

Independent Custody Visiting Scheme

Annual Report
April 2021 – March 2022

9



Foreword from Police and Crime Commissioner Lisa Townsend

I am delighted to present the Independent Custody Visiting Annual Report for 2021/22. Independent Custody Visitors (ICVs) carry out an essential role by checking on the welfare and fair treatment of individuals in custody which helps improve the service provided by Surrey Police. They give up their time on a voluntary basis and I remain incredibly grateful for the dedication and care they give to every visit in Surrey.

Custody is a busy and vital part of daily policing but it is often forgotten among the many jobs our officers and staff do. ICVs open custody up to independent scrutiny, ensuring not only that we meet the highest standards of equality and care for individuals with a wide range of needs and backgrounds, but that we effectively support the welfare of our custody teams too.

The impartial and relaxed nature of ICVs can have an immediate effect in reducing the impact that being detained can have on an individual, including vulnerable adults and children. It could be something that seems small, such as requesting a blanket in a cold cell or providing the reassurance that cultural or religious needs are respected.

In the last few years, the scheme has also needed to navigate the challenges presented by the Covid-19 pandemic. The work of my office, volunteers and Surrey Police has been exceptional in ensuring that custody visits, whether they were virtual or in person, remained regular and rigorous since the first lockdown in March 2020.

There are now 41 ICV volunteers in Surrey who carried out 98 visits to custody suites across Surrey in the last year, amounting to 300 hours volunteered.

This is only made possible by the passion invested in the scheme by both the ICV Manager Erika Dallinger and all of our volunteers. I would like to thank each and every one of the team for their continued service and commitment.

I look forward to working with all of them again over the next year and continuing the support my office provides for this essential scheme in Surrey.



Lisa Townsend

Police and Crime Commissioner for Surrey

What is Independent Custody Visiting?

Independent Custody Visiting is a national requirement, detailed in a Home Office Code of Practice and supported by the Independent Custody Visiting Association (ICVA), whereby specially trained members of the public make random and unannounced visits to custody suites to check on the

welfare of detainees and the conditions they are being held in. Locally, Independent Custody Visiting is under the remit of the Police and Crime Commissioner who has authority for running and maintaining the scheme in their force area. Therefore, within this reporting year, this falls to Lisa Townsend.

Independent Custody Visiting provides protection to detainees and the police, and reassurance to the wider community. Volunteers from Independent Custody Visiting (ICV) Schemes across the UK independently check on the welfare of detainees who may be feeling vulnerable or confused, providing independent scrutiny of their treatment and the conditions in which they are being held. Independent Custody Visiting Schemes exist to provide reassurance to local communities that they can have confidence in the way in which the police treat people who are held in their custody.

Independent Custody Visiting allows the police to demonstrate their commitment to transparency and provides public reassurance that policing in their area is fair and in accordance with statutory legislation and guidance. The aim of this Annual Report is to ensure that this information is available in the public domain.

When recently asked why they felt the ICV role was so important, one volunteer commented: *“ICVs play a critical role in providing the eyes of the public and transparency for the police in a process that is otherwise “hidden” from public view. It is critically important that there is public confidence on what goes on behind closed doors in the custody suite and ICVs make this possible by providing truly independent reviews”.*



How the Scheme is Organised in Surrey?

Surrey Police operates from three custody suites at Guildford, Staines and Salfords (located in the Reigate area).

The cell capacity is as follows:-

- Guildford (24 cells)
- Salfords (24 cells)
- Staines (19 cells)

Each of the three custody suites has its own panel of ICVs. The panel is responsible for organising the visiting rota and undertaking the visits.

Pre April 2020 all visits without exception were, what we now class as, **Physical Visits**. This involved ICVs entering custody, talking to detainees and officers alike. During 2020 the Covid-19 pandemic presented a real challenge to custody visiting resulting in temporarily revising how visits happen whilst ensuring a level of custody oversight was maintained and meeting the PCCs statutory duties. As a result, **Oversight Calls** were instigated.

