



Independent

Custody Visitors

2024 Annual Report



OPCC

Office of the Police &
Crime Commissioner
for Gloucestershire

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Foreword

Chris Nelson

I am pleased to present this Annual Report highlighting the vital work of our Independent Custody Visitors in Gloucestershire.

Independent Custody Visiting is an essential element of the work of my office in ensuring the police service is open and accountable to the people it serves.

The Independent Custody Visiting Scheme gives the public a real insight into conditions in custody and reassurance that someone independent of the Police has oversight. This statutory scheme cannot exist without the commitment of volunteers.

Police custody remains a challenging and dynamic environment with many of the most vulnerable people passing through its doors. The public rightly expect officers to act with integrity and impartiality and to treat detainees fairly, professionally and according to their individual needs. This is why it is vital that we have independent visitors who are able to ensure that the high standard of detainee welfare is maintained.

I would like to thank all the ICVs for their continued time, dedication and perseverance to the scheme, providing that vital independent oversight of detainees' welfare and conditions in custody.



Background

& Introduction

Until the publication of the Scarman Report following the Brixton Riots in 1981, no provision existed for the independent monitoring of the welfare of detainees held in police custody. Lord Scarman recommended that provision be made for random checks by people other than police officers on the interrogation and detention of suspects in police stations. The aim of this was to promote public confidence in policing, ensuring all policing activity was accessible and transparent to scrutiny by the public.

Initially Independent Custody Visiting was voluntary for Police Authorities, however in 2002 it became a statutory provision under the Police and Crime Act 2002 with the Home Office introducing the 'Codes of Practice for Independent Custody Visiting' (annex one). The Police Reform and Social Responsibility Act 2011 introduced Police and Crime Commissioners and gave them the responsibility for operating and overseeing a scheme in their police area.

Independent Custody Visitor (ICV) schemes exist to provide assurance to local communities so that they can have confidence in the way the police treat people who are held in their custody.

As Commissioner for Gloucestershire, Chris Nelson must ensure that robust and effective procedures for establishing and maintaining the scheme are in place.

The Office of the Police and Crime Commissioner (OPCC) recruits volunteer ICVs to undertake the role and provides them with support and on-going training to ensure that they can carry out their role effectively.

The scheme plays an important part in maintaining police accountability to the local community and the aim of this annual report is to ensure that this information is available in the public domain.

Gloucestershire has a purpose built custody suite in Quedgeley. The building has been carefully designed around the custody process, and sees the custody charge area centrally located allowing a line of sight down the wings comprising of 50 cells and 10 holding cells. It also encompasses two van docks, a secure compound and staff / visitor parking.

From April 2023 until March 2024 Compass House saw 8,810 detainees, 534 of these were young people aged 17 and under.

How does the Scheme Work?



Visiting the Custody Suite Visits are random, unannounced and can take place at any time of the day and night. ICVs visit police cells and with their consent, speak to detainees being held. Conversations with detainees focus on welfare needs and the provision of rights and entitlements under the Police and Criminal Evidence Act (PACE). With permission, ICVs can review a detainee's custody record to ensure that the detainee has been treated appropriately.



Holding to Account
If ICVs notice any issues they will write this in their report at the end of the visit. The ICV scheme manager will then raise this with the Chief Inspector for a response. If they do not receive a satisfactory response then the PCC will raise the issue as a form of holding to account with the Chief Constable.



Custody Record Reviews
Custody Records are randomly selected and reviewed by ICVs in order to ensure that the detainee has been looked after throughout their time in custody. The ICVs will look at randomly selected records and provide feedback via a survey to the scheme manager.

Independent Custody Visiting is supported nationally by the Independent Custody Visiting Association (ICVA). They are a voluntary organisation that promotes the custody visiting process nationally through advocacy, training, publicity and ongoing support to all involved in the process. Ultimately, it aims to assist in the formulation of best practice for custody visiting schemes, increasing public awareness and understanding.

The Scheme in

Gloucestershire

This year was a notable year for the ICV scheme, with several reasons to celebrate. The scheme was assessed by ICVA against their quality assurance framework and won a platinum award. This is the highest possible achievement and can offer assurance that the scheme is following the codes of practice set out by ICVA and the home office. In addition to this, two of the volunteers received high sheriff's awards to recognise their continued dedication and commitment.

