that each custody visitor is responsible for declaring any tax liabilities as appropriate.

Insurance

The OPCC has arranged appropriate insurance cover for Custody Visitors during

a custody visit at a police station. Details of specific cover are available from the OPCC. Custody Visitors must ensure that they have adequate motor insurance for travelling to and from police stations where relevant.

Publicity and Confidentiality

It is desirable that the role and aims of the Scheme should be promoted to the public. Custody Visitors must, however, bear in mind that the purpose of publicity is to inform the public about the Scheme and not to draw attention to individual cases or to themselves.

Custody Visitors must not discuss the cases of individuals with whom they come into contact during visits to a Police Station and under no circumstance should individual contacts or specific events be discussed except in general, anonymous, terms which support any explanation of the purpose of the Scheme.

Any invitation to speak to the press, or local groups or organisations, about any aspect of Custody Visiting must be notified and agreed by the OPCC. Individual Custody Visitors should not speak to the press except at the request of the OPCC.

Custody Visitors should remember that they are accountable to the Police and Crime Commissioner and not to the press or individual members of the public.

The ICV scheme involves the sharing of Independent Custody Visitors' names and contact details such as telephone numbers with the OPCC, Constabulary and with ICVs in the Scheme, as well as the ICV Custody Database system provider in the strictest of confidence, purely for the efficient management of the Scheme. Such details must not be disclosed to any other person.

Any breach of confidentiality may result in removal from the Scheme.

SECTION 4: CUSTODY VISITING ARRANGEMENTS

Visiting in Pairs and exceptions

Custody Visitors are required to visit a Custody Unit in pairs. However, the Covid-19 pandemic has resulted in the Home Office guidance being amended (temporarily) to allow solo Custody Visitors attending Custody and also remote visiting by telephone calls to the Custody unit and transfers to speak to detainees using either the corridor mobile phone or cell intercom. Remote Custody visits also include Custody Record Reviews, maintaining strict confidentiality in this way of working, particularly when reading the ICV redacted version of the Custody Records where some personal data may appear in free text/narrative. There may also be a blended way of working, with a solo visitor onsite and a remote visitor separately reviewing Custody Records.

When paired Custody Visitors are on the visit rota, if one member of the pair cannot attend for any reason, the visit must be rearranged with another ICV. Solo onsite visiting is strictly with the prior agreement of the ICV Scheme Management Officer. Custody Visitors are responsible for making their own arrangements for visiting in pairs, and will be provided with fellow Visitors' contact details for this purpose.

No more than two Custody Visitors should visit together (except for training purposes), as larger parties could constitute an additional burden on the staff at the Police Centre and may be too many Visitors for the detainees.

Custody Visitors must not be accompanied by any unauthorised persons. Custody Visits can only be made when accompanied by another Avon & Somerset Custody Visitor. Custody Visitors MUST be in possession of a valid photo ID pass in order to carry out visits.

To emphasise their impartiality and independence, Custody Visitors should not combine the making of a custody visit with the conduct of any other business at a Police Station.

Frequency and Timing of Visits

The OPCC is responsible for ensuring that each designated Police Centre's Custody Unit receives an adequate number of visits. The visiting frequency is agreed on an annual basis by the OPCC in consultation with the Chief Constable. Visits should be sufficiently regular to support the effectiveness of the system, but not so frequent as to unreasonably interfere with the work of the police. A visiting rota will be drawn up by the Panel Coordinators, according to the agreed visiting frequency, and circulated to panel members and to the OPCC Scheme officer. Custody Visitors will be requested to make visits in accordance with the agreed rota.

If a Custody Visitor is unable or does not wish to make a visit allotted to him/her on the rota, that Custody Visitor is responsible for finding another Custody Visitor to take his/her place and to inform the Coordinator. The frequency of visits will be monitored by the OPCC from recorded visits in the ICV Custody

system. Where insufficient/missed visits are taking place, the causes will be investigated and action taken to address the causes.

Custody Visitors should bear in mind that custody visits impose an unexpected responsibility on Custody staff and they should also be aware of possible delays during custody staff change over periods. Additionally, delays are also possible during exceptionally busy custody periods and during shifts where staff are experiencing staff shortages. Custody Visitors should arrive at the Police Station without prior notice, and should try to avoid making custody visits at regular or predictable times. Custody Officer/Staff shift hand-over times (stated on the rota) should be avoided by ICVs when planning unannounced visits. The ICV Visit Checklist (see document Annex J) is available to assist with the custody visit.

