



Derbyshire Police Authority

Independent Custody Visiting Scheme  
And  
Animal Welfare Scheme

Annual Report 2008/09

## INTRODUCTION

Welcome to Derbyshire Police Authority and Derbyshire Constabulary's Annual Report for the Independent Custody Visiting Scheme and Animal Welfare Scheme.

This report covers the period 1 April 2008 to 31 March 2009, the purpose of which is to deliver an overview of both Schemes and their participants and impart statistical information which supports both the Authority and Force's commitment to providing a high quality policing service for everyone in Derbyshire.

### INDEPENDENT CUSTODY VISITING SCHEME

Initially named 'Lay Visiting', the Independent Custody Visiting scheme was introduced as a result of the report produced by Lord Scarman into the Brixton disorders which occurred in 1981.



The scheme provides an independent and impartial means of checking the welfare, in accordance with the Police and Criminal Evidence Act 1984 (PACE) and the associated Codes of Practice, of a person detained in police custody and plays an important part in maintaining police accountability to the local community.

The Independent Custody Visiting Association (ICVA), to which Derbyshire Police Authority subscribes, is the national organisation which provides guidance and literature to the authority and training to the visitors.

### WHO CAN BECOME INDEPENDENT CUSTODY VISITORS?

Although Independent Custody Visitors must be over 18 years of age there are no formal qualification requirements. Upon appointment visitors complete an induction course organised by the authority before taking up their duties.

Visitors must be impartial, independent and have no direct association with the criminal justice system. Serving Magistrates and Members of the Police Authority, serving police officers and police staff can not become visitors.

Derbyshire Police Authority is firmly committed to a policy of equal opportunities within the delivery of its services and its work with the Constabulary. We are determined to ensure that equal treatment is given to our employees and service users regardless of race, gender, disability, religion or belief, sexual orientation, transgender or age.

The following table gives a breakdown of the ages, genders and ethnicity of our twenty-five Independent Custody Visitors:

<b>Age Range:</b>			
18 – 25 years	0	56 – 65 years	5
26 – 35 years	1	66 – 75 years	8
36 – 45 years	3	Over 75 years	3
46 – 55 years	5		
<b>Ethnic Group:</b>		<b>Gender:</b>	
Asian	1	Male	12
Black	1	Female	13
White	23		

### **ROLE OF DERBYSHIRE POLICE AUTHORITY**

Derbyshire Police Authority has statutory responsibility for the running of the Independent Custody Visiting Scheme, which is delivered in consultation with the Chief Constable of Derbyshire Constabulary. The day-to-day management of the scheme is undertaken by a designated Scheme Administrator within the authority.

The Professional Standards Panel, informed by the authority's Research, Policy and Plans Officer, has responsibility to supervise and manage the Custody Visitor Scheme (and Animal Welfare Scheme).

### **ORGANISATION OF THE SCHEME IN DERBYSHIRE**

Each of the four policing divisions in Derbyshire has its' designated police station:

<b>'A' Division (18 cells)</b>	Ripley Police Station ('A' DHQ) covers the District Council areas of Amber Valley and Erewash, plus South Normanton and Pinxton in Bolsover District Council
<b>'B' Division (15 cells)</b>	Buxton Police Station ('B' DHQ) covers the District Council areas of Derbyshire Dales and High Peak
<b>'C' Division (21 cells)</b>	Chesterfield Police Station ('C' DHQ) covers the District Council areas of Bolsover, Chesterfield and North East Derbyshire, with the exemption of South Normanton and Pinxton
<b>'D' Division (44 cells)</b>	St. Mary's Wharf Police Station, Derby ('D' DHQ) covers the District Council area of South Derbyshire and that of Derby City Council

Upon completion of the induction course new Independent Custody Visitors are allocated a primary station to visit nearest to their home address. Derbyshire Police Authority's Notes of Guidance recommends a visitor make one visit each month as a minimum requirement and encourages visits to any of the other three designated police stations within Derbyshire at least once a year. Times and dates of visits are arranged

by the Independent Custody Visitors themselves who inform their area Co-ordinator of such.

## VISITING STATISTICS

The frequency and outcomes of visits are monitored continuously throughout the year by the Police Authority. Any issues raised by the Independent Custody Visitors are dealt with either by the custody suite staff or by the Criminal Justice Department, who have overall responsibility for the running of the Derbyshire Constabulary's custody suites.

The authority's Professional Standards Panel are kept fully informed of all issues relating to the Independent Custody Visiting Scheme.

During the period 1 April 2008 to 31 March 2009 a total of 189 visits were made across the county. The table overleaf provides a detailed breakdown of these visits.

### Summary of visits conducted for the period 1 April 2008 to 31 March 2009

STATION	Number of Visits	Number in Custody	Number Offered Visit	Number Refused Visit	Number Not Seen (other)	Number Seen	% Offered Visit	% of Detainees Seen From Offered Visit	% of Detainees Seen of Total in Custody
'A' (Ripley)	58	357	234	27	127	207	66%	88%	58%
'B' (Buxton)	28	83	58	4	29	50	70%	86%	60%
'C' (Chesterfield)	48	309	187	33	128	148	61%	79%	48%
'D' (Derby)	55	709	404	50	311	349	57%	86%	49%
<b>OVERALL TOTAL</b>	<b>189</b>	<b>1458</b>	<b>883</b>	<b>114</b>	<b>595</b>	<b>754</b>	<b>61%</b>	<b>85%</b>	<b>52%</b>



There are a number of reasons why a detainee would not be seen; for example detained persons have the right to decline a visit, they may be asleep or being interviewed. If cells are particularly busy an arbitrary number of detainees are selected.

