

Kent Independent Custody Visitors Annual Report 2009-2010



Foreward



Cllr Paul Godwin

Firstly, I would like to offer my thanks to all our Independent Custody Visitors, and especially welcome our excellent new recruits this year. All of our ICVs have worked extremely hard, visiting our custody suites to check on the welfare of detainees, and to ensure that conditions are appropriate for them.

I would also like to thank the Authority for its support, both financial and administrative, and its wholehearted commitment to ensuring Kent has a first rate ICV scheme.

ICVs carry out vital work, of which the general public is often unaware. However, I believe that independent oversight of custody suites not only assists in keeping standards in our suites high, but means that there is an openness and a transparency to the Police's procedures that every democratic society should value.

The number of complaints about breaches in Code C of PACE this year (from March until September) stands at 30, which is a decrease on last year. I know from the reports of the ICVs that the conditions in our suites and the work of our officers is generally extremely high, and am glad to report that the small number of issues raised have been dealt with swiftly.

I hope that you find this report informative, and would welcome any feedback.

A handwritten signature in black ink, appearing to read 'Paul Godwin', written in a cursive style.



ICVs...give up their time to visit detainees in custody across Kent. The formalisation of this arrangement, in 2002, gave the responsibility of managing the scheme to Police Authorities.

Below you will find:

- An overview of what has happened in 2009-2010
- Data on the number of visits, numbers of detainees seen, and also number of visits refused.
- The issues that have been raised- and solved- in our Police Stations
- Details of the AGM and national conference
- What's happening in the future

2009-2010

Mr Paul Godwin has been the Chair of the Professional Standards Committee for over two years, and was recently re-elected. He is a strong supporter of the scheme, and has attended the national conference and chairs the annual co-ordinators meeting.

The scheme is now administrated by KPA office manager Kelly Rooney, and by recently-appointed policy officer Laura Steward, who replaces Suzanne Pearson.

The review carried out by Ron Young during 2009 identified various concerns about the scheme, and a new set of policies and procedures were drawn up which ensured that the scheme complied with the national codes of practice. There were many changes implemented to the scheme in this period as a result of the review, including the ones above to strengthen the administrative support for the ICVs. They included: the trial and adoption of a new visit recording form and shared database to streamline data management; a major and successful recruitment drive; and agreement from panel coordinators to realign the panels so they are co-terminal with Force BCU areas. These have all led to an improved scheme that is more effective and more streamlined, and the feedback from ICVs during 2010 has been generally positive.

The other two issues that had impacted on the scheme were concerns about the availability of the custody nurse, and the proposal for self-introduction. Both will be dealt with in detail below.



Recruitment drive

At the end of 2009 there were four resignations and no new recruits, and it was decided that the scheme needed more members to ensure its success. As noted above, a significant recruitment drive was undertaken, and proved extremely popular. A round of interviews was conducted, which allowed the Authority to choose the best candidates.

So, in January and February of 2010, the KPA appointed **14** new members to the scheme. Some more members have since left the scheme, but there are currently 46 members visiting the stations across the County.

Sadly one of our Medway members, Fred Bacon, died this summer.

ICV numbers

As mentioned above, the scheme is running at near full strength at the present time. The split across the BCUs is as follows:

Panel	No. of ICVs
North Kent	5
South Kent	7
West Kent	7
East Kent	10
Mid Kent	10
Medway	10

Overall, there are 46 ICVs across Kent, with some ICVs visiting in two BCUs, which accounts for the apparent discrepancy above.

ICVs' visits

ICV Panel	Custody Suite	Number of visits 2009-2010	Number of detainees seen 2009-2010	Number of detainees not seen 2009-2010	Number of detainees refusing visit 2009-2010	% detainees take-up
North Kent	North Kent PFI	11	30	24	0	100%
	Bluewater	4	11	2	0	100%
West Kent	Tonbridge	16	42	12	1	98%
Mid Kent	Maidstone	21	33	32	20	62%
	Sittingbourne	11	17	11	0	100%
Medway	Gillingham	36	167	107	43	80%
East Kent	Canterbury	16	18	21	0	100%
	Margate	19	37	34	1	97%
South Kent	Dover	11	19	12	1	95%
	Folkestone	14	37	21	7	84%
	Longport	0	0	0	0	N/A
	Ashford (<i>closed March 2010</i>)	2	2	0	0	100%
Total		161	413	276	74	85%

It was apparent that for every BCU, the number of visits increased as the year went on, reflecting the fact that there had been a new intake of ICVs at the beginning of the year.

Although this is a significant number of visits, it is down on the previous year's level of 202 (and in 2007-8 there were 210) and the previous year's number of detainees visited, which had been at 638. As there were only half the number of refusals this year compared to the previous year (74 compared to 131), this may be accounted for in part by the high number of detainees not seen. However, it does still equate to an 85% take-up rate, which is a slight improvement on the previous two years.

