

Independent Custody Visiting (ICV) Activity Annual Report 2022/2023

Police, Crime, Criminal Justice, and Fire Team

Date August 2023

Foreword

Statement from Kate Green, Deputy Mayor for Greater Manchester



I am pleased to be able to present our Annual Independent Custody Visiting

Report for 2022/23. As always, I would like to commend the volunteer independent custody visitors in Greater Manchester for their dedication, commitment, and flexibility in ensuring that this vital scrutiny function is undertaken.

Independent custody visiting is essential to enabling me to fulfil my responsibility as Deputy Mayor for oversight of the Police, Crime and Criminal Justice, and Fire. Independent custody visitors help to ensure that Greater Manchester Police (GMP) are open and accountable to the people they serve, and, by scrutinising Greater Manchester custody suites, to ensure the safe and lawful detention of people.

Our independent custody visitors go the extra mile in dedicating and volunteering their time to check not only on the treatment and welfare of people detained in GMP custody suites, but also the welfare of the custody staff, the safety and cleanliness of the estate, and that each person is treated with dignity and respect.

Independent custody visiting gives the public an insight into conditions in custody and provides reassurance that someone independent of GMP has regular oversight. Independent custody visitors emphasise that they do not want or need to know why the detained person is there, but ask about their welfare, check if they have been treated according to the law, that their rights and entitlements have been respected, and their needs are adequately met.

I thank our independent custody visitors for their continued dedication. I am very grateful to each volunteer for playing such a crucial role in increasing the public's trust and confidence in GMP and contributing to a safer Greater Manchester.

Kate Green, Deputy Mayor for Police, Crime, Criminal Justice, and Fire

Statement from Colin McFarlane

Assistant Chief Constable (Custody) for Greater Manchester Police (GMP)

I am pleased to offer my full support to the Independent Custody Visiting scheme in Greater Manchester Police. The role played by the scheme is essential to GMP being able to invite external scrutiny of our service.

I fully accept all the recommendations of the recent HMICFRS inspection in GMP's custody provision and we are embarked on an ambitious plan for improvement. We have invested significantly in the numbers of staff working in custody, both in our suites and in its leadership. All are committed to delivering the improvements we know were needed.

It is recognised that the number of persons being detained in our custody suites has increased. This only goes to strengthen our efforts to ensure that any person spending time in one of our custody suites, has a safe and dignified experienced. To that end, the role of the scheme has even greater significance. The scheme can be the independent assessors of our work.

I would like to express my continued thanks to the scheme for their volunteering and participating as Independent Custody Visitors and offer my personal commitment to ensuring this scheme is fully supported in GMP.

A handwritten signature in black ink, appearing to read 'Colin McFarlane', with the letters 'T/A C' written above the end of the signature.

Colin McFarlane, Assistant Chief Constable GMP

Introduction

The Greater Manchester Combined Authority (GMCA) has twelve independent custody visitors responsible for undertaking visits once a week to designated custody suites, as agreed with the Chief Constable.

Background

Independent custody visiting is a system that been developed to meet one of the recommendations from The Scarman Report, which was produced because of the civil disorders in 1981 where several outbreaks of unrest occurred in major cities throughout the country. The most significant of these disorders took place in Brixton where hundreds of young people attacked property and the police.

After days of unrest, these serious incidents led to the government ordering an urgent inquiry and appointing Lord Scarman to conduct a comprehensive investigation into the events.

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 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 (PCC) and gave them the responsibility for operating and overseeing the scheme in their police area.

Andy Burnham was elected Mayor for Greater Manchester in May 2017. The role of Mayor of Greater Manchester includes the powers and functions of the Police and Crime Commissioner (PCC) for Greater Manchester and Kate Green was appointed in January 2023 as Deputy Mayor for Police, Crime, Criminal Justice, and Fire supporting the Mayor in the discharge of his PCC responsibilities and therefore has a statutory duty for organising and overseeing the delivery of independent custody visiting in Greater Manchester.

Greater Manchester independent custody visiting (ICV) scheme

The purpose of the ICV scheme is to allow members of the local community to observe, comment and report on the conditions under which persons are detained at police stations and other custody suites such as the Terrorism Act 2000 (TACT) custody suite. It also allows members of the public the opportunity to secure a greater understanding of and confidence in the operation in practice of the statutory and other rules governing the welfare of those in custody. These arrangements also enable ICVs to make sure that police/custody officers have the means at their disposal to ensure maximum safety and welfare of detained persons.

