

— David Lloyd —  
**Police and Crime  
Commissioner**  
for Hertfordshire



**INDEPENDENT CUSTODY VISITORS SCHEME  
ANNUAL REPORT  
2020 – 2021**



## Foreword by David Lloyd, Police and Crime Commissioner for Hertfordshire

I am pleased to present this Annual Report highlighting the vital work undertaken by our Independent Custody Visitors (ICVs) in Hertfordshire during 2020/21.

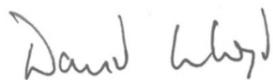
First and foremost, I would like to commend custody officers and our ICVs for their dedication and flexibility in ensuring the continuity of this vital scrutiny function throughout the Covid-19 pandemic. This report details the ways in which visits have been adapted at different stages of the pandemic, from dip sampling to virtual and hybrid visits. I am delighted that by the end of the reporting period for this report we had returned to full in-person visits to police custody suites. The commitment of our ICVs throughout what was such a difficult year for us all has played a fundamental part in maintaining public confidence in the high standard of detainee welfare in Hertfordshire's custody suites. I am grateful to the volunteers for rising to the challenge in these unprecedented times.

I am equally encouraged to see that 2020/21 was such a positive year when it came to recruitment of new ICVs. A hugely successful recruitment campaign saw 18 new ICVs joining the scheme, taking the number of volunteers to 43. A number of volunteers from younger age groups were recruited, and they will have their own unique experiences and perspectives that can only serve to challenge, change and improve the effectiveness of the scheme even further.

Due to Covid-19, ICV visits were temporarily suspended on 16th March 2020 which resulted in fewer visits carried out when comparing to previous years. Despite this, ICVs still managed to visit 85% of those available to be visited. On an equally positive note, 90% of detainees did not raise any issues regarding their welfare whilst in custody, compared with 85% over the previous reporting period.

Over the years, the learning and feedback captured on the ICV visits has resulted in a number of positive changes being adopted by Hertfordshire custody staff and my office including revisions to the ICV reporting form which captures both quantitative and qualitative information and improvements to the availability of feminine hygiene products. With the support of custody staff, these changes have quickly become embedded in custody procedures.

I would like to thank all the ICVs for their time and dedication to the scheme which provides such vital independent oversight of detainees' welfare and conditions in custody. As we enter a new PCC term of office, I look forward to continuing to work in partnership with you for an even safer Hertfordshire.



**David Lloyd**  
Hertfordshire Police and Crime Commissioner

## Comments from the Chief Inspector of Hertfordshire Constabulary's Custody Units

During the first few weeks and months of 2020 most of us could not have envisaged the challenges that lay ahead over the course of the next year, many of which continue to this day. As I write this I am heartened by the progress that as a nation we are making as we work our way back to a new type of 'normal'.

The beginning of the pandemic meant that we in Hertfordshire Custody had to quickly adapt to new challenges. The safety of our detainees, staff and other partners has remained paramount, and as an ICV you will have no doubt felt the impact yourself as we installed new working practices to ensure that the essential business of custody continued.

Throughout the early months of the pandemic as government legislation was introduced restricting gatherings, limiting movement and requiring people to remain in their homes we saw a reduction in the number of suspects arrested. However, as the weather became warmer and restrictions eased arrests returned to pre-pandemic levels.

Working in police custody is a highly rewarding part of policing, however it is also incredibly challenging. How detainees are treated is quite rightly of significant interest both locally and nationally. By its very nature, being placed under arrest and brought into police custody is a stressful experience. It is therefore the responsibility of my teams to ensure that detention in police custody is used appropriately, especially in the case of children and young people and those who may be suffering from a mental health illness. Since July we have been able to draw upon the help and support of colleagues from the NHS Liaison and Diversion Services (L&D) who are now embedded within Hertfordshire Custody suites. L&D ensures that detainees of all ages passing through the criminal justice system are assessed and those with mental health concerns, learning disabilities, substance misuse problems and other vulnerabilities are identified as soon as possible.

Drug and alcohol workers are also embedded within our suites and offer drug testing on arrest, which is a key tool allowing us to identify suspects who are Class A drug users to ensure that they get access to help and support, which will hopefully turn their lives around and prevent re-offending. We know that engagement with partners is effective and efficient in the support of the investigation of crime and I look forward to continuing this excellent work in the coming year.

In December 2020, Hertfordshire Constabulary declared its undertaking of the 'Prevention First' operating model. Prevention First is a new and transformative operating model, shifting policing focus to a preventative way of working. Hertfordshire Constabulary has a strong track record in partnership work to stop repeat crime, victimisation and harm but we now need to prevent problems occurring in the first place. By understanding why operational and organisational issues occur and tackling that, as well as deploying criminal justice and enforcement options appropriately, we can prevent victims and reduce demand.

Prevention First is a significant part of our response to the unprecedented demand that policing is now seeing on a daily basis across a range of complex areas. I am proud to say that we are the first Police Force in England and Wales to take this new and innovative approach. This new focus is a gear shift from reactive to proactive policing and will allow us to identify and tackle repeat and likely demand by working collaboratively with all relevant partners and the public.