- **Physical Visits** - During a routine custody visit, a member of the custody staff escorts the visitors around the suite to ensure their safety. Independent Custody Visitors (ICVs) enter police cells and seek permission from the detained individual to speak to them. Conversations with detainees focus on welfare needs and the provision of rights and entitlements under the Police and Criminal Evidence Act (PACE). With permission from the detainee, they will also review the notes kept on their treatment during detention. ICVs are not concerned with the identity of the detainee or with the reason for their detention. Any issues raised are discussed as appropriate with custody staff. ICVs also inspect and comment on the general condition and facilities of the custody suite including the kitchen, medical room and showers.
- **Oversight Calls** - Whilst no one could question the importance of the monitoring physical visiting gives, it felt appropriate to temporarily suspend all visiting in March 2020 and implement an interim solution/alternative. Given custody visitors are all volunteers it felt unreasonable to expose anyone through custody visiting to the virus and equally for the volunteers to take the virus into custody and impact what was predicted to be stretched resources. The PCC had a duty of care to the volunteers. Oversight Calls are unannounced weekly monitoring calls between a pair of ICVs and a custody officer. During the call the ICVs will talk through each detainee, ensure they have had their rights and entitlements met, that appropriate adults and solicitors have been called and are available where necessary and that custody is happy with its hand washing and PPE provision etc.
- In both formats, ICVs look, listen, observe and at the end of each visit, report back to the Office of the Police and Crime Commissioner (OPCC) on their findings. The OPCC takes any issues raised to Surrey Police in the appropriate way, keeping ICVs informed of feedback and actions agreed.

Whilst formal restrictions had lifted during this reporting period and most visits were physical, there was some fluctuation between these two visit formats dependant on the prevalence of Covid in the community, the custody/Police resources and ICVs personal risk assessments and their preferences. It was of utmost importance that at no stage should any volunteer have felt pressurised to enter custody to conduct a visit if they did not feel entirely comfortable in doing so. As we leave this year, all visits are now back in person, as per pre 2020.

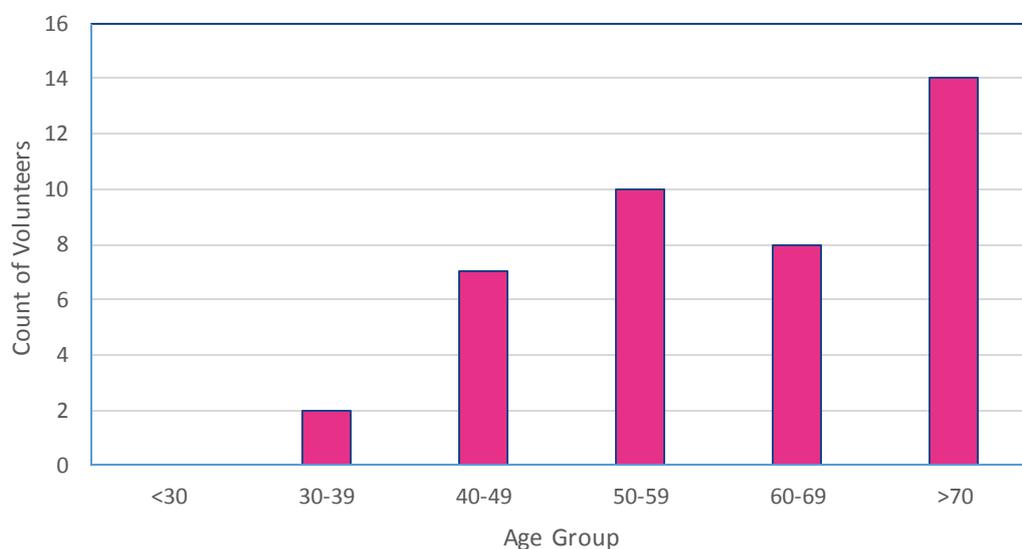
Recruitment & Demographics

ICVs are independent volunteers and must have no direct involvement in the criminal justice system. They come from a variety of backgrounds, must be over 18 and live or work within the Surrey Police area. During 2021/22 there were 41 active Independent Custody Visitors working within Surrey.