Effective Working Relationships

For the Scheme to be effective, it is essential that Custody Visitors maintain a professional working relationship with Police Officers and staff in custody, based on mutual respect and understanding of each other's legitimate roles. This also applies for efficient and effective working relationships with the Police and Crime Commissioner's staff and with other Custody Visitors in the Team.

Custody Visitors are required to be impartial, acting as a 'critical friend' of the Policing Service and taking care to ensure working relationships with the Police are limited to the respective roles. The independence of Custody Visitors is crucial, to ensure Custody Visitors remain observational, check-and-test, in an objective and constructive way.

In addition to maintaining a professional relationship with the Police, Custody Visitors are required to also maintain good working relationships toward fellow Custody Visitors. The aim is to be supportive, have mutual respect and courtesy for each other, work as a team and to play active and equal parts during visits in order to get the best possible outcomes.

Custody Visitors represent the Police and Crime Commissioner whilst carrying out custody visits and high standards are expected, just as within the Custody environment for detained people and staff. This Handbook is designed to assist in the understanding of the role of the Independent Custody Visitor (ICV), working impartially and in accordance with the content of the Custody Visitor Person Specification and Volunteers Agreement. The mission is to make Custody outstanding.

SECTION 5: CUSTODY VISITING PROCEDURES AT POLICE STATIONS

Immediate Access to the Custody Area

On arrival at the Police Centre, Custody Visitors should either report to the public enquiry desk or go directly to the Custody door's intercom, show their identity cards and explain that they wish to undertake a custody visit. Custody Visitors should be admitted immediately to the custody area. If access is delayed, this will affect the credibility of the Custody Visiting Scheme. In cases where custody staff are busy, Custody Visitors should be admitted to the custody area, and invited to wait until the Custody Sergeant or a detention officer is available to escort them on the visit. Access should be delayed only where the visitors may be placed in danger. A full explanation should be given to the Custody Visitors as to why access is being delayed, which will be recorded by the Custody Visitors on their report. A delay of more than 10 minutes should be subject of referral to the Duty Inspector at the Police Station and should be noted on the report.

An intercom facility is used by Custody Visitors to speak to Custody Staff to request access to the Custody Unit.

Access within the Custody Area

Custody Visitors should have access to all parts of the custody area where the detainee has access e.g. cells, detention rooms, charging areas, plus associated facilities such as food preparation areas, stores and the medical room (this does not include access to locked drug cabinets). Custody Visitors will wish to satisfy themselves that these areas are clean, tidy and in a reasonable state of repair and decoration, and that bedding in cells is clean and adequate. It is not always necessary to inspect stores, but Custody Visitors should establish that suitable arrangements exist for storing mattresses and blankets, and for regular replacement of necessary furnishings and equipment. They may inspect empty cells and detention rooms to check heating/ventilation systems, and that cell alarms and toilet flushing mechanisms are working properly. Custody Visitors will ensure that the welfare needs of detainees are adequately met, for example that female detainees have had contact with a female member of Custody Staff or have been offered a sanitary pack, as appropriate. They may visit interview rooms in the custody area if unoccupied. Custody Visitors may not visit other operational parts of the Police Station.

Closed Circuit Television (CCTV)

Custody visits must be carried out in person and not by viewing either live or recorded CCTV footage. However, Custody Visitors are encouraged to check that the CCTV is working and be given a demonstration if necessary. If a Custody Visitor is concerned that the CCTV equipment is not recording, this should be reported.

Custody Visitors are authorised by the Chief Constable, as agreed with the PCC, to view live and recorded CCTV footage for detainees being observed by Custody Staff as a level 2 'rouse and response' at least every 30 minutes. This is to seek assurances that the detainee has responded.

Health and Safety

Custody Staff and Custody Visitors alike are responsible for their own Health and Safety and the safety of others through their own actions and omissions. Custody Visitors must not be under the influence of alcohol or drugs and ensure they are fit and able to carry out the visit. Practical steps should be taken to ensure that Custody Visiting duties can be performed safely, for example, wearing appropriate clothes and jewellery, and being mindful of appropriate body language and positioning when speaking to detainees (e.g. Custody Visitors standing just outside the cell door with the detainee sitting in the cell). For the personal safety of Custody Visitors and to reduce the risk of the detainee being able to self harm, Custody Visitors are asked to leave all personal items in the room where the Custody Report will be written (or in the ICV box) whilst they visit detainees in the cells. The only items Custody Visitors should take in to the cell area are a pen, a notepad/checklist and the Language Translation Sheets and Picture Cards. The Scheme Handbook can also be taken if required.