Greater Manchester Police (GMP) have eight purpose-built custody suites located in Central Manchester, Stockport, Tameside, Wigan, Bury, Pendleton, Salford, and Bolton.

Custody visits to detainees held under the Terrorism Act 2000 at GMP's counter terrorism unit (CTU) suite, which is the northwest hub for counter terrorism, are undertaken daily (when activated) with reports being forwarded to the independent reviewer of terrorism legislation (IRTL).

Bi-monthly ad-hoc visits are also conducted to check on facilities.

Custody visitors

An ICV is a volunteer who visits people who have been detained in custody in a police station. For many people, arriving in a custody suite without being aware of their rights or entitlements can be a daunting and frightening experience.

An ICV's main responsibility is to check on the welfare of a detained person and make sure they are being treated properly whilst in custody. An ICV ensures that a detainee understands 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.

Custody visitors are recruited by the Greater Manchester Combined Authority (GMCA) Police, Crime, Criminal Justice, and Fire Team. Visiting in pairs,



ICVs can inspect cells and the facilities within the custody suite for health and safety purposes. They can, where appropriate, also inspect custody records, which are a record of everything that happens to a detainee whilst in custody. If a custody visitor discovers any issues, these can initially be raised with the custody sergeant present or the custody inspector if the matter cannot be remedied immediately or is of a serious nature that requires ongoing attention. They make an electronic report of each visit, highlighting any issues discovered, which goes to the scheme manager. They can 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.

Performance

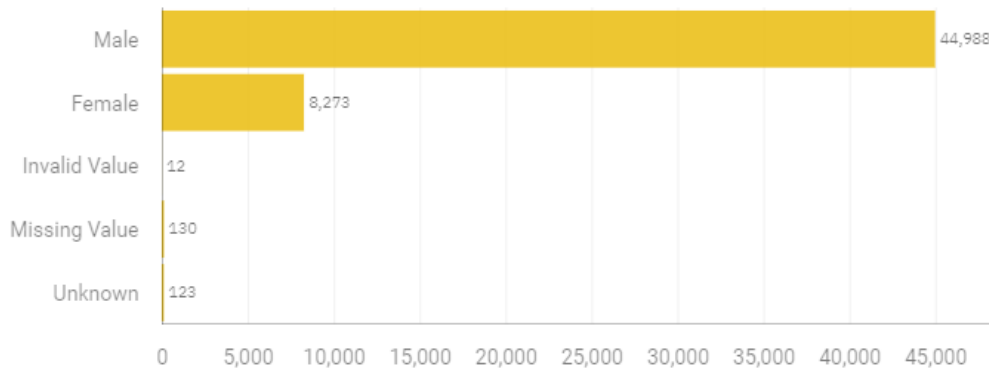
GMP custody suite data

In the period April 2022 – March 2023 (inclusive) there were a total of 53,526 detainees in GMP custody suites, broken down into actual custody suites, as follows:

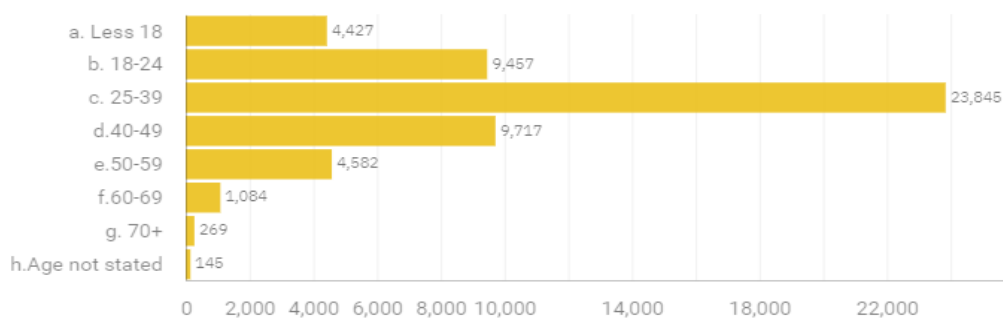
Ashton custody suite	=	8,574
Bolton custody suite	=	5,776
Bury custody suite	=	7,135
Central Park custody suite	=	8,239