Issues for each BCU

ICVs and the Authority have been able to review and record the conditions in the custody suites with greater clarity, owing to the new system that was introduced in January this year. A new form is completed, and the details are recorded on a shared spreadsheet so that issues can be quickly identified and responses made.

As such, it is easier to identify the specific areas of concern for each BCU, and below is a snapshot of issues that the ICVs have raised and helped rectify in this year.

In [North Kent](#), the ICVs identified that the Bluewater custody suite was being used as a base for neighbourhood beats and the medical room as a bicycle store. This was corrected.

In [Medway](#), there have been concerns about checks on detainees, and paperwork being filled in correctly with regard to their monitoring. There were also issues raised about dirty linen being kept in the same area as the DNA fridge. These issues have been rectified and are being monitored.

In [West Kent](#), there were again issues surrounding soiled linen and its storage, but this has now been resolved.

In [Mid Kent](#), the ICVs' main concerns were around maintenance, the availability of the nurse and the lack of ICV forms. Custody nursing has been reviewed across Kent to try to address these issues, and the maintenance issues have been addressed.

In [East Kent](#), similar issues were raised about nursing provision and maintenance, and are also being addressed.

There have been no significant issues for the ICVs in [South Kent](#) during 2010, which is excellent news.

Issues overall

From December 2009 to September 2010 (the latest figures available) there have been 60 allegations of breaches of Code C of PACE recorded.

Of these, 18 were dealt with by local resolution, and six were substantiated. There are 15 still live, and the rest were either withdrawn or unsubstantiated in some form. The vast majority of the substantiated or locally resolved complaints concerned detainees not being provided with accurate and timely information; others concerned access to legal representation, provision of food and water or medication, and informing relatives.

AGM and national conference

An AGM was held at Kent Police College for all ICVs on 29 April, and was attended by 21 members and representatives from both the Force and Authority. The meeting considered the following items:

- The principle of self-introduction and whether it should be introduced in Kent. The discussion revealed that most of the ICVs held strong views about the topic, some in favour and some firmly against. It was agreed that the KPA would carry out a wider consultation on the issue, which was conducted over the summer. The results of this can be found in the main body of the report to the November Professional Standards committee, and are also summarised below.
- Kent Police's review of custody
- The initial findings from the mental health nurses pilot that has been running in several custody areas.

The feedback from attendees was very positive.

The annual national conference is being held on 13 November in Leeds. Agenda items include:

- Jane Van Zyl, The Samaritans
- Nicholas Long, IPCC
- Sean Duggan, Sainsbury Trust
- Representation from the Home Office
- Alison Kilpatrick, Human Rights Adviser – Northern Ireland Policing Board.

Kent ICVs will be in attendance.

Nursing provision

A significant concern for ICVs has been the provision of custody nurses in the suites across Kent. Many ICVs felt that detainees were not receiving prompt enough attention, and this was highlighted regularly on their visits.

The Force has also been investigating improving provision. It had been reflected in the NPJA peer review that nursing provision was not as good as it could be. There was also a cost involved in calling out FMEs late at night to attend to detainees.

The rationalisation of the custody suites (mainly the closure of Ashford) has allowed the Force to rearrange the provision, and custody nurses will now be available until 5am, as opposed to 2am. This new arrangement will be monitored to ensure that it meets detainees and custody sergeants' needs, and the ICVs will be a key part of this.

Self-introduction

As noted above, following on from the AGM it was decided that ICVs should be consulted about the principle of self-introduction. This was carried out over the summer, and the full report is in the November professional standards committee papers and will be sent to all ICVs.

ICVs were very divided on the issue, with some strongly in favour, and yet others were so opposed that they stated they would resign should self-introduction come in. The main points in favour were that it may increase the take-up of ICV visits, and would present ICVs as more independent. However, it was felt that as take-up was already high, any improvement would be marginal at best.

Whether to proceed with self-introduction, or whether to retain the current scheme, is to be decided by the committee in November; the recommendation is that, for the reasons above, that the current scheme is preserved and that self-introduction be reconsidered at a later date.

The year ahead for ICVs

A new recruitment drive for ICVs has already started, and adverts will appear in 'Policing Kent' magazine.

As mentioned above, Kent ICVs will be involved in monitoring the effectiveness of the new arrangements for Forensic Nurses in custody suites.

The most significant issue for ICVs, as for everyone in Kent Police, will be the significant budget cuts that have just been announced. This is also a main driver behind the potential reorganisation of the Force, which will have an impact on custody provision.

ICVs will be kept up to date on this by the Authority. The first significant discussion of the issue was at the ICV co-ordinators' meeting in October; however, this report was distributed before that meeting had taken place, and a verbal update was given at the Professional Standards meeting in November.

How can you apply?

Applications are made to the Authority, and the details will be included in the recruitment drive.

The scheme administrator can be contacted for more details on either:

Kent Police Authority ICV scheme

C/o Kelly Rooney

Gail House

Lower Stone Street

Maidstone

KENT

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