The work of ICVs remains a fundamental part in ensuring that Hertfordshire Constabulary delivers a first-class service for detainees. ICVs provide that independent scrutiny which ensures that the custody experience is non-discriminatory and transparent for all that have engagement with the process. ICVs and the subsequent reports that are provided confirms that custody practice is ethical and evolves, reflective of changing demands, identifies best practice and learning from previous failings. We continue to work towards an HMICFRS Custody Inspection, with ICV reports being a powerful tool in identifying best practice and supporting decisions that will deliver improvements to custody services.

I would now like to take this opportunity to thank each one of you for your contributions over the past year. I am committed to continuing to work closely with the Police and Crime Commissioner's Office over the coming year to further help promote and champion the Independent Custody Visitors Scheme in Hertfordshire.

Once more thank you, and I look forward to working with you over the next year.

David J Cooke

**Chief Inspector,  
Hertfordshire Constabulary**

## Overview of the scheme

Under the Police Reform Act 2002, all police force areas are required to have a custody visiting scheme in place. The scheme gives the public reassurance that detainees are being treated fairly by carrying out independent checks to ensure their legal rights and entitlements<sup>1</sup> are given as well as checking that their welfare and dignity are being maintained. For detainees this is a time when they may be feeling vulnerable or confused. Independent Custody Visitors (ICVs) also review the custody suites for issues around cleanliness and maintenance.

Following the introduction of Police and Crime Commissioners (PCC) under the Police Reform and Social Responsibility Act (2011), David Lloyd was elected as PCC for Hertfordshire and took responsibility for the operation of the Independent Custody Visiting Scheme in Hertfordshire. The Police and Crime Commissioner's Office (OPCC) manages and supports the smooth running of the scheme including the day to day enquiries, recruitment of the volunteers and ensuring improvements and development of the scheme.

ICVs are unpaid volunteers who live, work or study in Hertfordshire. Currently there are 43 ICVs from across the county, visiting the custody suites at Hatfield and Stevenage. This is an increase of nine volunteers on the previous year. In ordinary times, all visits are unannounced and can take place at any time, 24 hours a day, 7 days a week. Due to the Covid-19 pandemic and the Government's lockdown restrictions, the scheme was adapted in a short space of time to maintain this important scrutiny function in what were uncertain and difficult circumstances. These changes are described in more detail in the next section.

The ICVs are trained to introduce themselves to people in custody and ask questions to ensure

that their treatment is fair and that they have access to their rights and entitlements. At the beginning of each visit, ICVs are informed of the number of detainees in custody at the suite being visited. These detainees are then introduced to the ICVs and seen by them subject to the detainee's availability and consent.

During each visit, ICVs complete a report form summarising their visit to individual detainees. This is forwarded to the Volunteers Administrator at the OPCC and the hard copy left with custody staff.

Concerns raised by ICVs are reported to the Custody Inspector or escorting officer at the time of the visit, and to the Volunteers Administrator via the report form. The Volunteers Administrator highlights any concerns to the Custody Chief Inspector via email, telephone or during regular meetings depending on the urgency. The ICVs also have an opportunity to raise general concerns and matters arising from visits at their regular half yearly meetings.

Although the role of an Independent Custody Visitor is an unpaid voluntary role, all ICVs are encouraged to complete an expense form to allow any costs associated with visiting to be reimbursed. The Commissioner incurs other related costs for running the scheme including training, printing, catering for panel meetings, conference booking fees, and office membership of the Independent Custody Visiting Association (ICVA). ICVA leads, supports and represents PCCs and police forces with the Independent Custody Visiting schemes in the United Kingdom. They help to shape the scheme's aims and equip scheme managers to deliver effective schemes and ensure they are kept informed of legislative changes and reforms.

<sup>1</sup> An extensive list of these legal rights are provided under the section Rights of Detainees.

## Adapting the the Covid-19 Pandemic

On 16th March 2020, following Government guidance on Covid-19, custody visiting was temporarily suspended. Measures were swiftly put in place to adapt to the pandemic and maintain this vital statutory requirement to monitor the welfare of detainees in custody.

In 2019, ICVA together with the Home Office carried out a pilot exercise with six OPCCs across the country. The aim was for ICVs to review custody records without detainee consent to be in a position to double-check information obtained from a detainee with regard to their welfare, whilst at the custody suite. ICVs could then review and be clear that the rights and entitlements had been appropriately documented in a timely way. The most favourable option chosen was Custody Record Reviews. This model was adapted for the purposes of maintaining scrutiny during the pandemic.

## Delivering Custody Record Reviews (April to May 2020)

In response to Covid-19, ICVA re-visited and adapted the custody record reviewing process to enable 'reviews' to take place without ICVs attending custody. Given the sensitive nature of custody records, OPCC officers were chosen to lead on this temporary method of scrutiny. OPCC officers were authorised to review samples of custody records to ensure processes were being carried out in a timely fashion with specific regard to rights, entitlements and general welfare. This process formally began on 13th April 2020.

