

The Independent Custody Visiting Association

Annual report 2022/23

Company number: 08632556

Registered address:
C/O Edwards and Keeping
Unity Chambers
34 High East Street
Dorchester
Dorset
DT1 1HA

Postal address:
PO Box 9322
Dorchester
DT1 9HW

Message from the Chair

This will be my one and only time writing the opening remarks for the annual report as ICVA's Chair, having been Interim Chair since last Summer when our long-time chair, Martyn Underhill, retired from the post. Martyn had steered the organisation through a significant period of change and transformation, and we thank him for his dedication and service to ICVA. As the Vice Chair I assumed the role of Interim Chair and have been very well supported by my Board colleagues and our Chief Executive Officer.



Natasha Plummer
Interim Chair

To ensure ICVA can continue to deliver effectively, we have boosted our board capacity with the addition of three new members – Rosanna Ellul, Niamh Byrne and Moawia Bin Sufyan - who bring valuable expertise in communications and engagement, criminal justice policy, and human rights.

We've also had some staffing changes this year with the appointment of Sherry Ralph who has been with ICVA since 2016 as our permanent Chief Executive Officer subsequent to the resignation of Ashley Bertie. We thank Ashley for his time with ICVA and wish him well in his new endeavours. Jenna Walop joined as ICVA's first intern which has proven to be a great success.

Finally, I would like to thank two of ICVA's Directors who have recently stepped down. Lizzie Shenton served as an ICVA Director and since 2019 and we are delighted to retain her point of view and representation on the National Expert Forum. Jo Nicholls served as an ICVA Director and Company Secretary since 2018 and has recently left us to take up new challenges. The Board, ICVA officers and I thank Lizzie and Jo for their fantastic contributions to ICVA over the years and wish them the very best.

Areas of work

ICVA's theme for the year was anti-racism and diversity, and officers have worked alongside Schemes to support the implementation of the recommendations from the Criminal Justice Alliance report, Just Visiting? Report which explored the effectiveness of independent custody visitors at monitoring race and gender equality in police custody.

Just visiting?

Exploring the effectiveness of independent custody visitors at monitoring race and gender equality in police custody

Amal Ali and Hannah Pittaway
December 2021

Our work in this area included the development and delivery of training for Schemes on women in police custody, equalities and bias, racism and diverse recruitment, Trans awareness, and the importance of the public sector equality duty.

In addition, we also produced advice and guidance for schemes on how to collect and use detainee demographic data to identify any disparities in treatment.

As a result of Schemes' and volunteers' hard work, openness and commitment, we have embedded our anti-racism approach into independent custody visiting practice and will continue to support and encourage all Schemes in this work.

We have also rolled out the revised Quality Assurance Framework to help Schemes demonstrate how they are meeting their statutory duties, and to recognise and champion best practice, and I'm pleased to see that we have even more schemes aiming for Silver, Gold and Platinum status this time round.



ICVA has continued to support and work with schemes through the National Expert Forum, attending local conferences and shadowing custody visits, and representing your work and insights to the Home Office and other national custody-related forums.

There is a lot to be proud of in UK policing, but we must highlight recent concerns raised such as Baroness Louise Casey's review into culture and standards in the Metropolitan Police Service, issues such as misogyny emerging in other police force areas, recent police inspectorate reports into vetting, misconduct and misogyny and force responses in identifying vulnerable people. These reports provide lessons for us all, wherever we live and work, particularly in relation to the importance of trust and confidence in policing, protecting vulnerable people and how the police engage with and treat the public.

And that is where our independent custody visiting schemes and their dedicated volunteers all come in. They play an important role in shining a light on issues in the custody environment, hold the police to account on custody issues and provide reassurance to the public. My sincere thanks go to all the volunteers who give their time so freely for this integral work, and to the scheme managers who support them, working with the ICVA to ensure that schemes are well managed and support us to make positive changes for those deprived of their liberty.

Natasha Plummer
Interim Chair
July 2023

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Vision, mission and values

The Independent Custody Visiting Association (ICVA) is in place to lead, support and represent local independent custody visiting schemes.

VISION

Detainees are treated fairly, with dignity and free from ill-treatment.

MISSION

Leads, supports and represents Independent Custody Visiting schemes to be effective, ensure the welfare of detainees and to deliver oversight of police custody.

