

**THE OFFICE OF POLICE AND CRIME COMMISSIONER  
FOR DERBYSHIRE  
DECISION RECORD**

<b>Request for PCC Decision</b>	<b>Received in OPCC Date: 4 September 2013</b>	<b>OPCC Ref: 68/13</b>
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**Title: ANNUAL REPORT FOR THE INDEPENDENT CUSTODY VISITING  
SCHEME**

**Executive Summary: To be completed by PCC Specialist lead**

The Joint Derbyshire Police Authority and Police and Crime Commissioner for Derbyshire Independent Custody Visiting Scheme Annual Report for 1 April 2012 – 31 March 2013 was attached to the report at Annex A for noting.

As the lead for the Independent Custody Visiting Scheme, Deputy Police and Crime Commissioner Dhindsa to write a letter of thanks to the ICVs for their commitment to custody visiting throughout the year.

**Decision**

**Resolved that**

The report be noted.

That Deputy Police and Crime Commissioner Dhindsa write a letter of thanks to ICVs for their commitment to custody visiting throughout the year.

**Declaration**

I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct for the Police and Crime Commissioner for Derbyshire. Any such interests are recorded below.

None

The above request has my approval.

**Signature**

**Date** 16 September 2013

**PUBLICATION SCHEME CONSIDERATIONS**

**Is the related Section B report to be published** Yes

If no, please indicate relevant exemption

**Is the publication of this approval to be deferred** No

If Yes, provide reasons below

**Date to be deferred to –**

NB Statutory Instrument 2011/3050 (as amended by SI 2012/2479) states that: *all decisions made by a PCC are in the types of information that must “be published as soon as practicable after it becomes available to the elected local policing body”.*

**OFFICER APPROVAL**

**Chief Executive or Nominee:**

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report.

I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner

Name David Peet (Chief Executive)

Date 16 September 2013

**STRATEGIC GOVERNANCE BOARD**  
**16 SEPTEMBER 2013**  
**REPORT OF THE CHIEF EXECUTIVE**

**7A: ANNUAL REPORT FOR THE INDEPENDENT CUSTODY VISITING SCHEME**

**1. PURPOSE OF THE REPORT**

- 1.1 To present the annual report for the ICV Scheme for the year 1 April 2012 to 31 March 2013.

**2. INFORMATION AND ANALYSIS**

- 2.1 Annual reports on the ICV and Police Dog Welfare Schemes have previously been produced for the Derbyshire Police Authority, and published on their website with copies printed and sent to local libraries for information.
- 2.2 For future years' the ICV Annual Report will form part of the Commissioner's overarching annual report, but will remain a stand-alone document, attached as an appendix to the main report.
- 2.3 Attached is the report on the ICV Scheme, produced jointly by the Derbyshire Police Authority and the Police and Crime Commissioner; which reflects the change in governance part way through the visit year. It contains detailed information including the suites visited within the year, the number of volunteers on the scheme, visit statistics and information on the issues raised.
- 2.4 It is intended to be published on the Commissioner's website and for printed copies to be sent to the local libraries for members of the public to read.

**3. RECOMMENDATIONS**

- i. To note the report.

- ii. The Deputy Police and Crime Commissioner to write a letter of thanks to ICVs for their commitment to custody visiting throughout the year.

**4. IMPLICATIONS**

All implications are assessed and scored to the table below.

**HIGH** – supporting explanation and narrative required and to be contained within the report

**MEDIUM** – narrative to be contained within the report at the discretion of the author

**LOW** – no narrative required

	LOW	MEDIUM	HIGH
Crime & Disorder	X		
Environmental	X		
Equality & Diversity	X		
Financial	X		
Health & Safety	X		
Human Rights	X		
Legal	X		
Personnel	X		

<b>Contact details in the event of enquiries</b>	<b>Name: David Peet</b> <b>External telephone number: 0300 122 6021</b> <b>Email address: david.peet.16406@derbyshire.pnn.police.uk</b>
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**BACKGROUND PAPERS**

- 1. None.

**ATTACHMENTS:**

Annex A – ICV Scheme Annual Report 1 April 2012 – 31 March 2013.



