



MPA

Metropolitan Police Authority

Kensington & Chelsea Independent Custody Visiting Panel

Annual Report 2008



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Introduction

Welcome to the Annual Report of the Kensington & Chelsea Custody Visiting Panel. The report covers a period from 1st January 2008 to 31st December 2008. The purpose of the report is to:

- Evaluate the panel's performance
- Provide the local community and the MPA with information about the visits made including the treatment of those held in custody
- Set out issues and concerns that have arisen
- Set out the objectives for 2009

Independent Custody Visitors

Independent Custody Visitors (ICVs) are volunteers from within the community who visit police stations unannounced to check on the rights, entitlements and conditions of detention of people held in police custody. Independent custody visiting is governed by a range of legislation and guidance including the Police and Criminal Evidence Act (PACE) 1984 as well as Home Office Codes of Practice and National Standards.

History of Independent Custody Visiting

The Independent Custody Visitors scheme, formally known as the Lay Visitors' scheme was introduced in the mid-1980s following a recommendation in Lord Scarman's report into the civil disorders in Brixton and other parts of the UK. He recommended a system of independent, unannounced inspection of procedures and detention in police stations by local community members. Since then panels of Independent Custody Visitors have evolved throughout the United Kingdom as an important means of securing accountability of the police to the local communities they serve. ICVs play a vital role in bringing the police and communities closer together and enhancing public perception of police procedures and practices. It is now mandatory for each Police Authority in the country to have a Custody Visiting Scheme in place.

Visits to police stations

The Kensington & Chelsea Independent Custody Visitors make unannounced visits to the three custody suites in the borough; Chelsea, Notting Hill and Kensington. Kensington is used as an overflow station. Chelsea custody suite is the busiest of the three police stations.

ICVs always visit in pairs. Visitors normally carry out one visit a month on a rota basis. Visits can be made at any time of the day or night, and on any day of the week. All detainees are offered the opportunity to speak to the ICVs but may choose not to. ICVs speak to the detainees and check if they have been informed of their rights and entitlements. ICVs also comment on the condition of the custody suite including the cleanliness of the cells. ICVs do not take sides but look, listen and report on what they find in the custody unit.

Before leaving the custody area ICVs compile a report on their findings that will draw attention to any matters that may need addressing. A copy is also provided to the Police. Minor issues can usually be dealt with before ICVs leave the station by speaking with Custody Staff.

During the Notting Hill Carnival weekend, Kensington custody is used and Notting Hill custody closed. ICVs endeavour to visit the custody suites during the busy carnival weekend.

Panel Meetings

The Kensington & Chelsea panel holds monthly meetings that are held at Kensington Town Hall. At the meeting ICVs discuss issues that have been raised on the visit report and a response is provided by the police representative of the station visited. Some issues may need persistence by the panel in monitoring and calling for action. The meeting also provides an opportunity for members to share their experiences on visits and be updated on criminal justice issues.

London Independent Custody Visiting Scheme

The Metropolitan Police Authority (MPA) is an independent statutory body, which exists to make sure that London's police are accountable for the services they provide to people in the capital. The MPA has 23 Members who scrutinise and support the work of the police. The MPA promotes equality and diversity within the police service and is working in partnership to ensure all those who live and work in the capital are treated fairly and with respect.

The MPA has a legal obligation under the Police Reform Act 2002 for a custody visiting scheme to operate in its area. In April 2007 the MPA brought together the custody visiting arrangements managed by the boroughs into one London scheme. Prior to this, panels have been administered at borough level.

The scheme has the full support and cooperation of the Commissioner and the Borough Commander for Kensington & Chelsea, but is independent of the police. The MPA holds overall responsibility for the scheme's management and administration, providing a team of MPA staff to support the panels. There are 32 ICV Panels in London, one in each borough, except for Westminster which has two.

How to Apply

To be eligible to become an Independent Custody Visitor in the Royal Borough of Kensington & Chelsea you must:

- Either live, work or study in the borough
- Be aged over 18
- Have no direct involvement in the criminal justice system, for example, serving police officers or special constables.
- For vetting purposes you must have resided in the UK for the last 3 years.

