

Independent Custody Visiting Scheme

Annual report 2020/21 & 21/22



Contents

Foreword from the PCC Matthew Scott	3
About Independent Custody Visiting	4
Covid and Custody Visiting	6
Virtual ICV Visits	7
ICV Visits (April 2021 to March 2022)	9
County-Wide Issues and Recurring Themes	10
Healthcare Questionnaire	12
Healthcare and Mental Health Issues in Policing and Custody	13
Plans for the Future	15

Foreword from the PCC Matthew Scott

I am pleased to introduce the ICV Annual Report, covering both 2020-21, and 2021-22.

The last two years have undoubtedly been the most challenging for this country, and for policing, in living memory. The COVID pandemic has affected every person in the UK- and the world- through illness, repeated lockdowns, and upending all of our lives.

Naturally, the impact on policing has been significant: crime does not disappear in a pandemic, and brings a range of challenges and additional responsibilities for officers and staff.

Custody can be a high-risk area in normal circumstances: with the addition of a highly transmissible novel virus, and all the restrictions that came with it, it required an overnight change to operating procedures. I am pleased to say that custody staff, as well as Kent Police, rose to this challenge in their usual, 'can do' way.

Kent's ICVs and the support staff in the OPCC also rose to the challenge of how to ensure we retained oversight of custody. As visiting could not take place in person, Virtual Visiting was established; custody records were examined by OPCC staff, and cross referenced with the visit reports. This was a combined effort, as both parties recognised the importance of maintaining independent oversight of custody throughout the pandemic.

This report covers that 18 month period, and the following six months as the situation slowly returned to in-person visiting. Every step of the way there has been consultation with custody staff, ICVs, the OPCC, ICVA and the Home Office to ensure that safety was paramount. Kent's arrangements were seen as very successful on a national basis, and a number of other OPCCs contacted us to see how we were conducting visits.

I am hugely impressed by, and proud of, the hard work and dedication over this period- it has not been easy.

More recently, Kent Custody suites were inspected by HMICFRS, and there are a number of areas highlighted in that report that ICVs had previously raised. The Scheme will be working with the Force to see what additional matters should be the focus going forward.

We have also recruited a significant number of new ICVs to the Scheme, and are also expanding the work of ICVs to incorporate inspecting Kent Police's dog kennels. This will be reported on each year.

Once again, I want to thank all the ICVs and OPCC staff for their tireless work over this challenging period. I was fortunate enough to be re-elected last year, and I will continue to support the Scheme, and all volunteering, throughout my term.



Matthew Scott
Kent's Police and Crime Commissioner

About Independent Custody Visiting

All Police and Crime Commissioners (PCCs) are required to run an Independent Custody Visiting Scheme, whereby members of the public check on the welfare of people detained in police custody. The scheme aims to enhance public trust in the police and assists PCCs in holding local police forces to account.

In Kent, Independent Custody Visitors (ICVs) make unannounced visits to seven custody suites around the county to check on the welfare of detained persons, ensure they have received their rights and make sure they are being held in conditions that are up to standard. Each custody suite is visited at a minimum once a month, and at maximum, once a week.

Overview of Kent Custody Suites

Suite	Number of Cells	Throughput 2020-2021	Number of Custody Sergeants	Number of Designated Detention Officers
Medway	40	6477	10	30
North Kent	40	5034	10	15
Maidstone	19	2758	5	15
Tonbridge	19	3748	5	15
Folkestone	16	3755	5	15
Margate	13	2700	5	15
Canterbury	15	3972	10	15

Suite	Number of Cells	Throughput 2021-2022	Number of Custody Sergeants	Number of Designated Detention Officers
Medway	40	4861	10	30
North Kent	40	5008	10	15
Maidstone	19	2932	5	15
Tonbridge	19	2919	5	15
Folkestone	16	3528	5	15
Margate	13	2311	5	15
Canterbury	15	3818	10	15

In addition, ICVs also visit a non-designated¹ suite at Bluewater Shopping Centre twice a month, as well as the UK Border Force (UKBF) detention centre in Dover once a month and provide data and feedback directly to UKBF.