There has been some change however as the monthly oversight meetings were stopped due to requests from ICVs. Panel meetings have continued. These take place with the Chief Inspector in attendance. This has enabled issues to be addressed directly at the meeting and created greater links with custody staff. ICVs have also supported with various scrutiny panels such as: the custody scrutiny panel, use of force and adhoc scrutiny events they were invited to contribute to by the constabulary.

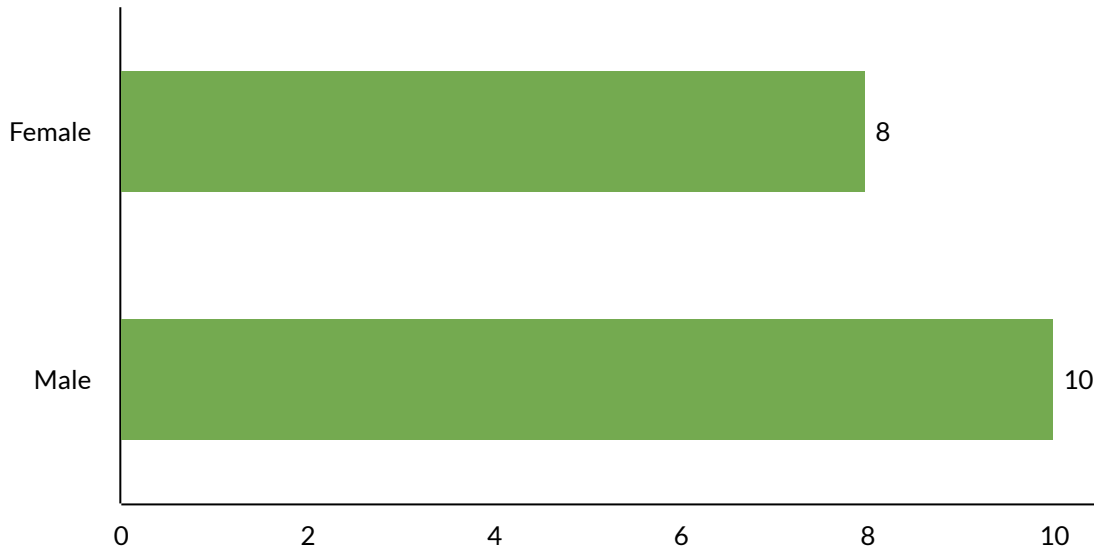
In the past year we have had three ICVs leave the scheme however we have had three ICVs join. A substantial recruitment campaign took place over May with the scheme being highlighted in local media including social media. From this campaign we are hoping to recruit six more volunteers to join the scheme.

There are currently four Terrorism Act (TACT) and National Security Act 2023 trained ICVs with an additional two currently going through the vetting process. This means that they are authorised and vetted to visit those who have been detained under the Terrorism Act. We had no TACT detainees in the past year.

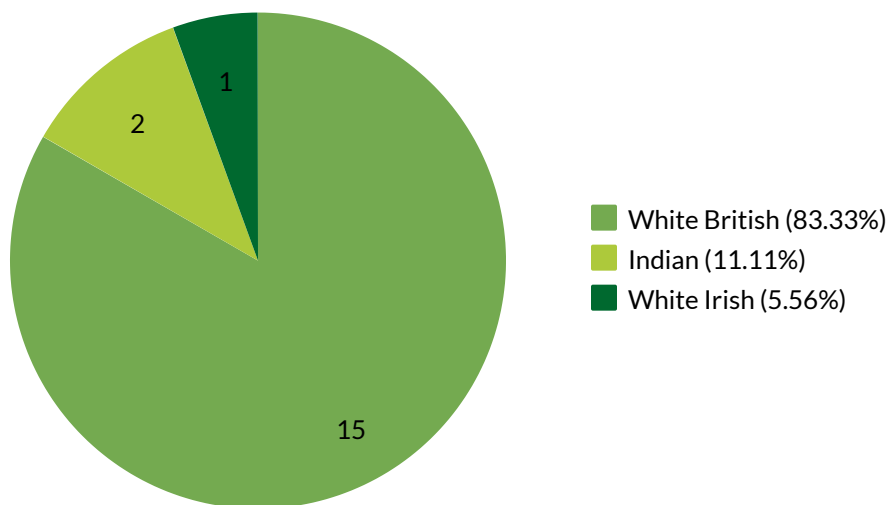
Gloucestershires ICVs

The below tables set out the gender, ethnicity and age ranges of the volunteers within the scheme. This is in order for the scheme to hold itself accountable, it must be proportionally representative of the local community and as such we must monitor the below protected characteristics.