VALUES

INDEPENDENCE - Without bias, impartial.

HUMAN RIGHTS - Promotes and protects.

RESPECT - Championing equality and diversity, dignity.

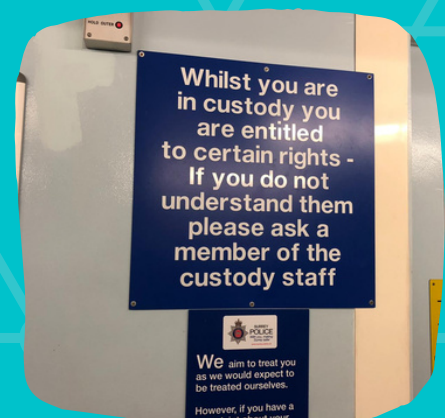
IMPACT - Committed to real change.

PARTNERSHIP - Working collaboratively to prevent ill treatment.

ICVs across the UK undertook more than **6,500** visits this year.

They interacted with over **21,000** detainees and provided alternative monitoring for an additional **7,200** people in custody.

These statistics have some gaps in them, the actual totals will be higher than this, these are the minimum as reported to ICVA.



How did ICVA lead schemes in 2022/2023?

Anti-Racism Action Plan

ICVA's annual theme focused on anti-racism and responding to the Criminal Justice Alliance – Just Visiting? Report. ICVA delivered on this theme in the following ways:

- Shared national learning, policy and best practice.
- Delivered national conferences for both scheme staff and volunteers.
- Delivered 'straight to ICV' training modules on Public Sector Equality Duty and Racism and Policing.
- Started schemes on their data collection journey, providing a 'how to' document with rationale, options of how to collect data and some suggested minimum demographic data categories.
- Provided a simple resource for schemes to start looking at report themes disaggregated by demographics.



Quality Assurance Framework (QAF)

QAF 2 launched on 01 April 2022, following a pause on this work due to the Covid pandemic. Since April 2020 we made some important changes to how the QAF is run:

- The assessment window was extended to 18 months (ending Sept 2023).
- The peer assessment element was removed.
- The criteria were amended to reflect scheme feedback on the social media criteria (removed) and the ICVA anti-racism plan (included).

During 2022/2023, ICVA worked with schemes to establish the levels they were aiming for, undertook assessments of those aiming for Platinum and held QAF discussion sessions to support schemes with the work in this area. ICVA also held a number of ad-hoc meetings with scheme managers to ensure that they felt supported in attaining the QAF.

From the areas we have received returns for, over **660,000** people were detained in police custody in 2022/2023 with an overall average of 3.4% of the detainee population across the UK getting a visit or form of oversight from an ICV.



How did ICVA support schemes in 2022/2023?

In addition to supporting schemes with anti-racism resources to assist them to deliver effective monitoring and for them to respond to the Just Visiting? Report, ICVA responded to scheme requests by providing additional resources to support our members, including:

- Revised Neurodiversity Awareness Bitesize
- Physical Disabilities Bitesize Learning Module
- Trans Awareness Bitesize
- Detainee Complaints Briefing
- Immigration Detainees Briefing
- Operation Safeguard Guidance
- Electronic Reporting Session for schemes
- Acronyms Crib Sheet

ICVA has also provided two 'train the trainer' sessions to support and upskill scheme managers. ICVA has responded to all ad-hoc requests for advice and guidance on a vast range of topics, including conflict of interest, training, volunteer management, escalation processes, custody issues and more.

How did ICVA represent schemes in 2022/2023?

ICVA represents independent custody visiting at several forums, including the National Preventive Mechanism, the Ministerial Board for Deaths in Custody, the PACE Strategy board and more.

Additionally, the Custody Operational Partners Working Group arose as a new group resulting from necessity during the pandemic. It is Chaired by the Home Office and includes representatives from the Home Office, College of Policing, National Police Chiefs Council, the NHS, Law Society, the National Appropriate Adult Network and, of course, ICVA. These meetings give ICVA a regular ability to represent independent custody visiting at a national level, highlighting emerging issues with relevant stakeholders for remedial action, acting as a consultative body for issues raised by others and sharing and celebrating joint work streams and ICVA policy work.

