

Independent Custody Visiting

Annual report 2022–23



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Introduction

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

Norfolk's Independent Custody Volunteer (ICV) Scheme plays an important part in scrutinising police custody facilities and preserving the dignity of detainees who are often at low points in their lives.

The ICVs are volunteers. They give their time generously. They are also prepared to set aside their own convenience to deliver the service that is needed from them. There are not many volunteer schemes that involve the inconvenience of coming to work in the middle of the night to carry out a no-notice visit. The ICVs do just this on a regular basis and always with a smile and positive attitude.

I was able to shadow an unannounced ICV visit in July 2022 and saw at first hand the care with which ICVs conduct their business. What was particularly good to see was the reception the ICVs were given by the custody staff, who welcomed the visit and were constructively receptive to the ICVs observations. Some of these observations are about important matters of personal dignity, such as having the appropriate gender mix among custody staff to allow all detainees to be able to take showers.

Some of these observations are about important matters of detail such as checking the 'use-by' dates of pre-prepared meals. They also, of course, are able to check that detainees are being treated correctly and that any particular needs, such as for access to medication, are being met appropriately.

As scrutiny and regulation of policing continues to grow, the ICVs provide an essential contribution to the scrutiny of the policing service being provided within Norfolk's custody suites. I am grateful to every volunteer, but I would like to express particular thanks for their service to those who have left in the last year and a warm welcome to our new recruits in anticipation of the excellent service that they will give in their time.

Writing as the Police and Crime Commissioner, it is hugely reassuring to know that the ICV Scheme is in such good order and is doing such good work.



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

Paul Sanford Chief Constable, Norfolk Constabulary

I would like to take this opportunity to extend my personal thanks to all of the Independent Custody Visitors for their continued dedication to the role.

We continue to see rising numbers of our detainees presenting with complex needs and vulnerabilities, and the fantastic work our ICVs undertake at our Police Investigation Centres remains vital.

The scrutiny and feedback they provide within the custody environment ensures we provide the highest level of service we can in terms of safe, efficient, and consistent standards, whilst ensuring that all detainees are treated with the utmost dignity and respect.

It was pleasing to see that the dedicated scrutiny panel on which the ICVs sit has been recognised by the His Majesty's Inspectorate of Constabulary & Fire and Rescue Services (HMICFRS) as a model of best practice and I would like to commend all involved.

I remain committed to ensuring that the Constabulary continues to listen and act on any issues or recommendations they raise.

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



Paul Sanford
Chief Constable, Norfolk Constabulary

Chief Inspector Rob Wicks Head of Custody for Norfolk & Suffolk Constabularies


Having moved into the role of Head of Custody for Norfolk and Suffolk I have been extremely impressed by the way that detained persons across the six Police Investigation Centres (PICs) have been cared for and managed. I took command of custody in July 2022 and have already overseen several improvements in the provision of detainee care and management. Norfolk and Suffolk remain at the forefront of innovation and are seen as an exemplar collaboration for managing detained persons with dignity, decency and respect.

Throughout my time as the Head of Custody I have had a very healthy relationship with the PCC's office, especially evidenced by the close working relationship I have with the excellent cohort of Independent Custody Visitors (ICVs). The ICVs provide me with direct feedback relating to detainee management and care which is used to ensure that custody continues to develop and improve. I am constantly impressed with the considered, pragmatic and friendly way in which the ICVs provide appropriate feedback to me and my wider command. I am truly grateful for the time given to ensure that my team are able to provide the best possible custody provision to all users.

My quarterly meetings with the Scheme Manager enable me to share information relating to custody development and gain a real insight into the lived experiences of detained persons. Information of this nature is so invaluable when looking to continually learn and develop custody, which remains an essential area of business for policing.

