



To: Business Coordination Board

From: Acting Chief Executive

Date: 26 May 2020

INDEPENDENT CUSTODY VISITING SCHEME – COVID-19 CONTINGENCY ARRANGEMENTS

1.1 The purpose of this report is to inform the Business Coordination Board (“the Board”) of the revised Independent Custody Visiting arrangements in light of the Covid-19 pandemic.

1. Recommendation

1.1 The Constabulary continue to support flexible approaches to Independent Custody Visiting.

2. Independent Custody Visiting – Background

2.1 Independent Custody Visiting is a statutory requirement as detailed in the Police Reform Act, 2002 (section 51). It enables members of the local community to observe, comment and report on the conditions under which people are detained in police custody.

2.2 Police and Crime Commissioners (“PCCs”) are responsible for organising, maintaining and overseeing the delivery of Independent Custody Visiting. More information about the Cambridgeshire and Peterborough Independent Custody Visiting Scheme is available in it’s annual report, available on the OPCC website.

2.3 Under normal circumstances Independent Custody Visitors (“ICVs”) undertake weekly unannounced visits (in pairs) to each operational custody suite and a report would be sent to the OPCC for recording and any follow up as required. These reports inform quarterly panel meetings, and a six-monthly review between the PCC and senior Constabulary representative of strategic custody issues.

3. The Current Situation

3.1 Due to the impact of the Covid-19 pandemic, the OPCC temporarily suspended all Independent Custody Visits on March 17, 2020.

- 3.2 While such visits are an important way to hold the Constabulary to account and reassure the public, they are a non-emergency function. The primary focus of the scheme is always to ensure the welfare of those in custody, be they detainees, staff or visitors.
- 3.3 The decision to suspend visits was made after consideration and consultation at a local, regional and national level, and is being kept under review. Consideration was given to the demographics of ICVs, and the fact that they were volunteers.
- 3.4 With the national situation rapidly changing, the national body Independent Custody Visitor Association (“ICVA”) issued regular advice to schemes. On March 30, 2020 ICVA wrote directly to the Acting Police and Crime Commissioner, underlining that:
- Independent custody visiting forms an important part of the UK’s national and international duties to ensure that detention is safe and dignified. Covid-19 has presented unprecedented challenges, and as such monitoring detention is increasingly important across this time.
 - The NPCC custody team values and encourages independent monitoring during the pandemic. The Home Office have underlined the importance of schemes continuing to complete as much monitoring as they can safely do.
 - This means that schemes are able to innovate on how they conduct their monitoring, with a greater focus on remote monitoring, during the period where the pandemic restricts physical visiting.
 - Any suspension of visits or adaptations to your scheme are a local decision.
- 3.5 In Cambridgeshire, the OPCC and Head of Custody have initially agreed that interim monitoring arrangements will involve at a minimum, a weekly call by the ICV Scheme Manager to each custody suite to ask broad questions covering detainee care, provision of rights, entitlements or safeguards, key issues, and good practice.
- 3.6 Custody Inspectors are also facilitating the sharing of sanitised custody records with the ICV Scheme Manager, to enable independent scrutiny, using resources supplied by ICVA, around individual detainees. These resources had been developed as part of a national Home Office supported trial prior to the Covid-19 pandemic, and have been shared with local custody staff for transparency. At this stage ICVs are not able to take part in this process.

4. Next steps

- 4.1 There is recognition that Covid-19 will continue to have an impact on the operation of the ICV scheme for the foreseeable future. Even as the situation in relation to processes and personal protective equipment stabilises, there is recognition that the demographics of ICVs could mean many have to stay shielded for longer, and are not able to complete visits in person. Similar considerations may be given to all volunteer groups.

- 4.2 Ideally, ICVs will be soon be included in the process of a weekly call to custody. However, it is recognised to ensure security, this will need to be facilitated by the scheme manager.
- 4.3 The scheme manager will also be looking at what safeguards would need to be in place to allow the sharing of sanitised custody records with ICVs to allow true independent oversight. IT solutions will be of particular interest.
- 4.4 Whilst regular calls, and oversight of custody records is a positive step that maintains a level of oversight, it is still not an ideal medium-long term replacement for face-to-face visits with detainees. Cambridgeshire OPCC will be keeping a close eye on innovations being trialled by other schemes, such as video visits, to understand how these processes could be utilised in Cambridgeshire.
- 5. Recommendation**
- 5.1 The Constabulary continue to support flexible approaches to Independent Custody Visiting.

BIBLIOGRAPHY

Source Document(s)	n/a
Contact Officer(s)	Alasdair Baker – Independent Custody Visiting Scheme Manager