Derbyshire Police Authority



Joint Derbyshire Police Authority and  
Police and Crime Commissioner for Derbyshire  
Independent Custody Visiting Scheme

Annual Report

1 April 2012 – 31 March 2013

## **Message from Deputy Commissioner Hardyal Dhindsa**



In November 2012 policing governance changed nationally, moving from Police Authorities to Police and Crime Commissioners, in line with the Police Reform and Social Responsibility Act 2011. Whilst many areas of governance changed as a result, the impact on Custody Visiting was minimal, as Commissioners in general recognised the importance of the schemes; both for ensuring detained persons are correctly managed and taken care of, and for reassuring the public.

After his election as Derbyshire's first Police and Crime Commissioner, Alan Charles, appointed me as his Deputy Commissioner. I have extensive experience in the Criminal Justice field, as I have worked as a Probation Officer and a Strategic Manager in Inner London, Derbyshire and Nottinghamshire for over 30 years. One of my duties is to have oversight of the running of the Derbyshire ICV Scheme.

Volunteer Custody Visitors act with integrity, enthusiasm and, most importantly, impartiality. They do not take sides either for or against detainees or custody staff, but act in the best interest of all involved. They check the suites for cleanliness, make sure there are adequate stocks of supplies and talk with detained persons, raising any issues which may need to be addressed whilst they are in custody.

In 2012 we had nine new visitors join the scheme, taking our total number of ICV to twenty-eight. They have consistently visited the custody suites in Derbyshire, highlighting areas of concern as well as areas of good practice.

Both the Commissioner and I are proud to support the ICV Scheme, the people who volunteer on it and those in our office who run it; the scheme simply would not work without their energy, commitment and professionalism.

# The Independent Custody Visiting Scheme



## What is Independent Custody Visiting?

Independent Custody Visiting is intended to counter any mistrust of the Police in the local community and reassure the public that people detained in Police custody are being given access to their rights, are detained in satisfactory conditions and are having their health and well-being needs taken care of.

Prior to November 2012, when Police Authorities were replaced by Police and Crime Commissioners (PCCs), it was mandatory for all Police Authorities in England and Wales to have a robust, effective Custody Visiting scheme in place. As part of their Governance arrangements the statutory responsibility for the schemes was passed to the PCCs when they took office.

Members of the public from Derbyshire volunteer to attend Derbyshire Constabulary's custody suites to speak with people detained in police custody, raising any issues with custody staff in order to resolve them quickly.

## Who can become a custody visitor?

Applicants must meet the basic criteria outlined below:-

- 18 years of age and over;
- Have a good understanding of the English language;
- Live and/or work within the boundaries of the county;
- EU Citizens must have been resident within the UK for a continuous period of at least three years prior to application.

In order to ensure the transparency of the scheme, people with direct involvement in the criminal justice system are excluded from applying to become a custody visitor. These include:-

- Lay Justices
- Serving police officers or special constables
- Civilian police staff
- Members of the Office of the Police and Crime Commissioner

It should also be noted that having a criminal record or unspent convictions is **not** an automatic barrier to becoming a custody visitor. Once such a record is disclosed, the individual circumstances will be assessed against the needs of the post and the suitability of the application.

## How are custody visitors recruited?

The Office of the Police and Crime Commissioner (OPCC) hold open evenings, where those who are interested in custody visiting are given a tour of an empty suite by a custody officer. They are then given more information on the scheme and a chance to meet custody visitors already volunteering for the OPCC.

They are then asked to take and complete an application form which is used to shortlist applicants.

Finally, if shortlisted, they are offered an interview by a panel consisting of one custody visitor, the Inspector in charge of Custody Suites and a member of the OPCC with responsibility for the scheme.

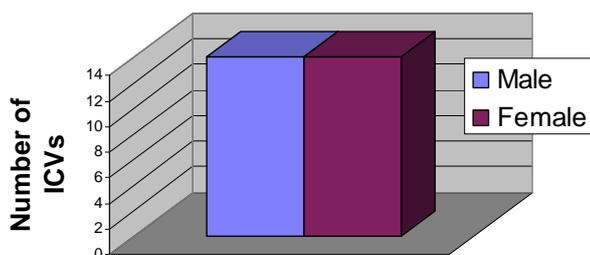
Those who are successful at interview are offered a three-year tenure as a visitor, subject to satisfactory references and security checks. If satisfactory, they are given induction training before they can begin visiting.

All new custody visitors' tenure is subject to an initial six-month probationary period.

