

CUSTODY VISITING SCHEME: ANNUAL REPORT

PURPOSE OF THE REPORT

1. To review the performance of the Custody Visiting Scheme.

PERIODIC REPORT

2. The reports from the Convenors of the three Panels on the operation of the scheme and the visiting statistics during the period October 2009 to March 2010 are attached as follows:-
 - (a) Eastern Panel – Appendix 1
 - (b) Northern Panel – Appendix 2
 - (c) Western Panel – Appendix 3

ANNUAL REPORT

3. Details of the annual statistics for the Custody Visiting Scheme for 2009/10 and a comparison with the previous year, are attached as Appendix 4.
4. There are currently 44 Custody Visitors. Each Custody Visitor Panel is responsible for one custody suite which is visited twice a week.
5. In 2009/10, Custody Visitors made a total number of 290 visits compared to 293 visits in 2008/09. Of the 3345 persons being detained at the time of the visits, 962 were unavailable to accept a visit for a number of reasons including in interview, asleep, doctors visit, detainee violent/drunk or Custody Visitor refusal. Of the 1451 detainees who were available and selected to be seen, 1390 (95.8%) consented to meeting the Custody Visitors and 61(4.2%) declined. In the previous year, there were 1565 detainees available to be seen and 1489 (95.1%) consented to a visit and 76 (4.9%) declined.
6. Of the detainees seen, 707 (47.4%) raised issues which related mainly to food/drink, additional bedding, information about their release, medical issues and phone calls. Last year, 753 (50.5%) detainees seen raised issues. The majority of issues raised by detainees were resolved at the time of the visit by the Custody Officer. Any issues, which cannot be resolved by the Custody Officer, are referred to the Chief Inspector responsible for custody for consideration and appropriate action. It is important to note, however, that the vast majority of reports received from Custody Visitors were complimentary about the conditions in the Custody Suites.
7. The Scheme continues to operate well in Cheshire and this was echoed in the recent Police Authority Inspection Report which stated that the scheme 'ensures the proper treatment of those detained including the most vulnerable' and referred to the increase in the acceptance rate of visits by detainees as a result of self-introduction by Custody Visitors.

2010 RECRUITMENT

8. As reported to the Committee on 3 November 2009 (Minute 31) a recruitment campaign commenced in January 2010. Over 110 people who had previously expressed an interest in becoming a Custody Visitor were invited to complete an application form. Sufficient applications were received for the Eastern and Western areas. However, only three were received for the Northern Area which had eight vacancies, therefore adverts were placed in the local press in the Halton and Warrington areas and in the local Volunteer Centres. This generated 17 applications.
9. Shortlisting was undertaken by the Interview Panel (comprising of the Convenor, Members and the Chief Executive) and the interviews will be held week commencing 5 July 2010. The successful applicants will commence visiting in September, following attendance at an Induction Seminar to be held on Saturday 4 September.

ANNUAL CUSTODY VISITORS TRAINING SEMINAR

10. The annual training seminar was held on Saturday 6 March 2010 at Constabulary Headquarters. Mrs Chapman chaired the event. Also in attendance were the Chief Executive; the Chief Inspector who has responsibility for the operation of the custody suites and a Custody Duty Inspector. The Seminar was part of the ongoing training programme for Custody Visitors, and the three Panels had been consulted on what they wished to be included in the programme.
11. The event focused on questioning and listening skills and reading body language which would aid Custody Visitors when undertaking visits. The training was delivered by Detective Constables Kersten Southcott and David Aspinall of the Learning & Development Section. The training was attended by 38 of the current 44 Custody Visitors, with extremely positive feedback being received about the content.
12. Following the seminar, a joint Panel meeting was held which provided an opportunity for all Custody Visitors to raise and discuss issues of a general interest with the Custody staff.

NORTH WEST REGIONAL CUSTODY VISITORS CONFERENCE

13. Following the success of the last two year's regional conferences, it is planned to continue with this training as an annual event with the third North West Regional Conference being held on Saturday 18 September 2010 at Haydock Racecourse. Representatives from the five police authorities are currently considering and planning the programme for the day. It is hoped that presentations may include raising awareness of LGBT issues; identifying the symptoms of self-harm and autism.
14. The Conference aims to provide an opportunity for Custody Visitors and Scheme Administrators to network with colleagues from around the region. It is proposed that up to 25 Custody Visitors from Cheshire will attend along with three representatives from the Engagement Committee.

EASTERN CUSTODY VISITORS PANEL
REPORT FOR THE PERIOD 1 OCTOBER 2009 TO 31 MARCH 2010

PERSONNEL

- 1 Over the last six months the Panel has declined to fifteen experienced visitors. It has been running under strength for over eighteen months, but the required level of visits has been happily maintained by custody visitors increasing the number they normally undertake. As such, custody visitors from the Eastern Panel has provided a satisfactory attendance record over the period.
- 2 A recruiting process is now underway. Shortlisting of applicants has been carried out with interviews scheduled for July. It is hoped to increase the number of visitors to twenty with a start date in early September.
- 3 Despite the severe weather conditions earlier this year, only two visits were missed as a direct result of custody visitors being unable to reach the custody suite at Middlewich. Some custody visitors can become quite concerned if they miss a visit through no fault of their own.