¹ A non-designated custody suite is not staffed 24/7 by custody staff. Bluewater Custody Suite operates around the hours of Bluewater Shopping Centre and detainees are taken to North Kent Police Station promptly for detention.

Each visit to a police station cell is undertaken by two volunteers who then submit a report to the Office of the Police and Crime Commissioner (OPCC). The information is monitored regularly by the PCC's staff and Kent Police to ensure any important issues are dealt with swiftly.

ICVs are expected to visit custody suites as often as once a month and attend training sessions, between two and four panel meetings per year, and an Annual General Meeting.

Although Independent Custody Visitors are voluntary (unpaid members of the local community) they do receive traveling expenses (mileage/parking) when undertaking visits.

At present, Kent's ICV Scheme has 38 volunteers, which is fourteen less than last year. This can mostly be attributed to normal attrition rates, and changes after the national lockdowns were lifted, leaving some volunteers no time for the role, or a change of interests. We also lost one ICV due to retirement.

In January, we recruited an additional 19 volunteers who are currently awaiting vetting and therefore not included in the data.

Panel	No. of ICVs visiting²
North and West Kent	20
East Kent	18
Total no. of ICVs	38

² As of April 2022

COVID-19 and Custody Visiting

On 23rd March 2020 the ICV Scheme suspended all physical visits to custody in response to the COVID-19 pandemic, in line with national guidance. From April until May, the ICV Scheme Manager took on responsibility to dip-check custody records to check on the treatment of detained persons (DPs). This was so that Custody did not go without oversight during the pandemic. Our scheme is arranged to ensure that we maintain the law and the standards set up to verify the wellbeing of as many DPs that enters custody as we can to ensure equality, fair treatment and safety; therefore halting the scheme in its entirety was not an option for us. The custody record dip-sampling was an interim measure while we set up alternative arrangements for independent oversight by the ICVs.

Working with the custody manager, the OPCC developed a Standard Operating Procedure for virtual custody visits, whereby ICVs took part in video calls with DPs, speaking with them about their treatment in custody.

The OPCC recognised the many challenges facing ICVs during the pandemic, so volunteers were given the choice as to whether they wanted to take part in virtual visits. There were also some technological obstacles for some ICVs who otherwise would have taken part. In total, eleven ICVs were able to take part in virtual visits across nearly all the sites across the three Divisions.

Virtual Visits (VV) took place via video call using Microsoft Teams and required a smart phone, tablet, laptop or other video conferencing equipment at both ends of the call. On occasion, there were technical difficulties that resulted in calls being terminated and re-scheduled, or discussions with DPs taking place via telephone.

ICVs would speak to an average of two (and up to four) DPs per VV and completed a report form. Conversations largely remained the same, with additional questions around COVID-19 practices within the suite, and whether DPs have been provided soap, handwashing facilities, and offered access to showers. This information was useful in identifying areas of good practice and improvement.

After the VV took place, a custody officer would send the ICV Scheme Manager a copy of the DP's custody record (only where consent was given or a person was deemed vulnerable) for review. Again, due to GDPR barriers, custody records could not be shared externally, so they were reviewed internally by the OPCC to corroborate the comments of the DPs, check that reviews and observations were taking place on time, and reviewing their general care during detention. The report forms were therefore completed by one ICV and the ICV Scheme Manager, with a final assessment by the ICV to add any further comments or observations, and subsequently send to the custody SPOC (Inspectors) of the respective custody suite for comment.

The OPCC and custody staff agreed that focus of the VVs should be on DPs deemed vulnerable, which includes juveniles, foreign nationals and females.

