



Strategic Policing and Crime Board

19th December 2023

Title: Safer Custody: Independent Custody Visiting and Appropriate Adults

January 1st – October 31st 2023

Police and Crime Plan Priority: Working in partnership, Good governance, transparency, Increase confidence, equality and public engagement, Safer detention

Presented by: Jenson Bloomer & Andrea Gabbitas

Purpose of paper

Safer Detention Update

Independent Custody visiting is an integral part of the Police and Crime Commissioner's Police and Crime Plan (2021-2025)

Working in partnership with volunteer members of the community, custody visiting is a means of building public confidence in the standards of police custody and providing independent, transparent, assurances, that people detained in custody are being cared for appropriately, safely, and their `rights and entitlements` upheld.

The objectives of the Custody Visiting Scheme are to enable members of the community to independently:

- (a) observe, comment and report upon the conditions under which persons are detained at any police station, including the operation, in practice, of the statutory and other rules governing their welfare;
- (b) secure greater public understanding and confidence in these matters; and
- (c) provide an independent check on the way officers in custody facilities carry out their duties with regard to detainees.
- (d) Raise concerns on their findings and observations with the OPCC via the Safer Custody Officer.

Background

1. Police and Crime Commissioners are required, by statute, to operate an Independent Custody Visiting Scheme (ICVS) in consultation with their chief police officer.
2. Independent Custody Visitors (ICVs) are volunteer members of the public who are impartial, independent of the police, and have no direct association with the criminal justice system. Their role is to visit police custody suites, unannounced, to evaluate the welfare of detainees and the conditions in which they are being detained. ICV's visit police custody suites situated in Wolverhampton, Coventry, Perry Barr and Oldbury. In April 2023, Stechford and Bloxwich were added, to the full-time live custody blocks, with little prior notice, and these were immediately adopted by the scheme.
3. There are several partners that play a role in overseeing how well custody is performing. HM Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) together with HM Inspectorate of Prisons make joint inspections on police custody to monitor the treatment of and conditions for detainees, making recommendations where necessary. Joint Internal Audit provides an independent, objective assurance and consulting activity, and the role of the ICVs is to take a community view, checking on detention conditions and the rights and welfare of detainees whilst they are in custody.
4. The West Midlands Custody Visiting scheme is currently made up of 45 active volunteers with an additional 10 new volunteers, currently in vetting.
5. ICV make up is 27 females and 18 males with an age range of 37 – 81 years. There is a shortage of younger volunteers in the scheme, a pattern that repeats across the country. We are taking steps to encourage more young people to volunteer – see item 19.
6. ICV's are representative of the communities of the West Midlands and the cohort is made up of a broad ethnicity and religious backgrounds. 64% identified as White / British and 36% self-identifying as being from a BAME heritage including, Asian, Asian - Pakistani, Bangladeshi, White-other, Indian and Black Caribbean. Faiths represented within the cohort include Christianity, Muslim, Sikh, Hindu, Catholic and `No faith identified`.
7. A Force report on West Midlands Police Custody is due to be presented to SPCB in February 2024.

Activities & Developments

8. A new full time, Safer Custody Officer, with an operational policing background, was appointed by the OPCC in May 2023 to manage the scheme.
9. The `SCO` chairs all panel meetings, arranges recruitment, induction and vetting / re vetting and on-going training for the volunteers.
10. The SCO monitors ICV reports and escalates any issues to Criminal Justice SLT and / or the PCC.

11. A review has taken place of current active volunteers to ensure volunteer cohort data is correct.
12. In October 2023, a `Citizens in Policing Audit` was undertaken by Internal Audit, to examine the safeguarding, induction and vetting status of the volunteers. This has led to an ongoing update of the Volunteers Handbook, updated induction arrangements and a rolling diary of Vetting / re - vetting dates. This will ensure Safeguarding is at the forefront to our approach.
13. ICV`s are attached, nominally, to a custody site and Local ICV Panel groups.
14. The panels are Oldbury, Wolverhampton, Coventry & Perry Barr.
15. Perry Barr panel covers the activity at Bloxwich & Stechford sites.
16. All visits are now conducted as per pre-pandemic. All volunteers have now resumed their role in person either as a `custody visitor` or as an `appropriate adult` to all custody sites.
17. `ICV Panels` meet quarterly with separate panel meetings for `Appropriate Adults Team` and `TACT trained` volunteers. Panels discuss issues, trends and concerns that have arisen from their visits. These are recorded and monitored and also raised with CJ SLT where appropriate. All meetings are chaired by the Safer Custody Officer.
18. An 18-month panel meetings and training plan has been published, enabling a supportive structure of regular meetings and training. (see Appendix 1)
19. A Partnership with Wolverhampton University – Criminology and Policing Degrees Faculty began in September 2023; with 6-degree students being offered the opportunity to train as Custody Visitors. This will provide an opportunity for academic insight and learning; and also impact the diversity and demographics of the Customer Visitor teams, providing greater reflections of our communities. These new volunteers are currently in vetting and should start in January 2024. It is hoped to expand this scheme to Universities in Birmingham and Coventry before September 2024.
20. A project with IT is ongoing to move the recording of visits from paper to a `Microsoft Forms` system. Visit data will be recorded electronically via a link on a mobile phone / tablet. This will automatically populate spreadsheets on share point and provide analytical data. This system will modernise our approach, reduce delays in reporting and be more accurate, economic, efficient and effective. This project will test in December 2023 and is scheduled to launch from 1st January 2024.
21. If successful this project will also expand to the submission of expenses.