It was agreed with the Constabulary that a member of the Custody Policy Team would email records requested (identified by suite and custody number) to OPCC officers. Initially, these records did not contain sufficient information to ascertain that custody officers had covered all legal obligations with the detainee during booking in to custody.

In response, it was agreed that OPCC officers should be provided with more detailed information as appropriate to complete the detainee's welfare history whilst in custody. The inclusion of these extra details was helpful in completing the reviews and maintaining scrutiny and oversight of the booking in process.

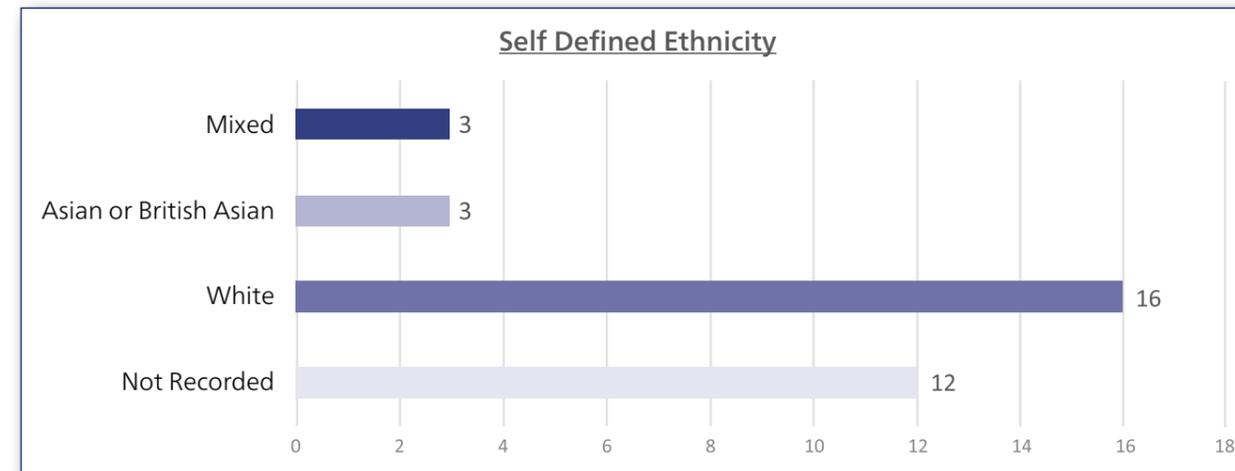
This method of review was undertaken until the end of May 2020, during which time 34 records were reviewed.

The method of recording focused wholly on checking on the basic rights and welfare of detainees: was food and drink regularly offered, were rights given at booking in, was a solicitor and/or appropriate adult called when required and were regular checks carried out. From this method of recording, no issues of concern were noted.

The self-defined ethnicity was recorded and shows no obvious bias in the records randomly selected, being equivalent to the distribution from the in-person visits. However, the significant proportion of "Not Recorded" entries does make it difficult to draw a definitive conclusion.

The recording of self-defined ethnicity is not always a mandatory question asked during the booking-in process resulting in a 41% 'Not Recorded' figure in 2019-20. This was identified as a data quality issue following the last report and work was undertaken to improve the recording. This work started to be rolled out towards the end of 2020 so the full impact of the changes will not be seen in this report.

Figure 1: Self-Defined Ethnicity of detainees monitored by custody record review April- May 2020



## Adapting to Virtual Visits (May to August 2020)

In order to provide the necessary flexibility required, the use of mobile phones via teleconferencing was worked on and tested. The procedure was that two ICVs would connect via computer to a group meeting and be joined by the Custody Inspector who would talk through the current status in the suite and then carry a sanitised phone around and act as the eye of the ICVs while the ICVs asked questions of detainees via the phone.

This method of scrutiny was trialled and used for the first time on 21st May 2020. This signalled a swift return to ICV pairs carrying out remote visiting and maintaining the independent contact with detainees that is so integral to the scheme. The visits were recorded in exactly the same way as in-person ICV visits and the statistics collated are included in the main part of the report below.

## Returning to on-site visits (August 2020 – to date)

The virtual visiting system inevitably presented challenges, not least the often-variable signal quality, clarity of the connection and the fact the ICVs could not see what was happening in the custody suite. Despite these difficulties, the virtual system was important in maintaining scrutiny in the early months of the pandemic.

As the Covid lockdown rules began to ease and systems in custody were running smoothly with minimal staff absences and a plentiful supply of PPE, discussions took place to discuss the feasibility of a return to on-site visits. To ensure our volunteers were fully involved in the decision-making process, all ICVs were consulted and asked their views on returning to in-person custody visiting.

Understandably, responses varied according to the individual circumstances of the volunteer. Some wished to return immediately, some were hesitant whilst others were shielding or otherwise in high risk categories. Those willing and able to return to on-site visits meant that in-person scrutiny was re-started in August 2020. A number of visits were carried out on a hybrid basis where one ICV was on the phone and one ICV on-site, which again helped maximise ICV involvement according to their individual circumstances.