Overall the average number of detained persons visited, compared to those in custody at the time, is approximately 52%. A total of 61% of those in custody were offered visits, of which 85% were seen.

The figures for 2007/2008 are contained within that years' annual report which is published on the Police Authority website.

*'The work of the Independent Custody Visitors is essential to ensure that detainees in police custody are treated fairly and receive their rights and entitlements as defined under the Police and Criminal Evidence Act 1984, to maintain public confidence. All the visits by ICV's are unannounced. Although the Police Authority manage the ICV Scheme, we have an excellent working relationship which includes joint training and lessons learned to seek continuous improvement in the care provided to detainees.'*

Chief Inspector Nick Jones, Custody and ID Suite Manager, Criminal Justice Department, Derbyshire Constabulary

## **NOTABLE EVENTS DURING THE YEAR**

Fifteen new Independent Custody Visitors took up their duties from 1 April 2008, bringing the total of visitors at that time to twenty-nine. Through the year the number of visitors has decreased to twenty-five.

Mr Walter Dodd, Independent Member of Derbyshire Police Authority, and Chair of the Animal Welfare and Independent Custody Visitors meetings and the Professional Standards Panel, retired from the authority in September 2008. He was succeeded by the former Deputy Chair, Councillor Mrs Kath Trueman.

The East Midlands regional conference was held on Saturday, 4 October 2008 at Nottingham County Hall. Presentations were heard from the Home Office on future developments in Custody Visiting, the Manager of Nottinghamshire's Scientific Support Unit on forensic techniques and diversity training was delivered through a company called AftaThought.

The ICVA annual national conference was held at The Holiday Inn, Stratford Upon Avon, on Saturday, 1 November 2008 and was attended by visitors from all over the UK. The theme of the conference was the areas of the PACE review relating to custody care and the roles of Independent Custody Visitors. Speakers came from the Home Office, Her Majesty's Inspector of Prisons (HMIP), The Association of Police Authorities (APA), The Association of Independent Monitoring Boards (AMIMB) and ICVA.

Leicestershire hosted the second Regional Advanced Training Day on Saturday, 21 February 2009. The event was well attended by Custody Visitors from the East Midlands five counties. The morning training sessions centred on conflict management, deaths in police custody and ICVA and visiting scheme practices. In the afternoon workshop discussion groups were held.

## **FUTURE EVENTS**

A scheme review is currently being conducted by the Police Authority with the aim of providing more robust guidelines and procedures to visitors and raising the profile of the Independent Custody Visiting Scheme.

Councillor Mrs Trueman will step down from the authority in June and will be succeeded by her deputy on the Professional Standards Panel, Mr Lloyd Newby.

## ANIMAL WELFARE SCHEME

The Animal Welfare Scheme arose from the death, whilst in training, of a police dog and the prosecution of the officers involved in its' training. A thorough review was subsequently carried out and a strategy implemented which aimed to restore public confidence and ensure training procedures are ethical, humane and transparent.

Dogs are assessed against criteria set by the RSPCA, called the 'Five Freedoms' which are:-

- Freedom from hunger and thirst;
- Freedom from discomfort;
- Freedom to express normal behaviour;
- Freedom from pain, injury and disease;
- Freedom from fear and distress.



### ORGANISATION OF THE SCHEME IN DERBYSHIRE

Derbyshire Police Authority has operated a voluntary Animal Welfare Scheme since March 2002. The purpose of the scheme is to observe, comment and report on the conditions under which dogs are housed, trained and transported and to provide an independent check on the way police dog handlers carry out their responsibilities with regard to the welfare of animals in their care.

Visitors are selected from those existing Independent Custody Visitors who express an interest in animal welfare issues and accordingly they receive additional training. Visitors can arrange to meet with a dog and handler anywhere in the Force area and can make visits to the Dog Kennels at Force Headquarters at any time.

### VISITING STATISTICS

In this year a total of twenty-two animal welfare visits were made, compared to fourteen the previous year. Most of the visits were conducted at Headquarters kennels in Ripley. All the dogs were seen to be in excellent condition.

### CONCLUSION

Whilst this year has seen significant change in both the number of visitors retained by the Independent Custody Visitors scheme and the structure of the authority itself, visitors have upheld the enthusiasm, commitment and high standards which the public and the authority have come to expect from the Independent Custody Visiting and Animal Welfare Schemes.

*The custody visitors' scheme, operated by Derbyshire Police Authority, is a statutory duty and an important part of what we do. The responsibility of establishing and maintaining an independent visiting scheme is one we take extremely seriously as it provides a reassuring and impartial overview to our communities, ensuring the rights of detainees are maintained.*

Janet Birkin, Chairman of Derbyshire Police Authority

## CONTACTS:

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