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DYFED-POWYS
POLICE AND CRIME
COMMISSIONER**

**DYFED-POWYS
POLICE AND CRIME COMMISSIONER**

**INDEPENDENT CUSTODY VISITING
SCHEME**

ANNUAL REPORT

APRIL 2016 – MARCH 2017

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1. Foreword from the Dyfed-Powys Police and Crime Commissioner



Independent Custody Visiting was borne out of Lord Scarman's report on the Brixton riots in 1981 which recommended that a system of independent, unannounced inspection of procedures and detention in police stations by local community members be introduced. This was formalised in 2002 by the Police Reform Act which places a statutory duty on all Police and Crime Commissioners to implement an Independent Custody Visiting Scheme.

An Independent Custody Visiting Scheme was established in Dyfed-Powys in 2001. Since its roll out, thousands of visits have been made to custody suites across the Dyfed-Powys area.

Custody Visiting has introduced transparency of police custody processes. Independent Custody Visitors (ICVs) have a crucial role in ensuring the Human Rights of detainees are upheld and that the Police and Criminal Evidence Act 1984 is complied with.

This could not be achieved without the dedication of all volunteer Independent Custody Visitors and I would like to take this opportunity to thank them for their support, enthusiasm and flexibility. The continued commitment shown by all ICVs is instrumental in the success of the Scheme, and I would like to offer my personal thanks to them all.



Dafydd Iwan
Dyfed-Powys Police and Crime Commissioner

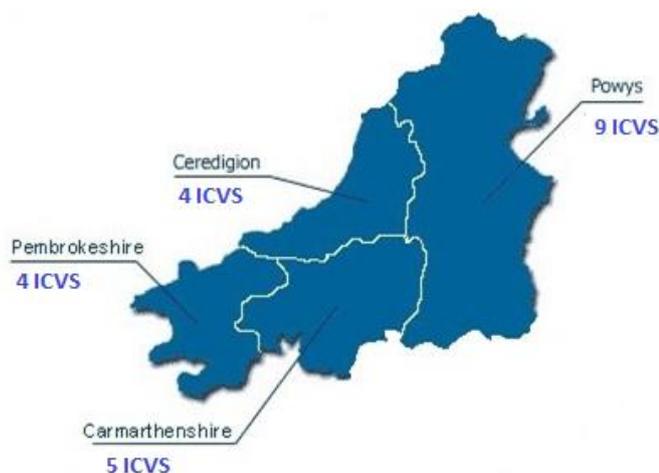
2. Introduction

Independent Custody Visitors (ICVs) are volunteers from our local community who visit police custody suites in pairs, unannounced, to check on the welfare of detainees and to ensure that their rights are upheld. ICVs also undertake checks on the custody environment to ensure it is safe and of a good standard. If any concerns are identified, these are raised by ICVs initially with the Custody Police Sergeant and also via the Police and Crime Commissioner’s office for discussion with Police Inspectors. Updates are then provided to the Office of the Police and Crime Commissioner(OPCC) for consideration. Any overarching themes are fed into the Force’s Strategic Custody Group for further consideration and further action is taken if appropriate. The ICVs’ role offers protection to detainees and transparency of detention processes.

3. Independent Custody Visitors

There are 22 Independent Custody Visitors (ICVs) on the Scheme, spread across the 4 ICV Panel areas; Carmarthenshire, Ceredigion, Pembrokeshire, and Powys.

Figure 1: Number of ICVs in each Panel Area



Every effort is made for the Scheme to represent the demography of Dyfed-Powys, but critically, volunteers who can afford the time and commitment are those selected to take part.

Volunteer numbers are low in Carmarthenshire, Ceredigion and Pembrokeshire. Serving ICVs in these three Counties give a high level of commitment. To reduce the burden on them, recruitment is a priority.

4 ICVs left the Scheme between 1 April 2016 and 31 March 2017: 3 resigned, and sadly 1 ICV passed away.

6 new ICVs joined the Scheme between 1 April 2016 and 31 March 2017. All new ICVs have successfully completed their probationary period.

The majority of our volunteers are aged 55 and over and it is an almost even split between male and female ICVs.

