

## Introduction

Cambridgeshire Police Authority is required by law to have a scheme that ensures that persons detained in custody:

- are treated humanely and fairly by officers and police staff;
- receive their legal rights and entitlements;
- are held in satisfactory conditions.



## What is an Independent Custody Visitor?

Independent Custody Visitors are members of the public who volunteer to visit police stations to check on the treatment and well being of detainees. They are recruited by the Police Authority, but are independent of both the

Police Authority and the Constabulary.

The visitors come from various backgrounds and sections of the community. They will not have any other involvement with the Criminal Justice System, for example the police, courts or prison service, in order to maintain the integrity of the scheme.

Independent Custody Visitors must be impartial and independent in order to make informed judgements in which the community can have confidence.

## Independent Custody Visits in Cambridgeshire

There are now seven custody suites in the county: the planned closure of the custody facilities at Wisbech took place at the end of September 2009 and additional cells opened at March in October.

Visits to the custody suites are shared between three local panels as follows:

<u>Cambridge/Ely</u>	Parkside Ely	Cells 15 Cells 4
<u>Huntingdon</u>	Huntingdon St Neots	Cells 10 Cells 5
<u>Peterborough/Fenland</u>	Thorpe Wood Bridge Street March (Wisbech)	Cells 29 Cells 10 Cells 11 Cells 5)

Each panel has its own team of visitors including a panel chair who is responsible for co-ordinating the visiting rota and chairing the quarterly meetings.

The legislation covering the treatment of detainees is the Police and Criminal Evidence Act (PACE) 1984.

In December 1986, Cambridgeshire Police Authority started a Lay Visitors Scheme for people held in police custody, which later became known as the Independent Custody Visitors Scheme.

The Custody Visitors make visits to police stations unannounced and in pairs. They observe, comment and report on the conditions under which persons are detained at police stations and ensure that the rights and entitlements of detainees are being respected by the police, with a view to securing greater public understanding and confidence in these matters.

After each visit a report is completed. Copies of these reports are subsequently provided to the chair of the local panel, the Divisional Custody Manager, the Scheme Co-ordinator and the Police Authority Custody Visitors Panel for checking and any necessary follow up action.

The divisional custody managers are invited to attend the local meetings. This enables them to address the issues and concerns which have been identified and also clarify information.

The Cambridge/Ely panel has 11 visitors, Huntingdon also has 11 and Peterborough/Fenland has 14.

The three main custody facilities - Thorpe Wood, Parkside and Huntingdon - are visited on a weekly basis; the four less frequently used facilities are visited fortnightly or monthly.

On arrival at the police station custody visitors are, wherever possible, given immediate access to the custody area. A member of the custody staff will accompany the visitors around and also introduce them to the detainees, confirming with each detainee whether they would like to speak with the custody visitors or, in some cases, requesting the detainee's permission for the custody visitors to view the detainee's custody record.

## Statistics

Between 1<sup>st</sup> April 2000 and 31<sup>st</sup> March 2010, the following numbers of detainees were held within Cambridgeshire Constabulary's custody facilities:-

Huntingdon	3617	Bridge Street	60
Thorpe Wood	9185	March	1420
Ely	537	St Neots	75
Parkside	7116	Wisbech	1321

During this same period, a total of 224 custody visits were conducted, at which time 1144 people were detained. Of the 701 detainees who were available to receive a visit, 503 were seen (72%). There are a number of reasons in addition to refusal, why detained persons are not visited, including detainees being asleep, at interview or with their solicitor.

Not all detainees who are held within Cambridgeshire's custody facilities are PACE detainees. A number of Immigration, Remanded and Sentenced Prisoners, Place of Safety (Mental Health Act 1983) and Court Bail detainees are also held.

The average detention period of a PACE detainee is 6 ¼ hours.



**Benjamen Damazer FIMC JP is an independent member and Vice Chair of the Cambridgeshire Police Authority, and Chair of the Independent Custody Visitors Panel and of the Professional Standards Committee. He writes:**

The Police Authority is responsible for making sure that those people detained by the Constabulary, for whatever reason, are properly cared for and that they have access to legal or medical support to meet the best human rights standards.