Engagement with the ICVs has been a priority over the year, keeping them updated on the adaptations we were making, seeking their input and feedback on proposals to continue with the scrutiny in various forms so they are involved and continue to contribute to the scheme as well as checking on their welfare.

The proportion of hybrid visits was gradually reduced in line with the step-by-step easing of lockdown restrictions and roll-out of the national vaccination programme as more and more ICVs were able to return to on-site visits. In parallel, a hugely successful recruitment campaign last year resulted in 18 new ICVs being recruited. By the end of the reporting year for this report, full in-person visits resumed.

## Key Findings

During the reporting period (1 April 2020 to 31 March 2021), 13,119 detainees passed through both custody suites, 7,362 at Hatfield and 5,757 in Stevenage. This compares to a total of 13,792 detainees in 2019/2020, a decrease of 5%. Overall ICVs visited 3% of those detainees that passed through custody.

In 2020/21, ICVs made a total of 83 custody visits seeing a total of 355 detainees from a possible 419 who were available to visit. 64 detainees did not consent to be visited by an ICV (see Figure 2).

ICVs are not always able to see detainees for a variety of reasons. This includes those who are unavailable or unable to consent to have a visit. This is often due to detainees being asleep, intoxicated, deemed too violent by custody staff, being interviewed, in Court, with a health care professional or providing a DNA sample.

As mentioned earlier in this report, due to Covid-19, ICV visits were temporarily suspended on 16 March 2020 and therefore the number carried out is reduced on previous years whilst alternative methods of monitoring were agreed and deployed. This point should be borne in mind when making comparisons with previous years.

**Figure 2: Breakdown of the visits for the period 1 April 2020 to 31 March 2021**

Custody Suite Visited	No. of visits undertaken	No. of detained persons held	No. of detainees available to visit	No. of detained persons visited	% of detainees visited (of those available)
Hatfield	43	544	231	202	87%
Stevenage	40	406	188	153	81%
<b>TOTAL</b>	<b>83</b>	<b>950</b>	<b>419</b>	<b>355</b>	<b>85%</b>

The number of persons detained at the time of ICV visits is 35% lower than in the previous year. However, due to Covid-19 and the alternative procedures put in place as previously described, there was a corresponding 36% drop in the number of visits. As illustrated in Figure 3, the percentage of those visited in relation to those available to be visited (i.e. not asleep, in interview, seeing a solicitor or medical professional) has increased to 85% up 3% from the previous year. This is most likely due to the restricted hours during which ICVs were able to undertake visits, which deliberately minimised late evening and night-time visits, maximising visits during daytime hours.

**Figure 3: Comparison of detainees seen between 2017/18 and 2020/21**

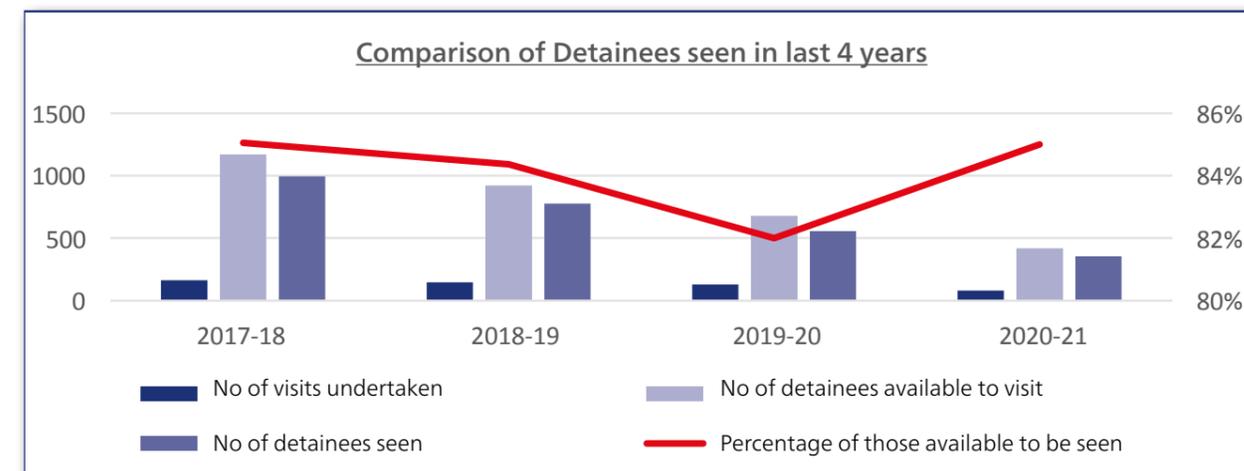
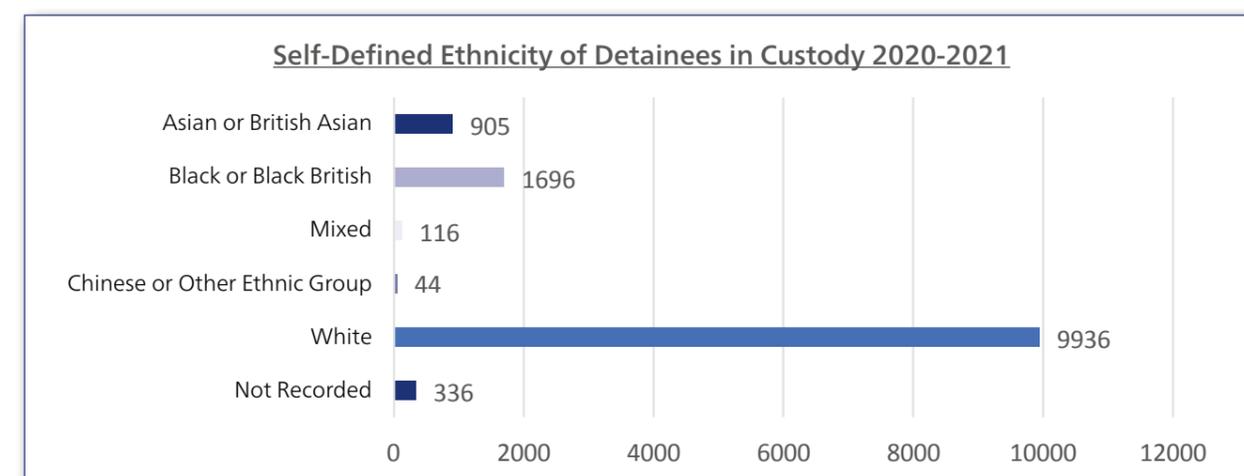