Figure 2: Gender and Age

Gender:	Percentage	Age:	Percentage
Male	55%	18-24	5%
Female	45%	25-34	9%
		35-44	5%
		45-54	0%
		55-64	23%
		65-74	41%
		75+	18%

4. ICV Rotas

Ammanford, Aberystwyth, Haverfordwest, Brecon and Newtown are the main Custody Suites in the Dyfed-Powys area. Ammanford, Aberystwyth and Haverfordwest are visited once a week. Brecon and Newtown are visited on a fortnightly basis. This is due to their varying size and use. There are two other Custody Suites in Dyfed-Powys; Cardigan and Llanelli. They are used as overspill suites and ICVs do not routinely visit these Custody Suites.

Custody Suite	Cell Capacity
Ammanford	8 cells
Llanelli (Only used as an overspill)	10 cells
Haverfordwest	18 cells Plus 2 Detention rooms
Aberystwyth	7 cells Plus 1 Detention room (for youths) and 1 dry room (no toilet).
Cardigan (Only used as an overspill)	6 cells
Brecon	8 cells Plus 1 Detention rooms
Newtown	8 cells Plus 1 Detention room (for youths) and 1 dry room (no toilet).

ICVs are provided with a rota assigning a pair of ICVs to a week/ fortnight. They then arrange the day and time of the visit within the specified week/ fortnight.

Within their ICV Panel meetings ICVs are provided with data on their recent visits; days and times. They are asked to consider this data when arranging visits, to ensure visits are conducted at varied days and times throughout the week.

Within 2016, cross-Panel visits have taken place. ICVs had the option of visiting a custody suite in a different Panel area. This ensures good practice is shared across the areas, and has already resulted in new issues being brought to light on ICVs' first visits to a custody suite.

