

Office of the Police and Crime
Commissioner for Surrey

Independent Custody Visiting Scheme

Annual Report

April 2019 – March 2020



Foreword from Surrey PCC, David Munro

I am delighted to present the Annual Report for 2019/20 during which our Independent Custody Visitors (ICVs) have continued to provide an essential service in the county by checking on the welfare and treatment of people held in custody.

At the time of publishing this report, the impact of the Covid-19 pandemic is presenting numerous challenges to the way the county is policed, including maintaining the processes carried out in our three custody suites.

It has meant that our ICVs have also had to work in different ways in the last few months with remote monitoring having to replace physical visits for the time being.

These are very difficult times for everyone and it is vital that while the methods used by our ICV scheme have had to be temporarily refined, the important oversight and independent scrutiny it provides continues.

By the end of 2019/20, there were 41 ICVs in Surrey which included seven new volunteers who were recruited in the summer of 2019. They carried out 186 unannounced visits spending a total of over 277 hours in custody which given they always visit in pairs or groups of three amounted to 586 volunteered hours.

This is only made possible of course by the dedication and passion invested in the scheme by both the ICV manager Erika Dallinger and all of our volunteers who give up their free time to carry out this crucial function.

I would personally like to thank each and every one of the team for their continued service and commitment. There will no doubt be more difficult times ahead as we recover from the current pandemic and adjust to new ways of working. But I look forward to working closely again with our brilliant volunteers over the next year and continuing the support my office provides for this essential scheme.



A handwritten signature in black ink that reads "David Munro". The signature is written in a cursive style and is underlined with a single horizontal stroke.

What is Independent Custody Visiting?

Independent Custody Visiting is a national requirement, detailed in a Home Office Code of Practice and supported by the Independent Custody Visiting Association (ICVA), whereby specially trained members of the public make random and unannounced visits to custody suites to check on the welfare of detainees and the conditions they are being held in. Locally, Independent Custody Visiting is under the remit of the Police and Crime Commissioner for the area who has authority for running and maintaining the scheme in their force area. Therefore, within Surrey this falls to David Munro.

Independent Custody Visiting provides protection to detainees and the police, and reassurance to the wider community. Volunteers from Independent Custody Visiting (ICV) Schemes across the UK independently check on the welfare of detainees who may be feeling vulnerable or confused, providing independent scrutiny of their treatment and the conditions in which they are being held. Independent Custody Visiting Schemes exist to provide reassurance to local communities that they can have confidence in the way in which the police treat people who are held in their custody.

Independent Custody Visiting allows the police to demonstrate their commitment to transparency and provides public reassurance that policing in their area is fair and in accordance with statutory legislation and guidance. The aim of this Annual Report is to ensure that this information is available in the public domain.



How the Scheme is Organised in Surrey?

Surrey Police operates from three custody suites at Guildford, Staines and Salfords (located in the Reigate area).

The cell capacity is as follows:-

- Guildford (24 cells)
- Salfords (24 cells)
- Staines (19 cells)

Each of the three custody suites has its own panel of ICVs. The panel is responsible for organising the visiting rota and undertaking the visits.

During a routine custody visit, a member of the custody staff escorts the visitors around the suite to ensure their safety. Independent Custody Visitors (ICVs) enter police cells and seek permission from the detained individual to speak to them. Conversations with detainees focus on welfare needs and the provision of rights and entitlements under the Police and Criminal Evidence Act (PACE). With permission from the detainee, they will also review the notes kept on their treatment during detention. ICVs are not concerned with the identity of the detainee or with the reason for their detention. Any issues raised are discussed as appropriate with custody staff. ICVs also inspect and comment on the general condition and facilities of the custody suite including the kitchen, medical room and showers.

ICVs look, listen, observe and at the end of each visit, report back to the Office of the Police and Crime Commissioner (OPCC) on their findings. The OPCC takes any issues raised to Surrey Police in the appropriate way, keeping ICVs informed of feedback and actions agreed.

Each panel meets on a quarterly basis with the Custody Inspector responsible for the suite and the ICV Scheme Manager to discuss the visits made and any issues raised.

At the time of writing this report the world is in the midst of the Coronavirus/Covid-19 pandemic. This resulted in the suspension of the scheme from 16th March 2020 whilst work was undertaken to introduce a new temporary way of providing oversight of custody and meeting the PCCs statutory duties. New custody oversight calls were introduced on 1st April 2020.