ICVA presented at the National Custody Forum, representing independent custody visiting across England and Wales, giving a general update on findings and a more detailed overview of the anti-rip work undertaken with Dyfed Powys.

ICVA has represented independent custody visiting schemes at the ongoing thematic meetings regarding new Custody Scrutiny Panels, ensuring that ICVs work is complemented rather than duplicated by the work of the new panels.

Business as usual / continuing services

ICVA delivers a number of services in addition to those for the annual thematic of anti-racism and QAF that it continued to provide across 2022/2023. These included:

- Delivering a weekly newsletter updating schemes on any national changes, lessons learned, best practice and guidance available to schemes and volunteers.
- Leading a network of schemes that visit terrorism detention to resolve challenges, identify issues and report to the Independent Reviewer of Terrorism Legislation.
- Representing independent custody visiting within the National Custody Forum and within other stakeholder groups.
- Engaging with academics to support work on improving police custody.

ICVA's Policy Work in 2022/2023

Anti-rip

Anti-rip clothing is intended to remove the risk of people creating a ligature out of their clothing to cause harm to themselves by replacing their own clothing, sometimes by force, with strengthened garments. In practice, anti-rip clothing itself creates a number of issues around safety and dignity.

ICVA has undertaken a thematic review of formal inspectorate reports with particular reference to the use of anti-rip clothing, which is almost always recorded as requiring improvement. Not all forces use the clothing. The reported improvements that were recommended include the proportionality of the use of the clothing, the justification of the use of the clothing and detainee dignity. In other words, the clothing is sometimes used where observations or an alternative method of risk reduction could be used and examples of the clothing being used, by force, in the absence of risk information, which was noted as being potentially punitive.



Dyfed-Powys police and OPCC agreed to undertake a pilot to look at their use and improve when the clothing is used, and the recording and decision making of its use. ICVA supported this work by producing a Red, Amber, Green (RAG) rating system for the ICVs to use to be able to give clear feedback to the force, some questions to use when looking at the custody record to establish the RAG rating and background and training along with the OPCC staff and the force itself.

ICVA released an interim evaluation of the Dyfed-Powys pilot in December 2022, making a series of recommendations for national improvements to be made in the monitoring and use of anti-rip clothing. Representatives from Dyfed Powys force and ICVA have met with other police representatives to share the work undertaken and resources. This thematic, including attaining formal responses to the recommendations, will be a continuing workstream for ICVA in 2023/2024.

Menopause

ICVA have been supporting and working with Sussex OPCC and the National Police Chiefs Council (NPCC) to make positive changes for menopausal detainees in police custody. These changes are required to ensure that symptoms are recognised, and an effective care plan is provided for detainees. Although detainees who are experiencing the menopause will make up a small part of the population of custody suites, symptoms need to be recognised and mitigated to ensure that the detainee is effectively safeguarded and able to engage with criminal justice.



A working group was convened with the OPCC, ICVA, NHS representatives and force leads, with a final report passed to Deputy Chief Constable Nev Kemp (NPCC Custody Lead) from the working group for action. The Sussex scheme manager has led on this area and undertaken some excellent work to produce training and guidance for custody regarding symptoms and potential considerations for detainees in custody experiencing the menopause and perimenopause.

The NPCC agreed to disseminate awareness training to all forces with a recommendation for a new screening question at booking in for women in custody, asking all women of 40 or over if they would like to access healthcare to discuss any potential issues with the perimenopause or menopause. This would then result in a care plan for the detainee's time in custody.

In January, ICVA's CEO attended an All-Party Parliamentary Group (APPG) Roundtable event regarding the menopause in the criminal justice system along with the Sussex PCC and scheme manager. We highlighted the joint work that had already been undertaken as well as the positive response received from stakeholders. The APPG and Chair expressed support for the workstream.

The NPCC will brand and release the training for custody staff regarding menopause and detainees in custody, expected to be disseminated by June 2023 and promote the use of the new referral pathway. Once this has been achieved, ICVA will work with Sussex and the NPCC on communications and, later in the fiscal year will ask schemes to monitor changes for impact.

In addition to this, ICVA will share this area of policy work with the National Preventive Mechanism (NPM) in the forthcoming year to share the learning across detention settings.