5. Visiting Data

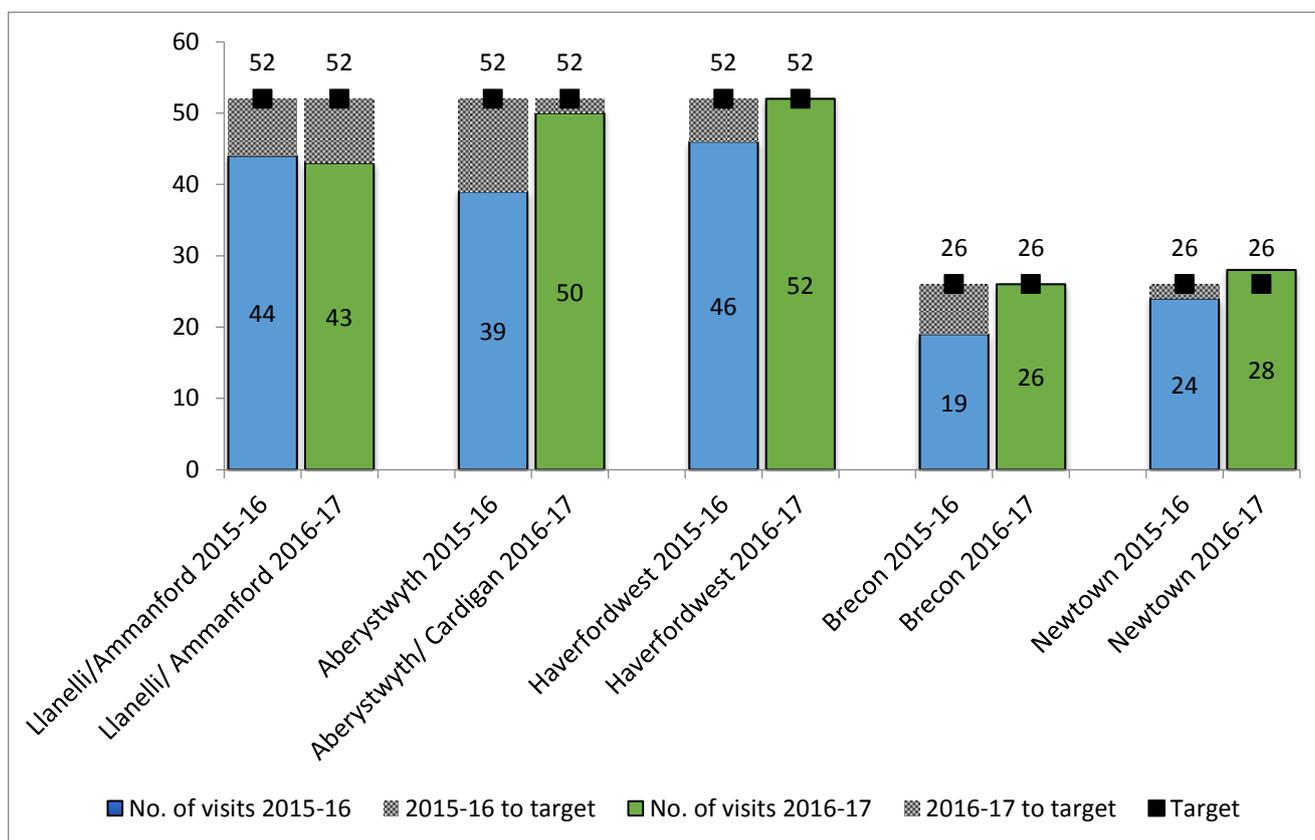
I. Number of visits

The target number of visits per year is 208 across the 5 main custody suites: 52 each for Ammanford, Aberystwyth and Haverfordwest custody suites, and 26 each for both Brecon and Newtown.

ICVs completed 199 visits between 1st April 2016 and 31st March 2017. This is an increase of 16% on the previous year, when 171 visits were undertaken.

The overall percentage of target visits completed has increased by 14% from 82% in the 2015-16 financial year, to 96% in the 2016-17 financial year.

Figure 3: The number of visits for each main custody suite – 1st April 2015 to 31st March 2016 compared with 1st April 2016 to 31st March 2017 – against the target number of visits



Please note: Figure 4 Llanelli/ Ammanford 2015 -16 includes 33 visits to Llanelli and 1 visit to Ammanford, with Llanelli/ Ammanford 2016 -17 including 20 visits to Ammanford and 23 visits to Llanelli. Included within Aberystwyth/Cardigan 2016-17, ICVs visited Cardigan Custody Suite 5 times.

II. Number of detainees

During 1st April 2016 to 31st March 2017, a total of 6,260 detainees were held in the Custody Suites across Dyfed-Powys. Of these, 337 were in Custody at the time of the ICVs' visits. 53% of those detainee's present were visited by ICVs (180).

Figure 4: A breakdown of the number of detainees visited by ICVs

Custody Suite	No of ICV visits	No of detainees in Custody at time of Visit	Detainees Visited	% of detainees visited	Detainees observed	Detainees not visited
Ammanford/Llanelli	43	126	73	58%	33	20
Haverfordwest	52	107	60	56%	25	22
Aberystwyth/ Cardigan	50	60	28	47%	21	11
Brecon	26	18	9	50%	5	4
Newtown	28	26	10	38%	5	11

* There are a number of reasons why detained persons are not visited, for example the police may advise not to for health & safety reasons. Those who were "not available" were either in interview, asleep, or the individual was providing fingerprint/DNA evidence.

Figure 4: The number of visits per month between 1st April 2016 – 31st March 2017.

Month	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Number of visits	15	18	19	15	16	15	18	19	17	15	14	18

Figure 4 shows how many ICV Visits were carried out during each month. The target number of visits per year is 208, which averages as 17.3 visits per month. The total number of visits carried out between April 2016 and March 2017 was 199 and as shown above these were spread across the months quite consistently.

III. Timings of visits

Figure 5: The number of visits during 1st April 2015 to 31st March 2016 compared with 1st April 2016 to 31st March 2017, by day of the week.

Days	Number of Visits	Percentage	Number of Visits	Percentage
	2015-16	2015-16	2016-17	2016-17
Monday	24	14%	23	12%
Tuesday	36	21%	28	14%
Wednesday	33	19%	37	19%
Thursday	31	18%	39	20%
Friday	28	16%	49	24%
Saturday	13	8%	14	7%
Sunday	6	4%	9	4%

Mid-week continues to be the most common time for ICVs to undertake visits. The number of visits undertaken on the weekend is significantly lower. Further analysis is provided below.

Figure 6: The number of visits during 1 April 2015 to 31 March 2016 compared with 1st April 2016 to 31st March 2017, by time

Time	Number of Visits	Percentage	Number of Visits	Percentage
	2015-16	2015-16	2016-17	2016-17
06:01-09:00	15	8%	16	8%
09:01-12:00	87	51%	84	42%
12:01-15:00	28	17%	44	21%
15:01-18:00	27	16%	37	19%
18:01-21:00	14	8%	13	7%
21:01-00:00	0	0%	4	2%
00:01-03:00	0	0%	1	1%

ICVs most commonly visit between 09:00 and 12:00.

