

Independent Custody Visiting

Annual report



2021–2022

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Introduction

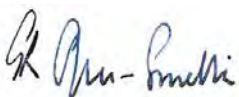
Giles Orpen-Smellie
Norfolk Police & Crime Commissioner (PCC)

I must begin by congratulating all those involved with Norfolk's Independent Custody Visiting Scheme for their commitment to their role. The excellent work they do on behalf of the public in scrutinising arrangements in our Police Investigation Centres (PICs) for detaining those who the police have arrested is hugely important.

This report reflects on a year that, hopefully, has seen the Covid-19 pandemic begin to fade into the past. What is particularly pleasing is that the Scheme has emerged from the pandemic, and is now moving forward, stronger than it was before. First, visiting continued despite all manner of constraints, not least of which was the wearing of full PPE (personal protective equipment) for rather longer than was done in wider society. Second, while some Independent Custody Visitors (ICVs) have departed, retention has been high, which is a reflection of the commitment and volunteer spirit of our ICVs. And third, we have been joined by eight new ICVs who are all very welcome and bring the total to 23, which represents a 35 per cent uplift.

The work of ICVs, by its nature, goes on unseen and unsung by the public. However, this does not mean that ICVs relax. Good work has been done to improve individual skills through training. The ICV Report Form has continued to evolve to reflect the ever-increasing variety of scrutiny ICVs are asked to carry out. And, most importantly of all, visits to PICs continue and ICVs continue to exercise their professional curiosity, both to ensure the high standards required in the PICs are maintained and also to identify improvements to arrangements that enhance the dignity of those being detained. The ICV role may not always be the most glamorous or pleasant but ICVs provide a vital check and balance on what goes on behind the closed doors of our PICs.

I shall end as I began by wholeheartedly congratulating and thanking Norfolk's ICV for the great work that they do.



Giles Orpen-Smellie

Norfolk Police & Crime Commissioner (PCC)



Paul Sanford Chief Constable, Norfolk Constabulary

As each year goes by, I believe that the role of the Independent Custody Visitors becomes more and more important.

We continue to see rising numbers of our detainees presenting with complex needs and vulnerabilities, especially around mental health. The number of detainees requiring mental health assessments in our Police Investigation Centres continues to rise year on year.

We are working closely with our partner agencies, especially those responsible for the provision of mental health services, to ensure that our Custody Suites are safe environments and only occupied by those who should be there. The visitors play a crucial role in this, and the scrutiny and feedback they provide within the custody environment ensures we provide the best service we can in terms of safe, efficient, and consistent standards. I remain committed to ensuring that the constabulary continues to listen and act on any issues they raise.

I am incredibly appreciative of the time the visitors give to the scheme, and I would like to thank the visitors for their continued commitment to the provision of service for people in our Police Investigation Centres.



Paul Sanford
Chief Constable, Norfolk Constabulary



Chief Inspector Nick Paling Head of Custody for Norfolk & Suffolk Constabularies

Norfolk and Suffolk have six PICs across the two counties, and I have been incredibly proud to lead this core critical department.

I took command of this position in September 2020 following a long career in local policing which I will be returning back to in the Summer of 2022. My time in charge has been throughout the Covid-19 pandemic.

A highlight of mine, is the way we operated through the challenge of Covid-19, tweaking our processes, meaning we never had to close a PIC as a result of an outbreak.

This has allowed for Norfolk Constabulary to continue to discharge its core duties of arresting those who cause harm to the community.

Throughout my time as the Head of Custody I have had a very healthy relationship with the PCC's office, especially from the feedback the excellent cohort of Independent Custody Visitors provide. Like my team, ICVs were committed throughout the pandemic and found new and alternative ways to continue their visits. This enabled the independent scrutiny to continue on our department which is so important to us all.

Another example of the ICVs continued commitment to custody is their role in the quarterly Independent Scrutiny Panels which are run by my department. This panel which set up locally, has received praise across the UK and is now being replicated within other forces. We should all be proud of this!

Norfolk is lucky to have such a committed team of ICVs, and it has been a pleasure to work with you all.



Background

Prior to the publication of the Scarman Report following the Brixton Riots in 1981, no provision existed for the independent monitoring of the welfare of detainees held in police custody. Lord Scarman recommended that provision be made for random checks by people other than police officers on the interrogation and detention of suspects in police stations. The aim of this was to promote public confidence in policing, ensuring all policing activity was accessible and transparent to scrutiny by the public.