Cheadle custody suite	=	7,117
Pendleton custody suite	=	5,536
Swinton custody suite	=	6,428
Wigan custody suite	=	4,621

Detainee : Gender



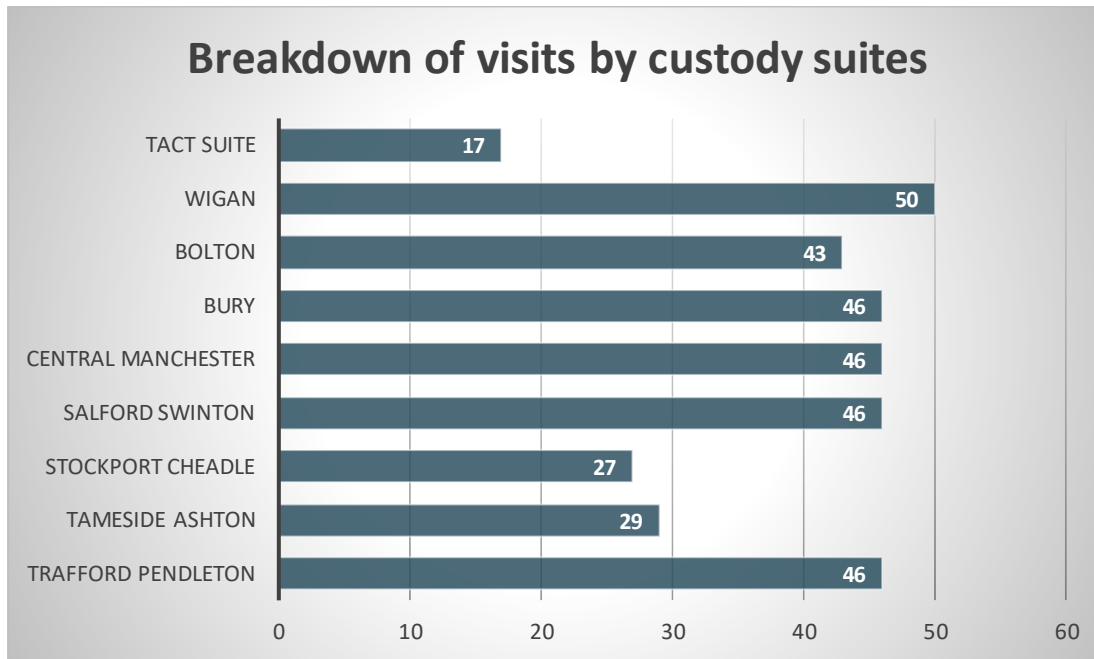
Detainee : Age at time of Arrest



ICV activity from 1 April 2022 to 31 March 2023

- Total detainees at the time of visits: 2,551
- Number offered a visit: 2,507
- Number accepting from those offered: 1,471 (54% of those offered)
- Total number unavailable: 916
- Total number declined: 1,036
- Total visits: 350 (broken down by station below)

GMP district with station	Trafford Pendleton	Tameside Ashton	Stockport Cheadle	Salford Swinton	Central Manchester	Bury	Bolton	Wigan	TACT suite
No of visits & A – abandoned visit	46 & 1A	29 & 3A	27 & 1A	46 & 1A	46 & 2A	46 & 1A	43 & 1A	50	17



It is to be noted that some of the custody suites were shut for up to 7 weeks for deep clean and staff shortages.

There were twelve abandoned visits as outlined below

Feedback from ICVs and visits

ICVs play a huge part in implementing change for detainees, custody staff and the wider community and provide reassurance to the GMCA and residents within Greater Manchester. 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 Deputy Mayor. Greater Manchester Police are updated where there are any adverse comments as well as any positive comments, which are just as important.





Throughout 2022/2023 and due to the ICVs tremendous work, several changes were implemented.