VVs continued throughout 2020 until August 2021, with normal visits resuming at that time. Owing to this, we have combined the two years' annual report, with the relevant data where possible

Virtual ICV Visits (April 2020 to March 2021)

Panel	North Kent		West Kent		East Kent			Total
Station	North Kent	Medway	Maidstone	Tonbridge	Canterbury	Folkestone	Margate	
No. of DPs	16	23	20	15	18	15	18	125
Male	10	16	13	8	14	13	12	86
Female	6	8	6	7	4	2	5	38
Adult	16	19	18	12	17	14	17	113
Juvenile	0	4	2	2	1	1	1	11
Foreign National	1	0	1	0	3	0	1	6
Free Legal Advice Offered	15	23	19	14	18	15	14	118
Someone Informed Offered	15	23	18	13	18	14	14	115
Access to COP Offered	14	19	17	13	18	13	12	105
Embassy Offered (if applicable)	1	0	1	0	2	0	1	5
Soap Offered	8	18	9	10	15	13	10	83
Custody Record Viewed	14	14	14	12	14	11	9	88

Due to physical visits to custody being unable to take place, virtual visits to custody were carried out instead. This meant that ICVs saw a significantly smaller number of detainees than in previous years.

It should be noted that not all the forms were fully completed, or some information was unable to be taken, which means numbers may not be entirely accurate. The data is based on what detainees told ICVs.

County-Wide Issues and Recurring Themes

The feedback from ICVs this reporting period was positive, with fewer significant issues to note than previous years. This could be contributed to the lack of physical visits, but lots of good practice was highlighted regardless. The custody team have used ICVs' findings previously to improve facilities and amend procedures, ultimately leading to better care of DPs. Positive feedback from ICVs about individual staff members was encouraged and was fed back to line managers.

The following is a summary of important events, issues and good practice across all custody suites in the past year. This includes the main issues that have been identified by ICVs and subsequently addressed with Kent Police's Custody Team and the PCC via quarterly reports.

Overall Comments on Custody

- DPs were generally treated very well during their time in custody.
- Reviews and observation checks were generally completed on time, with only a few slightly late reviews. However, reasonable justifications were given for each. Occasionally, detainees were not made aware of their reviews conducted while they were asleep.

- Female DPs were always provided a female carer and explained that they can have access to feminine hygiene products and speak to their carer at any time. This is very good practice.
- Criminal Justice Liaison and Diversion Services (CJLDS) engaged with most DPs, particularly those classed as vulnerable, to identify support services that may be of benefit to them. This is very good practice.
- There were a couple of times where DPs stated they were not aware of the exercise yard or toilet paper.
- There were a couple of aborted visits, some due to failing technology, one due to no DPs being in custody at the time of the call, and a couple due to ICVs not being contacted. The issue re staff failing to contact ICVs was addressed promptly and has since not been an issue.

COVID-19 Issues

From the data gathered, only 66.4% of DPs were offered soap for handwashing. However, it should be noted that DPs were mostly made aware of showers and most cells had hand washing facilities. Some DPs were notified that there was hand sanitiser available. Some DPs told ICVs they were not made aware of these facilities.

Generally, custody records did not state whether soap or handwashing facilities were offered to DPs. However, all custody SPOCs took on this point, and have taken the feedback on to ensure that the offer and supply of handwashing facilities is noted in the custody records.

On one occasion, a DP told ICVs that she would complain that she was not given a face mask, but it was established that these are not issued as standard.

One member of staff told ICVs that he would place a note in Athena so this is prompted at the time of booking in. However, we appreciate that changes to Athena can take some time and this may not happen immediately, even if approved.

ICV Visits (April 2021 to August 2021)

Virtual visits continued with limited in-person visits slowly being reintroduced from June, and were fully reinstated in August 2021, and virtual visits ceased.

Virtual Visit Stats

Panel	North Kent		West Kent		East Kent			Total
Station	North Kent	Medway	Maidstone	Tonbridge	Canterbury	Folkestone	Margate	
No. of DPs	7	6	5	5	6	7	6	42
Male	6	6	4	4	5	6	6	37
Female	1	0	1	1	1	1	0	5
Adult	7	6	5	5	6	7	6	42
Juvenile	0	0	0	0	0	0	0	0
Foreign National	0	1	0	0	0	0	0	1
Free Legal Advice Offered	7	6	4	5	6	6	6	40
Someone Informed Offered	7	6	4	5	6	5	6	39
Access to COP Offered	6	5	4	5	6	5	3	34
Embassy Offered (if applicable)	0	1	0	0	0	0	0	1
Soap Offered	4	5	4	3	4	5	4	29
Custody Record Viewed	4	6	5	4	3	3	0	25