Appointment as an independent custody visitor is subject to successful security vetting clearance by the MPS Vetting Department.

Independent Custody Visitors are accredited by the Metropolitan Police Authority and appointed to the panel.

The MPA provides all new ICVs with training to enable them to carry out their role. New panel members are paired with more experienced members of the panel until they have successfully completed a six month probationary period.

Aims and achievements

The aims and objectives of the panel are laid out in the Home Office Codes of Practice (PACE), the National Standards governing Independent Custody Visiting and the MPA ICV Handbook.

The primary objective of the panel is to check and report on the treatment of detainees in custody and to ensure their rights and entitlements are being observed. This is achieved by making one visit per week to the custody suites at Chelsea and Notting Hill Station, and one visit a month to Kensington, which is used as an overflow custody suite. This equates to 52 visits each per year for Chelsea and Notting Hill stations, and 12 for Kensington station.

Visits

The panel was unable to achieve its visiting target of one visit per week, due to low membership, but have carried out as many visits as possible. The panel visited Chelsea station 26 times and Notting Hill station 22 times during 2008; an average of 46% of scheduled visits. The panel hopes to recruit more volunteers in 2009 as a measure to increase the number of visits taking place. Visits were reasonably well spread throughout the week with a majority of visits carried out on weekdays. Most visits took less than 60 minutes to conduct. Of those in detention at the time of a visit over 60% were either spoken to or had visual checks carried out. 87% of detainees were held under PACE and 6% were immigration detainees. 2% of detainees were recorded as 'other'.

Issues arising from visits

Though there continues to be concern over immigration and vulnerable detainees held in police custody, few specific concerns over detainee treatment were noted during the year. Panel members reported experiencing delays in accessing the custody records of detainees since the introduction of the NSPIS*, however these issues appear to have improved.

Panel meetings

During the year the panel maintained ongoing dialogue with the police, with quarterly attendance by the custody manager, Inspector Whitfield, at panel meetings, to provide responses to queries raised from visits and updates on custody matters. Attendance by members at panel meetings in some months was not so good, due to members being engaged with other commitments.

The panel has embraced the idea of continuous learning and a brief training module was delivered at one of the panel meetings.

NSPIS National Strategy for Police Information System; computer system used in custody suites*

In January 2008, Chief Superintendent Mark Heath, was posted to the borough. He was previously Borough Commander at Camden where he was stationed for four years. He attended a panel meeting in the month of May to talk to panel members about his priorities for the borough and he also addressed custody issues.

In November 2008, a Dedicated Detention Officer (DDO) from Chelsea police station attended a meeting to talk about the role and responsibilities of DDOs.

Recruitment and awareness raising

Panel members and MPA staff undertook various recruitment initiatives to recruit new members and raise public awareness of the scheme. Leaflets and posters were sent to the libraries and voluntary organisations in the borough and the use of adverts in the Metro and Evening Standard proved to be a successful mechanism for recruiting. Six new members joined the panel during the year.

Support from members of other panels

At the early part of the year the MPA requested for ICVs from neighbouring panels to assist with visits until additional members were recruited. The following volunteered their services:

Liz Carboni and Mandy Hermitage, both experienced visitors from Wandsworth ICV panel, Allison Davies, an experienced visitor from Lewisham ICV panel, Peter Waterhouse, Vice Chair of Enfield ICV panel and Jeannine Andre, Chair of Ealing ICV panel.

CPEGs (Community and Police Engagement Groups)

The MPA is keen to improve the links between panels and CPEGs thereby ensuring the community retains confidence in how those detained in police custody in London are treated during their detention. The panel re-established links with the Kensington & Chelsea CPEG during the year.

Annual General Meeting

An annual general meeting was not held during the year, however, Rickard Jonsson & Ben Braithwaite agreed to take on the role of joint acting Chairs

Acknowledgements

Despite the shortfall in membership during the year, the panel continued to carry out good work. The MPA would like to thank all members of the Kensington & Chelsea ICV panel, past and present, for their hard work, dedication and contribution to Independent Custody Visiting.