Figure 4 also shows that the proportion of 'Not Recorded' self-defined ethnicity has dropped significantly since work began to improve the recording of this data and now accounts for only 3%.

**Figure 4: Self-Defined Ethnicity of those passing through custody 2020-2021**

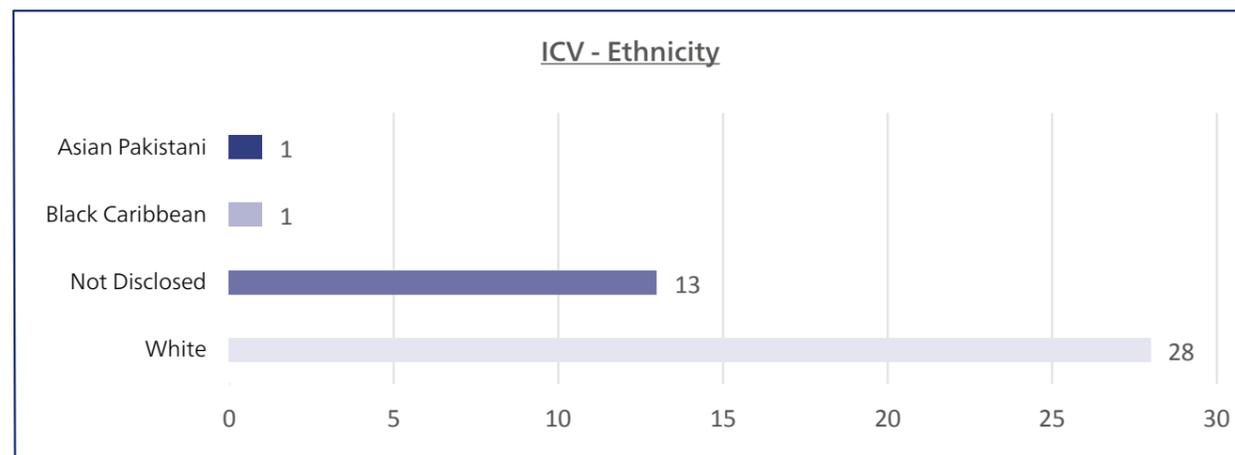


## Profile of the Independent Custody Visitors

By the end of 2020/21, following a hugely successful recruitment campaign, there are now 43 ICVs who live, work or study in Hertfordshire. 53% of those volunteers are male and 47% are female. This represents a more even gender balance than in previous years. The demographics of the ICVs who have declared their ethnicity show that they are broadly representative of the Hertfordshire population with regards to ethnicity; however, the proportion who have chosen not to disclose prevents us from making a definitive direct comparison (Figure 5<sup>2</sup>). In addition to those noted below, two volunteers who identify as Mixed (White & Black Caribbean) and Asian (Bangladeshi) are currently undergoing training and will soon be operational.

