

THE INDEPENDENT CUSTODY VISITING ASSOCIATION

2020/21 ANNUAL REPORT
SUMMARY

MESSAGE FROM THE CHAIR



2020/21 has been an exceptional year. COVID19 has changed every element of our lives and the UK has suffered many fatalities. Across this time, monitoring police custody was at risk. Lockdown restrictions and the small physical spaces of custody may have meant that independent monitoring was paused. However, the leadership, support and dedication of our stakeholders and schemes kept independent monitoring going.

I am humbled by and proud of schemes' work across the pandemic. Independent custody visiting was not immune to the tragedies of COVID19. We know that within ICVA and within schemes, staff and volunteers have suffered, fallen unwell and lost loved ones. Schemes had to respond to huge disruption overnight and many scheme managers found they were managing home schooling, shielding and self-isolation. Within this hugely challenging environment, schemes remained committed to keeping monitoring of custody going. This dedication to human rights and protecting the vulnerable is something that I deeply admire. Independent custody visiting should be rightly proud that we continued our work throughout a national crisis.

ICVs were able to highlight key challenges. The increase of virtual remand hearings being held in police custody, access to solicitors, hygiene and staffing challenges were all flagged. ICVA were able to further share these challenges with national organisations, raising early concerns to be resolved.

The Summer of 2020 saw the murder of George Floyd in America, sparking protests across the world that questioned the legitimacy of policing and the impact of bias and racism in policing. ICVA has responded to these concerns by working with the Criminal Justice Alliance to research monitoring of race and gender in police custody, and I look forward to the report which will be produced next year. ICVA also held its largest ever volunteer event, commissioning two webinars on anti-racism and allyship.

Looking forward to 2020/21, ICVA will see a period of change as Katie Kempen, ICVA's Chief Executive, will leave the organisation in June. I will remain as ICVA's Chair until the end of the calendar of year to oversee a smooth handover as we recruit. Katie and I have worked as a team, leading ICVA for close to six years over which time we have overhauled ICVA's membership offer, delivered new and exciting resources for schemes, changed legislation to protect detainee dignity and overseen monitoring across a pandemic. It has been a huge honour to lead ICVA and only made possible by the commitment and effectiveness of schemes and volunteers. ICV schemes managers and volunteers are truly exceptional people and we have been fortunate to work to represent you.

Martyn Underhill
Chair, July 2020

THE METHODS

TELEPHONE VISITING

ICVs were able to speak to detainees directly on mobile phones or being patched through to cell intercoms.

VIDEO VISITING

Some schemes were able to use video technology to see and speak to detainees in their cells.

CUSTODY RECORD REVIEWING

Many schemes adopted retrospective custody record reviewing, looking in depth at custody records.

IN PERSON VISITS

Some schemes volunteers continued to visit custody right through the pandemic.

MONITORING CALLS

ICVs and schemes made calls to custody to speak to staff and hear their perspective on custody.

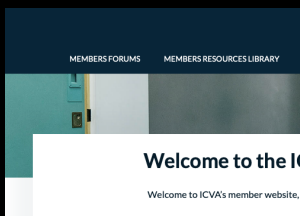
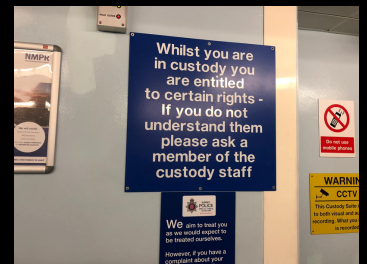
Many schemes used a combination of methods to give the best monitoring coverage possible.

ICVA'S KEY ACHIEVEMENTS

ICVA has been proud to share achievements with schemes across the UK. Whilst ICVA leads, supports and represents schemes, our work would not be possible without our brilliant members.

ICVA was able to respond quickly to the pandemic to support its members, attaining key worker status for independent custody visitors, putting scheme support sessions in place and providing national guidance and resources to assist with remote monitoring.

ICVA was able to continue to deliver many of its 'business as usual' membership offers. This included briefings, straight to ICV training resources and an online scheme manager conference on the annual theme of 'Children and Young People in Custody'.



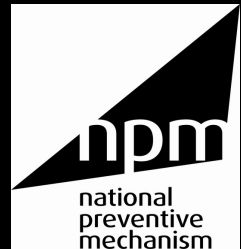
ICVA delivered a new members website. The refreshed members website has much improved functionality, a peer-to-peer forum and libraries of both scheme and ICVA documents to support members.

ICVA held two events for schemes and ICVs online during this period. One event was in conjunction with Dr Roxanna Dehaghani and the University of Cardiff focussing on the Appropriate Adult safeguard. The other event, representing ICVA's largest ever event, were two webinars focussing on anti-racism and allyship.



ICVA put in place weekly monitoring reports for schemes. These responses were used by the Home Office, National Police Chiefs Council and other partners to shape policy responses for police custody. This included reports of PPE levels, safeguarding concerns and more recently issues around informed consent.

THE UKNPM



The UK National Preventive Mechanism

ICVA is a member of the UKNPM. The UKNPM was established in March 2009 after the UK ratified the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) in December 2003. It is made of 21 statutory bodies that independently monitor places of detention, those covering police custody include:

- ICVA
- Independent Custody Visitors Scotland
- Northern Ireland Policing Board Independent Custody Visiting Scheme
- Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services
- Her Majesty's Inspectorate of Constabulary in Scotland
- Her Majesty's Inspectorate of Prisons
- Her Majesty's Inspectorate of Prisons for Scotland
- Independent Reviewer of Terrorism Legislation

The NPM was set up to ensure regular visits to places of detention in order to prevent torture and other ill treatment, as required by OPCAT. OPCAT recognises that people in detention are particularly vulnerable and requires states to set up a national level body that can support efforts to prevent their ill treatment. The NPM must have, as a minimum, the powers to:

- Regularly examine the treatment of persons deprived of their liberty in all places of detention under the UK's jurisdiction and control; Make recommendations to relevant authorities with the aim of improving the treatment and conditions of persons deprived of their liberty; and
- Submit proposals and observations on existing or draft legislation.

The UKNPM had a busy year in 2020/21. Members responded to COVID19 by adapting or pausing monitoring of detention. The UN Sub-Committee for Prevention of Torture (SPT) visited the UK in 2019 and reported in 2020. Members responded to the Mental Health Act White Paper.

ICVA chaired the UKNPM subgroup for policing, ensuring that all members that visit police custody share best practice and work together for efficient and effective police custody.

THE IMPACT OF ICVS DURING THE PANDEMIC

SAFEGUARDS

ICVs reported delays in safeguards early in the pandemic. The situation improved quickly with Appropriate Adults continuing to attend in person. Delays reduced as the pandemic progressed.

PPE

ICVs fed back where they found concerns around the availability of PPE in the early days of the pandemic. The situation in custody with PPE vastly improved with reports of good practice now being commonplace.

CONDITIONS

ICVs fed back where detainee care was being impacted due to staff time being spent on virtual remand hearings which were being held in police custody. Almost all forces have now withdrawn from this arrangement. ICVs report detainee care overall was good throughout the year despite staffing pressures.

SAFEGUARDS

ICVs reported concerns regarding detainee access to legal advice, in particular noting issues with detainees being able to give informed consent legal advice being delivered remotely. This led to national work to improve the offering and recording of informed consent.