Exploring the composition of volunteers' further shows the following:

- Our volunteers are 60% female, 40% male. The census data from 2011 shows within Surrey, 51% of the entire 1,132,000 population is female, 49% male.
- The average age of our ICVs is 63. (Full details on the age breakdown are indicated in the bar chart).
- The average length of service is slightly over 6 years with over 240 years of combined service. 40% have completed over 5 years of service, with our longest serving member having 26 years of experience.
- 8.6% of all volunteers come from a known BME or Non British background.
- Over the last year, 5 volunteers moved on from the scheme and we recruited 6 new ICVs. As a result, the male/female ratio whilst still female dominated has balanced slightly and has become more representative to Surrey general population.

Age Spread of ICV Volunteers



Routine ICV Visits

Visits provide a snapshot of what is going on in custody at the time of the visit and are undertaken across all days of the week and on a 24 hour basis. Each ICV Panel aims to complete one weekly visit between the hours of 6am and 11pm and one monthly 'out of hours' (OOH) visit (between 11pm

and 6am). This is crucial to ensure that visits do not become predictable and do not occur at set times.

A major impact on the frequency of custody visiting and the figures reported on in this report was a number of suite closures. These closures were for essential refurbishment work to ensure they were legally compliant. In total, over this reporting period, Guildford was closed for 22 weeks, Salfords 10 weeks and Staines 6 weeks.

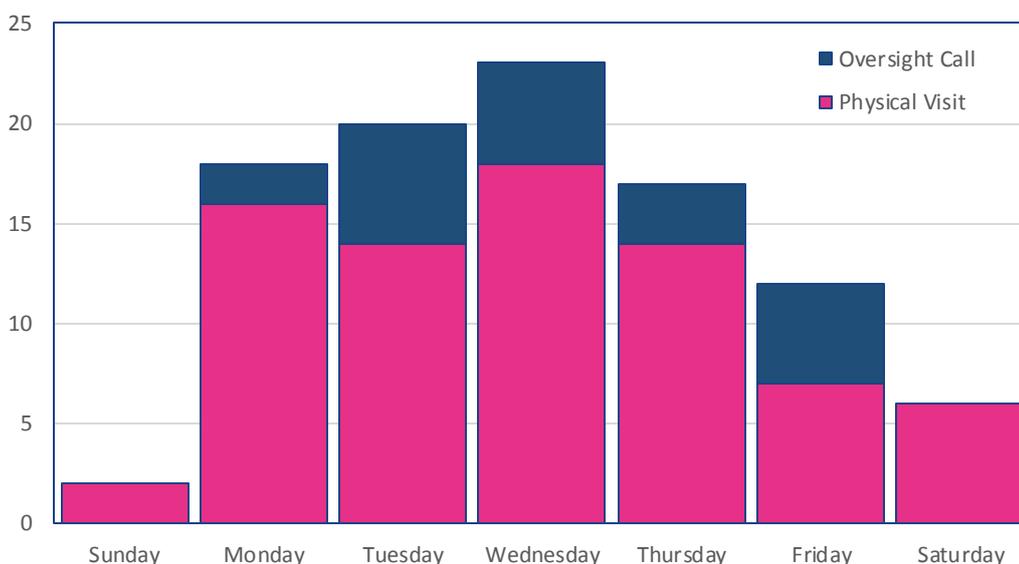
When looking at the number of visits between the 1st April 2021 to 31st March 2022, the following can be established:

- Surrey's ICVs conducted a total of 98 unannounced, random physical visits or oversight call across Surrey's custody suites.
- Surrey ICVs spent approximately 300 hours monitoring custody during the year.
- Visits were well spread over the entire week and hours of the day, thus helping keep ICV visits unpredictable. However, weekend visits are still considerably less frequent across the estate than weekday visits.
- The average (physical) visit lasted 1 hour, 54 minutes an increase year on year of 9 minutes.