<sup>2</sup> According to the Office for National Statistics 2019 population denominators, Hertfordshire's population demographics shows ethnicity as: White 86.4%, Asian/Asian Black 6.9%, Black/ African/ Caribbean/ Black British 3.0%, Mixed multiple ethnic group 3.1%, and other 0.7%. This information can be found at: <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/adhocs/008781p-opulationdenominatorsbybroadethnicgroupandforwhitebritishlocalauthoritiesinenglandandwales2011to2017>

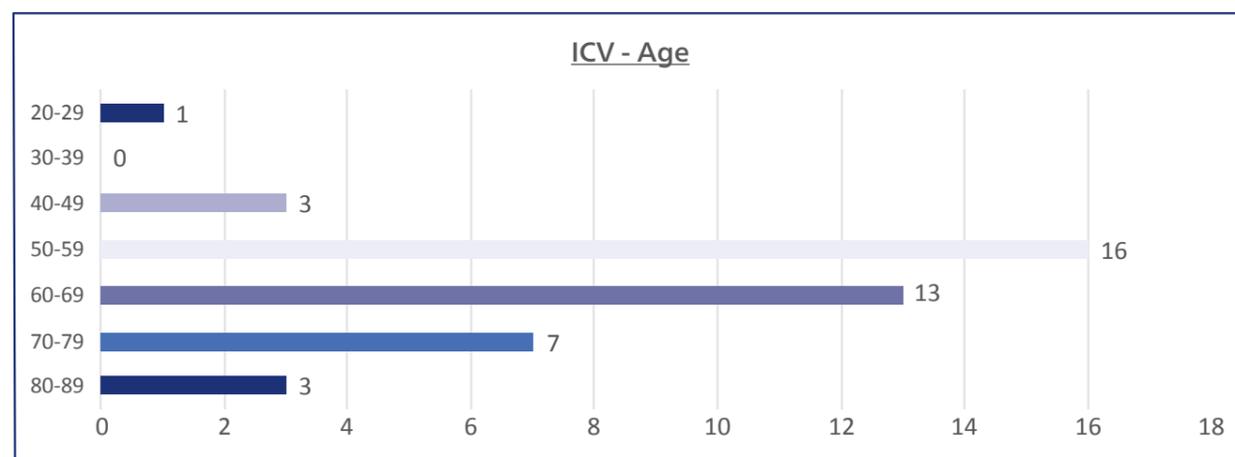
Figure 5: Ethnicity profile of the Independent Custody Visitors



On average, the profile of ICVs shows they are older than the wider Hertfordshire population (Figure 6<sup>3</sup>). As a result of a successful social media campaign via Instagram with over 140 page views, two additional young people between 20-35 years have been successfully recruited and are currently going through a training programme.

Of the 43 ICVs, most have volunteered in that capacity for several years, including one with 30 years of service. When comparing Hertfordshire to other forces, it is evident that length of service varies between the schemes with some having fixed term positions and others, including Hertfordshire, having volunteers with a wide range of length of service which brings valuable knowledge and experience to the scheme<sup>4</sup>.

Figure 6: Age profile of the Independent Custody Visitors



<sup>3</sup> According to the Office for National Statistics 2011 Census the comparable age range in Hertfordshire was represented by 22% aged 30-44, 20% aged 45-59, 6% aged 60-64, 8% aged 65-74 and 5% aged 75-84.

<sup>4</sup> Within Hertfordshire there is no fixed term of service for ICVs. ICVs are vetted every three years, terms and length of service are reassessed when the vetting comes up for renewal.

Matters arising from custody visits

In normal times, Hertfordshire Custody Visitors plan to make three visits per week to Hertfordshire’s two custody suites on a rota system of two visits to one suite and one visit to the other, then the reverse the following week. The visits take place to provide coverage over a 24-hour period, but are scheduled to ensure that both suites are not visited at exactly the same time in order to minimise operational disruption.

During the year many of our volunteers were required to shield themselves from outside contact or were otherwise classified as high risk. To accommodate this, when they resumed visits were reduced to two per week, one to each custody suite and kept to more restricted times to accommodate operational requirements.

During 2020/2021, of the 355 detainees visited, issues were noted from 36 (10%) detainees. In total 50 issues<sup>5</sup> were reviewed. Positively, 90% of detainees did not raise any issues regarding their welfare whilst in custody, compared with 85% over the previous reporting period. 10 (3%) detainees gave positive comments that were recorded by the visitors surrounding their detention, focused primarily on how they had been treated by custody staff. This is the same percentage as the previous year and shows how considerate the treatment of detainees is that these numbers feel able to comment in this way.

Positive comments and other feedback are discussed in monthly meetings between the scheme administrator and the custody Chief Inspector who will pass on and discuss with the custody inspectors where any learning is needed.

Of the 10% of the detainees that raised issues, the majority were in regards to the Rights of Detainee where a total of 50 individual issues were raised. The main issues recorded this year was access to phone calls and food (see Figure 7). Of the 8 detainees who raised these issues, 50% were White British; the remaining 50% either refused to state their ethnicity or it was not recorded by the ICVs.

Access to medical help has dropped to the third most raised issue which speaks positively about the use of on-site Health Care Practitioners (HCP). Of the three people to raise this issue, in two cases this was requesting access to medication which was already being assessed by an HCP; the other detainee complained of chest pains during the visit and was seen immediately by an HCP. Self-defined Ethnicity was either not stated or not recorded by the ICV for all three cases.

Due to the reduced number of visits, the low number of reported problems and gaps in recorded information regarding ethnicity for the detainees reporting problems, it is not possible to draw firm conclusions regarding bias, or lack of bias, around ethnicity.