## What is the make up of ICVs in Derbyshire?

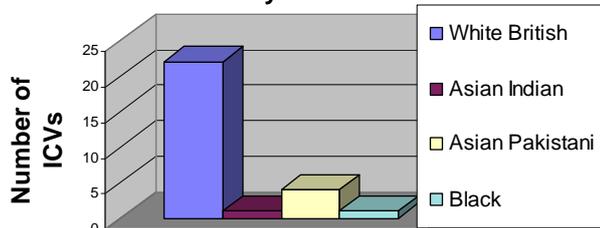
We remain committed to promoting diversity and equality of opportunity for all, irrespective of gender, ethnic origin, disability or sexual orientation. Applications from across the community are encouraged so that all people in our society are represented.

**Gender of ICVs**



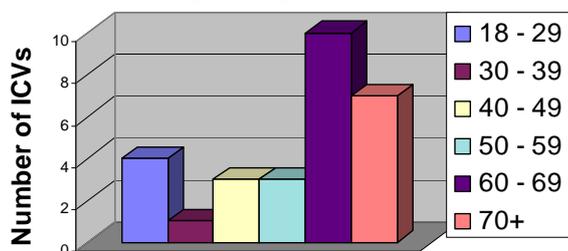
Recruitment of ICV took place over several months in 2012. These charts reflect the current make up of ICV after recruitment finished in September 2012.

**Ethnicity of ICVs**



As well as a mix of gender, ability etc, we also try to ensure a good mix of ages of ICV.

**Age Range of ICVs**



There are currently 28 ICV on the scheme, all of whom are currently actively making visits to custody suites.

## How, where and when are visits made?

Derbyshire Constabulary has three custody suites which are designated to hold detained persons 24 hours a day, seven days a week, 52 weeks of the year. These are:

Buxton - Silverlands  
 Chesterfield – Beetwell Street  
 Derby – St. Mary's Wharf

For the purposes of the ICV scheme Derby is classed as the South area and Buxton and Chesterfield are both classed as the North area. New ICV are allocated to visit in either the North or South of the county when they join the scheme; allocation being based on how close the custody suites are to their home address.

In addition to these three designated suites, there are four un-designated suites which still require two visits per year to ensure that they are kept in a ready state for any time when they may be temporarily required to house detainees. These are in Glossop, Ilkeston, Ripley and Swadlincote.

Frequent visits are made to designated custody suites, and are carried out in pairs. Staff working within the custody suites are unaware of when the visits will be made.

