

**Agenda Item No 8**

Report by the Clerk and Chief Executive.

**INDEPENDENT CUSTODY VISITING SCHEME:  
REPORT FOR THE PERIOD 1 APRIL TO 30 SEPTEMBER 2006**

**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 and that Committee receive a review of the operation of the Scheme in 12 months time.

This report covers activity within the Scheme in the six month period from 1 April to 30 September 2006.

**Recommended:** That the report be noted.

**Detail**

**Operation of the Scheme in the period April to September 2006**

**Numbers of Independent Custody Visitors**

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

<b>Panel</b>	<b>1 April 2006</b>	<b>30 September 2006</b>
Barrow	9	15
Kendal	11	15
North	9	17
West	13	15

The Authority set a target of having 15 Custody Visitors in each Panel and, thanks to a successful recruitment exercise through June and July this has been achieved. However the Kendal, North and West Panels all have Visitors

taking breaks of various lengths from the Scheme and one Visitor on the West Cumbria Panel has been unavailable for a number of months due to illness. One member of the West Cumbria Panel and one member of the Barrow Panel resigned in the period covered by this report

## **Recruitment**

As referred to above there was a recruitment exercise for Independent Custody Visitors in June and July. Interview sessions were held in Barrow, Carlisle, Kendal, Penrith and Workington. As in 2005 the quality of the candidates was high and it was possible to appoint sufficient numbers of new Visitors to each of the four Panels to increase the number on each Panel to at least 15.

## **Seminars and Conferences.**

As in 2005 two Conferences have been arranged during 2006 – one for existing Custody Visitors in June and an Induction Seminar for newly appointed Custody Visitors in July.

Thirty Custody Visitors attended the June Conference the theme for which was the Safer Detention and Handling of Persons in Custody.

The Induction Seminar was attended by 23 Custody Visitors.

Lancashire Police Authority extended invitations to our Custody Visitors to attend their conferences held in Preston in April and September and two people from Cumbria attended each event. In turn we invited Custody Visitors from Lancashire to attend our Conference in June and their Scheme Administrator made the journey to Penrith. It is likely that this arrangement will continue in future years.

The Lead Member for Custody Visiting (Mrs Shaw) and a Custody Visitor from each of the four Panels will be attending the Independent Custody Visiting Association (ICVA) Annual Conference to be held in Cambridge in November.

## **Newsletters**

Two editions of our newsletter, "Independent Custody Visiting in Cumbria", have been produced and circulated in the last six months. In addition each Custody Visitor has received a copy of the ICVA magazine "Visiting Times".

## **PACE**

The newly issued PACE Codes C and H were circulated to all Custody Visitors in early August.

Code H is a new addition to the PACE Codes of Practice and it has been produced to cover the detention of terrorist suspects arrested under section 41 of the Terrorism Act 2000. The new version of Code C has had the

references to detention under section 41 of and Schedule 8 to the Terrorism Act removed, reflecting the issue of the new Code H.

They also received a new version of the Notice of Rights and Entitlements that sets out a person's rights while in police detention that is issued in accordance with PACE Code C, paragraph 3.2.

## Visits

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 and the number of visits made in this period shows an increase in the number made in the corresponding period last year. There has also been an increase in the number of detainees consenting to receive a visit. Each of the Panels cover one designated police station and a varying number of non-designated police stations, though it should be noted during the period covered by the report as an ongoing consequence of the loss of facilities at Rickergate in Carlisle there were two designated custody facilities in North Cumbria (Carlisle Crown Court and Penrith Police Station)

In the period April 2006 – September 2006 visits were made as follows:-

Panel	Police Station	No. of Visits	Detainees in Custody	Detainees Seen
Barrow	Barrow*	14	40	18
Kendal	Kendal*	24	53	26
North	Carlisle*	9	20	14
North	Penrith*	6	8	6
North	Appleby	1	0	0
West	Workington*	17	81	35
West	Whitehaven	9	0	0
West	Cleator Moor	1	0	0
West	Millom	2	0	0
<b>Total</b>		<b>84</b>	<b>203</b>	<b>99</b>

(Note: \* indicates designated police station).

Details of visits are attached at [Appendix 1](#).

In the period April to September 2005 55 visits were conducted and 70 of the 144 people in detention at the time of a visit were seen.

The vast majority of report forms produced on visits state that there are no matters of concern. Issues that have been raised are –

1. Ongoing concerns of the North Cumbria Panel concerning the temporary facilities available at the Crown Court.

2. The Kendal Panel has again highlighted the desirability of installing CCTV cameras in the exercise area. They have also expressed concern at the delay in repairing a toilet flush in one of the cells.
3. The Barrow Panel has raised concerns about the quality of the building work in the custody suite.
4. Delays gaining access to the cell area have not been an issue in the period covered by this report apart from two separate instances at Whitehaven.
5. Visitors have also queried the adequacy of the number of blankets available for detainees and the procedure for providing clean mattresses.

All of the issues above have received satisfactory responses from the Constabulary.

**C R Alcock**  
**Clerk & Chief Executive.**

19 October 2006

**Background papers:** Report to, and Minute of, Cumbria Police Authority on 17<sup>th</sup> September 2004.

**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.