

Information Pack

~

Independent Custody Visitors (ICVs)



Independent **C**ustody **V**isitors

Role Profile

What is an Independent Custody Visitor (ICV)?

Independent custody visiting is a vital part of the work of the Office of the Police & Crime Commissioner in ensuring the police service is open and accountable to the people it serves.

Independent Custody Visiting is a well-established system whereby volunteers attend police stations to check on the treatment of detainees and the conditions in which they are held. They ensure that their rights and entitlements are being observed. It offers protection and confidentiality to detainees and the police and reassurance to the community at large.

To undertake custody visits with other custody visitors checking on the conditions in which a detainee is kept, their health and well-being and rights and entitlements with reference to *Police and Criminal Evidence Act, 1984 (PACE)* code C.

What responsibilities do ICV's have?

ICV's are responsible for organising and overseeing the scheme, in consultation with the Chief Constable. The Commissioner, therefore, must ensure that robust and effective procedures for establishing and maintaining the scheme are in place.

- To carry out custody visits to the custody suite with fellow custody visitors in line with the panel rota, scheme guidelines and training received.
- Check on the conditions in which detainees are kept, health, wellbeing, their legal rights and entitlement (*PACE, Code C*).
- Where appropriate, to consult the detainee's custody record to clarify and check any concerns raised by the detainee.
- To complete the Visitors Record Form, bring to the attention of the custody officer any concerns/requests arising from the visit and any issues that need to be dealt with.
- Review randomly selected Custody Records of vulnerable individuals who have been detained in custody and then report upon pre-set criteria.
- Undertake observations within custody and report findings on pre-set criteria.
- To keep the panel co-ordinator and other panel members informed of any problems relating to own ability to meet the requirements of the visiting rota or changes in personal circumstances.
- To carry out the duties of an Independent Custody Visitor as set out in the scheme's handbook, giving due regard to Health and Safety requirements of the custody visiting scheme and custody suite.
- To complete and submit any necessary documentation relating to the scheme, or in connection with own appointment, in a timely manner
- To retain a good working relationship with key stakeholders including custody visiting colleagues, the Office of the Police and Crime Commissioner, custody staff and any other interested groups or individual.
- To attend and take an active part in at least two quarterly Independent Custody Visitor panel meetings.
- To attend seminars, developmental and training sessions as and when required.
- To contribute towards the success of the independent custody visiting scheme, promoting improvement in the way that the scheme is delivered.

Memorandum of Understanding (MoU)

Upon successful appointment, ICVs will be expected to sign the MoU which will jointly bind ICVs and OPCC to a custody visiting agreement.

This is an agreement between the Office of the Police and Crime Commissioner for Gloucestershire and the new ICV outlining the expectations and requirements of both parties in the effective operation of the Gloucestershire Independent Custody Visiting Scheme.

ICVs in Gloucestershire

Source: www.gloucestershire-pcc.gov.uk

Who oversees the ICV scheme?

- The Police and Crime Commissioner for Gloucestershire.

In 2012, Police and Crime Commissioners (PCCs) took over the task of holding the police to account from Police Authorities. The dissolving of Police Authorities led to the Independent Custody Visiting scheme being a statutory responsibility for the Police and Crime Commissioner for Gloucestershire ([Police Reform Act, 2002: pp. 2-4](#)).

The PCC's duties are listed below;

- 1) Being responsible for the police budget,
- 2) Holding the Chief Constable to account for the actions of the police,
- 3) Acting as a voice for the public on policing matters,
- 4) Commissioning services to achieve his core target of reducing crime,
- 5) Delivering a Police and Crime Plan which outlines priorities that aim to reduce crime and disorder across the county.

How many custody suites are in Gloucestershire?

- Gloucestershire has **one** custody suite (Compass House in Quedgeley, Gloucestershire).

Person specification

The criteria contained within the Person Specification form the basis for short-listing suitable applicants for the role of custody visitor.

Essential criteria: requirements necessary for safe and effective performance in the role.

Eligibility

- Must be 18 years of age+ and live or work in the Gloucestershire Constabulary jurisdiction.
- Must hold a current driving licence or be able to travel around the force area by alternative means.
- Must not be a justice of the peace, serving police officer/civilian employees, member of staff in the Office of the Police and Crime Commissioner or a special constable.
- Must not be a current member of the Appropriate Adult Network.