Chair's Report

It has been an interesting year in Kensington and Chelsea ICV panel; we have worked hard on getting new members onboard and will continue to do so during 2009 with an aggressive target of recruiting a minimum of 5 new panel members. With only 10 permanent members it has been difficult at times to schedule visits to all the police stations in the borough, but the panel members has gone out of their way to make sure we cover as much as possible.

I would also like to extend a thank you to the members of other ICV panels that have helped us during the year, it has been much appreciated.

We are however a little disappointed that we only managed to cover 46% of the scheduled visits and we need to try and improve this area significantly during 2009, we have set a target of covering 80% of the visits, and in order to achieve this we will discuss with the panel how to best achieve this and make sure we have everyone's buy in to the target.

In conclusion we firmly believe that the panel has made a significant contribution towards the safety and welfare of the detainees during 2008 and we look forward to doing more during 2009.

Finally we would also want to extend a thank you to Jennifer for looking after the administration and recruitment efforts for the panel and to Inspector Whitfield, the borough Custody Sergeants and the Borough Commander Chief Inspector Mark Heath, for working with us to help the detainees in the best possible way.

Ben Braithwaite & Rickard Jonsson

Joint Chairs Kensington and Chelsea ICV Panel

Membership

Members of Kensington & Chelsea ICV Panel

	Date of appointment
Jonathan A'Lee	November 2007
Godfrey Ashmore	July 2008
Robert Birmingham	March 2003
Ben Braithwaite	November 2005
Rona Davis	June 2008
David Gates	July 2008
Asanka Hewage	July 2008
Rickard Jonsson	June 2005
Vassiliki Stavrou	October 2001
Lorraine Vernon	October 2008

Previous member who resigned in 2008	Date of Appointment
Daniel Puente Brito	April 2008

Diversity of the panel

Based on projections supplied by the Data Management and Analysis Group (DMAG¹) at the Greater London Authority, Kensington & Chelsea borough has a population of approximately 165649. According to DMAG figures 22% of the population of the borough belongs to a black and minority ethnic group (BME) and 78% belong to a white background. The gender figures show the population is 48% of males and 52% are females.

The MPA conducted an optional diversity monitoring exercise during 2008 which has enabled the panel to consider how well it reflects the community it represents. Five out of the 10 panel members completed the form; Four out of the ten members disclosed their ethnic background in the diversity monitoring exercise. Of those four, three have described themselves as belonging to a BME group and one of a white background. The gender figures show 58% of the panel are male and 42% are female.

¹ Population and diversity figures are based on projections derived from the 2001 census calculated by DMAG - the Data Management and Analysis Group - based at the Greater London Authority (GLA). These data comparisons are confined to apparent strands of diversity only.

4. Visit duration

	Chelsea	Notting Hill	Kensington
Less than 30 mins	11	11	5
30 – 60 mins	11	10	1
61 – 90 mins	4	1	
91-120 mins			
More than 120 mins			

5. Visits and categories of detainees seen

	Chelsea	Notting Hill	Kensington	Total
Total no. of detainees in custody at time of visits	105	63	5	173
Detainees spoken to	64	37	2	103
PACE detainees in custody	92	55	3	150
Immigration detainees in custody	4	5	2	11
Other	1	2	1	4

In 2008 over 6,616 detainees passed through the borough's custody suite

Targets & Plans for 2009

The Panel's aims and objectives for 2009 are as follows:

- To continue to ensure that the rights and interests of detainees are upheld and to raise concerns promptly and effectively with the local police or the MPA as appropriate.
- To ensure weekly visits are maintained to each of the 24/7 custody suites, thereby increasing the panel's visiting performance against it's targets.
- To increase the membership of the panel to a minimum of 15 members
- Together with the MPA, to continue to promote and raise awareness of the work of Independent Custody Visitors in Kensington & Chelsea

**For more information about the Kensington & Chelsea ICV Panel
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