

Independent Custody Visiting Scheme

North Wales

Annual Review 2022-23

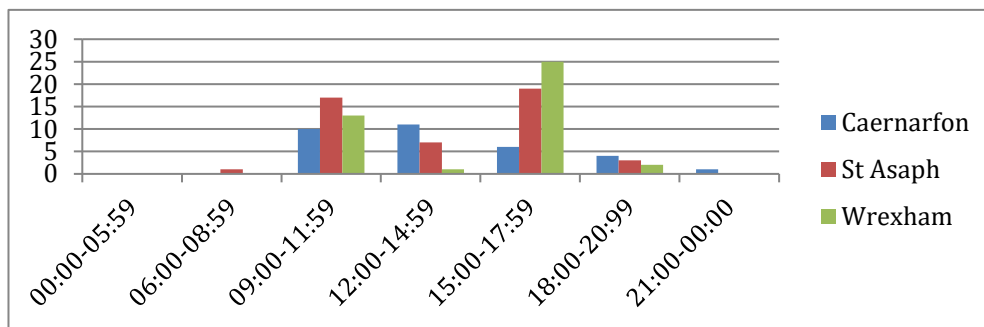
1. Background

- 1.1 Under the Police Reform Act 2002 and Police Reform and Social Responsibility Act 2011 all Police and Crime Commissioners have a statutory duty to establish and maintain an Independent Custody Visiting Scheme.
- 1.2 Whilst the operation of the scheme is primarily the responsibility of the Commissioner this is exercised in consultation with the Chief Constable.
- 1.3 The Independent Custody Visiting Scheme in North Wales enables appointed representatives of the local community to observe, comment and report on the conditions under which persons are detained at custody suites. In addition, it offers an extra level of mutual protection to detained persons and police officers by providing independent scrutiny of the treatment of detained persons and the conditions in which they are held.
- 1.4 The day-to-day management of the scheme, including recruitment and organising training for custody visitors, is undertaken by the Commissioner's Chief Executive and his staff. The induction and refresher training is provided by North Wales Police Force.
- 1.5 Custody visitors are all volunteers and work as part of a team to meet the targets of the visiting programme. Currently there are 19 custody visitors in North Wales, who visit 3 designated custody suites; these are Eastern (Llay), Central (St Asaph), and Western (Caernarfon).
- 1.6 A team of custody visitors is assigned to each Division and these teams have a dedicated co-ordinator responsible for organising visiting rotas.
- 1.7 The co-ordinator considers gender and Welsh language ability when preparing the rota.
- 1.8 The Office of the Police and Crime Commissioner routinely recruit volunteers to visit custody suites across North Wales.

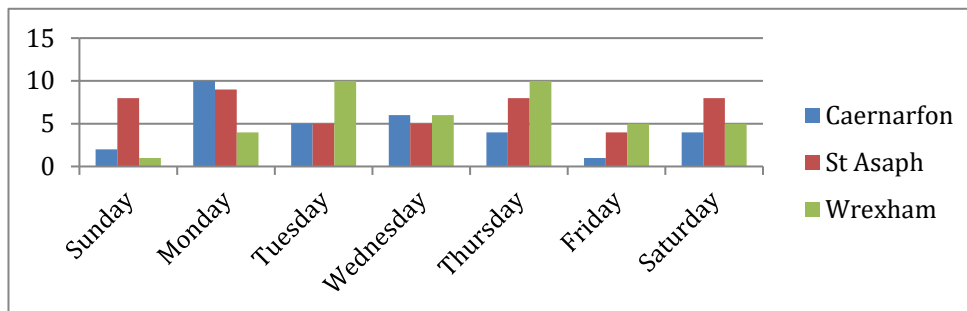
2. Number of Visits

- 2.1 A total of 120 welfare checks were made by Independent Custody Visitors across North Wales during the reporting period, April 2022 – March 2023.
- 2.2 The co-ordinator for each area will produce a schedule of visits at the beginning of each quarter; visitors will then contact each other to arrange a suitable time and day to carry out their visit. Visits are carried out in pairs. Custody Sergeants will not allow a single custody visitor to see people held in custody.
- 2.3 Custody visitors are given immediate access to the custody suites, if there is a delay the custody visitors will ask for an explanation. The custody suites are usually very busy, the custody visitors may have to wait before they are escorted around the cells but there should not be a delay to the initial admission to the custody suite area.
- 2.4 Co-ordinators and Visitors are asked to vary their visits as much as possible. During the year, visits were carried out on various days of the week and at various times.
- 2.5 The charts below demonstrate that visits are held on each day of the week and at various times. All visits are unannounced.