The Independent Custody Visiting (ICV) provision was initially a voluntary one for police authorities until 2002 when it became a statutory provision. Custody visiting, formerly known as lay visiting, was established in 1983 and the Police and Crime Act 2002 made custody visiting statutory with the Home Office introducing the [Codes of Practice for Independent Custody Visiting](#). The Police Reform and Social Responsibility Act 2011 introduced Police and Crime Commissioners and gave them the responsibility for operating and overseeing a scheme in their police area.



Custody Visitors

Independent Custody Visitors (ICVs) are volunteers who visit people detained in custody at a police station. This can be people arrested by the police or other agencies such as the Immigration Service. For many people, arriving in a custody suite can be a daunting and frightening experience with many being unaware of their rights or entitlements.

An ICV's main responsibility is to check on the welfare of a detainee and make sure they are being treated properly and with dignity whilst in custody. An ICV ensures that they understand their rights and entitlements in law, why they are in custody, that they have access to free legal advice, and that they can contact someone to inform them of their whereabouts.

Visiting in pairs, ICVs can inspect cells and other facilities within the custody suite. Where appropriate, they can scrutinise custody records, which are a record of everything that happens to a detainee whilst in custody. If an ICV discovers any issues, these are initially raised with the Custody Sergeant and there are additional steps that can be taken should the issue be more serious in nature.

ICVs make a report of each visit to the police station summarising their visits with detainees, any issues discovered, and any ongoing actions required. A copy of the report is then forwarded onto the Scheme Manager.

ICVs are recruited by the Office of the Police and Crime Commissioner for Norfolk (OPCCN) but are independent of both the OPCCN and Norfolk Constabulary. They will make unannounced visits to police stations at any time or day of the week and can speak to anyone who is currently detained within the custody suite.

The Custody Estate

The custody provision for Norfolk and Suffolk Constabularies is provided collaboratively and all staff work within a combined command headed by a Chief Inspector. In total, across both counties, there are six dedicated Police Investigation Centres (PICs) where detained persons are held. Four of these are in Norfolk and are located in Aylsham, Great Yarmouth, King's Lynn and Wymondham, providing a total detainee capacity of 92.

Built in 2011, they are acknowledged as some of the best facilities in the country. The maintenance, cleaning and supplies are all provided under the Private Finance Initiative Scheme.

The King's Lynn PIC also serves the Cambridgeshire Constabulary area with detainees from Cambridgeshire being held there, albeit it is fully resourced by Norfolk officers and police staff.



Detained Persons statistics: 1 April 2021 to 31 March 2022

Overall numbers of detainees

Police Investigation Centre	Detainee numbers
Aylsham	1,683
Great Yarmouth	3,979
King's Lynn	3,317
Wymondham	5,030
Grand total	14,009

Ethnicity of detainees

Ethnicity	Number of detainees	Percentage of overall detainees
White – North European	11,965	85.4%
White – South European	425	3.0%
Black	612	4.4%
Asian	170	1.2%
Middle Eastern	39	0.3%
Chinese, Japanese or South-East Asian	23	0.2%
Unknown/not stated	775	5.5%
Grand total	14,009	100%

Gender and age of detainees

Age profile	Male		Female		Not recorded		Grand total
0–10	0	(0.0%)	0	(0.0%)	0	(0.0%)	0
10–17	711	(5.1%)	180	(1.3%)	2	(0.0%)	893
18–25	2,670	(19.1%)	521	(3.7%)	8	(0.1%)	3,199
26–35	3,534	(25.2%)	702	(5.0%)	11	(0.1%)	4,247
36–45	2,578	(18.4%)	464	(3.3%)	4	(0.0%)	3,046
46–55	1,445	(10.3%)	287	(2.0%)	5	(0.0%)	1,737
56–65	588	(4.2%)	103	(0.7%)	2	(0.0%)	693
Over 65	168	(1.2%)	26	(0.2%)	0	(0.0%)	194
Grand total	11,694	(83.5%)	2,381	(16.3%)	105	(0.2%)	14,009



Norfolk ICV scheme

As of 31 March 2022, there are 23 ICVs across the county participating in the scheme, an overall increase of five from last year. These ICVs are split into four panel groups, each one serving one of the PICs. Each panel nominates a coordinator who is responsible for arranging a rota of visits. This ensures that only our ICVs know what day and time a visit will take place enabling the scheme to remain independent and credible.