<sup>5</sup> More than one issue may have been reported by each detainee or may have been expressed by an ICV and exclude the positive comments

## Categories of issues raised by ICVs

### 1. Rights of Detainee

The category reporting the largest number of issues was Rights of Detainee not being upheld in one form or another. The breakdown of these issues are as follows:

Figure 7: Sub-categories of issues relating to the Rights of Detainee

Rights of Detainee	Number of Issues raised	% of total	Number of Valid / Not Valid Issues
Phone Call	4	22%	1 / 3
Access to food	4	22%	0 / 4
Access to medical help	3	17%	0 / 3
Not given rights	3	17%	0 / 3
Access to drink	2	11%	0 / 2
Access to free legal advice	1	6%	0 / 1
Someone informed of their location	1	6%	0 / 1
Contact Embassy	0	0%	-
Privacy while receiving legal advice	0	0%	-
Access to "Codes of Practice"	0	0%	-
Can see written notice of rights	0	0%	-
Access to interpreter/language cards	0	0%	-
Access to complaints procedure	0	0%	-
<b>Total issues noted</b>	<b>18</b>		

Access to phone calls and food were the highest reported areas of concern this year. Of the four issues raised regarding phone calls, one was refused initially due to a Section 18 search being carried out at their property, one hadn't asked to make a call which was then arranged by the Custody Inspector and in the other two cases contact had been made with someone but the detainee expected to speak to someone themselves.

Of the four reporting issues with access to food, one had been asleep when staff had visited the cell with an offer of food, one stated they had only been offered cold food and the other two stated they had not been offered anything when a check showed they had but had refused when offered. The breakdown of issues reported by ethnicity is shown in Figure 8 below.

Figure 8: Rights of Detainee by self-defined ethnicity

	Rights of Detainee	Vulnerable Detainee	Access to Amenities	Services Available	Cleanliness	Maintenance	Food/Drink/Reading	Detention Issues/PACE	ICV Staff Issues	Positive Feedback
White British	12%	2%	4%	2%	2%					12%
White Irish										
Any Other White										
White and Black Caribbean										
White and Black African										
Mixed White and Asian										
Any Other Mixed										
Asian/British Indian										
Asian British Pakistani				2%						
Asian/British Bangladesh										
Any Other Asian										
Black/British Caribbean										
Black/British African										
Any Other Black										
Chinese										
Any Other Ethnic Group								2%		
Refused/Not stated	18%	4%	2%	6%			4%	2%		6%
Not Recorded by ICV	6%				6%	4%			2%	2%

### 2. Services Available

Of the reported instances four were requests for access to healthcare, primarily medication. All cases were being dealt with by an HCP who has to review the request, necessity and type of medication that can be prescribed. This can lead to perceived delays in provision of the requested medication which is precisely what prompted the complaints in these cases.

The other report was in relation to requesting an Appropriate Adult. Upon checking it was noted that the Appropriate Adult had been called and was expected in due course.

### 3. Cleanliness

Cleanliness issues were noted on four occasions, two related to particularly messy or dirty cells, which were to be addressed once the detainee was released. Two related to dirty areas within the suite, primarily around some air vents in corridors and limescale in toilets. It should be noted that the custody suits are cleaned daily and cells are cleaned once a detainee has been released. This is in addition to deep clean of both custody suites.

#### 4. Access to Amenities

Comments were also noted with regards to accessing amenities. Access to having a shower or exercising was good, the main issues were requests for toilet paper being relayed to custody staff. In each instance this was addressed promptly.

#### 5. Vulnerable Detainees<sup>6</sup>

ICVs have identified three concerns specifically relating to vulnerable detainees in custody and these equate to one child and two adults.

The lower number of concerns raised would seem to indicate that the functioning of the Appropriate Adults scheme and the increase in the number of volunteers available has had a positive effect in ensuring the welfare of detainees requiring an Appropriate Adult is addressed promptly.

One detainee raised the issue of having suicidal thoughts. This was immediately reported to the Inspector. It was determined that this had not been reported previously by the detainee and it was arranged for the detainee to be placed on 30-minute observation visits. This is where the detainee is closely monitored and visited every 30 minutes by custody staff to check on their welfare.

For the fifth year running, the Constabulary have not held anyone in a custody suite who has been detained under Section 136 of the Mental Health Act 1983. In all instances, they were instead taken to a designated medical facility as a place of safety.

#### 6. Food, Drink and Reading material

With specific reference to food, drink and reading category, these were requests for one or more of these items made directly to the ICVs. In this case, both recorded incidents were requests for copies of the Quran, with one individual not being aware it could be requested until notified by the ICVs. Both matters raised in this regard were addressed promptly.

#### 7. Issues relating to Detention or PACE

Two suggestions of detention or PACE issues, relating to their length of stay, were investigated and found to be lawful.

#### 8. Maintenance

Two maintenance issues were recorded related to a broken cell buzzer and a broken hatch. It was noted that the cell buzzer system was due to be replaced.