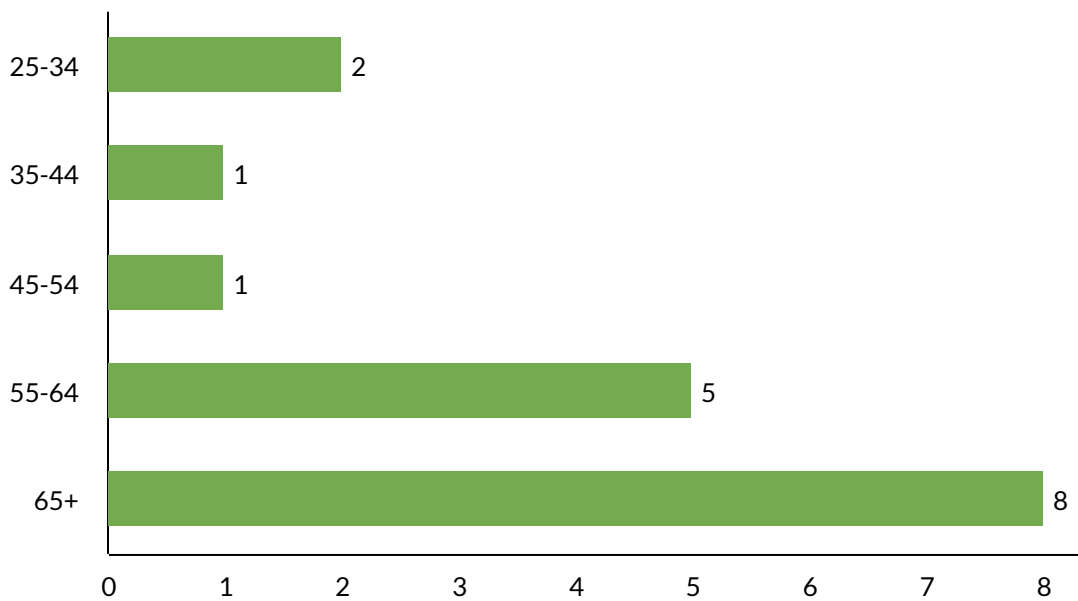
ICVs Gender



ICVs Ethnicity



Age Ranges of Volunteers



OPCC Activity Overview

Annabelle has completed her first full year as the ICV scheme manager. Annabelle is supported by the ASB Case Review Assistant Scarlett Newman who in the past year has provided administrative support as well as cover for meetings when needed.

Training delivered this year has been focused on a variety of topics including how menopause and neurodivergency affect detainees in custody.

ICVs have also attended several engagement events including the constabulary and OPCC open day, GCHQ and the Volunteers Emergency blue light recruitment event. The latter coinciding with a recruitment campaign that led to the scheme being spotlighted on local radio stations and in a Gloucestershire business magazine.

As part of the induction training for new Custody Sergeants and Custody Detention Officers two ICVs along with the ICV Scheme Manager have given a short presentation on the role of ICVs and answered questions. These sessions have been successful and beneficial as part of the training process.

There has been some collaboration with the Samaritans in the production and design of Stressballs which are now being given to vulnerable detainees in custody. Firstly as a distraction tool and most importantly to give detainees the Samaritans phone number.

Finally, the OPCC would like to thank all ICVs for their ongoing commitment to the scheme, and to welcome the newest ICVs.

Activity

Overview

Custody Visits

At the AGM last year, it was reported that visits were taking place around once every 14 days.

This last year has seen an increase in the number of ICVs making physical visits and the data now shows that they have continued to visit on average once every nine days. ICVs have visited every day of the week with the most popular times being between 12:00 and 14:59.

The total number of people spoken to during the visits over this period was 153. An additional 44 were unavailable for a visit and 14 were observed by our ICVs. During visits ICVs are speaking to 36.6% of detainees in custody at the time.

