



**VERA BAIRD**<sup>QC</sup>  
POLICE & CRIME COMMISSIONER

# Independent Custody Visiting Scheme

## Annual Report

1 April 2018 – 31 March 2019



Police & Crime Commissioner for Northumbria

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## **FOREWORD FROM THE POLICE & CRIME COMMISSIONER FOR NORTHUMBRIA**

I am delighted to present our Annual Independent Custody Visiting Report as the Police and Crime Commissioner (PCC) for Northumbria. The management of an effective Custody Visiting Scheme is a statutory function for the PCC and serves to raise public awareness on the treatment of detainees, the conditions in which they are held and that their rights and entitlements are being observed. It offers protection to both detainees and the police, and also reassurance to the community that those detained in Northumbria Police Custody are treated with respect and in a safe environment.

Through the management of the scheme, the PCC plays an active role in promoting fair treatment for people in police custody, ensuring that issues relating to individuals or the custody environment are addressed appropriately. As can be seen from the analysis provided on visits undertaken, the scheme is running effectively and is well placed to continue in its aim of reassuring the public across Northumbria that independent oversight of police detention centres is robust and effective.

I would like to extend my personal thanks to all our volunteers for their steadfast commitment to this vital role.



A handwritten signature in black ink, appearing to read 'V Baird'.

**Dame Vera Baird QC**

Police & Crime Commissioner for Northumbria

## 1. Introduction

The Police & Crime Commissioner for Northumbria has a duty to implement and co-ordinate an Independent Custody Visiting Scheme. The primary purpose of the scheme is to provide independent scrutiny of Northumbria Police to ensure that detainees in custody are being treated fairly and in accordance with Code C of the 1984 Police and Criminal Evidence Act (PACE). The full version of the Act can be found at <https://www.gov.uk/guidance/police-and-criminal-evidence-act-1984-pace-codes-of-practice>.

The PCC has a dedicated member of her team who is responsible for organising and overseeing the delivery of custody visiting in Northumbria. Arrangements are kept under review and are revised as necessary and in accordance with any changes made to the Code of Practice and National Standards. Volunteers are supported in their role through contact with the office and regular meetings and training.

The scheme is reviewed on a four-yearly basis, and is written in conjunction with the Independent Visiting Association National Standards on Independent Custody Visiting and the Home Office's Code of Practice on Independent Custody Visiting.

## 2. The Northumbria Independent Visiting Scheme

The Northumbria scheme currently has 23 Independent Custody Visitors covering the seven designated police custody suites in the three Area Commands: Forth Banks, Middle Engine Lane, Southwick, South Shields, Etal Lane, Bedlington and Berwick. The number of cells in each Custody Centre is provided in the table below;

<b>Custody Centre</b>	<b>No. of cells</b>
<b>Forth Banks</b>	50
<b>Middle Engine Lane</b>	40
<b>Southwick</b>	28
<b>South Shields</b>	12
<b>Etal Lane</b>	22
<b>Bedlington</b>	20
<b>Berwick</b>	6



There are currently four panels, each with a Co-ordinator, appointed by the panel members. The Co-ordinators are responsible for the day to day arrangements of their panel including setting the rota of visits and organising panel meetings. The Co-ordinators also meet quarterly with the Scheme Manager and Northumbria Police staff. The panel carry out weekly visits which can range from 1 to 3 hours depending on the number of detainees in custody. The Panel meetings are held after the Panel Co-ordinators meetings, ensuring panel members are kept up to date on developments on custody visits and addressing any concerns as well as sharing good practice amongst the visitors.

## 2.1 The Custody Visiting Process

Pairs of visitors arrive unannounced to the custody suite where immediate access is given unless there is a health and safety reason such as a violent detainee.

The custody officer informs the visitors of detainees held and any special circumstances relating to specific detainees or health and safety issues.

Visitors have access to virtually any person detained although access may be limited or denied for their safety or if such access could interfere with the process of justice. Visitors have access to all parts of the custody suite including medical rooms, interview rooms and detainee food preparation areas.

ICVs will also check:

- Cells and toilets have been maintained
- CCTV is present and working
- Reasonable temperatures are maintained within the cells and centres
- Any medical attention or medication required has been provided
- Any visible injuries have been explained
- Female detainees hygiene concerns are addressed
- Washing facilities and access to fresh clothing have been provided
- The custody facility, food preparation areas and bedding are in a clean, tidy and hygienic condition



- The detainee is satisfied with their treatment in custody
- A reasonable period of time to rest has been given if detained overnight

- With the consent of the detainee, visitors check the custody log to confirm the detainee’s account of their detention

The visitors then complete the CV3 record form, seeking clarification of their observations and in addition, they also complete a detainee questionnaire for each detainee visited and also a custody suite checklist which is completed quarterly for each main custody station. Visitors then hand over one copy of the CV3 to be kept within the custody suite, one copy is sent to the Head of Custody, one copy is kept by the custody visitor and the other copy is sent to the Office of the Police and Crime Commissioner where analysis is undertaken.

