

The Independent Custody Visiting Scheme for Essex

2021/22 Annual Report

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Foreword by Roger Hirst

Police, Fire and Crime Commissioner for Essex

This Annual Report describes the important work carried out by the Independent Custody Visiting (ICV) Scheme, for Essex during 2021/22.

The ICV Scheme in Essex provides oversight and accountability at seven police custody suites situated across the county. The ICVs are all volunteers who have undergone training that equips them to visit custody suites unannounced and check on the welfare and dignity of detainees.

ICVs can raise concerns as well as highlight good practice taking place. Following the Covid Pandemic, ICVs returned to in person custody visits in April 2021, ensuring the welfare of detainees continued as a priority.



During 2021/22 the ICV reporting and recording of detainee experiences in custody, has been improved, enabling more robust and consistent recording of data. This has strengthened our ability to identify potential issues and address these through our work with Essex Police and the Independent Custody Visiting Association ICVA.

I am pleased that detainees received an appropriate level of treatment in custody, and that none of the matters raised were of a serious nature.

I would like to personally thank the commitment and hard work of all our ICV volunteers who visit our custody suites all year round, to ensure that detainees in our county are safe and are treated with dignity and respect.

Roger Hirst

Police, Fire and Crime Commissioner for Essex

Overview of the Essex Independent Custody Visiting Scheme

The Police, Fire and Crime Commissioner (PFCC) for Essex's Independent Custody Visiting Scheme, appoints volunteers to visit police custody suites to ensure the treatment of detainees, the conditions in which they are held and their rights and entitlements are being observed. They also ensure their detention is compliant with the Police and Criminal Evidence (PACE) Act 1984 Code C ([Pace Code C 2019](#)), and is in line with the Detention and Custody Authorised Professional Practice ([APP](#)). The scheme offers protection to both detainees and the police and reassurance to the community at large.

The scheme introduced by the Police and Crime Commissioner in 2012 is based on the [Home Office Code of Practice on Independent Custody Visiting](#) published pursuant to Section 51(6) of the Police Reform Act 2002. The scheme is supported by more detailed national standards that expand the relevant procedures and set out established good practice [national standards](#). In 2018 the ICVA introduced a voluntary quality assurance framework which the scheme in Essex participated and currently holds the silver standard.

The scheme enables appointed volunteers to visit police station custody suites at any time of the day or night, to check on the treatment of detainees, the conditions in which they are held and that their rights and entitlements are being observed. Each ICV carries out between two and four visits to a custody suite per month and completes and submits a standard report as part of their visit. Visits are undertaken in pairs and last no longer than one hour. ICVs will visit more than one suite in their relevant geographical cluster and at varying times of the day and of the week wherever possible.

The custody suites and the number of cells in those suites is shown in the table below.

Table 1. Essex Custody stations and number of cells in each station.

Custody Station	Number of Cells
Southend Police Station	30 cells
Colchester Police Station	16 cells
Harlow Police Station	14 cells
Basildon Police Station	20 cells
Grays Police Station	17 cells
Clacton Police Station	12 cells
Chelmsford Police Station	15 cells
Total	118 cells

ICVs must be over 18 years of age and are welcome from all sections of the community. They must be independent of the criminal justice system to prevent conflicts of interest and to maintain the integrity of the scheme. Therefore, serving police officers and police staff and PFCC staff are unsuitable for this reason. The same applies to Special Constables, Justices of the Peace (JPs), and Essex Police, Fire and Crime Panel members.

The Independent Custody Visiting Scheme in 2021/22

With lockdown restrictions easing as we moved into 2021/22, we started to return to in person custody visits, however several volunteers withdrew from the scheme due to their own health concerns. Following our recruitment campaigns during 2021 the Essex ICV scheme had 15 volunteers, of which ethnicity is predominantly (80%) white British and gender is approximately 50% male/female.

New ICVs were provided with focused induction training, as well as a more experienced ICV mentor. In order that they have the confidence to raise matters with custody staff as required and can help to ensure that detainees after safe and have access to their rights and entitlements. ICVs also attend training events and are encouraged to complete online courses which are provided by ICVA. Between them the ICVs visit each of the custody suites at least three times per month.

Our ICVs completed a total of 175 visits in 2021/22, during which they saw 948 detainees in total. Of these 377 were asleep, 104 could not be spoken with due to operational reasons, such as being interviewed or meeting with their legal representative and 39 declined to speak. This meant that the ICVs were able to speak with 428 detainees.

Essex Police Custody

Legal representation and Appropriate Adult representation

As Lockdown restrictions ease Legal representation in custody gradually returned to solicitors attending interviews in person, while observing health and safety procedures. Appropriate Adults (AAs) had continued to attend in person throughout lockdown and Essex Police Custody continued with special measures in place, to ensure that both detainees and AAs were kept safe.