ORGANISATION

- 4 The Cheshire Custody Visiting Scheme training day was held at Constabulary Headquarters on 6 March 2010 and 14 members from the Eastern Panel attended. The questioning skills and reading body language session from DCs Southcott and Aspinall were well received. Many custody visitors commented that we appeared to know more than we perhaps thought we did, but it was good to discuss the issues and techniques and take part in the exercises/workshops. The new tri-panel meeting format involved the three convenors reading through their panel's last meeting notes. It may be worthy of consideration for future training days if the key elements from the panels' last two meetings (early and late), along with the major issues raised about the visits, are submitted for inclusion in a bespoke combined document.
- 5 Members from the panel attended each of the Eastern Police Area 'Have Your Say' meetings held during the period. As part of the initial recruitment process and to advertise what we do for the Police Authority on behalf of the public, the convenor and deputy convenor undertook a talk on Custody Visiting to the 'Have Your Say' meetings in Nantwich and Macclesfield earlier this year.

DATA

- 6 As can be seen from the attached statistics, there were 49 visits carried out during the period. A total of 272 detainees (247 adults and 25 juveniles) out of 562 (533 adults and 29 juveniles) were available to be seen. 19 detainees (6.63%) directly declined a visit. This number is up on those who refused during the last reporting period (10 detainees); however, the trend has averaged out at 6.54% over the last four years so it is not seen as a major issue. (Pre self-introduction decline statistics were probably around 40-60%).

- 7 The main reason detainees were unavailable to be seen were: asleep - 53; in interview/with solicitor - 41; out of cell (reason unknown) - 16. Custody staff recommended only one detainee should not be seen, due to their drunken/violent behaviour.
- 8 A number of the detainees seen made similar requests or raised areas of concern during the custody visits (often CV lead). The main areas were: Food/drink/water - 41; Reading material - 25; Telephone/contact – 21; To see nurse/medication – 20; Information/update re: detention - 9; Child/dependent's welfare - 7.
- 9 These were brought to the attention of the custody sergeants/staff for action/consideration. The full statistics relating to these issues will be circulated and be discussed by the Panel at the next meeting.

MATTERS ARISING

- 10 Of the 272 detainees which were visited four main issues were raised relating to the availability and frequency of showers; the delay in contacting a social worker for a juvenile; the potential harm that could arise from article in a cell such as the plastic bag a blanket was provided in; and the deterioration of the decoration of some areas. These issues were brought to the attention of the Custody Staff and subsequent action was taken at the time of the visit and was also investigated by the Chief Inspector responsible for custody. The Chief Inspector has provided a full response to the Custody Visitors and these responses are discussed at Panel meetings.
- 11 Overall, comments regarding the detention officers/custody sergeants were favourable with remarks such as courteous, helpful, supportive and well looked after. However, one CV/2 reported a detention officer as brusque and not very helpful.

GENERAL

- 12 Each CV Panel in the North West was asked to take part in a custody visit on 21 October 2010 at 3.00pm to highlight national 'Injustice Week' and raise awareness of those held in custody.
- 13 On 1 December 2010, I met with the joint Audit Commission/Her Majesty's Inspectorate of Constabulary (HMIC) team during their inspection of the Cheshire Police Authority. The inspection team were particularly looking at how the Authority added value to policing in Cheshire. The Inspection Report was published on 4 March 2010 and found the Authority was 'performing well and improving'.

CONCLUSION

- 14 As a Panel, we continue to enjoy a good relationship with the custody staff at Middlewich, and they have proven themselves to be positive and responsive. In the main, the majority of issues raised are resolved at the time of the visit. Overall, another successful period for the Eastern Panel.

APPENDIX 2

NORTHERN CUSTODY VISITORS PANEL REPORT FOR PERIOD 1 OCTOBER 2009-31 MARCH 2010

PERSONNEL

- 1 The Panel has 12 Custody Visitors and although only just over half the recommended number this does not, at present, pose any problems and the regularity of visits is maintained. During the next reporting period, 15 applicants are to be interviewed and 8 will be selected in order to bring the panel up to full strength. We have had one recent resignation from due to work commitments.

ORGANISATION

- 2 There was one Panel meeting held in Warrington on 19 October 2009 and a joint meeting of all three Panels on 6 March 2010 following the annual training day. This first joint Panel meeting provided the opportunity for the sharing of issues/concerns and proved extremely useful in furthering greater cohesion between the three Panels.
- 3 At the Panel meeting on 19 October, the draft CV Complaints Procedure was submitted and a number of issues relating to the need to include timescales and sanctions were discussed. The Chief Executive agreed that the draft would be amended accordingly.
- 4 The annual Custody Visitor Training Seminar held at Constabulary HQ on 6 March 2010 looked at the use of questioning skills and reading body language. Trainers from the Constabulary's Learning and Development Department gave a presentation on the techniques used, to assist Custody Visitors when undertaking visits and interviewing detainees. This session was illuminating and thought provoking, generating a great deal of discussion amongst delegates. Custody Visitors have asked that their appreciation of the work put in by Detective Constables Kersten Southcott and David Aspinall be noted.
- 5 A brief talk on the role of the Custody Visitor was given at "Have Your Say" meetings in Warrington and Runcorn in January 2010.

