

Cumbria Police Authority

Professional Standards Committee

23 October 2009

Agenda Item No 7

Report by the Chief Executive.

**INDEPENDENT CUSTODY VISITING SCHEME:
REPORT FOR THE PERIOD 1 APRIL TO 30 SEPTEMBER 2009**

Background

In September 2004 the Police Authority made a series of decisions about the operation and oversight of the Custody Visiting Scheme in Cumbria, including that –

- (i) Responsibility for oversight of the Scheme be devolved to the Professional Standards Committee;
- (ii) The work of the Scheme be reported twice a year to the Professional Standards Committee.

This report covers activity within the Scheme in the six month period from 1 April to 30 September 2009.

Recommended: That, the report be noted.

Detail

Operation of the Scheme in the period April to September 2009

Numbers of Independent Custody Visitors

Membership of the four Panels for the six month period is as follows –

Panel	31.03.2009	30.09.2009
Barrow	13	10
Kendal	15	14
North	14	12
West	13	13

On 20 April 2009 the Personnel Committee, which is responsible for recruitment to the Scheme, agreed that Panel membership be reduced from 15 to 12 as current Independent Custody Visitors (ICVs) leave the Scheme. The reduction in numbers will enable each ICV to make an increased number of visits – an average of 8 a year.

During the period covered by the report one ICV from the North Cumbria Panel has taken a break from the Scheme due to ill-health. The Panel are happy to continue with only eleven active members on the Panel

Recruitment

A recruitment campaign has been undertaken to recruit two new ICVs for the Barrow Panel. Eleven applications were received by the closing date and interviews are to be held in Barrow on 29 October. The newly appointed ICVs will receive induction training before they are allowed to make any visits.

Recruitment campaigns have not been undertaken elsewhere in the county as the other three Panels do not require any new ICVs.

Retention

In the six month period covered by this report six ICVs left the Scheme. Three decided to leave the Scheme having completed their three year appointment, two left the Scheme as they were moving from Cumbria and one left as they did not consider that the Scheme offered them sufficient involvement.

Newsletters

Three issues of "Independent Custody Visiting in Cumbria", were produced and circulated since in the six months covered by this report.

Lead Member

At the Authority's Annual Meeting in June Lynda Shaw stepped down as joint Lead Member for Custody Visiting and Rob Huck took on the role county-wide.

Panel Meetings

Panels continue to meet quarterly and all are attended by the Lead Member and the Scheme Administrator. Attendance of ICVs is generally good but where an ICV has failed to attend a number of meetings in a twelve month period they are contacted to ascertain why and reminded of the Authority's expectation that they will attend on a regular basis. Panel attendance is reviewed annually with Panel Chairs and Vice-Chairs.

Visits April to September 2009

The Authority set as a target for each Panel a weekly visit to each of the designated police stations. These targets were brought into effect during 2005. Each Panel covers one designated police station and a varying number of non-designated police stations.

In addition the North Cumbria Panel makes additional visits to Penrith Police Station when it is being used under Operation Safeguard, though no such visits were made in the period covered by this report.

In the period April to September 2009 visits were made as follows:-

Panel	Police Station	No. of Visits	Detainees in Custody	Detainees Seen
Barrow	Barrow #	23	75	29
Kendal	Kendal #	25	38	31
North	Carlisle #	23	108	41
	Penrith	1	0	0
	Appleby	1	1	0
West	Workington #	27	105	48
	Whitehaven	15	2	1
	Millom	1	0	0
Total		116	329	150

Notes: # indicates designated police station.

For comparison purposes the visit statistics for the previous twelve months are set out below –

Six Month Period	No. of Visits	Detainees in Custody	Detainees Seen
October 2007 – March 2008	106	320	168
April 2008 – September 2008	100	335	140
October 2008 – March 2009	109	289	124

The following tables show the day of the week and time of day of visits made in the six month period covered by the report. Panels have been encouraged to vary their visiting patterns to ensure that visits are truly random.