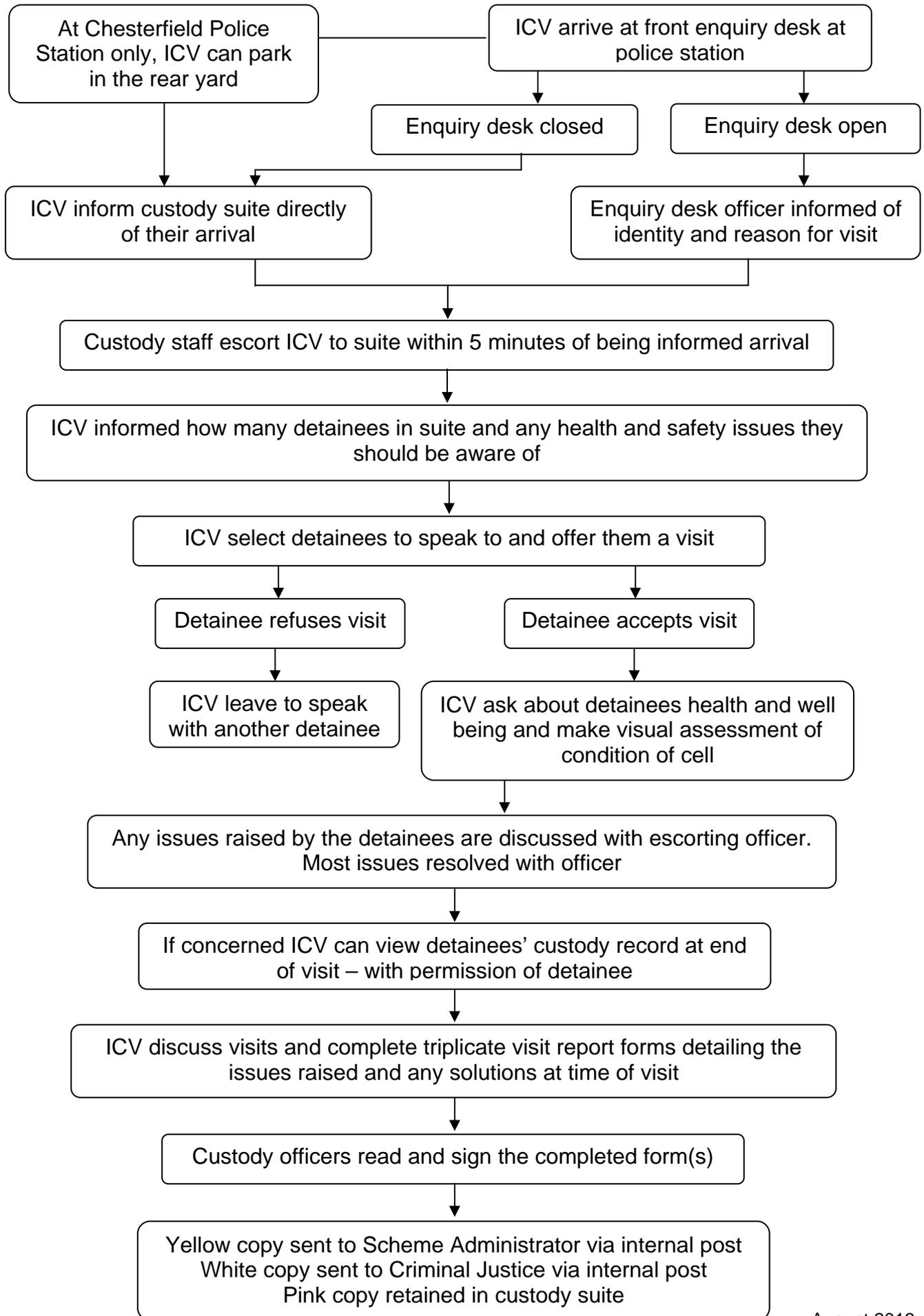
To ensure the ICV's safety, they are always escorted around the custody suite by a custody detention officer. The officer will stay within sight but out of hearing during conversations between ICVs and detainees.

Visits to un-designated suites are made twice per year and, as they do not normally hold detainees, can be made by one ICV. These visits are planned as the suites are not open all the time and therefore require someone to meet the ICV to show them around the suite.

ICV receive a visit rota every month which tells them who their next visit partner will be and gives them a broad timeframe of when they should make a visit. The detail of the monthly rota is only known to the ICVs and to Scheme Administrator within the Office of the Police and Crime Commissioner who prepares it.

When they receive the rota, the ICV will agree between themselves what day and time they will meet to make their visit. Typically each ICV will make two visits per month.

A typical visit process:-



## Visit Statistics 2011 - 2012



The four tables immediately below provide statistics from 1 April 2012 to 31 March 2013, compiled from the completed visit report forms. It should be noted that the number of detainees only refers to those people who were in custody at the time of the visits, not at any other time.

Detainees have the right to refuse to receive a visit from an ICV should they wish.

### Buxton Custody Suite

Number of visits made	53
Number of detainees in custody	128
Number offered a visit	93
Number refused a visit	5
Number Seen	88
Number Not Seen (other than refused)	35

### Chesterfield Custody Suite

Number of visits made	85
Number of detainees in custody	441
Number offered a visit	245
Number refused a visit	15
Number Seen	230
Number Not Seen (other than refused)	196

### Derby Custody Suite

Number of visits made	92
Number of detainees in custody	1397
Number offered a visit	564
Number refused a visit	40
Number Seen	524
Number Not Seen (other than refused)	833

### Breakdown of visits

Total number of visits made	230
Weekday visits made	174
Weekend visits made	56
Morning visits made	88
Afternoon visits made	78
Evening visits made	64

There may be many reasons why a detainee is not seen by a custody visitor – they may be in interview at the time of the visit, asleep or the custody visitors may have been advised not to visit them for safety reasons.

In cases where the detainee is in the cell but the ICVs do not offer them a visit, ICVs may quickly look through the observation hatch to re-assure themselves that the detainee looks to be fit and well.

Juveniles can be seen by their own agreement and do not need an appropriate adult present in order to see custody visitors.