The following health and safety guidelines must be adhered to in carrying out visits:

- Visits must be undertaken by pairs of Custody Visitors working together.
- In the interests of security and the safety of Custody Visitors, the custody officer or a member of the custody staff will accompany them during visits. However, the escorting officer should be in sight but out of hearing during discussions between Custody Visitors and detainees.
- Custody Visitors must be made aware of any detainee who is or has been violent. If the custody officer feels that a visit to such a detainee will place the Custody Visitors' safety at risk then the custody officer may limit or deny ICVs access to a specific detainee only if authorised by an officer of, or above, the rank of Inspector and after a risk assessment has been carried out. Consideration should be given by the Custody Officer to limit the visit to a conversation taking place through the hatch in the cell door. The final decision will remain with the custody Inspector and an explanation for the limited or denied visit given by the Custody Officer to the ICVs. Custody Visitors should ask to speak to the Duty Inspector if they are not satisfied with the explanation given.
- During the visit, the Custody Sergeant, Detention Officer or member of custody staff must advise Custody Visitors of any specific health and safety risks they may encounter and suggest action to minimise risk. This includes:
 - Any known risk of infection or exposure to contaminants;
 - Any risks posed by the detainee e.g. that the detainee may spit at staff.
- Access to the custody area should be delayed if Custody Visitors are placed in danger, for example if there is a disturbance in progress. A full explanation should be given as to why access is being delayed, which must be recorded by Custody Visitors in their report.
- Cell doors must always remain ajar when Custody Visitors are conducting a visit with a detainee.
- Custody Visitors must never handle items within the cell e.g. mattresses or blankets. If the detainee wishes to draw attention to a specific issue relating to such items, the detainee or member of custody staff should handle the item.

- Custody Visitors should never make physical contact with the detainee i.e. offering a consoling arm to an upset or distressed detainee.
- Custody visitors should not hand anything to detainees whatsoever, or leave any objects or materials within the cells or other parts of the custody unit.
- Custody Visitors must follow any instructions given by custody staff in the event of a fire alarm activation and/or evacuation of the custody suite.
- Custody Visitors must report all accidents or near misses to custody staff.

Access to Detainees

Subject to the paragraphs below, Custody Visitors may have access to any person detained at a Police Station. Detainees (or prisoners) will fall into the following categories:

- **PACE detainees:**
The majority of detainees in police custody are held under the provision of the Police and Criminal Evidence Act 1984.
- **Home Office Prisoners:**
These are remanded or sentenced prisoners who would normally be held in prison.
- **Immigration detainees:**
These are persons held under the Immigration Act 1971 and Immigration and Asylum Act 1999 who are subject to deportation proceedings or who are waiting to be removed from the UK as illegal entrants.
- **People at risk:**
These may be vulnerable people held under the Mental Health Act 1983 (people under section 136 are only very rarely detained in Custody) for their own protection or children taken into police protection under the Children Act 1989.

Limited or Denied Access

In exceptional circumstances, the Police may judge that it is necessary for a detained person not to be seen and/or spoken to by Custody Visitors. The Custody Inspector (or higher rank) makes an assessment, it is recorded in the Custody Record and Custody Visitors will be advised via a Detention Officer or Custody Sergeant if access to a detainee is denied or limited. This can be for the following two reasons only:

- i. **For the Custody Visitors' own safety** they should not enter the cell with a particular detainee. In this case limited inspection and discussion could take place through the cell door hatch.
- ii. **Custody Visitor access to a detainee could interfere with the justice process**, for example any possible risk must be avoided of prejudicing an important investigation. It may be referred to as the detainee being incommunicado.

Any decision to deny access to a detained person should be taken by an officer of the rank of Inspector or above and recorded in the custody record.

See the section below on **Consent to Custody Visits by Detainees** and the sub-section on Detainees who are Asleep or in the 8 hour Rest period.

Maintaining the Privacy of Detainees

Custody Visitors should not know the name of the detainee or the reason for detention. Visitors should be given only the cell numbers and detention numbers of the detained persons from which they can choose who they would like to offer a visit. In this way, the Custody Visitors choice of whom to speak to is totally random and transparent to anyone who might wish to check on the operation of the Scheme.