Recruitment & Demographics

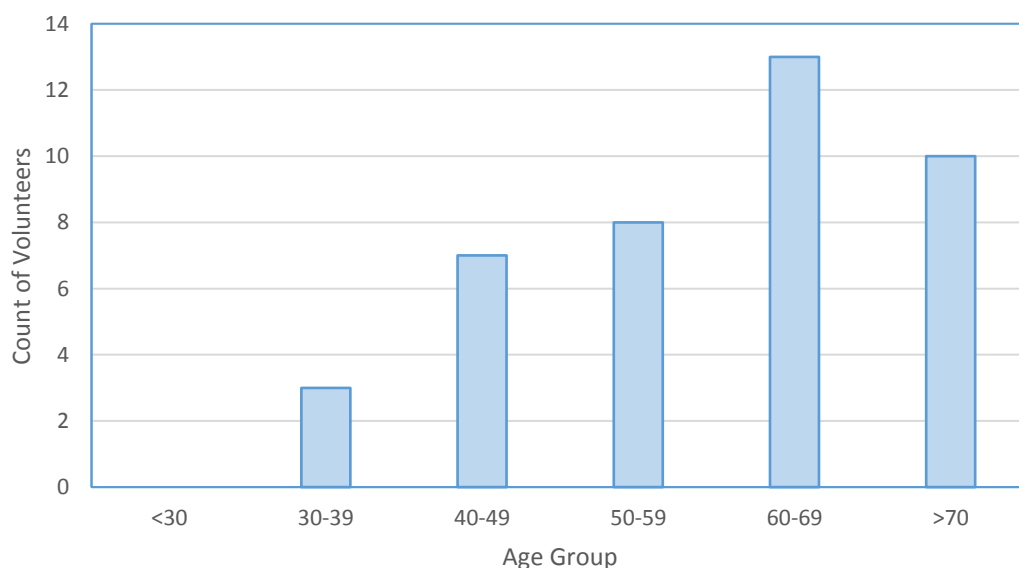
ICVs are independent of the Police and Crime Commissioner and the police, and will have no direct involvement in the criminal justice system. They come from a variety of backgrounds, must be over 18 and live or work within the Surrey Police area. At the close of 2019/20 there were 41 active Independent Custody Visitors working within Surrey.

A successful recruitment campaign during the summer of 2019, saw 7 new ICVs complete their training and become fully appointed ICVs.

Exploring the composition of volunteers' further shows the following:

- Our volunteers are 70% female, 30% male. The census data from 2011 shows within Surrey, 51% of the entire 1,132,000 population is female, 49% male.
- The average age of our ICVs is 60. (Full details on the age breakdown are indicated in the bar chart).
- The average length of service is 5 years with over 205 years of combined service. Over 30% have completed over 8 years of service, with our longest serving member having nearly 25 years of experience.
- 9% of all volunteers come from a BME or Non British background.
- Over the last year, the male/female ratio has become more female dominated, but the average age has reduced by 1 year.

1. Age Spread of ICV Volunteers



Routine ICV Visits

Visits provide a snapshot of what is going on in custody at the time of the visit and are undertaken across all days of the week and on a 24 hour basis. Each ICV Panel aims to complete one weekly visit between the hours of 6am and 11pm and one monthly 'out of hours' (OOH) visit (between 11pm and 6am). This is crucial to ensure that visits do not become predictable and do not occur at set times.

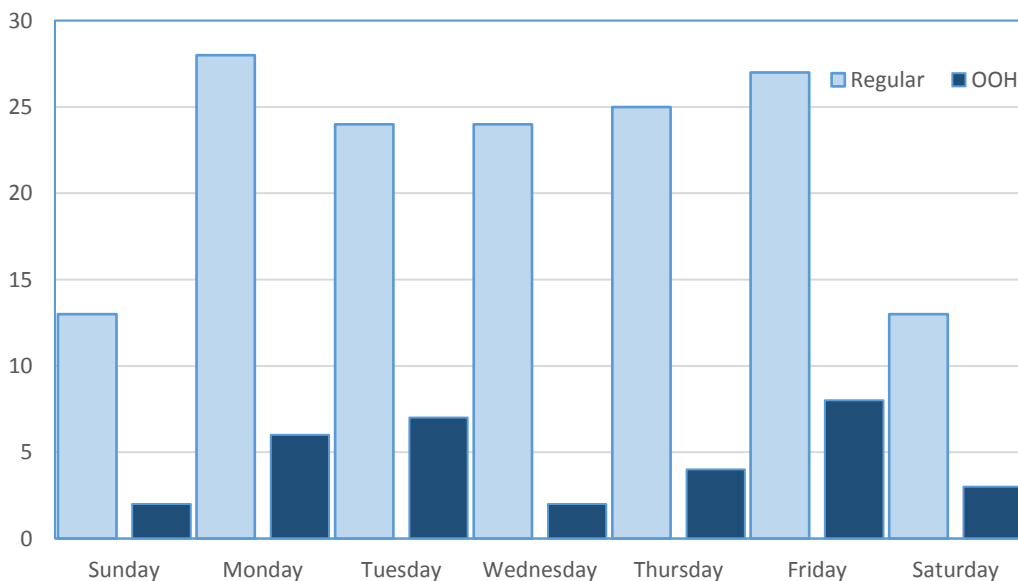
When looking at the number of visits between the 1st April 2019 to 16th March 2020*, the following can be established:

