

# THE INDEPENDENT CUSTODY VISITING ASSOCIATION

ANNUAL REPORT 2023/24



## MESSAGE FROM THE CHAIR

I was delighted to take up the post of ICVA's Chair in the summer of 2023. I come to ICVA having most recently been the Chair of the Independent Monitoring Board (IMB) in prisons and a member of the steering group of for the UK's National Preventive Mechanism.




I would like to record my thanks to Natasha Plummer for her time as Interim Chair before my appointment. Natasha steered the organisation with the same dedication and passion she gave during all of the nine years she was on the board, serving as Vice Chair for much of this time. She supported ICVA's officers on some of its most impactful workstreams including the PACE Code amendments to provide effective menstrual care for detainees and the development of ICVA's anti-racism action plan. I would like to thank Natasha for her support, inspiration and to wish her well for the future.

As part of an organisational restructure, ICVA created a new post, Member Engagement and Training Manager, and we were very happy to appoint former ICVA intern Jenna Walop to the post after a competitive process. We also welcomed a new staff member, Kim Goulden, during the reporting year. She joined ICVA in May 2023 as Office Manager and Bookkeeper. Kim has been working diligently on ICVA's office functions to ensure that we remain fiscally lean and fit for purpose.

To ensure that it continues to deliver for its members, ICVA made three commitments for 2023/2024. They were:

1. **Deliver an excellent service on the basics** – Our PCC and policing body members have told us where they need further support, and we will deliver it to ensure that independent custody visiting schemes are consistently strong, stable and delivering on their statutory duties.
2. **Continue to deliver best value** – We will not raise our subscriptions for members in 2023/2024 ensuring we continue delivering excellent value for PCC and policing body members.
3. **Celebrate and share successes** – ICVA commits to sharing the successes of member PCC and policing body schemes and continuing to raise the profile of independent custody visiting nationally.



ICVA has delivered on these commitments in-year, with schemes feeding back very positive results. 93% of schemes reported they are satisfied or very satisfied and 97% consider an ICVA subscription good or excellent value.

ICVA celebrated its members' achievements in the second quality assurance framework (QAF) awards in November 2023. 44 of ICVA's 46 members undertook the assessment process, with high levels of engagement and many schemes building on previous awards levels. If you are interested in reading more about the ICVA QAF, you can do so [here](#). In brief, the awards ask schemes to assess their compliance with the independent custody visiting Code of Practice. There are higher levels for schemes which are able to demonstrate extra work in holding the force to account, communications, managing volunteers and so on. I was delighted to attend the awards ceremony to meet many scheme managers and celebrate their achievements.

At the start of my tenure, I joined volunteers in two custody suites in London and Suffolk. They were very different environments, but showed the importance of independent visits: for example, when there were discrepancies between what was in the custody record and what had actually happened. The prevalence of mental health concerns was very noticeable, and underlines the need for appropriate alternatives to police custody. I wish to thank the volunteers for having me along and their ongoing work.

It's also clear that there are aspects of the current Code of Practice that need revision, in order to support the confidentiality of interactions with detainees, and to ensure immediate access to custody suites and to all the information ICVs require to satisfy themselves that detainees are treated fairly and humanely to bring the Code into line with Human Rights standards. Revision of the Code is in this year's business plan, and we will be putting proposals to the Home Office.

So, 2024/2025 will be an exciting year. We've been able to fund a new full-time post of Development Manager, and will be developing a digital transformation strategy – while of course continuing to deliver for our membership.

My thanks to all the ICVs and scheme managers, and to Sherry and the ICVA staff, for your invaluable work during the year.

**Dame Anne Owers**  
**ICVA Chair**  
**July 2024**

## The Independent Custody Visiting Association

The Independent 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



## How did ICVA lead schemes in 2023/2024?

### Referral Pathway for Menopause Symptoms

Over two years, ICVA has worked with the Sussex Office of the Police and Crime Commissioner on a project to establish a new referral pathway in police custody in England and Wales.

A top priority in police custody or in any kind of detention must always be the care of those detained. Detainees are rendered uniquely vulnerable by their detained status and are reliant on the state for their basic needs and care.

As a result of the joint work of the Sussex OPCC and ICVA, focusing on the potential impacts of perimenopause and menopause for those in custody, the National Police Chiefs' Council (NPCC) supported a recommendation for all forces to implement a new referral pathway for women in police custody.

All forces were asked by the NPCC in August 2023 to ensure that women entering custody aged 40 and over<sup>[1]</sup> are asked at the point of being booked in to custody if they would like to speak to someone from healthcare regarding perimenopause, menopause or post-menopause symptoms. If the detainee accepts this offer, they will then see a healthcare practitioner to discuss their individual needs and a care plan can be produced for their time in police custody.