This procedure will not deal with all situations as it is difficult to prevent Custody Visitors from seeing people who have not given their permission to be seen. For example, Custody Visitors may see detainees being moved from a cell to an interview or medical room or being booked in at the desk.

Consent to Custody Visits by Detainees

Detained persons are not obliged to see Custody Visitors or to answer questions. The Officer who is escorting the Custody Visitors is responsible for opening the cell door (or the door hatch first) and may say to the detainee that there are some people or visitors to see the detainee. One Custody visitor (alternating the lead custody visitor between detainee visits) will introduce themselves as Custody Visitors and establish whether or not each detainee wishes to speak to the Custody Visitors and explain the purpose of the Custody Visiting Scheme.

A Custody Visitor report created by one of the two Custody Visitors, will record, for each detainee visited, whether or not the detainee consents to a visit. Also, an entry on the custody record, indicating whether or not the detainee consents to a visit will be made in all cases.

Whether or not the detainee agrees to see the Custody Visitors, the Custody Visitors should seek permission for them to have access to the detainee's custody record. Any agreement will be written onto the custody record.

Words of Introduction

An introduction card is kept in each custody suite for use in offering detainees the opportunity to speak to Custody Visitors. The following script is from the English version of the Language Translation sheets:-

Hello, we are members of the public known as Independent Custody Visitors.

We would like to check on your welfare whilst in police custody and to find out whether the police have explained your rights.

We have nothing to do with the police, and we do not need to know your name or reason for your arrest.

There are a number of language translation sheets available which the detainee can read if they do not understand English.

Detainees who are Unable to Consent to a Custody Visit

If a detainee is under the influence of drink or drugs to such an extent that they are unable to give consent or otherwise, or is for some other reason unable to indicate willingness or otherwise to be seen, custody staff should allow Custody Visitors access unless it is considered that their safety could be at risk.

In such circumstances, the Custody Visitors are encouraged to satisfy themselves of the detainee's well-being – by observation through the cell door hatch and by viewing the custody record.

Detainees who are Asleep or in the 8 Hour Rest Period

Sleeping detainees can be woken at the discretion of the Custody Sergeant or Detention Officer to seek consent to a Custody Visit. However, where this would involve interrupting the continuous period of eight hours rest provided for under PACE, the normal procedure should be not to wake the person but to observe them through the cell hatch.

Detainees Who Are Being Interviewed

If a person is being interviewed, the interview will not be interrupted. If the Custody Visitors wish to see the person after the interview has been completed they may do so, but may, if necessary, have to wait for this purpose.

Access to Vulnerable People

Children and Young People may be visited with their own consent. It is not necessary to obtain the additional consent of a parent or guardian. If an appropriate adult is in attendance to support a youth or vulnerable person, the detainee's wishes should be sought and respected as to whether the appropriate adult should remain with them during a custody visit.

Access to Custody Records

Custody Record:

The Custody Visitor will seek consent from the detainee to have access to their custody record. Subject to obtaining consent, the Custody Visitors should check its contents against what they have been told by the detainee. If a detainee is for any reason incapable of deciding whether to allow access to their custody record, the presumption must be in favour of allowing the Custody Visitors to examine it.

In particular, Custody Visitors may wish to look for:

- Whether rights and entitlements under PACE have been given or efforts made to arrange them.
- That medication, injuries, medical examinations, meals/diets are recorded.
- That procedures to assess special risks/vulnerabilities presented by the detainee have been properly recorded and appropriate action has been instigated.
- The timing and frequency of cell inspections of inebriated or otherwise vulnerable detainees.
- The timing of reviews of the continuing need for detention.
- Whether what is recorded matches what the Custody Visitor has observed.

Medical Record:

Custody Visitors may not see the detainee's medical record, even where these are attached to the custody record. The custody record should include all relevant information about necessary medication for a detainee and the frequency of administering it. Custody staff are responsible for ensuring that medication is given at appropriate times. However, Custody Visitors may wish to pay particular attention to detained persons who are suffering from any form of mental illness, physical injury, disability or substance misuse. They should satisfy themselves that, if appropriate, medical advice has been obtained and establish from custody staff what instructions for medical treatment have been given and confirm by consulting the custody record that these instructions have been carried out.