The ICVs are a critical part in the independent scrutiny panel which is used to review the use of rip proof clothing, strip search and a variety of other custody functions. The independent scrutiny panel remains one of very few such groups Nationally and has been identified as best practice. The fantastic work in Norfolk has meant that all Constabularies Nationwide have been advised to follow our example. As a command we are currently advising a number of other Custody managers as to how to set up a scrutiny panel.

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



Rob Wicks
Head of Custody
for Norfolk & Suffolk Constabularies

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 Border Force & HM Revenue & Customs.

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 serves the Cambridgeshire Constabulary area, with detainees from that County being held there, albeit it is fully resourced by Norfolk officers and police staff.



Detained Persons statistics: 1 April 2022 to 31 March 2023

Overall numbers of detainees

Police Investigation Centre	Detainee numbers
Aylsham	1,654
Great Yarmouth	2,559
King's Lynn	3,492
Wymondham	5,181
Grand total	12,886

Ethnicity of detainees

Ethnicity	Number of detainees	Percentage of overall detainees
White – North European	10,919	84.7%
White – South European	381	3.0%
Black	600	4.7%
Asian	158	1.2%
Middle Eastern	53	0.4%
Chinese, Japanese or South-East Asian	33	0.3%
Unknown or not stated	742	5.8%
Grand total	12,886	100.0%

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	740 (5.7%)	200 (1.6%)	2 (0.0%)	940
18–25	2,159 (16.8%)	418 (3.2%)	8 (0.1%)	2,581
26–35	3,253 (25.2%)	655 (5.1%)	11 (0.1%)	3,909
36–45	2,398 (18.6%)	526 (4.1%)	4 (0.0%)	2,926
46–55	1,340 (10.4%)	295 (2.3%)	5 (0.0%)	1,636
56–65	521 (4.0%)	193 (0.7%)	2 (0.0%)	616
Over 65	234 (1.8%)	43 (0.3%)	0 (0.0%)	278
Grand total	10,645 (83.5%)	2,230 (17.3%)	105 (0.2%)	12,886



Norfolk ICV scheme

As of 31 March 2023, there are 20 ICVs across the county participating in the scheme, a decrease of three from last year, albeit three new ICVs have been recruited and are awaiting vetting clearance and training.

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 coordinators 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	8
Female	12

ICVs with a disability

Disability	Number
Disability	2

Ages of ICVs

Age	Number
18–30	0
31–45	1
46–60	5
61–74	8
75+	6

ICVs ethnic group

There are 20 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 (note 1)
White British	17 (85%)	88.9%
White Other	1 (5%)	5.2%
Asian	0	2.1%
Black/Black British	1 (5%)	0.9%
Other: any other ethnic group	1 (5%)	2.9%