- Long waits in the van dock - people are now invited into the custody suite for use of toilet facilities and refreshments.
- Fixture of broken phones/toilets/lights/intercom systems
- Flooring in one of the custody suites, even though adheres to specification, is still a health and safety risk, to be rectified and for future suites when refurbished
- Broken de-fib at Wigan (outside building), now placed in the public enquiry counter

GMP introduced 'welcome packs'

When GMP now prepare a cell, they will provide the following bundle: 2 x Blankets, 1 x Towel, 1 x wrapped soap bar, 1 x wrapped Toothbrush with paste and toilet paper, (square loose leaf).

The 'summer pack' has just one blanket

These are standard for all cells and not just in the evening / night.

Any risk assessments for detained persons are conducted on arrival and if required they can be easily removed from the cell by the detention officer. If the wrapped item isn't used, then it is reasonable to say it can be left for the next detainee.

ICVs check that they are in each cell at the time of each visit, that there is a complete pack and that the mattress is the correct thickness (replaced from the previous thinner version)

HMICFRS

The joint inspections of police custody undertaken by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) undertook an Inspection of

GMP Custody Suites in September and October 2022. Their expectations are grouped together under five inspection areas:

- Leadership, accountability and working with partners
- Pre-custody: First Point of Contact
- In the custody suite: booking-in, individual needs and legal rights
- In the custody cell: including safeguarding and health services
- Release and Transfer from Custody

It is to be noted that the following outcome was highlighted

The force is open to external scrutiny. Independent custody visitors (ICVs) visit suites weekly. They complete checklists following their visits, and any issues they find are raised with the force. Some issues raised by the ICVs are similar to those we have found, such as detainee dignity and staffing levels. It isn't clear how ICV concerns are addressed by the force. The ICV scheme manager is involved in some force meetings but doesn't have access to custody performance data.

From the recommendations made in the report, the Volunteers Manager has worked with the Custody Branch and the ICV facilities check that is undertaken every four weeks now includes the following:

- Is CCTV signage in place?
- Check that the signs for the direction to Mecca are in place.
- Check if the CCTV is working and that it is correctly stamped to the time of year i.e., British Summer Time (BST) or Greenwich Mean Time (GMT)?
- Are the following leaflets available:

Independent Office for Police Conduct (IOPC) English/Welsh

PACE Code C (August 2019 version)

Easy Read leaflet (3 at each booking in desk)

- Toothbrush/toothpaste/razor in date order?
- Are staff aware of de-escalation document for anti-rip clothing (show whereabouts)?

Also, during each visit, the ICVs will ask female detainees if they have spoken with a female member of staff and if so, their collar number (if taken).

Custody Detention Scrutiny Panels

The National Police Chiefs' Council (NPCC) have recommended a new scrutiny panel model for custody. This model is the Custody Detention Scrutiny Panel or CDSP.

This will be a new panel and will be PCC (or Deputy Mayor) led. Although other scrutiny panels exist, currently there is no consistent approach to addressing disproportionality within detention profiles. It is hoped setting up effective will help build public trust and confidence in this often-hidden area of policing, in particular the confidence of Black and other ethnic minority communities. The panels are being set up to look at areas that ICVs do not monitor as part of their key remit and with a specific focus on disproportionality. The guidance document suggests that panels might wish to scrutinise areas such as:

- Strip search
- Use of Force
- Use of anti-rip clothing

It has been suggested that the panel should be made up of a mix of people, pulling from (full list in guidance): ICVs, IAG, Solicitors, appropriate adults etc.

Abandoned visits

There were twelve abandoned visits during 2022 and 2023 where due to the ratio of staff against detainees the custody visitors did not feel it was appropriate to continue with the visit and instances whereby the custody staff deemed the visit inappropriate at that time due to health and safety concern for staff, visitors, and detainees. Also,

there were instances where IT systems were 'down' and another where HMICFRS were undertaking an Inspection in the custody suite.

GMP have noted and addressed the issues, with the recent intake of 40% more custody staff to release a member of the team to spend time escorting the ICVs.

Comments from ICVs that are noted throughout report forms and of high importance are that custody staff are friendly, very helpful and approachable when conducting visits.

Custody management

The volunteer manager regularly attends the weekly GMP custody catch up meeting, chaired by the chief inspector of the branch, whereby any issues, concerns, changes in practice are discussed and actioned where necessary.

Recruitment

Interviews for new ICVs commenced at the beginning of 2023 with a further 9 undertaking induction training at the beginning of May 2023. Recruitment will commence again in 2023/2024.

