



**Sussex
Police & Crime
Commissioner**

Independent Custody Visiting Scheme

Annual Report

1 April 2017 – 31 March 2018

FOREWORD FROM THE SUSSEX POLICE & CRIME COMMISSIONER

I am delighted to present our Annual Independent Custody Visiting Report as the Police & Crime Commissioner (PCC) for Sussex. This report covers the period 1 April 2017 to 31 March 2018 and provides an analysis of the Independent Custody Visiting Scheme in Sussex. The management of an effective Custody Visiting Scheme is a statutory function for the Police & Crime Commissioner and serves to raise public awareness on the rights, entitlements, health and wellbeing of people held in police custody.

Through the management of the Scheme, the PCC plays an active role in promoting fair treatment for people in police custody, ensuring that issues relating to individuals or the custody environment are addressed appropriately. As can be seen from the analysis provided on visits undertaken, the Scheme is running effectively and is well placed to continue in its aim of reassuring the public in Sussex that independent oversight of police detention centres, including the UK Border Force facilities at Gatwick Airport, is robust and effective.

I would like to extend my personal thanks to all our volunteers for their steadfast commitment to this vital role. In addition, I would like to thank Sarah for her dedication, enthusiasm and professionalism in managing the Scheme on my behalf.

A handwritten signature in black ink, appearing to read 'Katy Bourne', written in a cursive style.

Katy Bourne
Police & Crime Commissioner

1. INTRODUCTION

The Sussex Police & Crime Commissioner, like all other PCCs in England and Wales, has a duty to implement and co-ordinate an Independent Custody Visiting Scheme. The primary purpose of the Scheme is to provide independent scrutiny of Sussex Police to ensure that detainees in custody are being treated fairly and in accordance with Code C of the 1984 Police and Criminal Evidence Act (PACE). The full version of the Act can be found at <http://police.homeoffice.gov.uk>. The Police Reform & Social Responsibility Act placed a statutory obligation on all PCCs in England and Wales to have in place an effective independent Custody Visiting Scheme.

The PCC has a dedicated member of her team who is responsible for organising and overseeing the delivery of custody visiting in Sussex. Arrangements are kept under review and are revised as necessary and in accordance with any changes made to the Code of Practice and National Standards. Volunteers are supported in their role through contact with the office and regular meetings and training.

The Scheme is reviewed on a four-yearly basis, and is written in conjunction with the Independent Custody Visiting Association National Standards on Independent Custody Visiting and the Home Office's Code of Practice on Independent Custody Visiting.

2. ICV SCHEME OVERSIGHT

The Police & Crime Commissioner has oversight of the operation of the Scheme and is actively involved in recruitment, meetings, training, conferences and thank-you events.

Sussex is part of the South-East Region and has representation on the Independent Custody Visiting Association Board. Members of the S-E Region hold regular meetings to share good practice, examine benchmarking data and provide feedback to the Association. Sussex is considered to be an active member of the Association, providing responses to government consultations, joining in national debates, participating in Scheme Managers forums and disseminating information from the Executive Committee.

3. INTRODUCTION TO THE SUSSEX INDEPENDENT VISITING SCHEME

Sussex has 6 custody centres: Chichester, Worthing, Brighton, Eastbourne, Hastings and Crawley. Visits take place to each centre at a minimum every fortnight, with the exception of Brighton, where visits are made every week, this is currently considered an adequate number of visits.

Custody centres in Sussex are a combination of police estates and those owned and managed under PFI contract:

PFI Custody Centres	No of Cells
Chichester	19
Worthing	19
Brighton	36
Eastbourne	21

Police Estate Custody Centres	No of Cells
Hastings	13
Crawley	26

Hastings centre was closed for health and safety/fire regulation reasons from October 2017.

ICVs submit visiting report forms in triplicate: to the custody centre, the scheme manager and the panel co-ordinator.