22. ICV Training has taken place:

Saturday 10th June 2023 – Full training day of all volunteers

Tuesday 16th October 2023 – On Line TACT Training provided by ICVA

Wednesday 17th October 2023 – On Line ICV Training provided by ICV

23. ICV Alison Walker was runner up in the Inspirational Citizens Award 2023.
24. The Safer Custody Officer attends `Regional Meetings` with Staffordshire and West Mercia Colleagues in order to share incidents, learning and best practice.
25. In October 2023, The Independent Custody Visitors Association awarded the West Midlands ICV scheme "Code Compliant" - against the ICVA `Quality Assurance Framework`. This will be recognised in an awards ceremony in November 2023.
26. A rewards and recognition evening are planned for 11th April 2024 to celebrate the immense contribution our volunteers make to the public scrutiny & confidence in, our custodial processes.

Public Reassurance

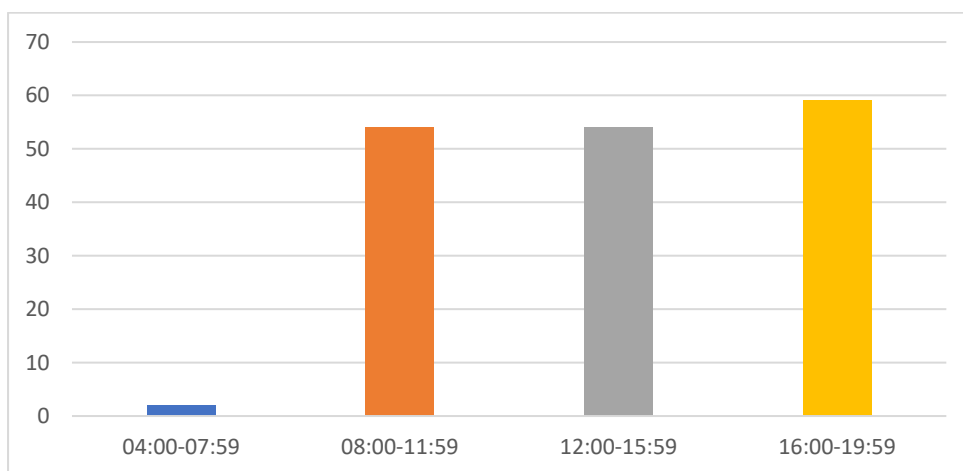
27. One of the main objectives of the scheme is to provide transparent reassurance to the public that custody is a fair, inclusive, safe place. The number and quality of visits contributes to this reassurance. Issues raised by ICV`s are dealt with initially by the Custody Sgt or Inspector on duty
28. If the ICV`s are concerned then they raise the issue with the Safer Custody Officer / OPCC
29. The Safer Custody Officer and Criminal Justice Department leadership have regular discussions and monthly meetings to discuss issues arising. Maintaining and developing this relationship, is key to the effective oversight of custody activity.
30. From 1st January 2023 to 31st October 2023 (10 months) there were **168 visits** conducted at custody sites across the West Midlands, 16.8 visits per month.
31. **A total of 855 individual detainees were visited – an average of 5.08 per visit.**
32. **2.08% of all detainees were seen by a volunteer custody visitor**

33. ***Table: IC Visits Conducted January - October 2023***

Visits Conducted 2023	Jan - Mar	Apr – June	July – Sep	Oct	
Perry Barr	8	10	10	2	30
Oldbury	8	10	11	4	33
Wolverhampton	11	12	10	5	38
Coventry	12	13	11	3	39
Stechford*	0	3	11	1	15
Bloxwich*	0	3	9	1	13
Totals	39	51	62	16	168

- * Re commissioned in April 2023

Arrival Times of ICV's for the visit were between 8am – 8pm, equally spread across the day.