Volunteers' development

Northwest and North Wales Regional ICV Conference

Northwest and North Wales regional ICV conference has been held previously over the past 10 years, which gives an opportunity for all regional volunteers to network and share best practice and learning – some of the past themes being around restraints in custody, vulnerable people within the custody environment, drug and alcohol abuse.

Volunteer training undertaken

GMCA are continually looking for feedback from all stakeholders, colleagues, and custody visitors as to how the training can be developed in the future.

Independent Custody Visiting Association (ICVA) have produced some bitesize training modules i.e., learning disability and neurodiversity bitesize, women in police custody, children and young people in custody – treatment and conditions, that the ICVs can access direct from their website – the volunteers' manager will monitor this.

In addition, ICV PACE refresher and health and safety within the custody environment training sessions were held.



Volunteer support meetings

ICV support meetings are held with the GMCA volunteers manager every 6 months, which

include updates from GMP chief inspector, **discussion of** learning difficulties and autism within the criminal justice system, women in, or at risk of entering, the justice system and an update from the CEO of the Independent Custody Visiting Association (ICVA).

Account from a lead visitor

“The GMCA ICVs Scheme operates within the well-established national system whereby trained and vetted volunteers attend police custody suites unannounced, to check on the treatment and welfare of detainees, the fulfilment of their rights and entitlements as well as the conditions in which they are held. ICVs are a critical friend to the Police and the scheme is one of the statutory obligations of the Police and Crime Commissioner.

The GMCA ICV scheme continues to function well, with the help of approximately 12 volunteers and the scheme manager from the Police, Crime, Criminal Justice and Fire Team”.

Comment from GMCA volunteer's manager

“Within Greater Manchester we are fortunate to have dedicated custody visitors who on a weekly basis conduct visits. Through their observations and reporting they have ensured that detainees are safe and well during their detention and assisted in improving conditions for not only detainees but those working within the custody suites. I would like to say a sincere thank you to all the visitors for another successful year of custody visiting even through such a challenging time, you are much appreciated.”

Going forward in 2023

Baird Inquiry

Deeply concerning reports on Sky News in July 2023 featured the testimony of three women over their treatment in GMP police custody. Contained within their testimonies were some extremely serious allegations.

In response, the Mayor and Deputy Mayor announced that to assure the public and themselves, they had asked Dame Vera Baird KC, former victims' commissioner, to advise on the custody processes and care of victims.

The outcome of that review is awaited and may lead to further changes to police custody processes. We will ensure that ICV procedures support that work and any outcomes to improve custody for detainees.

How to become an independent custody visitor

The purpose of independent custody visiting is to provide assurance that detainees in Greater Manchester police custody are:

1. Treated fairly and in accordance with the Police and Criminal Evidence Act 1984 (PACE) and associated codes of practice
2. That the conditions detainees are kept in are clean and safe and any matters of concern are recorded and dealt with effectively.
3. That the rights and entitlements of detainees in GMP custody are observed and adhered to.

ICVs come from all sections of the community. They must be aged over 18, reside in Bedfordshire and be a resident in the UK for at least three years prior to the date of application. No specific qualifications are required as full training and support is provided; however, visitors should be good listeners, non-judgmental and unbiased.

There are some restrictions on who can volunteer as an ICV to avoid conflicts of interest. For example, serving members of the police force, appropriate adults and those who currently work for the criminal justice system are not eligible to become custody visitors. If you are concerned that you may have a conflict of interest, then please contact the volunteer's manager using the contact details below.

If you would like more information about becoming an independent custody visitor in Greater Manchester, or for general information regarding the scheme, please use the contact details below.

Volunteers' manager

GMCA Police, Crime, Criminal Justice, and Fire Team

Broadhurst House (Tootal Buildings)

56, Oxford Road, Manchester M1 6EU

Tel: 0161 778 702

Email: volunteers.icv@greatermanchester-ca.gov.uk

Web: greatermanchester-ca.gov.uk/ICV

Independent Custody Visiting Association (ICVA) icva.org.uk

National Preventive Mechanism (NPM) nationalpreventivemechanism.org.uk

Independent Reviewer of Terrorism Legislation (IRTL)

terrorismlegislationreviewer.independent.gov.uk