Under the Police Authority statistical reports were presented to the Professional Standards Panel on a quarterly basis. When the Police and Crime Commissioner came into office the meetings which had taken place under the Police Authority were disbanded. The main meeting of the Commissioner is the Strategic Governance Board, and reports are now presented to this board on the same basis. They are then published on the website [www.derbyshire-pcc.gov.uk](http://www.derbyshire-pcc.gov.uk).

Statistics are compared on a quarterly basis with the four other East Midlands regional custody visiting schemes. These are in Leicestershire, Lincolnshire, Northamptonshire and Nottinghamshire.

Authority	No. Actual visits	No offered visit	No. refused visit	No. seen	No. Not Seen (other)
Derbyshire	235	929	62	867	1096
Leicestershire	154	620	12	608	653
Lincolnshire	256	691	28	663	287
Northamptonshire	172	865	15	645	205
Nottinghamshire	251	1098	78	1020	438

## Issues raised as a result of visits

ICV make custody staff aware of issues raised at the time of the visit, and custody staff deal with most of them at that point. The issues and solutions are recorded on the visit report form and the Scheme Administrator monitors how frequently they happen. If a pattern emerges further action can be taken.

The table below shows the number of times issues were raised at each designated suite over the year.

**Visit Issues (no follow up) - 1 April 2012 - 31 March 2013**

Issues Raised	Buxton		Chesterfield		Derby	
	No. times raised	% of DPs with issue	No. times raised	% of DPs with issue	No. times raised	% of DPs with issue
Food Requested	2	2%	19	8%	43	8%
Refused/did not like food	0	0%	12	5%	11	2%
Drink Requested	2	2%	28	12%	103	20%
Phone Call*	0	0%	13	6%	22	4%
Notify/not notify - family/friend	3	3%	12	5%	31	6%
Visit from family/friend	0	0%	1	0%	4	1%
Solicitor*	1	1%	12	5%	15	3%
Interpreter*	0	0%	3	1%	3	1%
Appropriate Adult*	0	0%	1	0%	0	0%
Rights/entitlements	0	0%	3	1%	8	2%
Update requested	2	2%	4	2%	12	2%
Blanket requested	1	1%	6	3%	52	10%
Cell too warm	1	1%	0	0%	1	0%
Cell too cold	1	1%	0	0%	1	0%
Call Bell**	0	0%	0	0%	0	0%
Exercise Yard*	3	3%	1	0%	31	6%
Shower - access to	2	2%	5	2%	18	3%
Toilet - access/problem	0	0%	3	1%	6	1%
Reading Material*	0	0%	8	3%	20	4%
Medication*	5	6%	18	8%	48	9%
Dr/Nurse/Healthcare*	3	3%	6	3%	24	5%
General health issues	1	1%	9	4%	16	3%
Detainee with injuries	1	1%	4	2%	11	2%
Clothing/Footwear*	0	0%	1	0%	11	2%
Miscellaneous	1	1%	5	2%	24	5%
Advised not to see	0	0%	1	0%	3	1%
Stores (food/blanket etc) Insufficient stocks/unclean/untidy	0	0%	0	0%	0	0%
Cell/Custody Area Unclean/untidy	1	1%	7	3%	3	1%
<b>Total No. of Visits Made</b>	<b>53</b>		<b>85</b>		<b>92</b>	
<b>No DPs observed (asleep etc)</b>	<b>8</b>		<b>87</b>		<b>276</b>	
<b>Total No. of detainees Interviewed</b>	<b>88</b>		<b>230</b>		<b>524</b>	
<b>Total Number of Issues Raised</b>	<b>30</b>		<b>182</b>		<b>521</b>	

\*required / requested / awaiting

\*\*not working/slow to answer

The below tables show the issues that were raised as well as the compliments given at each custody suite through the year.