Notes

1 Source: ONS data 2021

Visiting statistics

Breakdown of visits – 1 April 2022 to 31 March 2023

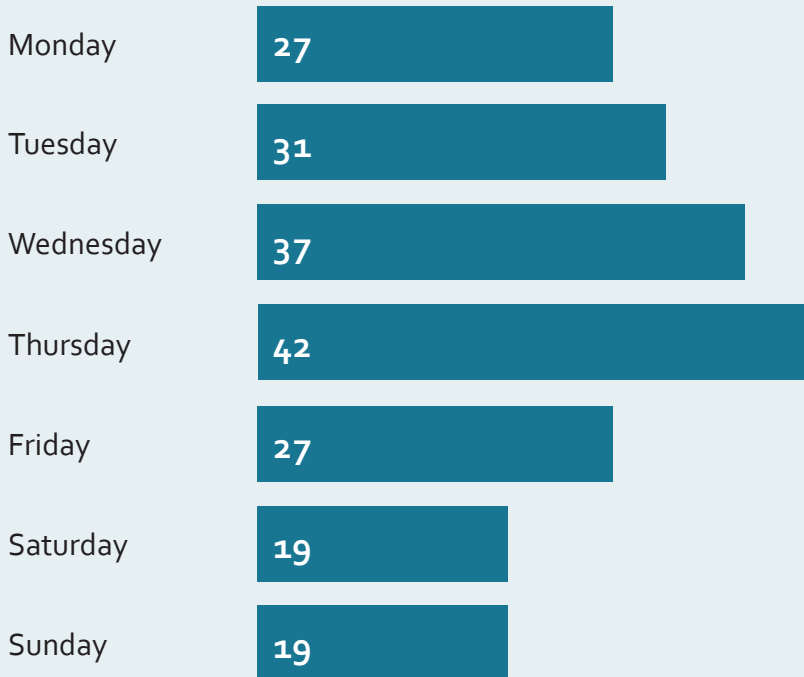
Visiting metric	Year	Aylsham	Great Yarmouth	King's Lynn	Wymondham	Total
Number of visits (note 1)	22/23	51	49	52	50	202
	21/22	52	36	44	48	180
Detainees available to visit (note 2)	22/23	94	155	133	188	570
	21/22	64	105	106	159	434
Detainees visited	22/23	86	140	128	159	513
	21/22	59	99	100	144	402
Percentage of available detainees visited	22/23	91%	90%	96%	85%	90%
	21/22	92%	94%	95%	91%	93%
Detainees observed (note 3)	22/23	18	96	79	130	323
	21/22	11	77	48	135	271

Notes

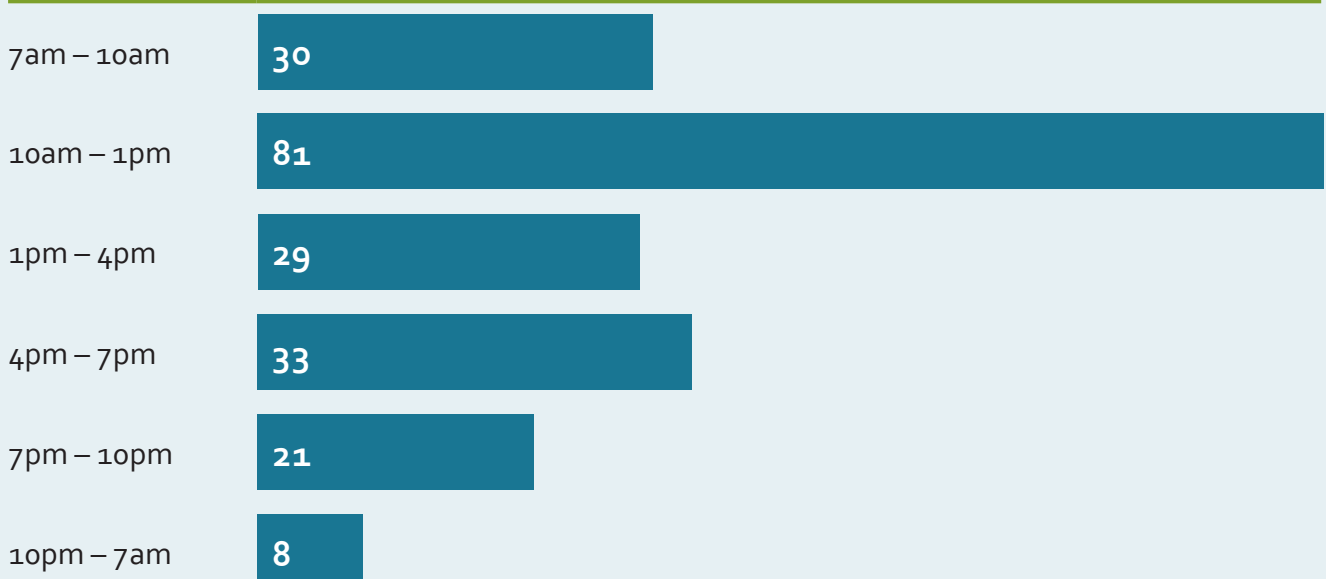
- 1 Total number of visits include where ICVs have to abandon due to operational commitments.
- 2 Not all detainees are available to visit. They may refuse or the police may advise not to for health and safety reasons. Additionally, they may be in an interview, asleep or providing fingerprint or DNA samples.
- 3 If a detainee refuses a visit or they are seen sleeping or resting, this is classed as an observation.