- Surrey's ICVs conducted 186 unannounced, random visits across Surrey's custody suites.
- Surrey ICVs spent over 277 hours actually in custody during the year, which given they always visit in pairs or groups of 3 amounts to 586 volunteered hours.
- Visits were well spread over the entire week and hours of the day, thus helping keep ICV visits unpredictable. However, weekend visits are still less frequent across the estate than weekday visits.
- Visits happen around the clock with ICVs having been present in custody at every minute of the 24 hour clock during the 12 month period.
- The average visit lasted 1 hour, 29 minutes.

2. ICV Visit Statistics

	Surrey Wide	Guildford	Salfords	Staines
Visits Undertaken to Date	186	63	62	61
Regular Visits	154	52	52	50
OOH Visits	32	11	10	11
Hours spent in custody	277	91	99	88

3. Spread of ICV Visits by Day



ICV & Welfare Checks

During the 2019/20 reporting year, a total of 11,665 people were held in Surrey custody centres, this was an increase of 537 (4.4%) people from the previous year. At the time of the ICV visits a total of 1,023 detainees were in custody (8.8% of overall annual custody population). This sample size is consistent with previous years and remains unchanged from the previous reporting year. Of these 1,023 people:

- 556 or 54% of detainees in custody at the time of an ICV visit were available to the ICVs (this a 3% increase year on year). The remaining 46% (467) of detainees were not available to the ICVs for justifiable reasons such as sleeping, being in interview or being booked in or out by the police or in rare cases due to custody being busy the detainee not selected for sampling.
- 512 of the 556 (94%) available detainees when asked by ICVs if they were willing to discuss their treatment in police custody agreed to do so.
- 20 detainees (4% of those asked) whilst declining a custody visit, agreed that the ICVs could have access to their custody record in order to obtain an overview of their treatment whilst held in custody.
- In total, 529 detainees (95%) expressively gave their consent for their custody record to be viewed by ICVs.
- Only 14 detainees (2.5%) refused both the opportunity to talk to an ICV and for them to review their custody records.
- 28 (3%) detainees in custody at the time of ICV visit were children or young people (down from 4% last year).

4. ICV Interaction with Detainees

	Surrey Wide 2019-20 Performance	Compared to Previous 12 Months	Guildford	Salfords	Staines
Number of detainees in custody during ICV visits	1023	-47	345	379	299
Detainee agreed to both interview & records check	509	+5	155	201	153
Detainee agreed to interview, refused records check	13	+8	2	4	7
Detainee refused to interview but agreed to records check	20	-12	7	4	9
Detainee refused both interview & records check	14	+5	0	11	3
Number of detainees where interview wasn't possible but records were checked	446	-29	180	139	127
Number not selected for sampling	21	-24	1	20	0
Number of detainees receiving some form of welfare check by an ICV	988	-28	344	348	296

During visits, Surrey ICVs assume access to the anonymised custody records of detainees who are not available to them in order to have some kind of overview of the welfare and treatment of as many detainees as possible (446 during this reporting period). Taking this into account, ICVs had some form of welfare access to 988 of the detainees in custody at the time of their visit. This means that ICVs had the opportunity to comment on the detention of 8.5% of the total Surrey custody population for the financial year 2019/20 (up from 8.3% in the last reporting period and 8.2% in 2017/18).

These are felt to be very good, positive results when benchmarked nationally with other custody visiting schemes and is largely due to the professionalism of the volunteers and the police's continued commitment to and support of the scheme.