Physical Visit Stats

Panel	North Kent		West Kent		East Kent			Total
Station	North Kent	Medway	Maidstone	Tonbridge	Canterbury	Folkestone	Margate	
No of Visits	20	23	29	28	30	29	25	184
No. of DPs	155 ³	232	146	152	194	154	77	1110
DPs Visited	68	85	85	103	101	85	52	579
DPs Not Visited	78	140	58	46	93	65	25	505
DPs Refused Visit	5	7	3	3	0	4	0	22
Free Legal Advice Offered	86	105	86	107	81	68	33	566
Someone Informed Offered	84	105	84	105	82	61	33	554
Access to COP Offered	73	101	84	107	78	61	30	534
Embassy Offered (if applicable)	15	20	21	5	10	5	3	79

³ In one ICV report, the boxes were not completed and therefore the data for DPs visited, not visited and refused could not correctly be recorded, leading to the sum total of DPs in custody in North Kent appearing higher than the combined constituent numbers.

County-Wide Issues and Recurring Themes

The feedback from ICVs this reporting period was positive, again with fewer significant issues to note than previous years.

- On three separate virtual visits, ICVs noted that there was no vulnerability function test or covid measures noted in the custody record.
- As physical visits were reinstated, ICVs were welcomed back to custody, noting positive infrastructure changes which they believed 'should improve management and support for detainees.'
- One of the ICVs' most noted issues was regarding sleeping reviews. Where Inspectors were due to review a DP's detention, it was noted that often these reviews were late or delayed so that an Inspector could carry them out in one 'block' and do multiple DP reviews, rather than doing them at the times they were due. ICVs also noted that some DPs were not made aware of the outcome of their sleeping review, or that this was not recorded in the custody record and not clear if the DP had been made aware. ICVs also noted that some entries on the custody record stated 'no review officer readily available' to justify delays.
- Staffing concerns were raised, with ICVs noting that the suites were sometimes incredibly busy with a minimum level of staffing, adding pressure to DDOs who were trying to care of the DPs and escort ICVs around. On more than one occasion, ICVs elected to abort their visit as they felt their presence was impacting on the demands of custody staff. ICVs were complimentary to staff for accommodating them even when it was difficult to do so. On several occasions, ICVs noted that PCs were working in custody to help cover staff that were off sick.
- On three occasions at Medway, and once at North Kent, ICVs noted that DPs were not roused for their observations, when their care level indicated that they should be roused when checked.
- Food supply issues were reported frequently. Sometimes items ordered were replaced with other items if they were out of stock, or orders were missing items completely. Some items were also arriving inedible and clearly out of date, despite being in date according to the label. Kent Police are discussing changing their food supplier when their contract is up, if things do not improve.
- Clothing supply issues were reported, with certain sizes of items being out of stock at various times.
- There were frequent issues in obtaining appropriate adults from the Young Lives Foundation who provide the AA service. ICVs note that officers will try to seek a family or friend to act as an AA, before calling the AA service. Calls to seek an AA were usually made on time, but ICVs reported significant issues obtaining AAs from the scheme due to a lack of volunteers.
- Multiple suites (Tonbridge, Maidstone and Canterbury) had issues with their intercom/call bell systems, leading to multiple cells being out of action at various times.
- Good practice was highlighted in terms of care for female detainees. They are being assigned a 'female carer' who will be a point of contact to discuss any sensitive issues and advise the DP on access to feminine hygiene packs. ICVs noted good practice in hygiene packs being offered to female DPs.
- ICVs noted good practice for DPs being referred to the Criminal Justice Liaison and Diversion Service (CJLDS).