Complaints raised at Derby Custody Suite:-

Issue Raised	Action Taken
<p>On visit on 6 March DP reported to ICV that he "didn't feel respected" when booked in (booking in witnessed by ICV). No wish to complain was recorded. On 11 April the issue was brought up by the ICV to be followed up.</p>	<p>Despite the lengthy delay in the ICV raising this as an issue, the Officer concerned was identified and the issue was raised and discussed by the Inspector. The ICV was also advised that as there was a delay in reporting this as an issue it meant that the CCTV for the incident could not be retrieved and therefore verified. Issues should be raised immediately after the event. .</p>
<p>It had been agreed at the HQ Meeting on 28 March that DPs should be informed immediately when calls are made to family &amp; friends - is this happening?</p>	<p>Queried with custody suite Inspector. DPs are informed as soon as possible when calls are made, but sometimes not possible immediately due to the investigation.</p>
<p>Staff responded promptly to requests from detainees. Several cells rather cool.</p>	<p>None - recorded on visit report form</p>
<p>DP maintains force used when arrested. Marks on wrists visible from handcuffs</p>	<p>Custody records states handcuffs only used</p>
<p>Visit took place shortly before trolley round, so drinks would be provided</p>	<p>n/a</p>
<p>Visit aborted as detainee got agitated. Vomit witnessed on floor - allegedly there for 8 hours. Also wanted nurse for an injured nose.</p>	<p>Nurse has visited 3 times. Custody Officer felt detainee making illness up to go to hospital and possible to abscond (Home Office detainee). Keeps making mess of cell for attention</p>
<p>Access delayed to DPs because computer records not available. Needed to use paper records. Six detainees only recorded because of slow system.</p>	<p>Arrived at Police Stn 8pm, in custody suite 8.03pm. Access to DPs delayed until 8:45pm. Custody staff apologised for delay and were professional &amp; co-operative. The Custody System had received a system upgrade which had slowed the system down, thus causing delays.</p>
<p>DP alleged he had been racially abused by officers. Also alleged he had not been given his anti-psychotic medication for paranoid schizophrenia.</p>	<p>Escorting CDO aware - ICV reported CDO was very angry at allegation. ICV made Custody Sgt aware but not satisfied with Sgts reaction – Sgt said he would get the Insp. to see the DP. Checked custody record re medication - was given it within 3 hrs of detention. Custody Suite Inspector reported back that he spoke to the detainee at the request of custody Sergeant. Detainee informed Inspector that he was happy with his stay in the suite and had no complaints, confirming he had been properly treated at all times. The only issue was his anti-psychotic medicine. The effect of not taking this caused him to hear voices and that he had imagined the racial abuse due to this. The Inspector double checked whether the DP wished to make a complaint; he said he did not</p>

DP alleged had been hit on head whilst being arrested and knocked unconscious - taken to hospital and then released into custody. DP not going to make a complaint but ICV wanted to raise as matter of concern	Requested in same email to check if 'Adverse Incident' raised. PA will raise with Inspector may be a divisional one was raised as he was not in custody at the time of the allegation.
ICV queried whether larger footwear for males with larger feet available - was told there was not due to budget cuts	Larger footwear has been ordered in.
Deaf DP communicated via interpreter, very complimentary of service, commended police for prayer mat and waking for morning prayers	n/a
Wanted to complain about the arresting officer, alleged he was assaulted during arrest.	Advised by ICV to speak to the custody Sergeant on release.

**Compliments raised at Derby Custody Suite:-**

I examined empty cell, exercise yard and food (for correct date) which they were
Escorting officer very good
Detainees all seemed comfortable and warm enough
Staff were very courteous
Although it was changeover time we were welcomed courteously
Custody officer was very pleasant, patient and helpful
Custody suite busy but calm
Inspected kitchens, all clean and tidy as usual. Staff always very helpful and go out of their way to help

**Complaints raised at Chesterfield Custody Suite:-**

<b>Issue Raised</b>	<b>Action Taken</b>
Blood in cell on wall, floor & mattress	DP arrested 2308 hrs previous night, was violent and had nose bleed & cut arm. DP own blood in cell. DP remained in cell, seen by ICV at 11:11 hrs, released at 11:38 hrs. Would not normally move a DP to clean a cell
Custody Staff courteous as ever. Cleaning of suite & used cells causing issues; staff undertaking cleaning & clearing during our visit. Regular cleaning staff on leave and replacement appears inadequate.	A procedure would be put in place to ensure that an adequate number of cleaners would be available at all times to ensure cover for the cleaning of the suite.
Delay in visit beginning due to servers being down & records being updated. Good visit. Accompanying officer co-operative and helpful. Cup of tea while we waited.	Email sent to Custody suite Inspectors for their information.
No custody numbers available or custody records. Computers closed for data update. Custody staff were very co-operative	none - general update to custody IT system.