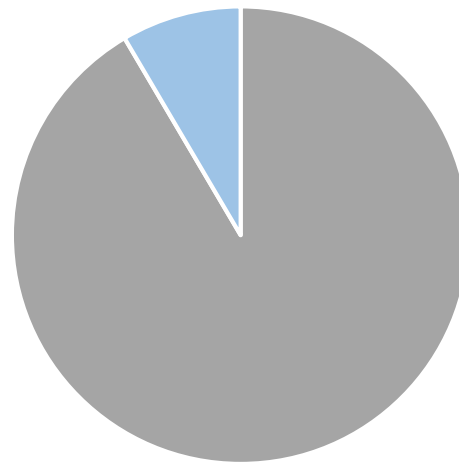
ICV Feedback

ICVs are encouraged to resolve minor welfare concerns raised by detainees with staff at the time of their visit. They debrief with a custody sergeant at the end of each visit wherever possible enabling clarification of issues where necessary on both sides. Any issues which cannot be resolved in custody will be taken forward by the ICV Scheme Manager as appropriate. Concerns reported to the Scheme Manager are logged and followed up with the Force. The outcomes are notified to all ICVs to enable discussion at panel meetings and cross-panel learning.

In the period covered by this report, ICVs raised and resolved concerns around issues such as:-

- Special Diets – during a visit ICVs spoke a detainee who followed a strict plant based diet and as a result had not eaten for 14 hours. ICVs highlighted this to the custody staff, whilst staff were aware of this there was some confusion over the detainees needs, but due to the conversations with the ICVs the staff went out and purchased suitable food for the detainee. The opportunity was taken to highlight to all staff the process surrounding purchasing meals for special diets.
- Length of Stay – Concerns were raised over the time juveniles were spending in custody due to perceived delays in police officers accessing charging decisions from Crown Prosecution Service (CPS). Custody officers must, and do, prioritise the care of juveniles but the CPS process does not and therefore officers were in long telephone queues to get CPS advice. Conversations have started around this and a current trial regarding accessing CPS advice is being watched closely, but anecdotally the situation thus far seems to have improved in recent months.
- Religious Materials – ICVs highlighted that whilst custody held excellent religious resources for all detainees their storage in some cases was not respectful or equal. As a result, new copies of some religious texts were ordered and custody arranged for individual storage boxes for each religion to

5. ICV Impact on Custody Population



■ Total Custody Population

■ % of total custody population receiving a direct ICV check during 2019/20

ensure all texts remained in good condition and were stored equally well. Custody officers now also check each text (where appropriate) after use for damage.

- Sleeping Reviews – Whilst a person is in custody, their detention gets reviewed at specific time intervals by the Inspector (as dictated by Police and Criminal Evidence Act). These reviews can occur whilst a detainee is asleep. However upon waking, the detainee must be informed that a review took place and advised of the outcome of it. This should be recorded in their custody record. On several occasions, whilst the reviews were undertaken in the correct time frames they had not been properly communicated to the detainee on waking or if they had, they had not recorded appropriately in the records. As a result of this, ICVs continue to track every incidence of this and the findings are collated and fed back to the police at regular intervals to encourage accuracy of records. During 2019/20, ICVs commented on the successful and timely communication of 314 sleeping reviews, but the failure to do so on a further 77 occasions. This is a marked improvement on the previous year (5% more sleeping reviews have been communicated in the last 12 months compared to the previous).

ICVs also very regularly comment on the exceptionally good care being given by custody staff to detainees. They highlight the massive concern for welfare demonstrated by the staff and the desire for people to leave custody in a better position than when they arrived. The ICVs passed on their congratulation and thanks to all involved.

The overall consensus from all ICVs is that Surrey should be proud of their custody suites and the treatment it gives detainees. One ICV writes *“I have been hugely impressed by the professionalism and dedication of Surrey Police’s custody staff who do a very difficult job with dignity and respect”*. Another ICV adds: *“I have found custody staff to be helpful, cheerful and welcoming. Such a wonderful positive change from some public opinions. So I have used my experience to change other people’s minds - I hope”*. Many ICVs comment on how the custody officers attempt to release people from custody in a better place than when they arrived: *“Being an ICV offers me a unique opportunity to observe the work of Surrey Police as they work with some of the most vulnerable in our society; I have seen compassion and a real determination to help people to change their lives and the choices that they make.”*