ICV Visit Statistics

	Surrey Wide	Guildford	Salfords	Staines
Visits Undertaken to Date	98	26	34	38
Physical Visits	47	13	34	30
Oversight Calls	100	13	0	8

Spread of ICV Visits by Day



ICV & Welfare Checks

During the 2020/21 reporting year, a total of 10,888 people were held in Surrey custody centres, this was a decrease of 507 (4.4%) people from the previous year. At the time of the ICV visits (in either format) a total of 650 detainees were in custody (5.6% of overall annual custody population).

This sample size is significantly reduced from the previous reporting year due to suite closures (-2.1%). Of these 650 people:

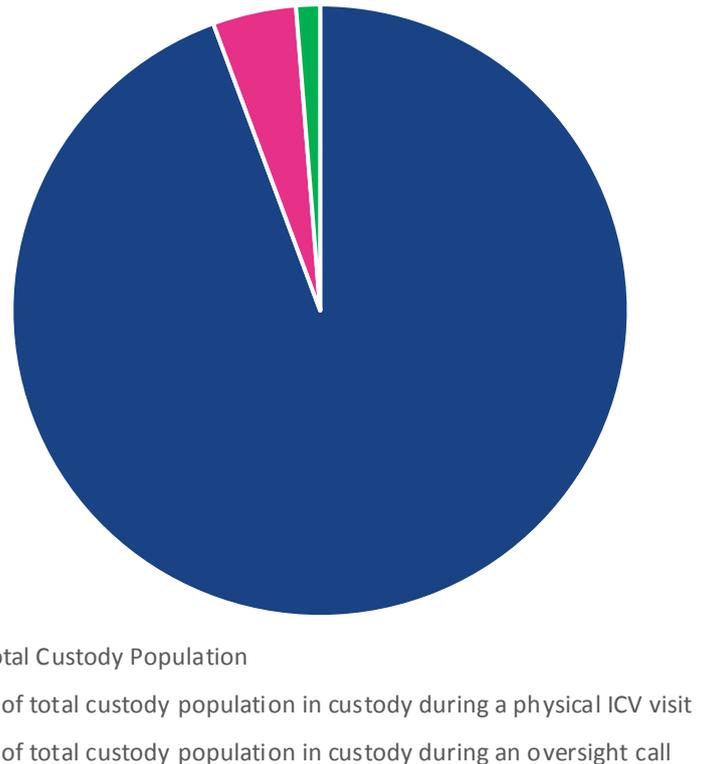
- 505 detainees were in custody at the time of a physical ICV visit.
- Of these 505 detainees, 236 or 47% were available to the ICVs (this is line with detainee numbers pre 2020). The remaining 53% of detainees were not available to the ICVs for justifiable reasons such as sleeping, being in interview or being booked in or out by the police or in rare cases due to custody being busy the detainee not selected for sampling.
- 223 of the 236 (94%) available detainees when asked by ICVs if they were willing to discuss their treatment in police custody agreed to do so (this level of engagement is the highest recorded to date).
- 9 detainees whilst declining a custody visit, agreed that the ICVs could have access to their custody record in order to obtain an overview of their treatment whilst held in custody.
- In total, 226 detainees (96%) expressively gave their consent for their custody record to be viewed by ICVs.
- Only 4 detainees refused both the opportunity to talk to an ICV and for them to review their custody records.
- 14 (3%) detainees in custody at the time of ICV visit were children or young people (in line with 2019-20 figures).