Each panel group meets with the Scheme Manager three times per year and the co-ordinators also meet every year with the Scheme Manager and Chief Inspector for Custody.

The panel meetings are also attended by the PIC Inspector to allow the panel to discuss any issues that they have, and for the Inspector to update the panel with regard to any pertinent issues within their area of responsibility. The panel meetings are also an opportunity to discuss topical issues and provide an opportunity for some training for the ICVs.

The scheme continues to maintain a good representation of the local community, taking account of different ethnic origin, gender, disability and age.



Norfolk ICVs data

ICVs gender

Gender	Number
Male	10
Female	13

Ages of ICVs

Age	Number
18–30	0
31–45	1
46–60	7
61–75	11
75+	4

ICVs with a disability

Disability	Number
Disability	2

ICVs ethnic group

There are 18 definitions of ethnicity within the 2011 census – the data provides an overview of those represented currently on our scheme.

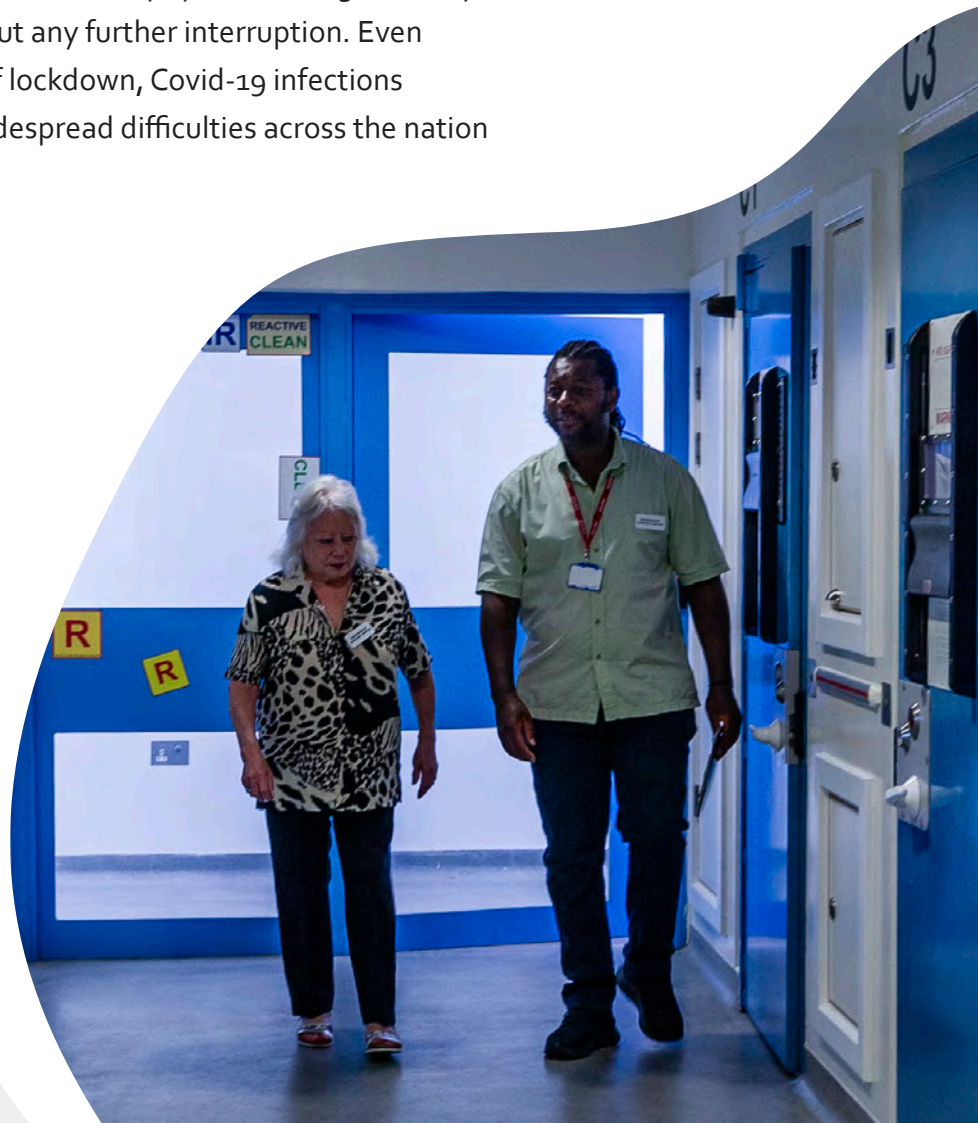
Norfolk ICVs ethnic group	Number	Norfolk population ethnic group ¹
White British	20 (87%)	92.4%
White Other	1 (4.3%)	3.5%
Asian: Indian	0	0.5%
Black: African	1 (4.3%)	0.4%
Other: any other ethnic group	1 (4.3%)	3.2%