When asked about the reception of the volunteers into custody by both the officers and detainee, all responders commented positively which is essential to a smooth running, successful scheme. *“All custody staff are welcoming to ICVs and willingly take the time to talk to us and answer our questions. I’ve also had many detainees who have recognised the important role of the ICVs and welcomed the opportunity to talk”*. Another ICV adds: *“I am very impressed by the openness of custody staff to telling us about challenges they face and also their willingness to take our feedback on board. We are seen as important independent observers of their practices who can acknowledge their successes as well as highlight to others areas that need to be addressed.”*

Covid-19

At the end of this reporting period, the global Covid-19 pandemic has had a significant impact on custody visiting nationally. The decision was taken in mid-March to suspend the Surrey ICV scheme in its current format. Whilst there was no question over the importance of the monitoring visiting gives us, it felt socially responsible to do so, given the scheme relies on volunteers and we did not wish to expose anyone through custody visiting to the virus. Equally it felt unnecessary to risk ICVs taking the virus into custody and impact what was predicted to be stretched staffing levels. Additionally, based on those ICVs in full self-isolation, maintaining a fully functioning scheme would have been near impossible.

However, the PCC still has a statutory duty to maintain an oversight of custody in some form and as a result within 14 days of the scheme suspension a system of unannounced weekly monitoring calls between custody officers and ICVs was fully in place to provide the necessary overview and provide reassurance to the ICVs and PCC. To date this new system is working effectively and is well received by all parties and will be fully reported in next year's annual report.

Training & Other Events

The best custody visiting schemes have the best trained custody visitors and we take our responsibility in keeping our ICVs up-dated on changes in the custody environment relevant to their role very seriously.

We hold an Annual Training Day inviting speakers on topics relevant to custody. We also offer our ICVs the opportunity to attend local and regional training events and the ICVA National Conference. Reports were compiled by those attending and circulated to all to share the learning.



The Annual Thank You Event was held in October 2019 at Mount Browne, with the purpose of thanking the volunteers for their continued commitment. The thanks were led by David Munro and Gavin Stephens and Gamal Turawa, an ex-Met Police Officer, gave an interesting and enlightening presentation highlighting the need to never prejudge a person.

Regional Collaboration and ICVA

The South East Regional ICV Scheme Managers (Hampshire, Sussex, Surrey, Kent and Thames Valley) exchange information and meet on a six-monthly basis in order to bench-mark the Schemes and share information and best practice.

The Surrey ICV Scheme continues to be a member of the Independent Custody Visiting Association (ICVA). ICVA provides access to training for ICVs at all levels as well as support and reference for the Scheme Manager.

Looking Ahead

ICVs continually report on a well-run custody who value their visits, however challenges and opportunities continue to exist. The 3 key priorities for Surrey's ICV Scheme as we enter 2020/21 are as follows:

- Custody Oversight Calls – Managing the temporary custody overview process that has been implemented due to the global coronavirus pandemic and initiating the return to physical custody visiting as soon as it is safe and practicable to do so. The temporary solution has also introduced electronic, online reporting, this may be something which we look to keep even when ICVs are back in custody.
- Strip Searches – Concerns have been raised nationally about the number of detainees being strip searched. During the next reporting year, Surrey ICVs intend to pay close attention to which detainees are searched and satisfy themselves it was lawful and proportionate. Conversations are already happening between the scheme and the Force to obtain access to data on numbers of searches conducted as this is not currently collated in a single place.
- Ethnicity Capture – Surrey and Sussex Criminal Justice Partnerships have formed a working group to proactively build upon the findings of the Lammy Review (2017) and the Cabinet Office Race Disparity Audit (2017). Their aim is to identify if there is fairness and equality across the criminal justice system whilst also looking for disparity. As soon as physical visits restart, ICVs will begin tracking the ethnicity of detainees and reporting on it quarterly.

Volunteer & Make a Difference

If you are interested in finding out more about Independent Custody Visiting, please contact us. We would like to hear from you if you:-

- Are over 18
- Live, work or study within the Surrey Police borders
- Are able to communicate well with a diverse range of people
- Are able to work as part of a team
- Are flexible and reliable
- Are a good listener
- Are objective and non-judgemental
- Are able to maintain confidentiality
- Have lived in the UK for the past three years

An application pack can be downloaded from our website at

<http://www.surrey-pcc.gov.uk/independent-custody-visiting/>

A hard copy of the application pack can be requested from this office.

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