ICVs will also check:

- Cells and toilets have been maintained
- CCTV is present and working
- Reasonable temperatures are maintained within the cells and centre
- Any medical attention or medication required has been provided
- Any visible injuries have been explained
- Female detainee hygiene concerns are addressed
- Washing facilities and access to fresh clothing have been provided
- The custody facility, food preparation areas and bedding are in a clean, tidy and hygienic condition
- The detainee is satisfied with their treatment in custody
- A reasonable period of time to rest has been given if detained overnight
- With the consent of the detainee, visitors check the custody log to confirm the detainee's account of their detention.

Issues of immediate concern are raised with the Custody Sergeant. Unresolved issues or those requiring a response from the PCC are brought to the attention of the Scheme Manager. Feedback is given to ICVs on comments raised following discussion with the scheme link custody Inspector, or in more serious instances following discussion with the Head of Custody. Visiting report forms are seen by the Head of Criminal Justice and Custody, and the Operational Head of Custody. The ICV Scheme Manager attends the Force bi-monthly custody safety meetings and reports on issues arising.

The Scheme Manager meets with the panels for each centre bi-monthly to discuss statistics, findings, initiatives and general updates. The Scheme meets as a whole once a year at the annual seminar.

The Scheme currently has 45 custody visiting volunteers. Recruitment is currently active in Crawley and Brighton, all potential applicants from any area who express an interest in the Scheme are invited to interview to fulfil future vacancies. Wherever possible, recruitment needs to be specifically targeted towards groups that are underrepresented on panels, especially young people and individuals from black and minority ethnic communities. <https://www.sussex-pcc.gov.uk/get-involved/volunteer/>

Currently there are 24 male visitors and 21 female, spanning a range of ages and backgrounds.

4. STATISTICS

157 visits to custody took place and 629 interviews were held in the period 1st April 2017 to 31st March 2018. This was down 39 visits and 25 interviews on the previous year but Hastings custody was closed for 6 months of the period.

	Brighton	Chichester	Crawley	Eastbourne	Hastings	Worthing	Total
No of visits	45	22	30	22	16	22	157
Total in Custody	377	60	202	121	67	92	919
Detainees visited	243	46	143	69	59	69	629

Detainee figures 2017/2018

Brighton	5705
Chichester	2465
Crawley	5052
Eastbourne	4914
Hastings	1444
Worthing	3619
TOTAL	23199

A small number of detainees were unable to be interviewed for a variety of issues such as the detainee being asleep, in interview, at hospital or receiving medical treatment; in some cases a recommendation from the custody staff that an individual was not safe to interview led to visual observations only being made.

16 detainees refused an interview. This is a significant improvement on the 40 refused visits the previous year. Custody staff were reminded that all ICVs should self-introduce and this has had a positive impact.

The level of refusals is always analysed. Often this is a case of the detainee refusing to interact with the ICV, and this can be for a number of reasons: lack of understanding due to language difficulties or general unhappiness at being detained.

Custody records can be viewed by visitors with permission from the detainee or if custody visitors are concerned about the detainee's welfare but are unable to gain direct permission due to incapacity.

5. ISSUES ARISING FROM VISITS

Most of the issues raised by ICVs are dealt with promptly at the time of the visit. By their nature, they tend to be low level issues relating to a detainee's comfort and general level of satisfaction. Any issues of a more significant nature and which relate to a detainee's rights or entitlements would result in an Independent Custody Visitor consulting the custody record (where permission is granted).

Any issues which cannot be rectified at the time of the visit are highlighted on the visit report form and escalated by the Scheme Manager to the Head of Custody. This is done immediately upon receipt of the form and the matter is also raised at the Custody Safety Meeting.

Feedback on all comments is made by the Scheme Manager to the ICVs on an Individual basis, and where the issue relates to other custody centres, as an email to all.

6. OVERVIEW OF 2017/18

September 2017 saw a new Scheme Manager join the office.