Issues of immediate concern are raised with the Custody Sergeant. Unresolved issues or those requiring a response from the PCC are brought to the attention of the Scheme Manager. All reports completed by ICVs are assessed by the Scheme Manager with a response to each issue being provided by Northumbria Police, these update reports are then added to the PCC website. Feedback is given to ICVs on comments raised following discussion with the Custody Inspector, or in more serious instances following discussion with the Chief Inspector, the force’s lead for custody.

On a quarterly basis a meeting is held between the Scheme Manager, Panel co-ordinators and the Head of Custody for Northumbria Police. This is an opportunity for issues to be directly raised by Co-ordinators with the senior officer in charge of custody and also receive relevant updates in relation to national developments effecting their role. An annual training seminar is also arranged for all visitors on an annual basis where any National changes effecting the visiting process can be communicated to volunteers. The seminar in October 2018 focused on Mental Health in Custody and the Use of Force.

### 3. Statistics

142 visits to custody took place and 505 interviews were held in the period 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2019. The table below shows the number of visits, the total number of detainees in custody, and the amount of detainees visited during this time.

	Forth Banks	Middle Engine Lane	Southwick	Millbank – Resilience Suite	Etal Lane – Resilience Suite	Berwick	Bedlington – Resilience Suite	Total
<b>Number of visits</b>	35	37	46	1	3	15	5	142
<b>Total in custody</b>	531	488	517	0	44	0	0	1580
<b>Detainees visited</b>	168	177	150	0	10	0	0	505

### 3.3 Detainee figures 2018/2019

<b>Custody Centre</b>	<b>Number of Detainees</b>
Forth Banks	<b>13438</b>
Middle Engine Lane	<b>7801</b>
Southwick	<b>8115</b>
Millbank	<b>0</b>
Etal Lane	<b>271</b>
Berwick	<b>11</b>
Bedlington	<b>0</b>
<b>Total</b>	<b>29636</b>

A small number of detainees were unable to be interviewed for a variety of issues such as the detainee attending court, being asleep, in interview at hospital or receiving medical treatment. In some cases a recommendation from the custody staff that an individual was not safe to interview led to visual observation only being made.

147 detainees refused an interview. This is an increase on the 74 refused visits the previous year.

Custody records can be viewed by visitors with permission from the detainee or if custody visitors are concerned about the detainee's welfare but are unable to gain direct permission due to incapacity.

#### **4. Issues Arising from Visits**

Most of the issues raised by ICVs are dealt with promptly at the time of the visit. By their nature, they tend to be low level issues relating to a detainee's comfort and general level of satisfaction. Any issues of a more significant nature and which relate to a detainee's rights or entitlements would result in an ICV consulting the custody record (where permission is granted).

Any issues which cannot be rectified at the time of the visit are highlighted on the visit report form and escalated by the Scheme Manager to the Head of Custody. This is done immediately upon receipt of the form and the matter is also raised at the Panel Co-ordinators meeting.

Feedback on all comments is made by the Scheme Manager to the ICV on an individual basis, and where the issue relates to other custody centres, as an email to all.

#### **5. Overview of 2018/19**

At the quarterly panel co-ordinator meetings, co-ordinators highlighted some difficulties in communicating with detainees where English was not their first language. To ensure that

the welfare of these detainees could still be assessed, co-ordinators worked with the Scheme Manager to produce translation cards which allows questions to be asked of detainees in several languages. Each ICV was provided with a copy of the language cards and these are now being successfully used when issues arise.

ICV's attended the annual training seminar in September 2018 which provided training on areas such as Annual Training Seminar and the presentations on the 'Appropriate use of Force' and 'Mental Health' in custody which were very well received by ICVs. The feedback on the training was extremely positive and a number of ICVs would have preferred a longer session, to further explore the key issues highlighted in the training.

With the assistance of the North Tyneside Panel Co-ordinator, the detainee questionnaire form which is utilised by ICV's on each detainee visit has now been updated to ensure that ICV's are asking the most appropriate questions.

Northumbria ICV's took part in a pilot that ICVA introduced which focuses on improving the dignity for female detainees. This involved completing an additional questionnaire with female detainees, focusing on their experience in custody and the provision of menstrual products in custody. The questionnaire that had been devised was an important pilot and ICVA were supportive of custody visitors undertaking these extra questions – it allowed the National Independent Custody Visitors Association working in partnership with universities to develop research work and an understanding of what is needed in custody suites for female detainees. The work undertaken by ICVA and pilot schemes such as Northumbria resulted in recent changes to PACE regarding menstrual care and dignity in custody.

ICVA launched the Quality Assurance Framework (QAF) – a framework that articulates what a good scheme looks like and that graded schemes from Code Compliant to platinum. The QAF is an opportunity to share work, engage with colleagues and celebrate the work that ICVs complete. The Northumbria Scheme participated in the QAF Awards has won a prestigious GOLD national award for the quality of its independent custody visiting scheme.

## 6. Further Information and Contact Details

### **Dean Lowery**

ICV Scheme Manager

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