ICVs may observe a detainee rather than speaking to them for a number of reasons. For example, it may be that the detainee is asleep, the detainee has refused to speak to them or ICVs may observe the detainee for safety reasons. Detainees might also be unavailable to be spoken to due to the time of visit, i.e. the detainee is in interview or biometrics are taken. They could also be speaking to a health care professional or using the outside area.

An overview of the issues raised and the positive comments can be seen in the below tables with comments from all the visits found in Appendix C.

Date of Visit	Issue Raised	Constabulary Response
Q1	Outside reception Area	Estates team have asked this area to be included under the support services contract.
Q1	Cleanliness of the custody building	Discussed in ICV April Oversight meeting there is a rolling cleaning rota which is being operated.
04/04/2023	Concern over detainee's mental health and ability to request a solicitor.	Detainee had been provided with legal representation and Appropriate adult
28/05/2023 05/06/2023 10/06/2023	Graffiti in yards, yards also dirty with various items of discarded drinks cups and tissues	A project is being commissioned in order to have a mural painted in the yards which will cover up the graffiti. Contractors have also been asked to address the cleanliness of the yards. currently there and aim to make the space brighter.
	HCP showed lack of concern and dismissive when the ICVs raised an issue with them	A formal complaint was raised via the Chief Inspector of custody. The complaints outcome resulted in an apology from the Healthcare Professional (HCP).

Date of Visit	Issue Raised	Constabulary Response
24.10.2023	Observation level of the detainee	Chief Inspector looked into the report and is content with the observation set.
Q3	Cleanliness of the custody building	Discussed in ICV Panel meeting
28.12.2023	Concern in regards to a female detainee who had mental health issues and had not seen an Appropriate Adult (AA). They were also concerned with the level of observation the detainee was under as the detainee had expressed thoughts of harming herself. In addition concerns were raised that the detainee had not received their medication. Concerns also around the cleanliness of the cell and detainee not being offered food.	Superintendent will review this as part of a wider area of issues in custody with the new Chief Inspector.
28.12.2024	ICVs reported that they were concerned a door was open to a cell whilst a strip search was taking place.	CCTV was reviewed and an officer spoken too and it was confirmed this was not a strip search but the officer had asked a detainee to change their trousers due to a cord in the detainee's trousers. However the officer has been spoken to and words of advice given in regards to maintaining detainees dignity whilst they are changing.
Q4	Cleanliness of Custody	Contract with Cleaners is being looked into by the Chief Inspector.
	Graffiti in Yards	Painting planning to take place to address this soon.
	Brought to ICVs attention that there was an issue with the cleaning contract in custody so cells left out of action	This has been fed back to the Chief Inspector who has raised this with estates team.

Activity

Overview

Record Reviews

Over the past year 47 custody records were reviewed by ICVs with a strong focus on children towards the latter half of the year. The records were chosen at random.

The below table outlines the number of records reviewed including number of males/females and of those records which ones were children.

Month	Total Male Records Reviewed	Total Female Records Reviewed	Total	Number of these that are Female Children	Number of these that are Male Children	Total Childrens records reviewed
April	4	0	4	0	0	0
May	1	4	5	1	4	5
June	8	1	9	1	1	2
July	4	0	4	0	0	0
August	3	0	3	0	0	0
September	4	1	5	1	4	5
October	0	0	0	0	0	0
November	3	0	3	0	0	0
December	2	0	2	0	0	0
January	1	1	2	1	1	2
February	5	0	5	0	5	5
March	5	0	5	1	4	5
Totals	40	7	47	5	19	24

The main issues highlighted throughout the year were around lack of detail within the records for example in recent records there was detail missing on when Appropriate Adults (AAs) were contacted. However all comments and observations have been fed back to the Chief Inspector who has actioned issues raised or fed back to staff as can be seen in Appendix D.

Detainees

In Custody

Vulnerable Detainees

It is widely accepted within policing that there is a need to reduce the number of children and vulnerable people in custody. Gloucestershire Constabulary takes a positive approach with this. The aim is to release detainees from custody in a healthier position than they arrived, so they are better equipped to change their behaviours and lifestyle choices. Various diversion and support services are available to detainees through partnership working, such as The Nelson Trust and Youth Support Team and are based upon the detainees needs and vulnerability.

ICVs will always prioritise seeing children, vulnerable people and females during their visits, especially when Custody is busy and they are unable to see all detainees. If a detainee is unable to be seen (asleep, advised against a visit etc.), ICVs will always strive to make a safe observation of them.