34. The average waiting time for a visit to be allowed into the block was 9 minutes

Row Labels	Average of Waiting time	Min of Waiting time	Max of Waiting time
Coventry	00:14:32	00:04:00	00:40:00
Oldbury	00:07:56	00:01:00	00:20:00
Perry Barr	00:08:56	00:00:00	00:55:00
Wolverhampton	00:06:45	00:00:00	00:50:00
Oldbury	00:05:00	00:05:00	00:05:00
Stechford	00:08:20	00:01:00	00:26:00
Bloxwich	00:05:30	00:00:00	00:30:00
Grand Total	00:09:05	00:00:00	00:55:00

35. **Abandoned Visits:** I regret to report the following visits were abandoned:

18/06/23 Oldbury – Medical Emergency.

20/06/23 Perry Barr – Staff did not let visitors into block.

06/07/23 Coventry – Staff did not let visitors into block.

07/07/23 Coventry – ICV`s waited 40 minutes but were not let into custody – No explanation.

25/07/23 Perry Barr – Staff were too busy to escort the visit

06/10/23 Oldbury – ICV`s abandoned having waited for 60 minutes - to be told it would be another 60 minutes wait to be let in. Staff blamed low levels of staffing, unable to escort the visit.

Custody staff blame “lack of staffing” and being “too busy” to escort the visits. This is unacceptable.

ICVs must be admitted to the custody area immediately. Delay is only permitted when immediate access may place the visitors or another individual within the custody area in danger. A full explanation must be given to the visitors as to why access is being delayed and that explanation must be recorded by the visitors in their report.

Home Office – Code of Practice for custody visitors (Item 49, p.10, 2013, TSO)

36. WMP - Total Detainees Jan – October 2023 = 41,259 an average of 135 detainees per day or 949 per week!

Custody Site	Number of persons detained	% of Force Total	No of ICV Visits	No. of Detainees seen	% of total Detainees
Perry Barr	13,379	32.42%	30	171	1.28%
Oldbury	11,739	28.45%	33	162	1.38%
Coventry	5,813	14.08%	39	242	4.16%
Wolverhampton	4,649	11.26%	38	145	3.03%
Stechford*	3,310	8.02%	15	71	2.1
Bloxwich*	2,369	5.74%	13	64	2.7%
Total	41,259			855	2.08%

- From April – October 2023

34. The majority of visits took place during the mornings and evenings.

35. On average there was a 9-minute wait between arrival at the custody desk and the visit starting. The reasons for a delay on entry were mostly given as either change over of shifts or due to a lack of staffing to escort the visit.
36. On average, where recorded, visits lasted 57 minutes.

Row Labels	Average of Visit time
Bloxwich	00:58:15
Coventry	00:54:04
Oldbury	01:03:15
Perry Barr	01:11:03
Stechford	00:25:00
Wolverhampton	00:43:16
Grand Total	00:57:24

Persons Visited in Custody

37. During the visits there were a total of 2,304 detainees in custody. 1,120 detainees were offered a visit, with 855 accepting visits from custody visitors. Reasons for not visiting included PIC in consultation with solicitor, in interview or at hospital.

		Detained	Offered	Accepted	Refused
Adult	Males	1,884	787	585	202
	Females	262	180	144	36
	Other	3	35	3	32
	Total	2,149	1,002	732	270
Young people	Males	142	126	115	11
	Females	39	29	25	4
	Other	2	2	2	0
	Total	183	157	142	15
All ages	Males	2,026	913	700	213
	Females	301	209	169	40
	Other	5	37	5	32
	Total	2,322	1,159	874*	285

***Only 855 Visits actually conducted after being accepted.**

38. The visit report form includes a red/amber/green rating, and of the PICs visited, 87.34% were rated green (no concerns), 2.32% were rated amber (minor issues but these have been resolved) and 0.20% were rated red (issue cannot be resolved and needs further attention from the PCC's office). 10.14 % were not rated.
39. When red or amber comments are raised, they are first discussed with officers on site. If the issue could not be resolved immediately it was referred to OPCC for further investigation. All Amber records were satisfactorily negated during the visit. The 2 red-

rated comments included the following, all of which were raised by the ICV's with the Safer Custody officer

40. The 2 red rated records were:

06/02/23 – Coventry – ICV's concerned for a detainee awaiting a transfer to another area – they had been in custody for some time but had not been transferred.