#### Positive Feedback

ICVs also recorded a number of positive comments by detainees regarding their welfare in custody. Of the 10 positive comments, all chose to comment specifically about their welfare saying they had been well treated. In 76 cases (92% of visits made) ICVs commented specifically that the facilities were clean and generally supplies of equipment and food were good. Once again ICVs also said that police staff were helpful and professional when dealing with detainees and themselves. This is an extremely positive result and comments are regularly fed back to the Chief Inspector. Custody staff should be commended for maintaining the facilities to a high standard.

<sup>6</sup> For a definition of vulnerability, see Appendix 1

## Areas of focus this year

#### Covid-19

As the year drew to a close the restrictions imposed due to the Covid-19 pandemic were starting to be lifted. ICVs have returned to face-to-face visiting and we seek to return to the procedures that were in place prior to the pandemic. The OPCC keeps the situation under review and in discussion with the custody Chief Inspector to ensure steps are taken to achieve this goal. The new procedure enables scrutiny to be maintained during periods of lockdown and this flexibility will be retained for potential future use.

#### Appropriate Adults

In December 2020, a new service agreement was put in place that for the first time ensured full 24-hour coverage of the provision of suitable Appropriate Adults for young people and vulnerable adults. This service will be closely monitored to ensure it is meeting the needs of all detainees.

#### Recruitment

As stated, last year the OPCC intended to recruit more volunteers into the ICV role and were successful with 12 new ICVs onto the roster and five more due to undergo training in the coming months. The OPCC look forward to working with all the new volunteers and gaining a fresh perspective on the custody suites.

#### IT Systems

The Constabulary's intelligence and case management system, Athena, provides ICVs with a bespoke "snapshot" of those in custody when they arrive. There are still occasional outages causing timeliness issues with obtaining the data, but updates are being made to the system on a regular basis.

#### Quality Assurance Framework

The Quality Assurance Framework was introduced by the Independent Custody Visiting Association (ICVA) in April 2018. It enables schemes to reflect on how they comply with the Code of Practice, the legislation which underpins custody visiting. It seeks to encourage schemes to celebrate areas of strength, promote custody visiting and the achievements schemes have made, drive performance and increase sharing of good practice.

Hertfordshire achieved the Silver Award standard in 2019, showing a good standard of custody visiting and volunteer management. The OPCC will build on this achievement and the great work of the dedicated custody visitors in seeking to achieve the Gold Award in the next round of reassessments which is anticipated to be in 2021/2022.

#### Going Forward

In the coming year ICV reports will continue to be carefully reviewed to ensure all detainees continue to receive their rights and entitlements and are treated with dignity and respect.

The OPCC will be working with the new force custody lead to look into ways of further improving the scheme and quality of reporting, taking on lessons learned from the Covid pandemic.

The appropriate adult provision has been improved following an agreement with third parties and now provides full 24-hour coverage for both children and vulnerable people to ensure sufficient Appropriate Adult services. This will be monitored to ensure it is working effectively.

ICVA monitor issues raised by the scheme managers across the country in order to review and monitor national trends and cascade details of legislative changes and reforms. The Hertfordshire scheme will look to use the findings from those trends to inform the scheme's ongoing development.

Hertfordshire OPCC is particularly interested to hear from younger age groups, and those from Black, Asian and Minority Ethnic Communities.

### Interested in becoming an Independent Custody Visitor?

If you would like to find out more about the scheme or are interested in becoming an ICV, please contact:

**Independent Custody Visiting Scheme Administrator**  
**Office of the Police and Crime Commissioner for Hertfordshire**  
**15 Vaughan Road**  
**Harpenden**  
**AL5 4GZ**

**Telephone: 01707 806100**

**Email: [pccadmin@herts.pcc.pnn.gov.uk](mailto:pccadmin@herts.pcc.pnn.gov.uk)**

For more information regarding the role of ICVs and that of the Police and Crime Commissioner for Hertfordshire, please visit: [www.hertscommissioner.org](http://www.hertscommissioner.org)

For more information on the role of the Independent Custody Visiting Association (ICVA), please visit: [www.icva.org.uk](http://www.icva.org.uk)

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## Appendix 1

The term vulnerable<sup>7</sup> applies to any person who, because of a mental health condition or mental disorder:

- (i) may have difficulty understanding or communicating effectively about the full implications for them of any procedures and processes connected with:
  - their arrest and detention; or (as the case may be)
  - their voluntary attendance at a police station or their presence elsewhere, for the purpose of a voluntary interview; and
  - the exercise of their rights and entitlements.
- (ii) does not appear to understand the significance of what they are told, of questions they are asked or of their replies:
- (iii) appears to be particularly prone to:
  - becoming confused and unclear about their position;
  - providing unreliable, misleading or incriminating information without knowing or wishing to do so;
  - accepting or acting on suggestions from others without consciously knowing or wishing to do so; or
  - readily agreeing to suggestions or proposals without any protest or question.

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<sup>7</sup> Police and Criminal Evidence Act 1984 (PACE) Code C – Revised July 2018 section 1.13(d)