¹ Source: ONS data 2011

Norfolk Custody Visiting and living with Covid-19

As of 1 April 2021, the country was still under strict national restrictions which had been in place since December 2020 and ICVs had been carrying out physical visiting prior to this. At the start of 2021 and in lieu of these, they commenced a programme of monitoring telephone calls where they would speak to staff and establish the current operational situation, detainee numbers, staffing levels and cleaning regimes. They would then select a number of detainees to speak to on the telephone.

However, on 12 April 2021, ICVs recommenced physical visiting and they have continued to do so since without any further interruption. Even though the country had come out of lockdown, Covid-19 infections continued at a high level causing widespread difficulties across the nation and of course policing.



To support Norfolk Constabulary's vision of 'protecting ourselves, our workforce and our communities', the ICV Scheme worked closely with the Head of Custody to ensure ICV visits could continue in a safe and appropriate manner. This involved ICVs always wearing enhanced PPE whilst in custody, and while this wasn't conducive to good conversation, it allowed the visits to continue whilst keeping everyone as safe as possible.

The PPE restrictions were still in force as of 31 March 2022, albeit the situation was under review.

It is fair to say, however, there were a number of challenges through the early part of the year, with a number of ICVs stepping down and some unable to carry out visiting for health reasons. To address this, a strong recruitment campaign commenced bringing up overall ICV numbers to 23 and seeing visit numbers increase by 15 per cent. This is a testament to the commitment and resilience of our existing volunteers who carried on with visiting as well as assisting with the mentoring of new ICVs.

It is hoped that the forthcoming year should see custody visiting in Norfolk back to pre-pandemic efficiency.

Visiting statistics

Breakdown of visits – 1 April 2021 to 31 March 2022

Visiting metric	Year	Aylsham	Great Yarmouth	King's Lynn	Wymondham	Total
Number of visits	21/22	52	36	44	48	180
	20/21	43	39	34	41	157
Detainees available to visit ¹	21/22	64	105	106	159	434
	20/21	21	71	57	103	252
Detainees visited	21/22	59	99	100	144	402
	20/21	21	62	54	99	236
Percentage of available detainees visited	21/22	92%	94%	95%	91%	93%
	20/21	100%	87%	96%	96%	94%
Detainees observed	21/22	11	77	48	135	271
	20/21	0	33	60	48	141

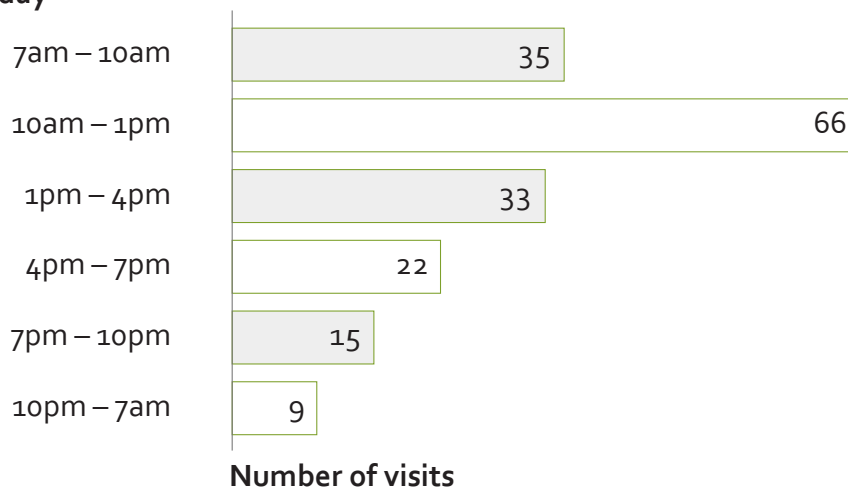
¹ Not all detainees are available to visit. They may refuse or the police may advise not to for health and safety reasons. Additionally, they may be in an interview, asleep or providing fingerprint/DNA samples.