Having a law, or set of rules, can never be sufficient without a system of independent checks that all is as it should be. The Cambridgeshire Police Authority is fortunate to benefit from a large number of community volunteers – men and women with no connection to the police service – who give their time, on an unpaid basis, to visit detained persons and assess their status.

These Independent Custody Visitors report on each person they interview – the conditions they are seeing and whether human rights are being upheld. The approach requires pairs of custody visitors to be given immediate access to the custody area and check on conditions. The visits take place at any time of day or

night, without notice. A sample of those in custody may be interviewed, but the visitors will never be told

The table below provides a breakdown of visits to the three/four main custody suites:

Number of	Thorpe Wood	Parkside	Huntingdon	March	Total
Visits	50	53	49	12	164
Detainees Present	471	414	182	27	1102
Detainees Seen	218	170	75	13	483
Detainees Refused	77	79	32	4	192
Detainees Asleep	27	34	21	3	87
Detainees at Interview	39	64	28	2	134
Detainees Other	110	67	26	5	206

At any time the police may be holding those accused of serious crimes, those awaiting interview, individuals alleged to have broken immigration rules or those in custody for their own protection. Some may be juveniles, many have mental health concerns and a large number will not speak English as their first language. All have rights to meals, sleep, advice and support and to be kept in a safe environment, treated humanely.

The Police Authority studies each individual report and is delighted to confirm that no breaches of the Human Rights Act were reported by custody visitors. A number of minor points have been raised and the Authority has required the Constabulary to repair or improve individual items where required. Many improvements have been made to systems, processes and facilities following a joint HM Inspectorate of Constabulary and HM Inspectorate of Prisons report received during the year and the independent custody visitors continue to monitor implementation of these changes on our behalf.



The Authority is grateful to the visitors for the work they do and the time, energy and commitment each of them makes to ensuring that the Constabulary upholds the highest standards.

### **Huntingdon Panel by Tom Quilligan, Chair**

Members of the Huntingdon Independent Custody Visitors Panel visit the custody facilities at Huntingdon and St. Neots police stations. Membership of the panel currently stands at 11 visitors, who each make a visit approximately once every six weeks.

The panel meet together once every quarter to discuss visits made and broader custody related matters. Discussion this year was dominated by the findings of the HMIC/P's hugely critical inspection of Cambridgeshire's custody facilities, carried out in November 2008. The panel was pleased with the openness with which the constabulary addressed the findings and subsequent remedial work. The panel was not surprised that few of the concerning issues were found in Huntingdon or St. Neots. Indeed, many of the issues noted were outside the remit of Independent Custody Visitors. A number of learnings regarding detainee welfare have been taken on board by the ICV's.

No major issues were uncovered during the 60 visits undertaken by the panel this year. Visitors were pleased to have interviewed 78 of the 182 (43%) detainees present during their visits. The panel noted that last year's improvement in the cleaning service has been sustained and that some upgrading has been achieved in the fabric of the custody estate. A high standard of care continues to be delivered, thanks largely to a stable team of Detention Officers.

The panel is pleased to record that the public can have confidence that the requirements of the Police and Criminal Evidence Act are being fully met in Huntingdon and St. Neots.

### **Cambridge Panel by Peter Kerswell, Chair**

The Cambridge/Ely ICV group has worked well during the past year with members visiting police stations at Parkside, Cambridge and Ely.

At the moment we have 12 people in our team although one member will shortly be reassigned to the Huntingdon group. This is because of his home location being much nearer to Huntingdon than to Cambridge.

Four new ICVs have joined the team during the year. They have all made several visits to the custody suites and are settling in well.

There have been staff changes in the Hinchbrook team during the year. I am sure that all of my group join me in wishing the older faces well and look forward to working with the new ones in the future.

Thank you to the temporary ICV Scheme Co-ordinator for her support during the transitional period.