Days and times visits took place

Day of the week Visits



Time of day Visits



Vulnerable detainees

Protecting juveniles and other vulnerable persons

Norfolk Constabulary continue to take positive steps to reduce the number of children and vulnerable detainees in custody and there are various strategies in place to achieve this. The Scheme Manager reviews the relevant data, and it is discussed in regular meetings with the Head of Custody.

A particular concern is the number of persons held who are mentally unwell, and custody is often a place of last resort whilst a hospital place is sought. When ICVs encounter such a detainee, they will report back detailed information around their custody and the process to move them onto a specialist setting.

Despite the need to deal with some vulnerable people within custody, the aim is to ensure they leave in a healthier position than when they arrived. This hopes to ensure 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.

Operation Nova

Norfolk Constabulary continues to support Operation 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 at time of visit	22/23	42	77	158
	21/22	43	74	126
Detainees available to visit (note 1)	22/23	25	31	85
	21/22	26	34	72
Detainees visited	22/23	23	29	79
	21/22	24	33	65
Percentage visited	22/23	92%	94%	93%
	21/22	92%	97%	90%

Notes

- 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 or 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.

Additional training is due later in 2023 for both Scheme Managers and TACT trained ICVs.

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



Issues reported from custody visits

Following on from last year, ICVs continue report excellent standards of care towards all of the detainees held in custody. Serious matters are rare, but areas of concern are regularly identified and addressed either by the ICVs themselves or by the Scheme Manager.

Some matters are out of the direct control of custody staff, such as gaps in service provision or having to detain patients detained under the Mental Health Act. However, such occurrences are reported back and addressed at a more strategic level.

Amongst issues raised this year were cell temperatures, cleaning issues, access to translators and access to detainees arrested for serious offences. Many requests were also negotiated such as additional food and drink as well as messages to family and friends.

Improvements have been noted from the last reporting year in a number of areas such as availability of reading material, access to showers and exercise.

For some time, ICVs have expressed concerns about how juvenile detainees are often housed in the vicinity of adults and where operationally possible, the Constabulary have managed this. However, we look forward to some more robust policies surrounding how a juveniles whole custody journey is managed later in 2023.

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.



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.