**Compliments raised at Chesterfield Custody Suite:-**

We accessed the car parking successfully and made a quick access as not needing to attend main reception. Staff very courteous
All issues were dealt with very promptly today
Custody staff very helpful

As there were no detainees we visited the suite, all was clean & tidy as always
All detainees were treated very well. Custody staff cooperative and efficient
Suite tidy and staff courteous
Has been treated with respect.
Access straightforward into custody suite. Allocated parking area not available. Custody staff efficient & co-operative. Thank you
Very Helpful
Staff courteous and suite tidy
Juveniles were between ages 11 - 16. All seemed to be well treated
Good access and paperwork. Courteous attention, thank you. Busy this am
Kitchen inspected. Hot chocolate now available during past week. Sampled, very tasty
custody suite tidy and staff very helpful
Custody Sgt & staff very co-operative
Promptly seen and shown around with courtesy
As no detainees in we toured the dock. All in good condition with ongoing maintenance. Kitchen clean and well stocked. Staff very courteous.
Good access, tidy suite
Police polite and helpful
Staff very helpful
Suite tidy, staff courteous
Being escorted by Inspector Coxhead - being cooperative, staff helpful. Suite and kitchen tidy
All officers very helpful
The custody suite was very clean and tidy
Received professionally, very helpful.
Custody looks clean & bright. Kitchen inspected & immaculate. Had general tour - all wasy very acceptable
Suite clean and smelling fresh after re-decoration. Staff courteous and helpful
Suite very clean and tidy. We did not visit cells 4 & 5 due to their category. We will check this.
Everything appeared in good order. Custody officers helpful
Suite busy. Evidence of good cleaning; plentiful supply of safety suits & blankets. Staff courteous as ever
Suite clean and tidy, staff helpful and co-operative. Three cells out of commission - painting
CDP Very supportive. Suite clean.
Clean and Tidy
Staff welcoming and helpful, suite clean and tidy. Cleaner in and working
Kitchen checked - full stocked. Staff extremely courteous and efficient
Access quick. Custody staff did not know we were on the premises before we entered the suite

**Complaints raised at Buxton Custody Suite:-**

<b>Issue Raised / Comment made</b>	<b>Action Taken</b>
Computer not on line, obtained salient details from charge sheets. No custody records could be seen because of computer	

DP claimed had not been treated fairly. He believed he had been arrested over 24 hr ago - no fresh air, not told rights and 'threatened' by an officer.

ICV Reported concerns, discussed with officers and checked custody record. According to custody officers and custody record, he was very drunk and unco-operative and had refused to answer risk assessment questions. Had been in custody less than 12 hours and was due to be released as soon as alcohol levels were low enough (1 hour?) Evidence of 2 meals & several drinks in cell. Another drink provided

Compliments raised at Buxton Custody Suite:-

Detailed conducted tour of suite given - thanks
Custody Suite staff friendly & professional. All detainees treated with respect. Custody records confirm
Cells and area clean, received politely by custody staff & offered refreshments
Excellent hospitality
Polite and courteous, efficient, thank you
Area was clean and tidy
Custody suite tidy and clean. Received professionally
Treated well
Received well, all clean and tidy
Food stocks plentiful and all in date
No detainees. Suite very clean & tidy. Plentiful supply of blankets, kitchen well supplied. Staff courteous
Full tour of suite undertaken - all in very good condition
Suite clean and tidy. Staff welcoming

## **CONTACTS:**

For more information about the Independent Custody Visiting Scheme, please contact:

Louise Meehan  
Scheme Administrator  
Office of the Police and Crime Commissioner  
Butterley Hall  
Ripley  
Derbyshire  
DE5 3RS

Tel: 0300 122 6008

Email: [louise.meehan.9767@derbyshire.pnn.police.uk](mailto:louise.meehan.9767@derbyshire.pnn.police.uk)

Or

Elizabeth Kelly  
Committee Services Officer  
Derbyshire Police Authority  
Butterley Hall  
Ripley  
Derbyshire  
DE5 3RS

Tel: 0300 122 6007

Email: [Elizabeth.kelly.4817@derbyshire.pnn.police.uk](mailto:Elizabeth.kelly.4817@derbyshire.pnn.police.uk)

Or visit the Commissioner's website:-

<http://www.derbyshire-pcc.gov.uk/Get-Involved/Volunteer-Schemes/Volunteer-Schemes.aspx>