Statistics of detained people in custody 2023/24

Within the year beginning April 2023 there were a total of 8,810 detainees held at Compass house with a daily average of 24.1 detainees.

The below table shows the gender of all detainees from the past year.

Gender	Number of Detainees	Percentages
Male	7300	82.9%
Female	1500	17.1%
Other	2	0.0%
Total	8810	100%

The below table shows the ethnicity of the detainees including the percentage of that ethnicity within the county of Gloucestershire according to the 2021 census. This in order to show the proportional representation of the detainees within compass house.

Ethnicity	Number of Detainees	Percentage	Percentage of ethnicity in Gloucestershire (according to 2021 census)
Asian	250	2.8%	3.2%
Black	472	5.4%	1.3%
Mixed	293	3.3%	2.3%
Not Stated	558	6.3%	N/A
Other	122	1.4%	0.8%
White	7,115	80.8%	92.5

The below table sets out the age brackets of the detainees in compass house.

Age Bracket	Number of Detainees	Percentage
Under 18	534	6.1%
18-24	1503	17.1%
25-34	2448	27.8%
35-44	2443	27.8%
45-54	1204	13.7%
55-64	483	5.5%
65 and over	195	2.2%



Children in Custody

In the year beginning April 2023 534 children (aged 17 or under) were detained in compass house which came to an average of 2.1 children every day.

The below table sets out the gender of children detained in compass house.

Gender	Number of Child Detainees	Percentages
Male	445	83.3%
Female	87	16.3%
Other	2	0.4%
Total	534	100%

The below table sets out the ethnicity of children detained in compass house.

Ethnicity	Number of child Detainees	Percentage
Asian	6	2.8%
Black	44	5.4%
Mixed	19	3.6%
Not Stated	68	12.7%
Other	5	0.9%
White	392	73.4%



TACT Code H &

National Security Act

Persons detained under PACE Code H are persons who have been arrested on suspicion of being, or have been concerned in the commission, preparation or instigation of acts of terrorism or have been arrested for statutory offences as detailed in the Terrorism Act.

Persons held under PACE Code H can be detained for up to 14 days, significantly longer than those arrested under PACE Code C of whom can be detained for up to 96 hours without charge; and the rights, entitlements change accordingly to reflect the differing needs.

In addition to TACT Code H the National Security Act 2023, allows police to detainee without charge individuals suspected of being involved in foreign power threat activity for up to 48 hours initially. With the ability for police to apply for warrants to increase this to detain the suspect for a maximum of 14 days. A new PACE Code I has been created for National Security Act detention.

There have been no TACT or National Security Act detainees between 1st April 2023 and 31st March 2024.

ICVs must hold at least 18 months service as a Code C ICVs before they are able to train to undertake Code H and I Visits; in order to become a TACT ICV they need to undergo further vetting and receive additional specialist training.

All ICV visit report forms with those who are arrested under the National Security Act 2023 are sent to the Independent Reviewer of States Threats Legislation (IRSTL) Johnathan Hall KC. ICV reports on those arrested under PACE Code C are to be sent to the Independent Reviewer of Terrorism Legislation (IRTL) which is also held by Jonathan Hall KC.

External

Bodies

Independent Custody Visiting Association (ICVA)

ICVA are a Home Office and Police and Crime Commissioner funded membership organisation set up to lead, support and promote local ICV schemes.

ICVA supports ICV schemes and their managers by providing effective, timely and consistent support. They ensure all schemes remain up to date in the world of policing and have the tools they need to be able to deliver effective oversight of detainees and their rights, entitlements and wellbeing.

ICVA also work closely with Government and Criminal Justice organisations to

- Promote and support the effective provision of Independent Custody Visiting
- To support ICVs across England and Wales in contributing, wherever possible and appropriate, initiatives to improve conditions in police custody.
- They are members of the UK National Preventive Mechanism as required by the Optional Protocol against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

National Preventative Mechanism (NPM)

Independent Custody Visiting forms part of the NPM the body that oversees the regulation of all detention settings within the UK. The NPM was established when the Human Rights treaty, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) was ratified in 2002. This is an international human rights treaty designed to strengthen the protection of people deprived of their liberty.

For more information about the National Preventative Mechanism, please visit the dedicated website <https://www.nationalpreventivemechanism.org.uk/>