- One Appropriate Adult arrived during a visit with a service dog, which ICVs see as great practice, as it was a very friendly dog who calmed down the detainees.
- Microwaves across all suites were often reported as not clean, with the regularly scheduled temperature checks sometimes being missed. Microwaves tended to be cleaned, and temperature checks done, after ICVs report this to the custody sergeant.
- ICVs commended one DDO on the organisation of the stock cupboard, who sorted and stored all food items in date order to reduce waste. This was reported back to custody management by the OPCC as good practice and should be used as a model across all suites.
- Cell 5 in Margate was out of use due to the loud noise coming from the aircon. Repairs were unsuccessful.
- ICVs noted on several visits to North Kent that there was an issue with the showers, with water leaking into the corridor.

Healthcare Questionnaire

In July 2014, the ICV Scheme worked with Kent Police’s Head of Custody and Healthcare to help produce and launch a healthcare questionnaire that can be used to gain information from DPs on their experiences with the healthcare in custody. ICVs were asked to use the questionnaire once per visit with one detainee at random. This information is collated by the OPCC and then fed back to Kent Police’s Head of Custody and Healthcare. The aim is to help improve healthcare for detainees in police custody.

This exercise has proved to be very useful to Kent Police, and helps feed back into the health care service to improve arrangements for detainees, and so it is now a permanent arrangement.

Below are the results from the questionnaire from June 2021 until March 2022. These questionnaires were not completed during virtual visits. Please note that due to some answers on the questionnaire not being completed at the time of the visit, there are inconsistencies in the response totals.

	Variable	Jun	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Total
Gender	Male	3	2	10	10	8	11	6	12	8	6	76
	Female	0	2	2	1	1	0	2	0	1	1	10
Has DP needed to see nurse?	Yes	1	3	7	8	6	8	6	6	2	5	52
	No	2	1	5	5	3	4	2	6	7	2	37
If Yes, have you been able to see the nurse?	Yes	1	1	7	7	5	4	6	4	1	5	41
	No	0	2	0	0	1	3	0	1	0	0	7
If no are you aware that you can see the nurse if you need to?	Yes	2	1	4	5	2	5	2	6	5	1	33
	No	0	0	1	0	1	0	0	1	2	1	6
How was the treatment on a scale of 1 - 10 (Average from the month)	-	10	10	8.1	6.9	8	7.3	8.2	6.3	8	5.8	7.86

A positive point to note is that the majority of detainees interviewed were aware that they could see a nurse if they needed to, and that the majority of those who made a request were seen by the nurse during their detention. Some detainees were disgruntled that they could not have their medication right away, but for the safety of the detainees, generally medication cannot be given until 6 hours into their detention in order to reduce the risk of overdose.

The overall rating of health services in custody was 7.86/10, which is slightly higher than 2019-2020’s score of 7.7/10.

Healthcare and Mental Health Issues in Policing and Custody

Healthcare in custody

The Kent Police Custody Healthcare Team has a Head of department and two managers whose work is roughly divided between the East and West of the county and one part time Admin Assistant. Kent Police currently has four Forensic Healthcare Practitioner teams comprising of nurses and paramedics. The areas covered:

- Canterbury covering Margate
- Folkestone covering Maidstone
- Medway
- North Kent covering Tonbridge

Kent Police’s Custody Healthcare Team establishment is 23 Whole Time Equivalent (WTE) but this excludes the two Managers and one Admin Assistant. It is currently three staff under establishment at this current time due to resignations. However, two positions are awaiting start dates and the third is going through the vetting process.

The service covers from 0730-0500hrs each day; therefore between 0500 – 0730hrs each morning there is no cover in the county.

2020-21	North Kent	Medway	Maidstone	Tonbridge	Canterbury	Margate	Folkestone	Force
Apr	203	230	0	135	114	0	79	761
May	205	284	0	165	132	64	121	971
Jun	155	290	54	95	136	108	131	969
Jul	204	312	114	74	148	98	141	1091
Aug	149	242	93	87	157	78	87	893
Sep	165	291	69	81	153	44	113	916
Oct	169	277	128	74	155	82	113	998
Nov	174	244	69	84	142	73	127	913
Dec	161	275	75	71	139	72	98	891
Jan	188	202	115	67	128	76	116	892
Feb	173	201	83	53	146	66	110	832
Mar	168	288	74	78	190	75	126	999
TOTAL	2114	3136	874	1064	1740	836	1362	11126