Working with people

- Able to demonstrate the ability to work as part of a team.
- The ability to establish and maintain good working relationships with a wide range of people.

Effective communication skills

- The ability to communicate effectively orally and in writing.

Working within guidelines and procedures

- Previous experience of working to established guidelines and procedures.

Reporting skills

- Previous experience of completing and submitting records.

Respect for people

- Capacity to treat all people fairly and with respect, to value diversity and respond sensitively.

Desirable criteria: elements that would contribute to potentially improved performance in the role.

Additional useful experience

- Previous knowledge or experience in custody visiting or active community involvement as a volunteer.

Flexibility

- Able to offer assistance in fulfilling scheduled visits in other panels, promoting exchange of skills and experiences across visiting panels.
- Able to visit at a higher frequency if and when asked to do so by the Scheme Coordinator.

Independent Roles: Scheme Coordinator & Deputy Coordinator

Scheme Coordinator Role: to support the OPCC Scheme Manger in the local day to day management of the ICV scheme.

Scheme Coordinator Responsibilities

- Support the Scheme Manger with interviewing and selecting new ICVs.
- Ensure new ICVs are inducted adequately by supporting and enabling tours and shadow visits either with you or other experienced ICVs.
- Create and distribute the visiting rota either quarterly or bi-yearly.
- Act as a point of escalation for visitors' issues and queries.
- Provide the OPCC with feedback regarding to specific issues and processes as required.
- Chair the quarterly panel meetings
- Act as mentor to all ICVs in the panel.
- Act as first point of contact with regards to any last minute visit changes.
- Attend quarterly panel meetings at Police HQ.
- Attend other meetings and conferences as required.
- Provide input into new developments and initiatives when appropriate.
- Support the dissemination of information to ICVs as required.
- When required, consult with the Deputy Coordinator to get their thoughts and ideas regarding issues, changes or new ways of working.

Deputy Coordinator Role: To support the Scheme Coordinator in the local day to day management of the ICV Scheme.

Deputy Coordinator Responsibilities

- Support the Scheme Coordinator in all aspects of their role (dependent on experience).
- When required, stand in for the Scheme Coordinator when he/she is unavailable for any of the above tasks.
- Support the induction of new ICVs by supporting tours, shadow visits and first formal visits.
- Act as a point of consultation for the Scheme Coordinator regarding any issues, changes or new ways of working.
- Act as second point of contact to the ICVs for any issues or last minute changes to the visiting rota.
- Support the Scheme Coordinator with the taking of quarterly panel meeting minutes where required.

FAQs

Source: [Code of Practice on Independent Custody Visiting](#) (Home Office, 2013)

Why do we have to have ICV's?

Independent custody visitors maintain independence and impartiality by actively looking, listening and reporting on what they find in the custody unit. Section 51 of the *Police Reform Act 2002* (as amended) requires Police and Crime Commissioners in England and Wales to make arrangements for detainees to be visited by ICVs. Such arrangements may make provision for access to detainees by ICVs, examination of records, inspection of detention facilities and provision of a Code of Practice.

What processes are involved?

1. Complete and send an application form.
2. Shortlisting by OPCC
3. Asked to attend an interview: successful applicants must attend a one day information / training day.
4. Tour around Custody Suite
5. Pass vetting process

Newly appointed independent custody visitors complete a probationary period of approximately 6 months, including undertaking at least 3 shadow visits as part of their probation. Once a fully accredited ICV, reviews will be held no more than 3 yearly.

When are ICVs allowed to visit?

ICVs must attend as a pair and they must be admitted to the custody area immediately. Delay is only permitted when immediate access may place the visitors in danger and if authorised by an officer of Inspector rank or above. 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.

The actual timing of visits is entirely a matter for ICVs, but should be random and unannounced. The custody officer or a member of custody staff must accompany ICVs during visits.

What are ICVs allowed to visit?

ICVs must have access to all parts of the custody area and to associated facilities, such as food preparation areas and medical rooms. It is not part of their role to attend police interviews with detainees. ICVs will be allowed access to CCTV cameras and systems (in PACE detention facilities) to ensure that they are operational.

They will also observe the booking-in, risk assessment and release processes of detainees who enter the custody suite.

Do we need to do a risk assessment?