ICV Interaction with Detainees

	Surrey Wide 2021-22 Performance	Guildford	Salfords	Staines
Number of detainees in custody during ICV visits	505	100	225	180
Detainee agreed to both interview & records check	217	39	96	82
Detainee agreed to interview, refused records check	6	3	1	2
Detainee refused to interview but agreed to records check	9	2	3	4
Detainee refused both interview & records check	4	0	4	0
Number of detainees where interview wasn't possible but records were checked	226	27	110	89
Number not selected for sampling	23	13	10	0
Detainees present during an Oversight Call (therefore no opportunity to talk directly to detainee)	145	75	0	70
Number of detainees receiving some form of direct welfare check by an ICV	458	71	210	177

During visits, Surrey ICVs assume access to the anonymised custody records of detainees who are not available to them in order to have an overview of the welfare and treatment of as many detainees as possible (226 during this reporting period). Taking this into account, ICVs had some form of direct welfare access to 458 of the detainees in custody at the time of their visit. In addition to this 145 detainees' welfare was investigated with a custody officer during an oversight call (as with these ICVs had no opportunity to speak directly to the detainee or personally examine their custody records).

5. ICV Impact on Custody Population



These are felt to be positive results despite the continuing challenges from the pandemic during this period. This is largely due to the professionalism and flexibility of the volunteers and the police's continued commitment to and support of the scheme.

ICV Feedback

ICVs are encouraged to resolve minor welfare concerns raised by detainees with staff at the time of their visit. They debrief with a custody sergeant at the end of each visit wherever possible enabling clarification of issues where necessary on both sides. Any issues which cannot be resolved in custody or over the phone are always taken forward by the ICV Scheme Manager as appropriate. Concerns reported to the Scheme Manager are logged and followed up with the Force. The outcomes are notified to all ICVs to enable discussion at panel meetings and cross-panel learning.

In the period covered by this report, ICVs raised, monitored, and resolved concerns around issues such as:-

- Staff Morale & Shortages – With the continuing covid pandemic effecting staffing levels, suite closures and a number of vacancies, at times during 2021/2 ICVs have reported on low staff morale. Whilst there has never been a suggestion that this has been to the detriment of detainees, there has been an open dialogue between the Inspectors and ICVs on the matter with chief officers making decisions and changing rotas to help aid morale.
- Health Care Practitioners (HCP) Shortages – Whilst not directly employed by Surrey Police, Mountain Healthcare who provide the HCPs have also struggled with vacancies and recruitment, resulting at times in not every suite having a HCP available. ICVs have actively monitored this and looked to ensure that any detainee in custody affected by these shortages has had the same access to health care as the other suites (and as is stipulated in law).

Pleasingly, adjustments were continually reported to be made, with HCPs travelling between suites as necessary.

- Record Keeping – During a detainee’s stay in custody a detailed record is kept of their care. It is essential this record is a thorough and accurate reflection of their stay in custody as detainee care can directly impact investigation proceedings as well as contravening the law. Anybody reading these records should be left in no doubt what happened during a detainees stay and why. At times ICVs have picked up on issues that these ‘whys’ – the rationale behind decisions – is not being recorded. An example of this being where a strip search was authorised but reasons not recorded. ICVs automatically flag these to the Sergeant on duty so it can be rectified immediately. Due to the frequency of these, it has also become a topic which is now being covered on specific officer training.

In addition to these wider issues, ICVs have the chance to impact the custody experience for individual detainees they meet. An ICV recalls such a situation: *“On our cell visits we spoke to a distressed detainee who was quietly spoken and very tearful. During our meeting it became clear that they felt they could not use the toilet facilities in the cell (due to a perceived lack of privacy). Upon asking if they needed to have use of such facilities urgently, and getting a positive reply, we asked the Custody Officer if they could use the disabled ones. We were pleased that the Custody Sergeant moved very fast to facilitate this.”*

ICVs also continue to regularly comment on the exceptionally good care being given by custody staff to detainees. They highlight the massive concern for welfare demonstrated by the staff and the desire for people to leave custody in a better position than when they arrived. The ICVs passed on their congratulation and thanks to all involved. One ICV commented that they always see staff *“working hard to ensure the safe and professional care of all those who, for whatever reason, find themselves in Police custody”*. Another ICV comments *“towards the end of a recent visit, a detainee remarked “This is the best police station I have ever been in”. What this does show is that, even when outside influences are immense (such as Covid, staff shortages and suite closures), the staff in custody remain totally professional, caring and committed to their jobs”*.