ICVA will monitor the uptake of this referral pathway and impact of the workstream in 2024/2025 and will recommend amendments to the College of Policing Authorised Professional Practice for custody in order to assist with embedding good practice.

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[1] All parties to the work acknowledge that perimenopause and menopausal symptoms may be experienced by detainees under this age, and it may be that, on further review post implementation, the criteria for the screening question is amended.



## National Security Act

In December 2023, the National Security Act came into force in England and Wales. This legislation included the detention of people under section 27 and schedule 6 who, like those detained under the Terrorism Act 2000, can be detained for up to 14 days without charge.

Working with the Independent Reviewer of Terrorism Legislation, Homeland Security and the Home Office Police Powers Unit, ICVA attained agreement that monitoring of this cohort of detainees was required and that the ICV remit (with specifically trained and security cleared ICVs) should be extended to include those detained under the new powers.

ICVA amended visiting forms and produced frequently asked questions and answers for volunteers and schemes. The training resources for ICVs will be updated in 2024/25.

## Clothing Removal and Anti-Rip Clothing in Custody

ICVA has previously shared work on inappropriate removal of clothing in custody for 'welfare' purposes and its replacement by anti-rip suits. We produced a report in December 2022 with a series of recommendations.

Whilst a full update report on the recommendations and responses will be published in 2024/2025, work continued during 2023/2024 to work with forces interested in examining and reducing the problematic use of anti-rip clothing, to share the recommendations and findings with stakeholders, and to continue to raise awareness of the issue across policing.



## Quality Assurance Framework (QAF)

As noted in our previous annual report, QAF 2 launched on 01 April 2022 (with the assessment window concluding in September 2023) with all but two of ICVA's UK members taking part.

In brief, the QAF is a framework for the locally run schemes to help them to:

- Reflect on how they comply with the Code of Practice, the legislation that underpins custody visiting;
- Celebrate areas of strength;
- Promote custody visiting and the achievements they have made;
- Drive up performance of schemes; and
- Increase sharing of good practice and resources across schemes.

Members must assess their performance and provide evidence against a number of criteria, attaining management sign off for each. During the reporting year, ICVA completed assessments and dip sampling of Silver, Gold and Platinum schemes to ensure consistency of evidence. Further details on the QAF process can be found on the ICVA website.

In November 2023, ICVA held a QAF awards ceremony in Birmingham, with Dame Anne Owers opening the event and an address from the Home Office Police Powers Unit. ICVA received incredibly positive feedback following the event.

**We are delighted that ICVA have a quality assurance framework which recognises the outstanding contribution and achievements of our independent monitoring processes. The framework scrutinises our practice in many areas, ensures we are performing at the highest level and achieving the best outcomes for vulnerable detainees in police custody**

**We have been able to positively highlight and celebrate key areas of strength within our scheme, although it has required a lot of hard work, dedication and most importantly patience. As Scheme Manager, I am so grateful to of received consistent support from the ICVA.**

## How did ICVA support schemes in 2023/2024?

### Training

ICVA produced a series of bitesize training videos for members and ICVs in the reporting year, focused on the agreed annual theme of 'Back to Basics', assisting members to train new and existing volunteers on a number of custody processes.

#### **Bitesize training modules for ICVs produced on the back-to-basics theme of:**

- Arrivals and booking in
- Reviews, observations and rousals
- In the cell - rights and entitlements
  - Part 1: Policing perspective
  - Part 2: Role of the solicitor
- Detention clock, extensions and release

#### **Induction training manuals**

- New induction manuals were produced and included a pre-read document for new volunteers, a volunteer manual and a trainer's manual.
- The new manuals include some new features such as detail and legislation pertaining to all parts of the UK as well as Jersey, advice on running remote training sessions, new and updated scenarios and quizzes, and a list of suggested onwards training.

#### **Scheme Manager Training:**

- An induction video for scheme managers was produced.
- Induction distance learning for scheme managers was refreshed and re-launched.

### Briefings/other resources

In addition to supporting schemes with the back-to-basics theme as per the business plan commitment, ICVA supported schemes by responding to scheme requests for additional work, producing:

- Guidance on neurodivergent ICVs for scheme managers
- Briefing on ICVs encountering detainees they know
- Briefings on confidentiality of visits
- Briefing on introductions and refusal rates
- Briefing for when ICVs are 'advised not to see' detainees
- Learning disability bitesize training
- Religion in police custody bitesize training
- Amended and updated county lines briefing



## Other support

ICVA has offered further additional support to its members throughout the year by:

- Running refresher sessions for ICVs
- Producing a short recruitment video to assist with TACT recruitment
- Completing ICVA inductions with all new scheme managers
- Conducting HMICFRS inspection preparation and feedback meetings post inspection.