Graph 1- Times of visit in each area



Graph 2 - visits in each area



- 2.6 The majority of visits are carried out between 9:00 and 21:00 (*Graph 1*). Visits after 21.00 are less effective as most detainees would be asleep. The Police and Crime Evidence Act 1984 (PACE) state that a detainee must have periods of undisturbed sleep. During the visit the Custody Sergeant will explain the provisions of PACE to the custody visitors in respect of periods of undisturbed sleep and the implications any visit might have on any particular investigation. Custody Visitors will honor the advice of the Custody Sergeants.

3. Feedback

- 3.1 During the reporting period 581 detainees were held in custody during the visits.
- 3.2 During the reporting period a total of 11,402 detainees were held in Custody in North Wales, a decrease of 159 detainees held on the previous year.
- 3.3 Of the 581 detainees that were held in custody during the visiting times, 396 were available and 296 were spoken to, 53 were observed and 47 declined.
- 3.4 A feedback form is completed at the end of each visit which details the number of detainees held in custody, details of any issues raised and details of any detainees that they were unable to be seen or who declined a visit. Most issues raised by detainees are resolved at the time of the visit by the Custody Officer. Any issues, which cannot be resolved during the visit, are referred to the Custody Inspector for consideration and appropriate action.
- 3.5 The main reasons for detainees not being available to be seen were: In interview/With Solicitor, Asleep, Being Processed/Discharged/Transferred, or Custody Staff Advised not to see if the detainee is potentially violent.
- 3.6 To provide further reassurance that detainees' requests and concerns are addressed whilst they are held in police custody a dip sample exercise is carried out by the Custody Inspector and OPCC. A random sample of feedback reports are selected and cross-referenced with the custody records. The OPCC is pleased to report that every request or concern raised at custody was dealt with promptly by the custody staff and officers. It is important to note, however, that the vast majority of reports received from Custody Visitors are complimentary about the conditions and the way they are treated within the Custody Suites.

4. Matters arising from visits

- 4.1 Of the 120 visits carried out and the 396 detainees seen or spoken to, the most common requests from detainees related to food/drink, medical issues, wanting to see a solicitor and phone calls. Most issues raised by detainees were resolved at the time of the visit by the Custody Sergeant.
- 4.2 The Police and Crime Panel and the public can be reassured that no major issues have been reported from detainees held in custody suites in north Wales during this reporting period. The Independent Custody Visitors Panel review all reports on a regular basis to identify any trends, patterns or to highlight any issues which may be unresolved.

5. Future Objectives

- 5.1 To continue with the effective work of the Custody Scheme.
- 5.2 To recruit further Custody Visitors across north Wales on a regular basis.
- 5.3 To collaborate with the North West Regional Custody Visitors Groups.
- 5.4 To publicise the activities of the Independent Custody Visitors on the Commissioner's website.
- 5.5 To work with the Force's Training and Development Department to deliver training to new recruits into the scheme.

6. Implications of the Report

Financial	In general, it is expected that the scheme will be able to operate as per previous years and continue to undertake a comparable amount of visits. Costs are kept low as all training is undertaken in house. North Wales contributes to the annual North West and North West Regional conference which allow an opportunity for the visitors to network with visitors from other areas. Mileage is paid at the HMRC recommended rate of 45ppm
Legal	The Office of the Police and Crime Commissioner has a statutory responsibility to administer and oversee an independent custody visiting scheme.
Community	The main objective of the scheme is to provide public reassurance that people held in police custody are treated fairly and are safe.
Risk	No significant risks are identified.
Police and Crime Objectives	This scheme is a statutory requirement of the Police Reform and Social Responsibility Act 2011
	The Independent Custody Visiting Scheme hopes to maintain a balanced membership of volunteers who are representational of the local community and from all backgrounds and walks of life. The membership maintains a predominantly a white British and white Welsh membership but increasingly seeks to appoint members from ethnic minorities and individuals with disabilities. The scheme continues to have a visitor membership with Welsh speaking capabilities, particularly in the western area. This positively enables the ability for visitors to facilitate language choice for detainees.