The ICV Scheme Handbook was refreshed in January 2018.

ICVs have continued to provide an input to custody assistants' training to explain the relationship between volunteers, the police and custody staff.

In March 2018 Sussex trained three experienced ICVs to conduct TACT visits (Terrorism and Counter Terrorism).

This year's ICV National Conference in March 2018 saw the launch of the new ICVA website. Members now have access to a library of documents posted by other Schemes and the ability to discuss issues relevant to Scheme Managers via a forum.

Following on from last year the PCC continue to conduct visits to the UK Border Force facilities at Gatwick Airport.

One of ICVAs priorities in the last year was round female hygiene whilst in Police Custody. They released a blog that went viral and helped the Schemes promote good practice.

<https://icva.org.uk/sanitary-custody/>

Sussex Police had previously been identified in the HMIC report as not supplying some basic hygiene items, this has now been rectified. The Scheme Manager and ICVs have worked closely with Custody and Tascor to ensure that there is a sufficient choice of products. Sussex Police have also created a leaflet for all females that are detained in Custody explaining their rights and entitlements.

7. MENTAL HEALTH

In December 2017 changes were made to the Policing and Crime Act 2017 which meant that Police Custody was not to be used as a place of safety for a person under the age of 18 under any circumstances.

A police station can only be used as a place of safety for adults in the specific circumstances, set out in The Mental Health Act 1983 (Places of Safety) Regulations 2017:

The behaviour of the person poses an imminent risk of serious injury or death to themselves or another person

- because of that risk, no other place of safety in the relevant police area can reasonably be expected to detain them, and
 - so far as reasonably practicable, a healthcare professional will be present at the police station and available to them
- The guidance envisages movement to a different place if the person's behaviour has moderated, however such a judgment should also include an assessment of whether a person's behaviour would pose the imminent risk were it not for the fact that they were in the police station. Moving a person multiple times is to be avoided.

S136 detention data for Sussex in 2017/18 is as follows:

Detained in Police Custody:

Over 18 = 166

Under 18 = 4

Since December 2017 when the above changes came into force Sussex Police have not used Police custody as a place of safety.

Street triage teams operate from Worthing, Chichester, Crawley, Hastings and Eastbourne.

Police Court Liaison and Diversion Service - PCLDS

The PCLDS is operational throughout Sussex and has mental health practitioners co-located in police custody from 08:00 – 20:00, 7 days per week. There are also mental health practitioners at HM Magistrates Courts daily and Crown Courts when required.

The team also include a specialist youth support worker as well as adult support workers. The support workers are available within custody and in the community to offer extended support.

The PCLDS funding is secured through the Department of Health and NHS England. The contract is reviewed and held by NHS England.

Outside of custody Sussex Police are still looking to secure funding for a mental health nurse to work in their Force Control room and to bring a street triage service to Brighton & Hove.

8. PRIORITIES FOR 2017/18

To work with ICVA and other Schemes to ensure that National themes are addressed such as Dignity in Custody.

ICVA are launching the Quality Assurance Framework (QAF) – a framework that articulates what a good scheme looks like and that will grade schemes from Code Compliant to Platinum. The QAF is an opportunity to share work, engage with colleagues and celebrate the work that ICVs complete. The Sussex Scheme will be participating in QAF Award.

9. FURTHER INFORMATION AND CONTACT DETAILS

The OSPCC website: <https://www.sussex-pcc.gov.uk/>
Sussex ICV Scheme Twitter: <https://twitter.com/>
ICVA website: <https://icva.org.uk/>

If you are interested in finding out more about becoming an Independent Custody visitor, please contact us. We would like to hear from you if you:-

- Are over 18
- Live or work within the Sussex Police borders
- Are able to communicate well with a diverse range of people
- Are able to work as part of a team
- Are flexible and reliable
- Are a good listener
- Are objective and non-judgemental
- Are able to maintain confidentiality
- Have lived in the UK for the last 3 years

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