DATA

- 6 There were 49 visits made during this period and a total of 590 detainees [552 adults and 38 juveniles] were recorded. 408 detainees were selected [371 adults and 37 juveniles] for a visit and of these 233 [211 adults and 22 juveniles] accepted. Only 8 detainees, all adults, refused a visit with the remainder being unavailable for the following reasons:-

In interview	60
Asleep	76
Discharged during the visit	15
With nurse	3
Advised against	13

7 The following number of requests were made during the visits:-

To see the nurse	12	Solicitor	3	reading material	7
Telephone/contact	11	Food/drink	24	exercise	15
Blanket	15	Info re detention	22	shower	1

MATTERS ARISING

- 8 A question was raised concerning the gritting of the paths on the site of the custody suites during adverse weather conditions in order to prevent any financial claims for personal injury. The advice given by C/I Crorie was that liability would only attach to the Authority if no action was taken for an extended period of time i.e. beyond that which was reasonable in the circumstances, however, considerable efforts were invested in keeping the main paths accessible throughout.
- 9 Some mattresses are old and cracked – 4 years old. We are informed that there is a replacement programme and that there are two types of mattress in use - some with an integral pillow but the majority were flat. Both types will eventually be replaced with flat ones as they wear out.
- 10 In a long period of detention [more than 24 hours] a detainee had not been made aware of the shower facility and did not therefore request it. The custody record did not indicate that this or exercise had been offered. This question has arisen before and there are no special rules or provisions that equate entitlement to period spent in custody - both would be available on request, but prioritised according to other immediate requirements.
- 11 Could the process for updating detainees on their likely period of detention be improved? C/I Edgar advised that detainees were updated at each detention review stage and that Evidence Review Officers would now be updating custody records with more information, to enable custody staff to have a greater understanding of the potential detention periods.
- 12 How could Custody Visitors ensure that a request/action recorded on the visit report form was undertaken? The Chief Executive advised that custody staff would progress any actions at the time of the visit or when practicable and that all requests would be documented on the custody record.

APPENDIX 3

WESTERN CUSTODY VISITORS PANEL REPORT FOR THE PERIOD 1 OCTOBER 2009 TO 31 MARCH 2010

1 PERSONNEL

The panel currently has 17 visitors, with one having left during the period. A further three visitors are expected to be appointed in the summer, when the interviews are to be held.

2 ORGANISATION

The panel meeting held in October was well attended. A joint panel meeting of all three panels was held after the training seminar in March. The content of the training seminar, "questioning skills and reading body language" was very well received and thought provoking. "Have your say meetings" were attended by Peter Musker and myself, where we gave a short presentation on the role and responsibilities of the Custody Visiting Scheme.

The re-arrangement of frequency of panel meetings seems to be working well and visitors are kept updated on developments.

3 DATA

The attached matrix shows the relevant figures for the Western Panel.
93.6% of detainees selected and available to be seen accepted a visit.
6.4% of detainees refused a visit.
38.2% were not available to be seen.

The main reasons we were not able to see detainees was due to them being interviewed or asleep.

4 MATTERS ARISING

The panel members have been allocated passes which enables them to gain access to the reception area of the suite. Any issues which may have arisen at Blacon have been dealt with speedily and efficiently at the time of the visit by all the Custody Sergeants and staff. The only ongoing issue is the condition of some of the mattresses, but I understand that a replacement programme is in progress.

5 CONCLUSION

The panel works well together and all are committed to their role. At Blacon, we have a good working relationship with the Custody Staff.

APPENDIX 4

ANALYSIS OF VISITS MADE BY ALL THREE PANELS

	2008/09	2009/10
NUMBER OF VISITS MADE	293	290
NUMBER OF DETAINEES <i>(all persons held in custody at the time of visit)</i>	3823	3345
DETAINEES NOT AVAILABLE FOR A VISIT	816	962
DETAINEES DECLINING A VISIT	76	61
DETAINEES CONSENTING TO A VISIT	1489	1390
DETAINEES NOT SELECTED FOR A VISIT	1442	932
DETAINEES RAISING ISSUES	754	

TIME	NO. OF VISITS	
	2008/09	2009/10
00.00 - 06.00	1	
06.00 - 09.00	17	16
09.00 - 12.00	98	102
12.00 - 15.00	45	46
15.00 - 18.00	29	44
18.00 - 21.00	90	72
21.00 - 00.00	13	10

DAY OF WEEK	NO. OF VISITS	
	2008/09	2009/10
MONDAY	53	37
TUESDAY	40	44
WEDNESDAY	30	38
THURSDAY	27	33
FRIDAY	57	59
SATURDAY	39	45
SUNDAY	47	34