15/03/23 – Coventry – Detainee had a chronic medical condition – they had seen the nurse but the required medicine was not readily available.

Although rated Red by the ICV's – Safer Custody Officer considered both of the reports to be amber - action was already being taken to resolve the issue at hand.

Overall custody conditions and comments

41. Overall general conditions in custody were rated satisfactory. Although Custody does not always meet the needs of the detainee, especially at busy times. This is exacerbated by the recent increase of the number of detainees entering custody.

42. When issues are highlighted by the volunteers the initial action is to raise them with the custody staff, and if volunteers identify trends these are then escalated to the regular meetings between SCO and CJS.

43. Concerns raised by ICV's in relation to Hygiene & Cleanliness included:

Detainees not being offered or allowed a shower

Detainees not being offered or allowed wash kits

Excess debris in the cell

Dirty Shower area and hair in plugs

Cells too warm

Cells too cold

Detainees not being offered exercise

In most of these cases the reason given by the custody team was that they were too busy or too short staffed to facilitate the supervision of the activity. This is in line with the HMIC findings of a request culture within custody where detainees have to ask for something rather than being offered it compounded by a lack of available staffing.

Operational Issues raised by ICV's

44. Visits abandoned as unreasonable delay gaining entry
 Visits significantly delayed due to no escort available due to staffing
 Some staff not wearing ligature knives
 Police Officers on overtime running wings – not custody specialists
 Police Officers watching CCTV for Level 3 risk watches
 Repeatedly shortage of available staff – despite CJ stating they are fully staffed
 No Medical Staff at Stechford
 CCTV Not working
 Interview rooms out of order delaying interviews / reduced capacity
 Lack of food supplies
 Food supplies out of date
 Lack of blankets
 No gluten free and vegan options available
 Female hygiene packs were not in wings on one visit
 No reading material in languages other than English
 Failure to allocate a female officer to a female detainee
 Failure to prioritise juveniles and vulnerable adults when there is queue

When issues are highlighted by the volunteers these are initially raised with the custody staff, and if trends are identified these are then escalated to the regular meetings between SCO and CJS.

45. ICV's have voiced their concern that the force shouldn't keep children in custody any longer than necessary and should offer them additional care and attention during their detention, including time out of their cell where possible, and welfare provisions. This echoes the Commissioner's commitment in the Police and Crime Plan, to reduce the time children spent in custody.
46. Overall, ICVs felt that custody was being managed well and were satisfied that PICs were being treated fairly and reasonably. However, ICVs felt that if the above issues were addressed / improved it would ultimately lead to better and improved standards of care and attention for detainees.

Terrorism Act Detention Visits

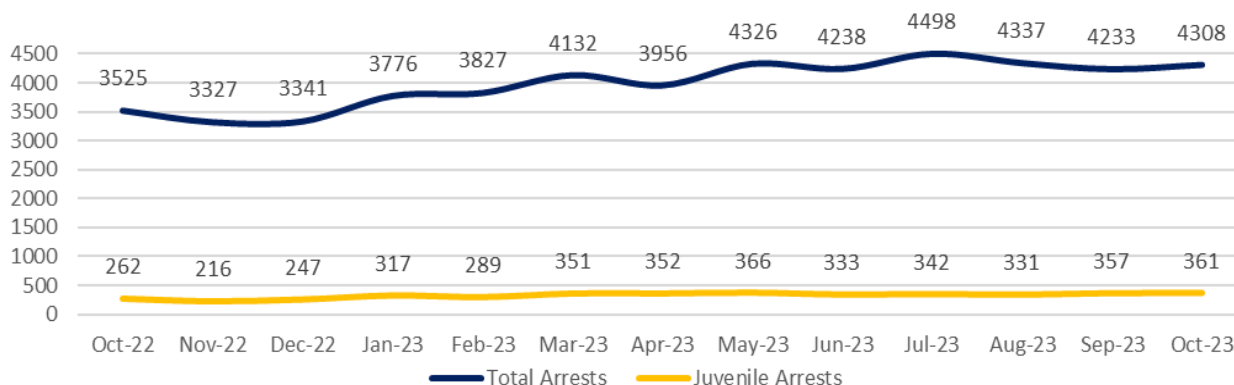
47. A team of 10 ICVs including a co-ordinator are in place to undertake visits for detainees arrested under the Terrorist Act if and when required.
48. Over the past six months there has been 1 TACT visits under taken. Once a request from the Counter Terrorism Unit (CTU) has been received by the PCC's office, the TACT co-ordinator is informed and then arranges for visits to be conducted within the first 24 hours of detention to comply with statutory requirements. All visits have reported conditions to be satisfactory.