ICVs carry out visits most commonly in the morning which is the busiest time in custody, therefore maximising the chance of seeing as many detainees as possible. Not many visits are carried out after 21:00 as detainees tend to be sleeping and therefore ICVs are likely to have a lower number of detainees to speak to during later hours.

ICVs are however reminded of the need to carry out visits during a variety of times including weekends as well as week days so as to ensure a level of unpredictability in terms of the times they visit.

6. Issues Raised

During their visits, ICVs check on the welfare of the detainees, as well as the conditions in which they are held. ICVs are mindful of the rights afforded to detainees whilst held in Custody as per Code C of PACE Act 1984. A summary of these can be found in Appendix B.

ICVs are expected to discuss any minor welfare or environmental issues with the Custody Sergeant or accompanying officer at the time of the visit.

Please find below a list of concerns raised by ICVs Between 1st April 2016 and 31st March 2017 and a response as to the progress made against each concern:

- Problems with the holding cell key pad not working in Aberystwyth – Following this concern an electrician visited custody in order to resolve this issue.
- Broken shower within Aberystwyth custody– Following this issue being raised, a new shower head was ordered and replaced.
- A shortage of anti-rip suits within Llanelli Custody – More anti-rip suits were ordered resolving this issue.
- A shortage of slippers in certain sizes within Llanelli Custody – More slippers were ordered and this issue was resolved.
- Cracks in custody floor within Brecon – The estates team have been made aware of this concern and maintenance work on the flooring of the Custody will be carried out over the next coming year.
- Air conditioning not working in Newtown custody – An Engineer visited Custody and this problem was resolved.
- Food temperature control probes required in order to ensure that food is being served at the correct temperature within Ammanford custody – Custody now use Temperature food probes to monitor the temperature of the

food being served to detainees, temperature of food is now recorded on a chart within the custody kitchen.

- Drainage issues with the toilets in Ammanford Custody – This issue was looked into and the problem was identified and resolved.
- Inconsistency with the CCTV system, timings out and poor quality of sound within Aberystwyth custody– These issues were brought to the attention of the Inspector and were resolved.
- Plants growing within the exercise yard in Ammanford could become a self-harm issue – Following this concern being raised the exercise yard was cleared of all plants.

Any issues which cannot be resolved during a visit, or ICVs feel need to be dealt with at a higher level, are reported to the scheme administrator within the Police and Crime Commissioner's (PCC's) office.

Concerns reported to the scheme administrator are recorded and followed up with Dyfed-Powys Police's (DPP) Custody Chief Inspector or the relevant Inspectors. They will consider the issues, provide the scheme administrator with an update / report, and take any necessary actions.

Positive comments and observations are also noted on the forms and reported back to senior Custody staff.

The scheme administrator notifies ICVs of the outcome of their report, and further discussions around the issue are held at the next ICV Panel Meeting.

The scheme administrator will also attend Strategic Custody Board meetings to keep abreast of any relevant matters, and to ask questions of the Force.

Should any issues need to be considered at a higher level, the Police and Crime Commissioner takes the matter to a Policing Board to discuss with the Chief Constable.

7. Panel Meetings

ICV Panel Meetings are held twice a year in each area. Here, ICVs have the opportunity to discuss any issues that have been raised with the Custody Inspector. They must satisfy themselves that the explanations given are adequate, and that the result ensures no adverse impact on a detainee's welfare, human rights or health and safety. It is also an opportunity to reflect on the last 6 months; how the Scheme is running and if any improvements could be made.

8. Training Events

We hold Annual Training Days for our ICVs. On the 14th of September 2016, ICVs received refresher training from the Independent Custody Visiting Association (ICVA) in the morning, followed by a session on 'Chairing Meetings Skills' in the afternoon a training session for all Panel Chairs and for all those interested in attending.

On the 18th of November 2016, ICVs were given the opportunity to attend a 'Learning Disability and Autism Awareness' Training session. This training was offered via ICVA by The Equal and Fair Project. The project was funded to deliver training on autism and the criminal justice system. During the training ICVs learnt how autism can affect people in the criminal justice system and in Custody and how to identify communication problems and how to respond.