Lux Lighting

Sussex OPCC had reported that detainees were concerned about the levels of lighting in their cells and the impact that this was having on their ability to rest and approached ICVA for some assistance. ICVA had received previous reports on this issue and determined that the best approach was to contact the Ministry of Justice and National Police Estate Group (NPEG) via the College of Policing (CoP) and ask for a review of the current brightness levels (lux levels) of lighting in cells.



Agreement was reached to amend the Custody Design Guide to reduce the levels of light in cells at night-time. There was an amendment to the design guide lowering the lux levels by 33% for new build suites and large-scale refurbishments. At the request of Sussex OPCC, ICVA and the Home Office, consideration was then given as to what could be done in existing estates. The College was able to provide some guidance for forces on measuring lux levels and ways of reducing the light, ICVA provided context for the changes, and the National Police Chiefs Council (NPCC) wrote a letter which was sent to all Heads of Custody and Heads of Estates. ICVA also shared the letter in a newsletter and updated stakeholders with schemes. ICVA will examine the impact of this work in 2023/2024 via independent custody visiting schemes.



There were in excess of 6,500 visits in 2022/2023, meaning that visitors will have spent over 13,000 hours undertaking monitoring activities to protect the rights, entitlements and wellbeing of detainees in police custody.



ICV findings on the state of police custody

ICV schemes provided a wealth of independent feedback across this period, with both quarterly reports as standard, and national feedback on ad-hoc issues. ICVA publishes quarterly overviews of the findings in custody on the openness section of our website. Some of the main concerns in custody reported in 2022/2023 are noted below. All issues have been escalated to the relevant stakeholders via the Home Office Operational Partners Working Group meetings.

Staffing

Staffing has been a thematic area of concern from ICV reports throughout the reporting year. Healthcare staffing has been the area of most prevalent concern consistently in 2022/2023. Schemes have reported issues quarter on quarter regarding the effective staffing of healthcare in suites, with schemes reporting that detainees are unable to access healthcare in a timely manner with reports of detainees experiencing long waits.

ICVA surveyed schemes in October 2022 to establish the scale of the issue. 44% of respondents noted issues with healthcare staffing levels in their area. 39% of respondents noted issues with availability of mental health staff. Healthcare partners are aware of the situation in custody, and ICVA will continue to monitor and raise the issue.



In terms of custody staffing, there have been ongoing reports of a lack of female staff in custody, impacting on the ability of custody to be compliant with PACE Code C and high turnover of custody staff more generally leading to a lack of custody expertise.

Food Supplies

We received reports regarding the lack of availability of appropriate custody meals for detainees, leading to concerns regarding detainee welfare from independent custody visitors.



ICVA surveyed schemes and established that it was a widespread concern, so fed back to the National Police Chiefs Council, who were able to discuss the issue with the supplier. At the time of writing, ICVA has not received further reports of issues in this area but will monitor and escalate should the issue re-occur.

Detainee Dignity

Ongoing reports from schemes were received regarding detainees having to request toilet paper from custody staff and detainees not being informed that the toilet areas were pixelated effectively. These reports have been escalated on a local level, and there have been encouraging reports of changes made in this area with some custody suites giving out 'first night packs' or similar, including toilet paper.



National Preventive Mechanism (NPM)

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 up 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
- His Majesty's Inspectorate of Constabulary and Fire and Rescue Services
- His Majesty's Inspectorate of Constabulary in 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.
- Submit proposals and observations on existing or draft legislation.

ICVA's Chief Executive (former Chief Operating Officer) retained the position of being the ICVA lead for the UKNPM and was a member of the UKNPM steering group across 2022/2023. ICVA regularly contributes to UKNPM thematic work including responses to international committees on torture prevention.

The UKNPM had a busy year in 2022/2023. Members were consulted on a new constitution to formalise agreements between bodies and new staff were recruited to two roles. The UKNPM has drafted a new, two-year business plan to be consulted on and approved at the same time as the constitution in April 2023.

Openness

You can track ICVA's progress against business plans year on year on the [Openness](#) page of the ICVA website.

This page contains all quarterly performance updates presented to the board and Home Office on the annual business plan. You can find the year end detailed overview of 2022/2023 and all of ICVA's work and achievement against the business plan [here](#). All outputs in the business plan were achieved other than the recruitment of a new Chair, which was postponed by agreement.