Appropriate Adults Scheme for Vulnerable Adults

49. Local authorities have a statutory duty to provide an appropriate adult for children in custody. **There is no corresponding statutory duty for vulnerable adults, and the Commissioner has therefore provided a volunteer service for vulnerable adults since 2017.**
50. There are currently 16 volunteers in this scheme with an additional 1 new volunteer in vetting. The volunteer's diversity includes 10 females and 6 males aged range 47 -78 years. Self-defined ethnicity includes 10 white British, 1 white Irish, 1 Black Caribbean and 4 volunteers from an Asian or British / Pakistani background.
51. With regard to religion, 3 volunteers identify as Church of England, 1 roman Catholic and the remainder did not disclose.
52. Our volunteers are ordinary members of the public who, when called, attend custody blocks as soon as possible and attend to the welfare and rights of a vulnerable adult in custody, thus allowing the investigation / interview/ documentation etc to proceed. This process can often take several hours.
53. Between January 1st and October 31st 2023 - 623 visits have been conducted.
54. The average time taken for a volunteer to attend a request for support, based on 30% dip sample, is 1hr and 21 minutes
55. The average time a volunteer was engaged at a custody block per call out based on a 30% dip sample is 1hr 26 minutes
56. Alison Walker, an ICV and AA, was awarded a runner up prize in the Community Inspiration Awards 2023

Threats & Risk

57. Arrest numbers have increased steadily across the year: Increased arrests translates to increased numbers of vulnerable adults who need an AA.



WMP CJ have provided training to officers to improve their identification of “vulnerability” and have encouraged investigators to seek the support of an Appropriate Adult where required.

This training, along with increased arrests, has prompted a significant uplift in calls for an AA and some incidents where there has been a delay in finding an available AA.

The AA Scheme does not currently have capacity to meet the recently increased demands of the Force for AAs. This is resulting in delays and a reduced service for vulnerable adult detainees.

In order to resolve this there are a number of options;

ICVs to be asked to train as AAs, in order to fill the gap in the short term

Explore an option to share AAs with regional schemes

External recruitment of new AAs (although this takes some time and the roles are difficult to recruit. This option will not therefore solve the problem in the short term)

58. A further option is for WMP to explore the various commercial appropriate adult services that are available. Such an option would provide an answer, but would have financial implications for the Force.

Financial Implications ICV & AA schemes

59. During 2021/22 expenditure on custody visiting and appropriate adults was £12,108. This included payment of travel expenses, arrangements for quarterly panel meetings at each custody site, and a programme of training events for volunteers.

60. During 2022/23 expenditure on custody visiting and appropriate adults was £11,676. This included payment of travel expenses, subsistence, arrangements for quarterly panel meetings at each custody site, and a programme of training events for volunteers.

Category	Sum Total
Appropriate Adults	7765.8
Conference ICVA	100
Custody Visitor	3049.13
TRAINING AA CV	761.1
Grand Total	11,676.03

61. The first six months of Financial year 2023/24 – the spend is £4,316.

The annual budget for the scheme is £10,000, this may need to be revised for 2024-25, with increased custody sites and potential additional volunteers.

Recommendation

62. The Board is asked to commend the performance of the `West Midlands Independent Custody Visiting` and `Appropriate Adult Schemes`.

Author(s): Jenson Bloomer

Safer Custody Officer

ICV Panels and AA meetings 2023 / 2024

Oldbury & Wolverhampton
Wednesdays 6-7.30pm at Oldbury
04/10/2023
24/01/2024
24/04/2024
10/07/2024
09/10/2024

Perry Barr / Stechford & Bloxwich
Wednesdays 6-7.30pm at PB
08/11/2023
07/02/2024
01/05/2024
31/07/2024
20/11/2024

Coventry
Wednesdays 6-7.30pm
06/12/2023
20/03/2024
19/06/2024
18/09/2024
04/12/2024

Appropriate Adults Meetings
Wednesdays 6-7.30pm
20/09/2023 - Oldbury
17/01/2024 - PB
08/05/2024 - Coventry
25/09/2024 - Oldbury

TACT Trained Meetings-
Wednesdays PB 6-7.30pm
25/10/2023
17/04/2024

Other dates
Awards Evening 6.30pm - Thu 11/04/24 - Tally Ho
All Training Day - Saturday 8th June 2024 - TBC