Days and times visits took place

Day of the week



Time of day



Vulnerable detainees

Protecting juveniles and other vulnerable persons

It is widely accepted in policing that there is a need to reduce the number of juveniles and vulnerable people in custody and Norfolk Constabulary takes a positive approach with this. Its aim is to release detainees from custody in a healthier position than they arrived, so they are better equipped to change their behaviours and lifestyle choices. Various diversion and support services are available to detainees through partnership working, which are based upon need and vulnerability.

NHS Liaison and Diversion

NHS Liaison and Diversion (L&D) services identify people who have mental health, learning disability, substance misuse or other vulnerabilities when they first come into contact with the criminal justice system as suspects, defendants or offenders. The service can then support people through the early stages of criminal system pathway, refer them for appropriate health or social care or enable them to be diverted away from the criminal justice system into a more appropriate setting, if required. All Norfolk PICs have L&D staff embedded in order to maximise opportunities to assist individuals and the Scheme Manager meets all new staff to give them a clear understanding of the ICV role.

Project Nova

Norfolk Constabulary continues to support Project Nova which supports veterans who have been arrested and enter police custody or who are referred by specialist police teams, or other statutory organisations because they are at risk of arrest.

The WONDER+ project

Female offenders coming into contact with our criminal justice system can be some of the most vulnerable and disadvantaged women in society. All women engaging with WONDER+ will meet with a project link worker, who will assess their individual needs and develop a tailored support and development plan for addressing those needs.



Vulnerable persons – overview

The ICVs will always prioritise seeing vulnerable people during their visits, especially when custody is busy, and they are unable to see all detainees.

If ICVs are unable to see a detainee due to that vulnerability, then they are able to review their custody record on their behalf to ensure that all of their rights and entitlements are being upheld and that they are receiving appropriate care.

If a detainee is unable to be seen (asleep, advised against a visit etc), the ICVs will always endeavour to make a safe observation of them.

Vulnerable person overview

Category	Year	Juvenile	Non-English-speaking	Female
Number of detainees	21/22	43	74	126
	20/21	38	62	105
Detainees available to visit ¹	21/22	26	34	72
	20/21	15	18	40
Detainees visited	21/22	24	33	65
	20/21	15	13	38
Percentage visited	21/22	92%	97%	90%
	20/21	100%	69%	96%

¹ Not all detainees are available to visit. They may refuse or the police may advise not to for health and safety reasons. Additionally, they may be in an interview, asleep or providing fingerprint/DNA samples.

The Terrorism Act

Anyone arrested under the Terrorism Act (TACT) may be detained for up to 14 days and there are provisions within the estate for people arrested in this way.

They are also entitled to receive visits from ICVs; however, the ICVs themselves are specially selected to perform this role and must undergo additional training. We have one Norfolk ICV trained as a TACT ICV and they are on a rota with colleagues to provide cover for the whole of the Eastern Region.

All ICVs visiting TACT detainees will report nationally to the Independent Reviewer of Terrorism Legislation.



Issues reported from custody visits

Norfolk Constabulary continue to deal with some of the most vulnerable people in society and although serious incidents within police custody are rare, sadly there was one death in custody during the reporting period.

The constabulary, however, maintains a robust 'Safer Detention' reporting process, and details of any incidents affecting the safety and wellbeing of detainees are shared with the Scheme Manager. There is also a process for immediate notification should the incident be of a serious note.

ICVs will always try to determine if a detainee is happy with the treatment received whilst in custody and this is then fed back to the Scheme Manager. In turn, the constabulary are updated where there are any adverse comments as well as (importantly) any positive comments.

As a result of the conversations that ICVs have had with detainees, several requests were raised and passed on to custody staff. This would include requests such as additional drinks, blankets and to speak to their solicitors or family members.

It is noted by ICVs that almost without fail, the standards of care provided, and the respect and dignity offered to the detainees is exemplary, but naturally some issues will be highlighted.

Over the course of the last 12 months, ICVs have noted that detainees have not always been able to have a shower on request. Females are less likely to be able to shower in these circumstances as the ratio of female staff to female prisoners is lower than for males. The situation continues to be monitored and discussions are ongoing with the constabulary.

Out of hours provision for health care and liaison and diversion services have been a challenge for the constabulary this year, and ICVs continue to report back on any issues. These issues are always discussed during quarterly meetings between the Scheme Manager and the Head of Custody.

