

KEY POINTS FROM THE INDEPENDENT CUSTODY VISITING ASSOCIATION (ICVA)

NATIONAL CONFERENCE

THE GRAND HOTEL, BRIGHTON

SATURDAY 2 NOVEMBER 2013

The Surrey ICV Scheme was represented by:

John T (Guildford)

Sandy B (Woking)

Jim D (Staines)

John C (Guildford)

Phil C (Reigate)

Nicola Hall (OPCCS)

Approximately 250 ICV delegates attended the conference.

PowerPoint presentations (where given) are available on the ICVA website

<http://www.icva.org.uk/>

Welcome to Conference – Kevan Downer, Scheme Manager, NI Policing Board (Chair, ICVA)

Kevan stressed the importance of communication in the visiting process and listening to what was being said and reporting back accurately and succinctly. Working in pairs provides an audit mechanism for this and ICVs should work together to draw on different skills to finalise their conclusions on a visit.

Safer in Sussex – Katy Bourne

A Chief Constables Perspective – Martin Richards, Chief Constable, Sussex Police

I Think I Must Have Been Born Bad – Children and Criminal Justice, Sue Berelowitz, Deputy Children's Commissioner

Sue gave a detailed and moving presentation about her work entitled "I Think I Must Have Been Born Bad".

Since 2004 her department has been set up with a duty to promote and protect children's rights and has extensive powers including to enter places where children are cared for, to require evidence to be produced, to talk to children in private if they agree and to monitor degrading, cruel and inhuman treatment.

She produced many alarming statistics from her research about children and young people in all forms of custody, for example:

60% have been maltreated

66% are from broken families

33% have mental health problems
Over 50% have communication problems

She cited examples of young people learning to read and write for the first time while in prison.

There is a significant prevalence of neurological disorders in young people in custody (all forms of custody), compared with the general population:
Autistic spectrum disorder 15% (0.6-1.2%) Dyslexia 43-57% (10%) Communication disorders 60-90% (5-7%) where many young people do not understand orders or instructions given to them.

The Centre for Mental Health has produced a report called "A Need To Belong" about the mental health needs of young women in trouble with the law. The report says that some child sexual exploitation (CSE) should be assumed at interviews along with gang association, which has a high link with CSE.

A report to be published this month by her department has gathered data from much of the country concerning CSE in gangs and groups involving 2400 victims and 16500 young people at high risk and concluded that:

It is happening everywhere
Every ethnic group is involved
It is violent and sadistic
It is relentless

The report profiles victims and perpetrators as well as victims who are also perpetrators.

She listed vulnerabilities involving children at high risk of sexual exploitation including those who had suffered recent bereavement or loss; she also indicated that those who go missing from home or school may already be a victim.

Her conclusion was that children value people who listen to them and show that they care without judging them.

Oversight and Accountability, Working Together to Improve Care in Custody, Sarah Green, IPCC, Commissioner

Revised PACE Codes, Home Office Update – Andrew Derwent, Home Office

New revised PACE codes were issued on 27 October 2013. Changes to Codes C&H were prompted by two things:-

1. High Court Judgement (Hughes Chang) advocating that 17 year olds should be treated as juveniles in police custody.
2. European Union directive advocating that 'essential documents' should be supplied to d/p in their own language to facilitate comprehension.

Thus, appropriate adults will be provided as a matter of course to all 17 year olds as to 10-16 year olds and someone responsible for their welfare will be advised that they are in custody. There are still 3 anomalies where 17 year olds will not be treated as 10-16 year olds but as adults due to primary legislation which has not been amended:-

1. They can't be detained for their own interests
2. They can't be transferred to local authority accommodation
3. They can agree themselves to samples being taken

With regards to translation of essential documents, the Home Office is working on templates that Forces will be able to download as they do currently with the Rights and Entitlements sheet.

Learning from Deaths in Police Custody, The Role of the Custody Visitor – Deborah Coles, Inquest

Ms Coles first outlined the role of INQUEST: Its functions are to offer

- Advice
- Casework
- Policy & Research
- Campaigning

She explained that deaths in custody had caused much disquiet in government circles, comparing it to “Plebgate”, and then gave recent case studies regarding such deaths, eg, Thomas Orchard and Andzej Rymarzak.

The key issues addressed in such case studies are

- Mental Health
- Restraint (including Taser use)
- Drug & alcohol intoxication
- Drug swallowing
- Medical care and the role of the FME
- Self-harm & self-inflicted deaths

She expressed concern arising from the inspections carried out by the HMIP/HMIC, noting that there were

- Poor recording and analysis of use of force
- Authorisation and incidence of strip searches and use of force – use of strip clothing
- Too many mental health detainees in police custody
- Unsatisfactory risk management

Ms Cole concluded that ICVs played a role in improving the situation through coordination.

Useful websites:

www.inquest.org.uk/learning-from-death-in-custody-inquests

www.inquest.org.uk/ilg/inquest-law-magazine

www.inquest.org.uk

Address, Rt Hon Norman Baker MP, Minister of State for Crime Prevention

ICVA Developments and National Standards Consultation & Findings - Ian Smith, CEO ICVA

The last 12 months have seen many developments by ICVA:-

- ICVA has become a company limited by guarantee on 31.7.13
- Revised ICV Codes of Practice were issued on 22.4.13
- New training modules have been developed for Scheme Managers – induction training, mental health and juvenile scenarios
- ICVA continues to support the Care not Custody campaign
- A new ICVA website has been launched
- National Standards consultations have taken place and will be issued shortly

Ian stressed that the government continues to support custody visiting via Home Office funding and through legislation.

Ian highlighted that custody visiting still has many challenges to overcome. There is no national vetting standard, accredited training programme, agreed working practice, report form etc.