When asked about the reception of the volunteers into custody by both the officers and detainee, all responders commented positively which is essential to a smooth running, successful scheme. *“As an ICV, I enjoy being part of a friendly and supportive team with this responsibility, the growing familiarity with the operations of the custody suite and meeting both the custody officers and the detainees. It is very rewarding to know that a conversation with a detainee at a stressful time in their lives may have made a difference to his/her experience in custody, even if no issues need to be resolved, but more if so. It is satisfying to be able to pick up on any issues and to know that these will be addressed with respect to a particular detainee or more generally within the custody suite.”*

The HMIC inspection of Surrey’s custody in late 2021 congratulated the scheme and the Force on their close and beneficial relationship and strong oversight, noting *“the force is open to external scrutiny, and the independent custody visitors (ICVs) have good access to the suites and visit each site weekly. Custody staff respond quickly to any problems raised and this is monitored by the chief inspector and the ICV scheme manager”*.

Training & Other Events

The best custody visiting schemes have the best trained custody visitors and we take our responsibility in keeping our ICVs up-dated on changes in the custody environment relevant to their role very seriously.

In addition to the quarterly panel meetings which provide a networking and training opportunity, regular standalone training sessions were offered in 2021/2. These included online sessions on diversity delivered by an

external provider, sessions on the care of children in custody, mental health and sessions covering the legal requirements regarding the length of stay of detainees and the frequency of detention reviews.

Additionally national ICV training resources were used and both ICVA's Scheme Manager and Volunteer conferences were attended.



Regional Collaboration and ICVA

The South East Regional ICV Scheme Managers (Hampshire, Sussex, Surrey, Kent and Thames Valley) exchange information and share best practice on an informal basis.

The Surrey ICV Scheme continues to be an active member of the Independent Custody Visiting Association (ICVA) and Erika, Surrey's ICV Scheme Manager remained as a Director of ICVA during 2021-2. ICVA provides access to training for ICVs at all levels as well as support and reference for the Scheme Manager.

Looking Ahead

ICVs continually report on a well-run custody who value their visits, however challenges and opportunities continue to exist. The 3 key priorities for Surrey's ICV Scheme as we enter 2022/23 are as follows:

- Supporting Custody Scrutiny Panel – Surrey Police have established a custody scrutiny panel in line with the level of scrutiny shown to other areas in the force. This brings together a range of interested parties, with the ICVs playing a critical role in these meetings and the oversight they provide. This panel is still establishing itself and custody visiting has the opportunity to play a key role.
- Electronic Reporting – To date all reporting done by ICVs is paper based and handwritten. We have started to move to an electronic online system which will allow for greater data capture and interrogation by the Office of the Police & Crime Commissioner and make the reporting process easier for ICVs.
- Supporting the Force on actioning the HMIC recommendations. The November 2021 inspection highlighted 2 causes for concern which ICVs are now proactively monitoring and feeding back to the Force to help aid improvements (the report can be read here <https://www.justiceinspectorates.gov.uk/hmicfrs/publications/unannounced-inspection-of-police-custody-suites-in-surrey/>).

9

Volunteer & Make a Difference

If you are interested in finding out more about Independent Custody Visiting, please contact us. We would like to hear from you if you:-

- Are over 18
- Live, work or study within the Surrey Police borders
- Are able to communicate well with a diverse range of people
- Are able to work as part of a team
- Are flexible and reliable
- Are a good listener
- Are objective and non-judgemental
- Are able to maintain confidentiality
- Have lived in the UK for the past three years

An application pack can be downloaded from our website at <http://www.surrey-pcc.gov.uk/independent-custody-visiting/>

Contact Details

Erika Dallinger
ICV Scheme Manager
Office of the Police and Crime Commissioner for Surrey
PO Box 412
Guildford
Surrey
GU3 1BR

Telephone: 01483 630200

E-Mail: surreypcc@surrey.police.uk

Website: www.surrey-pcc.gov.uk

9