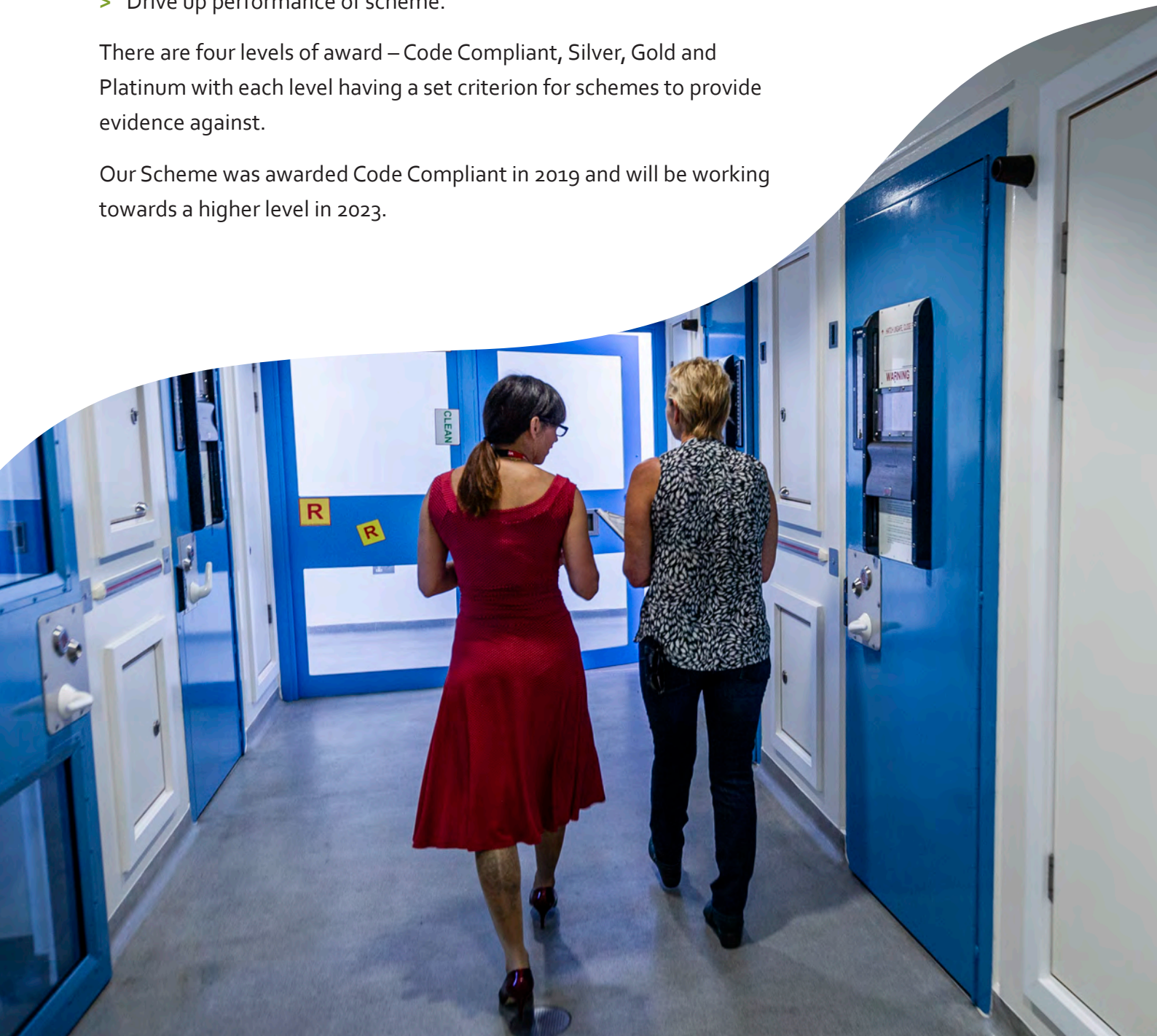
The Quality Assurance Framework (QAF)

For the first time since the pandemic, Schemes have been asked to assess themselves against the QAF benchmarking standards. QAF will help schemes to:

- > Reflect on how they comply with the Code of Practice, the legislation that underpins custody visiting.
- > Celebrate areas of strength.
- > Promote custody visiting and the achievements they have made.
- > Drive up performance of scheme.

There are four levels of award – Code Compliant, Silver, Gold and Platinum with each level having a set criterion for schemes to provide evidence against.

Our Scheme was awarded Code Compliant in 2019 and will be working towards a higher level in 2023.



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.

Although we have moved on from the pandemic, we retain our on-line training sessions which are popular and easily accessible for the ICVs. In October, we covered a broad range of topics including bail and offender management, drug testing on arrest and Appropriate Adults.

Collaboration & Regional Work

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.

Norfolk & Suffolk ICVs have worked alongside the constabularies as part of an Independent Scrutiny Panel (ISP) since 2019. The current model is recognised nationally as a model of good practice and continues to provide the police with detailed feedback around how they carry out strip searches and other functions in custody.

In addition to Suffolk, Norfolk also collaborates with 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 and the Norfolk Scheme Manager currently holds the Chair for this group.

In turn, he then represents the Region on ICVA's National Expert Forum (NEF) which brings together expertise from across the UK to help advise and inform ICVA around themes, challenges and best practice.



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 424455

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 follow 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.