Cells - in the Custody Unit

Children and Young People

Children and young people can and will be placed in a cell for the duration of a Police investigation at the pre-charge stage. After being charged, at this post-charge stage, the child or young person should be housed in Local Authority safe or secure accommodation (depending on their risk assessment non-secure versus secure). It is the Local Authority's duty to provide post-charge accommodation. If one is not available then the child or young person could remain in police custody prior to being taken to court. The process to obtain appropriate accommodation (post-charge) will be recorded on the Custody Record.

Multiple Occupancy Cells

Multiple occupancy cells are not used by Avon & Somerset Constabulary.

Conversations between Detainees and Custody Visitors

Discussions between detainees and Custody Visitors must normally take place in sight but out of hearing of the Custody Sergeant or Detention Officer where that is practical. If for some reason the Custody Sergeant decides that custody staff should remain within hearing, this decision must be recorded on the visit form.

Some detainees may be behaving in a violent manner, but nevertheless may request to be seen by Custody Visitors. In such cases the Custody Visitors should, in their own interest, seek the advice of custody staff with regard to the conditions under which the Custody Visitors are allowed to see or speak to that detainee or whether a visit should be undertaken. It may be possible for the Custody Visitors to speak to the detainee through the hatch in the cell door. Custody Visitors should ask to speak to the Duty Inspector if they are not satisfied with the explanation given by the Escorting/Detention Officer to deny or limit ICV access to a detainee.

Visits to Non-English Speaking Detainees

Visits should normally be conducted in English. If an interpreter is available in the Police Station, Custody Visitors should check with the Custody Officer if it is possible to check on the detainee's welfare via the interpreter. If an interpreter is not available Custody Visitors are encouraged to check on the detainees welfare as far as is possible, using the Language Translation Sheet or picture cards to communicate any immediate needs. If necessary, also checking the custody record.

Avon and Somerset Constabulary subscribe to Language Line, which is a facility available without booking 24 hours a day, 7 days a week. Language Line Interpreters are fully trained to have a good command of both English and the language from which they interpret. Primarily this resource is to be used to allow the detainee to communicate with custody staff and receive legal advice but custody visitors may have the opportunity to access it at the Custody Sergeant's discretion.

A relevant note must be made on the Custody Visitors' report.

Treatment of Detainees

Custody Visitors should primarily be concerned with the welfare, rights and entitlement of detainees and the overall conditions, standards and procedures at Police Custody Units. However, if there are immediate concerns about the treatment of particular detainees, this must be passed on immediately to the Custody Sergeant. If a detainee indicates that they may harm themselves or any other person, Custody Visitors should abort the visit immediately and inform the Custody Sergeant.

Custody Visitors should satisfy themselves that the detainees have had their statutory rights explained and that they have been given the written notice of those rights. They should also be satisfied that detainees have received those facilities to which they are entitled under Code C of PACE Act 1984 – printed on the reverse of the written notice of the detainees statutory rights.

Where a detainee makes a complaint or raises an issue about their general treatment or conditions at the Police Station, Custody Visitors should (subject to the detainee's consent) record the issue on the report form and report this to the custody officer. In cases where custody staff are the subject of the complaint, Custody Visitors should report this directly to the Duty Inspector and take no further action in the case of that detainee, other than recording the incident on the Custody App Visit record and highlighting it in the ICV Summary.

Avon & Somerset Constabulary will notify the Custody Visitors, through the OPCC, of the outcome of any such complaint, in general terms, where asked to do so by the OPCC and the Custody Visitor requests notification.

Deaths in Custody

All deaths in custody are referred immediately to the Independent Office for Police Conduct (IOPC), and are the subject of a coroner's inquest to which the police will report formally. When a death in police custody occurs, the on-call Chief Officer Group member will notify the Police and Crime Commissioner.

The OPCC will contact the relevant Panel Coordinator at the earliest opportunity to inform them that a death incident has taken place – this is for information purposes only.

There may be circumstances in which the Senior Investigating Officer dealing with such an incident needs to refuse or restrict access to particular areas while investigation takes place. The OPCC will ascertain whether access restrictions are in place and inform the Panel Coordinator so that Panel Members can be notified of any changes to visiting arrangements.

Subject to access restrictions, the OPCC may discuss with the Panel Coordinator whether a visit should be made following a death in custody in the spirit of openness and to reassure the community.

Coordinators and members of the Panel in question must take care not to discuss the incident with anyone else as this may compromise the investigation. Any breach of confidentiality by a Custody Visitor may result in their removal from the Scheme. Any concerns or queries should be directed to the OPCC.