9. ICVs involvement in Custody Staff training

During January 2017– March 2017, ICVs have been involved within refresher training days for Custody staff. The Scheme Administrator was asked to deliver an input on the ICV Scheme to Custody staff. This helped to address concerns regarding a lack of awareness of the ICV scheme and the checks that ICVs undertake during their visits. The Scheme Administrator along with an ICV, delivered inputs to Custody staff. The opportunity enabled refresher training about the main aspects of the scheme, explanation of the ICV visit report form, details as to the role of the ICV and the checks they undertake. This also gave an excellent opportunity for Custody staff to ask any questions they had regarding the scheme.

10. New Volunteer Policy

A new Volunteer Policy came into force in June 2016. It is an overarching Policy which sets out volunteers' rights, and the broad principles of volunteering in the Police and Crime Commissioner's volunteer schemes.

The Volunteer Policy introduced some changes to previous policies, for example; the 9-year maximum tenure for all volunteers has been removed and has now been replaced with a review system. Once ICVs complete their initial training, they will be required to complete a probationary period of six months. Successful appointments will then be confirmed subject to satisfactory adherence to the schemes' provisions, and will be set for an initial term of three years. Appointments

will subsequently be reviewed, and volunteers may be appointed for a further term of three years. This will continue on a rolling basis, with reviews taking place every three years. The key factors which will be considered in each review are the continuing ability and willingness of volunteers to carry out their role effectively, whilst demonstrating impartiality and objectivity at all times.

An amendment was also made with regards to the eligibility criteria for joining the scheme, the policy now states that individuals must live, work or study within the Dyfed-Powys area.

11. Interested in becoming an ICV?

If you are interested in volunteering for the Police and Crime Commissioner and becoming an Independent Custody Visitor within the Dyfed-Powys area, and would like some further information, then please visit:

www.dyfedpowys-pcc.org.uk/en/work-with-me/volunteer/independent-custody-visitors/

Or contact Caryl bond on 01267 226097

Or

Email: caryl.bond.opcc@dyfed-powys.pnn.police.uk

Appendix A:

A detainee's rights under Code C of PACE are summarised below. This is the information provided to detainees at the police station. Full details are available in the Police Code of Practice C.

1. Tell the police if you want a solicitor to help you while you are at the police station. This is free.
2. Tell the police if you want someone to be told where you are. This is free.
3. Tell the police if you want to look at their rules – they are called the Codes of Practice.
4. Tell the police if you need medical help. Tell the police if you feel ill or have been injured. Medical help is free.
5. If you are asked questions about a suspected offence, you do not have to say anything. However, it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence.
6. The police must tell you about the offence they think you have committed and why you have been arrested and are being detained.
7. The police must let you or your solicitor see records and documentation about why you have been arrested and are being detained and about your time at the police station.
8. If you need an interpreter, the police must get you one. You can also have certain documents translated. This is free.
9. Tell the police if you are not British and you want to contact your embassy or consulate or want them to be told you are detained. This is free.
10. The police must tell you how long they can detain you for.
11. If you are charged and your case goes to court, you or your solicitor will have a right to see the prosecution evidence before the court hearing.

Appendix B

The environmental checks that ICVs undertake whilst visiting Custody:
- Check that the cells are clean (both occupied and empty cells where possible).
- Check that the kitchen and food preparation area is clean and tidy.
- Check that all other areas within Custody are clean and tidy.
- Check that the heating, lighting and ventilation is adequate.
- Check that the medical room is locked if no healthcare professional is present.
- Check that a first aid kit is readily available.
- Check that there are sufficient stocks of bedding, anti-rip suits & spare clothing.
- Check that there are sufficient stocks of food.
- Check that the Custody Suite is clear of any apparent health and safety hazards.
- Check that the cell buzzer and CCTV systems are in working order.
- Check that religious materials are readily available to detainees.
- Check that there are no ligature points posing a risk to detainees.

The welfare checks that ICVs undertake whilst visiting Custody:
- Are they being treated reasonably?
- Have they been made aware of their legal and visitor rights?
- Do they understand their rights as they have been explained to them?
- Has someone been informed of their detention (if they have requested this)?
- Have they seen a solicitor (if they have requested this)?
- Have they been offered/ provided with food/drink?
- Have they requested / received medical attention if needed?
- Have they been given access to toilet/ hygiene/ washing facilities?
- Has additional bedding/ replacement clothing/ blanket been provided, if required?
- Have suitable rest periods and/or exercise been made available, if appropriate?