Police staff must be alert to any specific health or safety risks ICVs might face and must advise them appropriately.

Which detainees can they access?

Subject to the exceptions referred to in paragraph 55, ICVs must be allowed access to any person detained at the police station. Detainees may only be spoken to with their consent which may be established by self-introduction by the ICVs themselves (in the presence of the escorting officer) or by the escorting officer. Only ICVs who have undergone the appropriate security vetting and training will be permitted access to TACT detainees (those held under the Terrorism Act).

What about detainees aged 17 and/or younger?

Children may be spoken to with their own consent. If, for whatever reason, a detainee is not in a position to give consent, the escorting officer must allow the visit unless any of the circumstances are present, as stated below.

Are there circumstances when the custody Sergeant can limit access to a detainee?

The custody Sergeant may limit or deny ICVs access to a specific detainee but it must be authorised by an officer of Inspector rank or above and where either:

- After a risk assessment has been carried out the officer reasonably believes that to be necessary for the ICVs' safety, or
- If the officer reasonably believes that such access could interfere with the process of justice.

Where any of the circumstances referred to in paragraph 55 apply, consideration should be given to allowing the visitors some limited form of access to the detainee, such as speaking through the cell hatch.

Any decision to deny or limit access must be recorded in the detainee's custody record (together with the relevant authorisation) and by the ICVs in their report of the visit.

Can police listen in to the conversation between the ICV and detainees?

Discussions between detainees and ICVs must, wherever practicable, take place in the sight, but out of the hearing, of the escorting police officer. Where this is not possible, the police officer will not take any active part in the conversation. For TACT detainees, discussions may take place in either the interview room; the solicitor's consulting room or some other convenient place. Where recording equipment is present, the ICV and the detainee should be informed that their discussions are not being recorded.

What are the ICV's checking for?

Discussions must focus on checking whether detainees have been offered their rights and entitlements under PACE, their health and wellbeing, and the relevant safer detention guidelines and confirming whether the conditions of detention are adequate.

ICVs will also review redacted custody records to check they have been correctly updated and report back to the scheme manager any findings they have queries about.

Are there any safeguards for disclosure or confidentiality?

ICVs must remain impartial and must not seek to involve themselves in any way in the process of investigation. If a detainee seeks to make admissions or otherwise discuss an alleged offence, the visitor must tell them that the relevant contents of the visit will be made known to the custody officer and may be disclosed in legal proceedings. ICVs do not hold any legal privilege. ICVs must not pass messages to or from detainees or offer to perform other tasks on their behalf. If they are asked to do so they must immediately inform the custody officer. If a detainee indicates to an ICV that they may harm themselves or any other person, this must immediately be brought to the attention of custody staff.

Can ICVs view a custody record?

Subject to obtaining the detainee's consent to examine their custody record, the ICVs should check its contents against what they have been told by the detainee. Visitors may also have access to other relevant documentation, which relates to a detainee e.g. risk assessment. All such information must be treated confidentially. If a detainee is for any reason incapable of deciding whether to allow access to their custody record, the presumption must be in favour of allowing the ICVs to examine it.

Is there a report to fill out after a visit?

A report is to be completed after each visit. It provides an insight into the running of the custody area at the time of the visit. They provide a vital source of information on the environmental and welfare conditions in which detainees are held. The information is analysed and areas for action are highlighted. All information is logged by the OPCC and the content is documented in quarterly and annual reports.

Are there any other duties?

Yes, part of the role of an ICV is to carry out Custody Record Reviews (CRRs). This entails reviewing the custody records of vulnerable individuals who have been detained in custody and then report upon pre-set criteria. The custody records are randomly selected and the checks include:

- Assessing those individuals have been detained appropriate to their needs.
- The detained persons health and wellbeing in taken care of
- That they have received their legal rights and entitlements in accordance with the Police and Criminal Evidence Act (PACE) Code C.

Independent custody visitors must treat as confidential the details of what they see and hear on their visits. They are expected to attend an Annual General Meeting and also quarterly panel meetings.

Gloucestershire OPCC – Key Personnel***ICV Scheme Manager***

Annabelle White-
annabelle.white@gloucestershire.police.uk

Additional contact details:

PCC Office – pcc@gloucestershire.police.uk
PCC Office – 01452 754348