When the IOPC independent investigation is complete, recommendations will be reported to the Police and Crime Commissioner. General learning points will be taken to the relevant meeting for information and discussion with Custody Visitors.

The OPCC would not normally notify Panel Coordinators of 'near miss' situations which happen at times other than during a visit, other than to advise of any access restrictions that had been put in place as a result of the incident.

Prisoner Escort and Custody Services and Lay Observers

The Criminal Justice Act 1991 (the CJ Act) makes provision for the contracting out of the Courts Escort and Custody Service.

Section 81(1)(b) of the CJ Act requires the appointment of a Panel of Lay Observers who will inspect and report to the Secretary of State on the work of the contractor. Lay Observers will be responsible for inspecting the condition at both Crown Court and Magistrate Court cells within their areas. In addition they will inspect conditions at police cells when those cells are being used to hold remand and sentenced prisoners in the contractor's custody. They will also

inspect conditions in which remand and sentenced prisoners are conveyed and will have access to prisons within the area, solely to perform that inspection.

This does not affect the role of Custody Visitors, who will continue to have access at all times to:

- All PACE detainees.
- Detainees under Home Office UK Border Agency (immigration) category.
- Detainees categorised as Warrant Arrest; Detainees categorised as: Prison recall; Remand and sentenced prisoners who are NOT in the contractor's custody.
- All areas of Police Stations in which detainees may be held and including the kitchen and clothing/bedding store area, and the religious material area (but excluding Interview Rooms and Medical Rooms when in use).

Additionally, Custody Visitors will be allowed access to remand and sentenced prisoners in the contractor's custody at Police Stations when they have become the responsibility of the custody officer.

Remand and Sentenced Prisoners

From time to time, due to operational constraints experienced by the prison service, Custody Visitors may see remand and sentenced prisoners held in police cells for a short period of time. Remand and sentenced prisoners held in police cells have different rights to detainees subject to PACE. However for visiting purposes, Custody Visitors should consider **PACE Code of practice C**, section 8 and 9 (* i.e. Conditions of detention and Care and Treatment of Detained Persons) as a minimum standard and seek to ensure that all detainees are treated with regard to these provisions under PACE.

*Note: PACE Code C summary:

Section 8: Conditions of detention details arrangements on cell temperature, meals, drinks and exercise. This section also contains guidance on arrangements for children.

Section 9: Care and treatment of detained persons covers access to healthcare, medication and what must be documented in the custody record.

If a prisoner requests something outside of entitlements provided under PACE, Custody Visitors should report their request to the Custody Sergeant. Custody Visitors should be aware that certain rights and entitlements for convicted or remand prisoners may not be feasible within a police setting.

Remand and sentenced prisoners held in Police Stations may seek to complain about conditions in prisons or the treatment they have received there. Custody Visitors must not involve themselves in such matters. There are recognised grievance procedures open to prisoners such as writing to, or petitioning, the Home Secretary, or writing to their solicitor or Member of Parliament.

The contractors for the Court Escort Services also have their own procedures for recording complaints about their staff. Any complaint alleging a criminal offence will be reported to the Police and the HM Prison Monitor Service immediately.

Any complaint made to the contractor, which amounts to a police complaint will be referred to the police for investigation. Complaints made by remand or sentenced prisoners should be referred to the custody officer and noted on the Custody App report record. In cases where custody staff are the subject of the complaint, the custody visitor should report the issue directly to the Duty Inspector and take no further action with respect to that detainee.

Persons Detained under Section 136 of the Mental Health Act 1983

Every effort is made NOT to detain people sectioned under the Mental Health Act (section 136) as Custody is not appropriate for these people. Avon and Somerset PCC and Constabulary do not wish to detain these people but it may be a last place of safety available as other beds may be full or the person may be violent.

Custody Visitors should have access to persons detained under section 136 of the Mental Health Act 1983. The Act states that persons who appear to be suffering from mental disorder and to be in immediate need of care or control can be held for up to 72 hours in a place of safety, one of which is a designated Police Station. The Act requires that a person detained under section 136 of the Act should be assessed by a doctor and an approved social worker as soon as possible after arrival at the place of safety. Every effort will be made for assessment to be carried out as expeditiously as possible. The Mental Health Act 2007 amends the Mental Health Act 1983 to allow for detainees held under section 136 to be transferred from one Place of Safety to another for assessment by a doctor and approved social worker. This means that the detainee no longer has to remain at the Police Station until that assessment has been carried out and should be taken to another place of safety as soon as a bed is available.