Healthcare Professionals (HCPs) embedded in custody

The General Medical Council made clear that Healthcare professionals (HCPs) have a duty of care to their patients regardless of the setting they see them in and that detainees in police custody may be particularly vulnerable and have difficulty accessing health advice at other times. It set out a clear protocol for dealing with suspected cases of COVID 19, while reminding HCPs they had a duty of care to see detainees face to face and that the management of acute and chronic illnesses should be treated as in any other setting.

Detainees in Essex Police Custody in 2021/22

There were 23,251 detainees during 2021/22 as detailed below:

- Quarter ending 30 June 2021: 5,810
- Quarter ending 30 September 2021: 5,713
- Quarter ending 31 December 2021: 5,800
- Quarter ending 31 March 2022: 5,928

This compares to 23,713 in 2020/21

Matters identified in 2021/22

The following matters were identified in 2021/22.

Table 2. Matters raised by the ICVs, and subsequent action taken in 2021/22.

Matters raised by detainees visited by ICVs and the subsequent action taken		
Theme	Matter identified	Action taken
Rights and Entitlements	Concerns were raised that custody suites did not have sufficient copies of rights & entitlements printed for detainees to read in their own time.	Additional copies of rights and entitlements have been printed so each custody has ample number if detainees wish to have a copy to read.
Access to translators	Foreign national detainees whose English level is basic might have difficulties understanding booking process as well as their rights & entitlements. Interpreting agency used by the Essex Police might not always provide an interpreter on site due to lack of availability and Covid19 restrictions.	Interpreting service used by the Essex Police enabled telephone interpreting which is now accessible to ICVs. Additionally, in partnership with other ICV Schemes in regions, flashcards were produced in 64 languages which ICVs can use at the time of the visit. Each custody suite has its own folder with all the flashcards in different languages printed.
Detainees requesting updates	A small number of reports submitted mentioned lack of immediate update when requested by the detainee (around custody process, timeliness, progression).	It was discussed with the Custody Manager who committed to ensuring all detainees are being updated on regular basis and within the lines of PACE. Immediate update (within 15min of the request) might not always be possible due to staff capacity and their subsequent workload but each detainee is being updated within one hour after the request has been made.
Access to exercise yard	Some exercise yards were not accessible due to maintenance issues.	These issues are scheduled for repairs and are followed up by ICVs on future visits.
Food / drink/ blankets	Limited and low supplies were frequently reported.	This was raised with the Custody Manager and low stock supply was a mixed of effect of EU Exit and Covid19 pandemic. ICV's continued to monitor. New procedures have been put in place for custody suites to share stock if needed to ensure a normal level of stock is always available.
Maintenance	Due to aging custody suites ICVs noted a variety of maintenance issues including faulty buzzers, CCTV, lights, toilets, flaking paint.	Chelmsford Custody Suite has been thoroughly upgraded. Issues are raised with custody command who update on repairs and replacements. This is being monitored on monthly basis and updated accordingly with each issue being resolved at a time.

Overall organisational relationship

Overall Essex ICVs reported receiving positive feedback from detainees about their treatment while in custody. Most detainees understood their rights and entitlements and understood why they had been detained. Those who did not, were offered to receive a paper copy of their Rights & Entitlements to read whilst in custody.

The Essex ICV Scheme has a positive relationship with Essex Police custody staff with mutual respect. ICVs feel welcome in the custody suites and any matters raised at the time of the visit are discussed and if possible, addressed immediately.

Access to medical assistance on site

Access to onsite medical assistance has improved with a new medical staff provider in place. ICVs reported far fewer issues being raised by detainees and custody staff and ICVs regularly report that detainees had already been seen by medical staff or were due to imminently and that any regular medication had been noted and was made accessible. They also recorded instances where police officers attended home addresses to obtain medication. However, access to the mental health triage team could take a little longer but there were no complaints raised by detainees or staff.

Access to an interpreting service

To communicate effectively with detainees who do not speak English, ICVs use 'flashcards' that enable them to show detainees simple questions that they can answer yes or no to. The flashcards were updated in 2019 to include 33 different languages. Overall feedback suggested that the use of flashcards is widely welcomed and improves the service that the ICV scheme offers. In comparison, the time it takes to reach a telephone interpreter ranges from 15 to 45 minutes. The flashcards are available at each of the custody suites.

Looking ahead

In 2022/23 we are planning to recruit a designated post of an ICV Scheme Manager who will be able to focus their time on development of the Essex ICV Scheme. This will include running a further recruitment campaign, with the aim to increase the number of ICVs to reach our target number of 21.

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