Days Visits Made:

Day	Barrow	Kendal	Durranshill	Workington	Total
Monday	3	1	4	3	11
Tuesday	4	3	3	5	14
Wednesday	3	3	4	7	17
Thursday	5	8	3	7	23
Friday	1	4	5	1	11
Saturday	4	4	4	1	13
Sunday	3	2	1	3	9
Total	23	25	23	27	98

Times Visits Made:

Time	Barrow	Kendal	North	West	Total
00.00 – 06.59	0	1	3	2	6
07.00 – 12.59	8	8	4	8	28
13.00 – 18.59	17	13	6	6	42
19.00 – 23.59	2	3	10	7	22
Total	27	25	23	23	98

A detailed breakdown of visits is attached. The vast majority of report forms produced on completion of visits contain no comments or state that there are no matters of concern. ICVs continue to comment on the positive way in which they are received by custody staff and the willingness of staff to take time to explain items of equipment or procedures. Items that have been raised are included in the appendices and in the main were addressed by the ICVs with custody staff at the end of individual visits. Examples of specific issues include –

Issue raised.	Constabulary response.
Condition of cells and facilities at Whitehaven	Control measures are in place at Whitehaven, which include taking out of use a number of facilities. Detainees also receive a higher level of observational visits than would usually be the case.
Condition of the cells at Millom	Millom may only be used to process low risk detainees who are suitable for immediate interview only if a sergeant is available to authorise detention and the detainee is not placed in a cell.
Staffing levels at Durranshill	A review of staffing levels was being undertaken; however the custody suite is staffed adequately for its current requirement.

Observational Visits

ICVs in South Cumbria have had the opportunity to make observational visits to the custody suites in Barrow and Kendal. The first round of such visits were made at Barrow commencing at 10.00pm on a Friday, each visit lasting approximately two hours. Mrs Shaw attended one of the visits. Feedback from the ICVs to this Constabulary initiative has been overwhelmingly positive. The extended stay in the custody suite provided ICVs with a much

greater insight into the issues that staff have to manage in custody. As a follow on to these visits a further round of similar visits has taken place at 2.00am on a Saturday morning. Observational visits have also now taken place at Kendal. It is hoped that similar opportunities can be afforded to ICVs in the North and West.

While it is important to remember that ICVs can visit at any time of the day or night and could therefore make visits at 2.00am without invitation from the Constabulary, the benefit of these observational visits is that they can stay for an extended period and thereby gain a greater understanding of the issues and pressures faced by staff than they can on an ordinary visit. ICVs in Barrow and Kendal all praised the professionalism of the custody sergeants and detention officers in dealing with detainees.

Regional Conferences

The 2009 regional conference was held on Saturday 3 October 2009 at the Marriott Hotel in Preston. Further details are provided in a separate report.

Cumbria Conference 2009

The 2009 Cumbria Annual Conference was held on Saturday 6 June at Rheged in Penrith. Further details are provided in a separate report.

Animal Welfare Scheme

The five Animal Welfare Visitors – who are all also ICVs – have continued to make regular visits during the period March to September 2009. Most visits are made to the Dog Section kennels at Carleton Hall though occasional visits are made to observe the dogs being trained off-site. The Visitors continue to comment positively on the care the police dogs receive and their treatment by their handlers. No negative issues were raised on any visit.

C R Alcock
Chief Executive.

15 October 2009

Background documents: Report to, and Minute of, Cumbria Police Authority on 17th September 2004.
Report to Personnel Committee on 20 April 2009.

Race and Diversity Implications: The Authority has a duty to ensure that the Scheme is representative of the community it serves.

Human Rights Implications: The Scheme plays an important role in ensuring that the rights of detainees in police custody are respected.

Strategic Risks: The Authority has a statutory duty to establish and maintain an Independent Custody Visiting Scheme.

Community Feedback: None known, though 32.5% of respondents to the 2009 summer consultation survey were aware that the Authority monitored the welfare of people in police custody.

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Independent Custody Visiting Scheme Kendal
Panel 01.04.09 - 31.09.09

						Detainees			Standard of Accommodation										Support Avail			Comments													
						No. Detainees	Juven	Vis	Notified of Their Rights	Treated Reasonably	Had Someone Informed	Received Visitation	Medical Attention Received	Received Adequate Exercise	Offered Food & Drink	8 hrs Rest in Cell	Other Issues Raised	Special Dietary Needs	Bedding	Replacement Clothing	Cells Clean & Well Maintained	All Other Areas Clean & Well Maintained	Reasonable Temperature	Reasonable Ventilation	Alarms Work	Adequate Lighting	Toilets Work	Legal Aid Notice Displayed	Food Prep Area Clean	Medical Room Locked	Non English Speaking	Juven	Those with mental health issues	Those with disabilities	
TOTALS						38	2	31																											

1 detainee not seen on advice from Sgt. 1 detainee too warm

One cell's toilet flush requires attention, can still be used with outside mechanism.

1 detainee asleep.
2 detainee, spoke through hatch distressed. Sgt waiting for detainee to calm down before processing. Requested solicitor, phone call, medical assistance.

[redacted]

[redacted]

[redacted]
ed ok.