Detainees who have been subjected to PAVA Spray

Custody Visitors may in the course of their custody visits encounter detainees who have been sprayed with PAVA during their arrest. Custody staff may advise Custody Visitors of this situation but there is not likely to be any cross contamination with PAVA spray, which has replaced CS spray.

Custody Visitors are encouraged to check the health and well being of detainees who have been subjected to PAVA spray. If the detained person is suffering due to the after effects of PAVA spray, Custody Visitors should bring this to the attention of the Custody Sergeant, who has responsibility for seeking medical assistance.

Vaccinations

Hepatitis C

The definition of contamination is as follows:-

“Blood or body fluids that enter the mouth, nose, ears or eyes or via a human bite that breaks the skin and contact with the skin which has cuts of 3 days old and under.”

However, Hepatitis C is usually transmitted by means of blood transfusion. Vaccination is not available for this form of Hepatitis and it is unlikely during the time spent in Custody areas that Custody Visitors would become contaminated.

Custody visitors are advised to cover all minor abrasions of the hands and wrists with waterproof plasters. Should the Custody Visitor become contaminated it is recommended that each individual sees their GP, Practice Nurse or Hospital Accident Emergency Department as soon as possible.

Hepatitis B

Custody staff and cleaning staff working in Custody Areas are advised to be immunised against Hepatitis B. However, it is not necessary for Custody Visitors or other people visiting cell areas, such as Solicitors and Appropriate Adults, to be immunised against Hepatitis B since they do not come into direct contact with blood and body fluids.

Custody Visitors may wish however to seek advice from their own Doctor about this and other appropriate immunisation.

Impartiality

Advice and Disclosure

Custody Visitors should remain impartial and must not seek to involve themselves in any way in the process of investigation. If detainees press them for advice about co-operating with the police, making a statement or anything in relation to their defence, the Custody Visitor should explain that it is not part of their role, and that their sole responsibility is to ensure that the detainee is being treated in accordance with their rights and entitlements.

Custody Visitors should discuss only those issues relating to the conditions in which persons are detained and their treatment in the custody area. If a detainee seeks to make admissions or otherwise discuss an alleged offence, the Custody Visitor must stop them immediately, reiterate their role and tell them that the relevant contents of the visit may be disclosed in legal proceedings. If this situation arises, Custody Visitors should report this and anything said to the Custody Sergeant. Custody Visitors may ask detainees if they have been informed of their right to access free, legal advice. If the detainee has not yet received legal advice and now wishes to do so, the Custody Visitor should inform the Custody Sergeant.

In the interests of impartiality, Custody Visitors must not visit friends or relations who are in custody. If one Custody Visitor recognises a detainee, the Custody Visitors must advise the detainee that they are not permitted to make visits to persons whom they know. The visit to that detainee should be aborted immediately.

Custody Visitors should emphasise that any information about anyone they see will be kept confidential and will not be released to anyone outside the police

station. Legal action may be taken against a Custody Visitor that does release any confidential information.

Contact with Persons Outside the Police Station

Under no circumstances should a custody visitor accept anything from a detainee or give anything to a detainee. Custody Visitors must not agree to make contact with any person outside the Police Station at the request of a detainee. Neither must they agree to pass on a message to any other detainee within the Police Station. Custody Visitors must immediately notify the Custody Sergeant of such a request.

Custody Visitors Giving Evidence in Criminal Proceedings

Conversations between Custody Visitors and detainees are not privileged and it would be open to a court to issue a witness summons requiring the attendance of Custody Visitors to give oral evidence or to produce documents such as a report on a particular custody visit. Custody Visitors are under no obligation to give evidence or produce documents other than in response to a Court Order, but would be obliged to respond to such an Order.

Confidentiality

Custody Visitors will acquire considerable personal information about persons in Police Custody. Personal information relating to detainees must be protected against improper or unnecessary disclosure. Custody Visitors will therefore be asked to give an undertaking not to release the identity of, or information capable of identifying any person in police custody (except where a visit has exceptionally been arranged in connection with the treatment of a particular person). It is desirable, in the interests of the strict application of the principles of confidentiality, that Custody Visitors do not name or otherwise identify persons in custody even in reports to or in discussion with fellow Custody Visitors or the PCC's office staff.

When speaking to custody staff about their discussions with detainees, Custody Visitors should be conscious that other people not employed by Avon & Somerset Constabulary might be within hearing of those discussions. If necessary, Custody Visitors should ask to speak to custody staff in a more private room or office.