Police response

The vast majority of issues raised by ICVs are dealt with informally between the ICVs and the custody staff but there are, however, clear protocols should a matter not be resolved, or a wider thematic issue is discovered.

- > ICVs raise issue with Custody Sergeant
- > Scheme Manager discusses issue with Inspector responsible for the relevant PIC
- > Scheme Manager discusses issue with Chief Inspector for Custody
- > PCC raises issue with Chief Constable through their governance and performance meetings.

Collaboration

Good working relationships are maintained with the Office of the Police and Crime Commissioner for Suffolk and both schemes share similar working processes and policies due to the nature of the collaborative Custody Command. Norfolk and Suffolk share training opportunities for ICVs.

In addition to Suffolk, Norfolk also works alongside regional colleagues from the East of England (Bedfordshire, Cambridgeshire, Essex and Hertfordshire). The Scheme Managers from these regions meet on a quarterly basis to share experience and best practice.



The Independent Custody Visiting Association (ICVA)

ICVA are a Home Office and PCC funded membership organisation set up to lead, support and promote local independent custody visiting schemes. Norfolk continues to pay a subscription for annual membership to access a wide range of services as set out in their Mission Statement below.

Lead – ICVA provides leadership to ICV schemes in the UK, helping to define their aims and ensuring that schemes remain up to date in policing. As members of a number of nationwide groups, ICVA will use this platform to lead schemes on changes to the custody arena.

Support – ICVA play a crucial role in supporting local schemes and their managers and they provide effective, timely and consistent support to them. This covers a range of activities, but the aim is to ensure all schemes have the tools they need to be able to deliver effective oversight of detainees' rights, entitlements, dignity and wellbeing.

Represent – ICVA has an on-going national role to represent ICV schemes as an integral part of policing.

ICVA continue to show strong support schemes across the country, as they continue to recover from the effect of the pandemic. The Norfolk Scheme Manager remains part of ICVA's 'buddy scheme' assisting colleagues around the country with more detailed advice and guidance around specific topics.



Training

Training for new ICVs is carried out when they first join the scheme and utilises the training model provided by the Independent Custody Visiting Association (ICVA).

ICVs then remain under a programme of continuous professional development. Via their regular newsletter, they will receive notifications of any national developments around custody visiting as well as any legislative changes relevant to their role.

ICVA also continue to produce their 'Bitesize' training modules which focus on specific areas of custody visiting.

Between November and March, our ICVs undertook a detailed programme of training. The topics covered were assertiveness, vulnerability and County Lines.

In addition, ICVs joined their Suffolk colleagues for an online training session detailing the needs of women in the criminal justice system. This innovative session saw inputs from local and regional level as well as hearing from a young lady who has lived experience of the criminal justice system but has been able to find a stable home and work platform through the PCC's WONDER Scheme. This session has been recorded and shared as a national training resource for ICVs.

ICVs continue to work with the constabulary on specific areas of police policy within the custody arena such as the use of strip-search and detainee dignity. This is particularly detailed work which enhances the ICVs' overall knowledge of custody, legislation and the criminal justice system as well as providing additional, detailed scrutiny of the constabulary's work.

Want to know more?

Custody visiting continues to be essential in providing independent scrutiny of the treatment of detained persons and the conditions in which they are held.

If you would like to know more or are interested in becoming an Independent Custody Visitor please contact:

Independent Custody Visiting Scheme Manager
Office of the Police & Crime Commissioner for Norfolk
Building Seven
Falconers Chase
Wymondham
NR18 0WW

Telephone 01953 423851

Email icv@norfolk.police.uk

For more information on the role of ICVs or that of the Police and Crime Commissioner for Norfolk, please visit www.norfolk-pcc.gov.uk or find us on Twitter [@NorfolkICV](https://twitter.com/NorfolkICV)

For more information regarding the work of the Independent Custody Visiting Association (ICVA) please visit their website: www.icva.org.uk or on Twitter [@CustodyVisiting](https://twitter.com/CustodyVisiting) or [@projectICVA](https://twitter.com/projectICVA)

National Preventative Mechanism

Independent Custody Visiting forms part of the [National Preventative Mechanism \(NPM\)](#), the body that oversees the regulation of all detention settings within the UK. The NPM was established when the Human Rights treaty, the [Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#) was ratified in 2002.

For more information about the [National Preventative Mechanism](#), please visit the dedicated website.

More information about the [Independent Reviewer of Terrorism Legislation](#) can be found on their website.