### **Peterborough Panel by Andrew Wilcox, Chair**

The Peterborough and Fenland Panel has a membership of 15 people who visit the custody suites at Thorpe Wood and Bridge Street in Peterborough and those at Wisbech and March.

The last year has been eventful following on from the joint HMIC/HMIP Inspection of custody facilities in Cambridgeshire. The March custody suite has been extended to provide 11 cells and this has then allowed the closure of the old Wisbech custody Suite.

Sadly there have been two deaths of detainees whilst being held in custody at Thorpe Wood custody Suite.

The Independent Police Complaints Commission has carried out investigations, as is the standard course of action following a death in custody, and their findings are awaited.

The Panel have again raised concerns over the availability of access to exercise for persons detained over 24 hours. PACE states: "Brief outdoor exercise should be offered daily if practicable".

Custody staff have throughout the year been observed acting in a professional and caring manner towards those people being held in custody.

### **Comments from Cambridgeshire Constabulary Deputy Chief Constable, John Feavour**

I am hugely grateful to the volunteers who perform the role of Independent Custody Visitors. The importance of their role arises because of the seriousness of every situation when we, the police, deprive a member of the public of their liberty.

The arrest of any person whether to make them liable to the criminal justice process, or indeed for their own welfare, is a step never taken lightly by police officers. However, when arrests are necessary it is imperative that members of the public in Cambridgeshire should have the confidence that detainees are treated with sensitivity, integrity and respect, and the Independent

Custody Visitors provide the Police Authority with many sets of eyes and ears to ensure they receive robust reports about the conditions in which we secure their detention.

On occasions when things have gone wrong in custody, and unfortunately there have been deaths in Cambridgeshire in the last year as well as other identified failures, I have greatly appreciated the feedback from Independent Custody Visitors providing suggestions as to necessary improvements and also adding their views as to various improvement plans put in place on my behalf to ensure that we provide the best service and learn from those mistakes whenever they do occur.

### Main issues arising from visits

The Police Authority is pleased to note that the Independent Custody Visitors have reported no breaches of PACE. The Authority also notes that the panels have commented positively on the co-operative and professional approach of custody staff.



Some of the key issues identified by custody visitors during their visits are:

- Access to custody suites
- Cleaning standards
- Staffing levels
- Food stocks
- General repairs and maintenance
- Temperature in cells
- Inadequate lighting / lights not working

Feedback received from Her Majesty's Inspectors of Constabulary and Prisons (HMIC/P) around procedures is currently being addressed by the Constabulary and included within a Force Action Plan, which is being closely monitored by the Police Authority.

### Activities and Events held during the year

During 2009/10, the Police Authority organised the following events for our Independent Custody Visitors:

- Three ICV training and refresher sessions, covering various areas of the scheme.
- Hosted the ICV Regional Independent Custody Visiting Association Conference at Suffolk Police HQ with 87 delegates in

attendance. Topics included revised training materials, mental health within the criminal justice system and human rights.

- The 2009 National Independent Visiting Conference was held at the Ramada, Leicester at which five IVCs and three Police Authority members attended. Delegates enjoyed an informative and interesting day. Subjects covered included; safety and dignity in police detention, preventing death in custody and the developments in custodial matters.

### If you are interested in becoming an Independent Custody Visitor, please contact::

The ICV Scheme Co-ordinator  
Cambridgeshire Police Authority  
Hinchingsbrooke Park  
Huntingdon  
PE29 6NP  
Tel: 01480 422463

Email: [police.authority@cambs.pnn.police.uk](mailto:police.authority@cambs.pnn.police.uk)

Information about the scheme is also available on the Authority's Internet Website:

[www.cambs-pa.gov.uk](http://www.cambs-pa.gov.uk)

**Detailed statistical data on the visits carried out by Independent Custody Visitors in Cambridgeshire can be viewed as a separate appendix on our website.**

### And finally .....

The role of the Independent Custody Visitors is a crucial element in providing the public with reassurance that the police are acting properly and within the law when dealing with people assisting them with their enquiries.

Cambridgeshire Police Authority is grateful for and acknowledges the valuable contribution of the Independent Custody Visitors.