Breach of Confidentiality

Breach of this undertaking may make Custody Visitors liable to civil proceedings by the detained person concerned. Custody Visitors will also need to be aware that the unauthorised disclosure of the facts concerning police operations or the security of Police Stations may constitute an offence under section 5 of the Official Secrets Act 1989.

SECTION 6: CUSTODY VISITING REPORTS AND FOLLOW UP ACTION

Completion of Reports

During each visit, Custody Visitors should complete a report of their findings using the Custody App. If logging in to the Constabulary computer or to the Custody App fails then the report should either be input from home by logging in to the Custody App or a paper report should be written on a carbonated paper form stored in the custody visiting metal box held in the Custody Unit.

Completion of the report is the responsibility of the Custody Visitors after receiving the detainee list from the Custody Officer.

Reference to individual detainees will be by way of Custody Record Number, which is allocated consecutively, plus the cell number. The purpose of this is to preserve the anonymity of the detainee.

Custody Visitors should note the Custody location, date, start and end time of the visit, the Custody Visitors' names and the collar number of the Custody Sergeant and Escorting Officer. Also using the electronic report dropdown options to record each detainee visit and enter comments and any outstanding issues on the report/record.

Custody Visitors are asked to indicate on the report the number of people detained, the number offered a visit and the number of detained persons seen and the category and gender of the people detained. Custody Visitors are required to complete the report even when there are no detainees in custody, so as to ensure that all custody visits are accurately recorded.

If the computer system Custody App is not accessible in the Custody Unit or from the Custody Visitor's home computer or i-phone and the paper form is used, there are four copies of this paper report form, which should be dealt with as follows:

White copy: Retained in the Custody Visiting box for reference.

Blue copy: Returned to the OPCC using the pre-paid envelope provided.

Pink copy: Retained by the Custody Inspector.

Yellow copy: Retained or collected by the Panel Coordinator.

If a Custody Visit report is completed outside of the Custody Unit then the Custody Visitor MUST ensure that any notes are shredded or securely and confidentially destroyed.

Reports on Unsatisfactory Treatment and Conditions

If a visit discloses any aspect of the treatment of detainees or conditions at the Custody Unit which are unsatisfactory then the issue should be recorded on the report and raised with the Custody Sergeant at the time. Any action taken by the Custody Sergeant should also be recorded on the report by the Custody Visitors.

If Custody Visitors are not satisfied that the issue has been resolved, they may ask to speak to the Duty Inspector about their concerns.

Outstanding issues arising from Custody visits are a standing agenda item for quarterly Panel Meetings, which are attended by the Custody Inspector and an OPCC representative. This provides an opportunity for Custody Visitors to discuss their work, draw together issues and identify trends emerging from visits in that area, and address these with the Custody Inspector. All Custody Visitors are expected to attend Panel meetings.

The OPCC is responsible for monitoring issues raised through the Custody Visiting Scheme and facilitating action where appropriate. Issues recorded on the Custody Visitors Reports are viewed by both the OPCC and the Custody Inspector for the relevant Custody Unit. The following process is used for flagging and monitoring issues raised:

- Actions are referred to the relevant Custody Inspector and other departments as appropriate for response. Issues are flagged as unresolved until a response is input into the Custody App record.
- Issues that prove to be persistent or intractable are escalated to the OPCC Chief Executive and Head of Custody.
- A summary of issues identified through the Custody Visiting Scheme is reported to the Police and Crime Commissioner on a regular basis.

Custody Visitor and Custody Staff Relationships

It is good practice to make any positive comment at the end of a visit. The scheme works at its best when there are good working relationships between Custody Visitors and Police Staff. Any issues raised by Custody Visitors should be raised in a respectful manner during the visit. This involves explaining concerns and listening to the response. If the response is unsatisfactory, ICVs may wish to ask to talk to a more senior officer or it may be appropriate to report the matter in the Visit Report which is read by the Coordinator and the OPCC. An effective way to help Custody develop is to make positive specific comments about what has been observed. The 'critical friend' approach is very effective.

Contact:

Queries on any aspect of the Custody Visiting Scheme should be addressed to:

Kathryn Palmer
Avon and Somerset Police and Crime Commissioner's Office
Police Headquarters
Valley Road
Portishead
BS20 8JJ

Email: kathryn.palmer@avonandsomerset.pnn.police.uk