What next for ICVA?

Looking forward to 2023/2024, we will have a renewed focus on delivering the basics, ensuring we are well placed to continue to support new and existing Scheme Managers. This will include reviewing our Scheme Manager induction materials and developing more training for ICVs on custody processes. We will also be preparing for the Police and Crime Commissioner elections in 2024 and continuing to work on policy areas such as women in custody and the use of anti-rip suits.

2023/2024 will see ICVA with a new, permanent Chair and will also see the completion by schemes of the Quality Assurance Framework 2, with resultant communications and awards to celebrate independent custody visiting schemes across the United Kingdom.

Internal priorities

ICVA's Board of Directors conducts regular work to stay fit for purpose. ICVA regularly reviews its legal requirements, fiscal position and strategic requirements.

A new Chair will join ICVA in 2023 and it is anticipated that additional board members may be sought thereafter.

Annual reporting requirements

Purposes and governance

ICVA reviewed its Articles of Association, amending them in December 2021. ICVA's Articles are available via [Companies House](#).

The Company's objects are restricted specifically, in each case only for the public benefit to:

- The advancement of human rights among persons who are held in custody in the United Kingdom and elsewhere by developing and promoting the efficient and effective provision of custody visiting.
- The advancement of education in matters and issues concerning the rights, entitlements, health and wellbeing, and the conditions of facilities, of persons who are held in custody in the United Kingdom and elsewhere.
- The promotion of ethical standards of conduct and compliance with the law across public and private sector organisations responsible for the welfare of persons held in custody in the United Kingdom and elsewhere.

ICVA is governed by its Articles of Association. ICVA is a not-for-profit organisation and is a Company Limited by Guarantee.

ICVA's Board of Directors manages the legal, fiscal and strategic responsibilities of the organisation. Natasha Plummer is the Interim Chair of the Board and acts as line manager for the Chief Executive who, in turn, manages further staff.

The National Expert Forum (NEF) membership overlaps with the Board of Directors and brings together Scheme Managers and ICVs to share practice, learning and carry out joint projects.

ICVA's NEF nominate 'member directors' to sit on the Board of Directors. These members are complemented by 'external directors' who are recruited to deliver specialist knowledge and abilities to the organisation. Member directors must always comprise the majority of the Board of Directors. Directors appoint the Chair and Vice Chair.

Directors and staff

The following people have acted as directors for ICVA across 2022/2023:

- Moawia Bin-Sufyan
- Niamh Byrne
- Katie Beaumont
- Erika Dallinger
- Rosanna Ellul
- Nicholas Hardwick
- Lucy McKay
- Natasha Plummer, Interim Chair
- Elise Pout
- Kirsty Scott
- Elizabeth Shenton
- Emily Spurrell
- Martyn Underhill, Chair
- Rachael Waldron

The following people have worked for ICVA in 2022/23:

- Ashley Bertie, Chief Executive
- Sherry Ralph, Chief Operating Officer, Chief Executive from November 2022
- Jenna Walop, ICVA Intern
- John Eagles, CPFA, Honorary Treasurer
- Joanne Nicholls, Company Secretary

Financial Review

Please see the additional financial report, which outlines ICVA's financial position at the end of the financial year.

ICVA holds approximately six to nine months of reserve funding, in line with best practice and deemed appropriate due to its reliance on a single funder for the majority of its funds.

In the year 2022/2023 ICVA had a considerable underspend due to staffing vacancies over the course of the year. The full details of this underspend will be available after the accountants have been signed off at ICVA's Annual General Meeting in July 2023.

The ICVA proportion of this underspend has been agreed to be used on a number of member priorities that include the commissioning of a Gypsy, Roma, Traveller awareness session for ICVs and back paying an officer for additional responsibilities and activities. We await a decision from the Home Office regarding a proportion of the underspend, but if able to be retained, monies will make amends for some of the losses ICVA incurred at the 2023 conference due to train strikes and potentially assist with funding an additional post.

ICVA will continue to rely on Home Office and membership support for income in the forthcoming year and anticipates remaining a going concern.

Further information



www.icva.org.uk



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[@projectICVA](https://twitter.com/projectICVA)



info@icva.org.uk