2021-2022	North Kent	Medway	Maidstone	Tonbridge	Canterbury	Margate	Folkestone	Force
Apr	140	243	84	70	150	59	106	852
May	175	276	112	62	173	75	119	992
Jun	177	248	79	80	182	61	132	959
Jul	195	275	145	64	226	63	78	1046
Aug	242	240	101	30	163	81	114	971
Sep	93	301	67	89	166	85	123	924
Oct	227	122	60	76	142	63	144	834
Nov	334	8	102	77	191	79	116	907
Dec	217	201	90	55	154	46	110	873
Jan	165	221	70	71	135	68	105	835
Feb	140	197	61	53	168	37	120	776
Mar	189	218	116	61	159	43	109	895
TOTAL	2294	2550	1087	788	2009	760	1376	10864

Mental Health Team

The Kent Police Mental Health Team are locally based and embedded within mental health establishments across the county. In addition to reducing the incidents of violence/aggression and absconding from establishments, the team engages with those who have mental health issues and regularly go missing or are 'repeat presenters', manage an investigative caseload providing continuity across NHS sites, and provide advice and guidance to their colleagues including within the Force Control Room and the Office of the PCC. The aim of the team is to apply a consistent approach across the county, and to reduce demand by more effectively managing service users either through the involvement of partner agencies or effective application of legislation.

Plans for the Future

Improved Reporting

The OPCC is working with the IT service team to introduce an electronic reporting system. This will eliminate paper records and enable ICVs to complete reports using tablets. This has taken longer than anticipated. Mandatory training for all ICVs will be provided to ensure we maintain a high standard of reporting.

Dogs Scheme

All OPCCs have been asked by The Dogs Trust to join the Animal Welfare Scheme, to ensure police forces are treating their police dogs well and in line with the Animal Welfare Act. We have asked ICVs to take part and provide independent oversight of Kent Police's treatment of their dogs. All dogs must be visited and assessed within each year, and quarterly panel meetings with the visitors, the dog section and the Dogs Trust will take place in order to provide feedback to all involved. The first training session had to be moved owing to illness, but is due to take place soon, with the first visit to take place shortly after.

Custody Partnerships Meetings

Following the release of the HMICFRS report, Kent Police's custody team set up a bi-monthly custody and partnership meeting, where officers working in custody and various partners are invited to give an update on their area of work. The ICV Scheme manager attends each meeting to provide an update on ICV findings. Partners include Young Lives Foundation (AA Scheme), CJLDS and the Victim Justice Unit, as well as the facilities team in the force, who provide feedback on the infrastructural work going on in custody suites. These meetings are useful in information sharing, highlighting good practice and raising any issues for improvement.

HMICFRS Report, ICV work and ongoing work with HMICFRS

The HMICFRS report on Kent's Custody was released at the end of last year. It identified many positive aspects to Kent Police's approach to custody management, and was very complimentary about the attitude of the staff and their care for detainees. The Force has produced and is working to an action plan to improve specified areas.

In addition, the ICV scheme has been working with custody to identify and monitor areas of weakness highlighted by HMICFRS. The two main areas of concern were;

- Observation levels for intoxicated detainees – ensuring DPs are being placed on rousing visits and DDO's are physically entering the cell, rousing and recording a verbal response on the Custody record
- S40 PACE Inspector reviews – the quality of these was raised as an issue. The review should be carried out near the review time and should include a review of their welfare plan. DPs should be offered food and drink, told if their detention is continued to be authorised and reminded on their rights and entitlements. All of this should be recorded as part of the review on the Custody record.

ICVs will be asked to look out for these areas of concern and report any issues back to the OPCC.

The full report is available here [Report on an unannounced inspection visit to police custody suites in Kent - HMICFRS \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/hmicfrs/reports/2017/2017-01-20-Report-on-an-unannounced-inspection-visit-to-police-custody-suites-in-Kent-HMICFRS)

Report Ends