## Business as usual/continuing services

ICVA delivers a number of services in addition to those for the annual thematic, in 2023/2024 these included:

- Regular newsletters
- Two conferences, one in person conference for ICVs, and an online conference for scheme managers
- TACT Network
- TACT ICV event
- 2 Train the Trainer Sessions for 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.

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## FACTS AND FIGURES FROM THE YEAR

**6,600**

VISITS

For the year 2023/2024 (April - March), ICVs across the UK undertook more than 6,600 visits, interacting with over 23,000 detainees and providing some form of alternative monitoring for an additional 7,200 people in custody.

**23,000**

INTERACTIONS

From the areas we have received returns for, over 83,800 people were detained in police custody in 2023/2024 with an overall average of 2.8% of the detainee population across the UK getting a visit or form of oversight from an ICV.

**13,200**

HOURS

Visitors will have spent over 13,200 hours in 2023/2024 undertaking monitoring activities to protect the rights, entitlements and wellbeing of detainees in police custody.

## How did ICVA represent schemes in 2023/2024?

### Children in Police Custody

ICVA has undertaken engagement work in particular on two strands of ongoing work regarding children in custody.


Firstly, ICVA gave evidence at an All-Party Parliamentary Group (APPG) for Children in Police Custody. The specific topic for the evidence session was the scrutiny and monitoring of children in police custody. ICVA surveyed members to establish an evidence base for the session, working on possible questions and responses. The key message from ICVA was that there is inconsistency in police practice reported by monitors, and inconsistency in terms of the focus that children in police custody are given by schemes and ICVs. ICVA noted that police custody would benefit from consistent guidelines and potentially a separate PACE Code or Annex specifically for children. ICVA reported that this would provide a clearer framework for monitors. The CEO commented at the APPG that there was inconsistency in terms of scrutiny panels and their focus, with some but not all prioritising children and their treatment in custody, and some areas lacking scrutiny of the treatment and arrangements for child detainees.

The second strand of work that ICVA has engaged in has been roundtable events regarding strip searching, in particular of children, led by the Home Office. ICVA has been an active member of these events and will respond fully to the consultation on any PACE amendments suggested by the Home Office regarding strip searching of children in 2024/2025.

### Representing Custody Visiting at National Meetings

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

The Custody Operational Partners Working Group is held fortnightly. It is chaired by the Home Office and includes representatives from the Home Office, College of Policing, National Police Chiefs Council, 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, sharing joint work streams and ICVA policy work.



ICVA presented at the National Custody Forum in 2023, focusing on work around anti-rip clothing use, lux lighting and the emerging workstream of a menopause referral pathway.

### **National Prevention Mechanism (NPM)**

ICVA is a member of the UK's NPM, representing independent custody visiting for England and Wales. The NPM 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 is the ICVA lead for the UK's NPM and continues to be a member of the NPM steering group. ICVA regularly contributes to NPM work including responses to international committees on torture prevention.

In the reporting year, ICVA and Sussex OPCC have worked with the NPM to share knowledge and raise awareness of perimenopause/menopause with monitors of other detention types across the UK. An awareness video has been produced for the wider membership and ICVA and Sussex OPCC will support the NPM to produce a toolkit for monitors in 2024/2025.

ICVA's CEO is also a member of the NPM Task and Finish group to establish an agreed definition of detention settings across the membership.



**This year the NPM and ICVA have worked increasingly closely together to prevent ill-treatment in police custody.**

**The work of custody visitors directly supports the fulfilment of the OPCAT and feeds into the national and international human rights reporting cycle.**

**The NPM is 15 this year and has an international reputation for best practice. This is built upon the observations and interventions of the 3500 individuals who make up the NPM, entering places of detention throughout the year. Because of the work of custody visitors and ICVA, the NPM was able to point out an array of risks to the UN Human Rights Committee this year, resulting to recommendations to the UK on improving practices. The NPM reported on the lack of proportionality and justification in the practice of using anti-rip clothing without risk information and sometimes by force, with evidence of the unnecessary use of the clothing for detainees on level four observations. It raised serious concerns about detainee dignity, particularly when clothes were removed by force or detainees left naked as a way to manage behaviour. This work has been represented by ICVA to national and international level.**

**The perspective of custody visitors has been indispensable in the ongoing development of an NPM toolkit on monitoring the treatment of women experiencing the menopause in all custody settings, building on the work done by ICVA and Sussex OPCC and incorporating a human rights framework to underline the UK's obligations.**





## 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 our website. Some of the main concerns in custody reported in 2023/2024 are noted below. All issues have been escalated to the relevant stakeholders via the Home Office Operational Partners Working Group meetings.

### Staffing

As in previous years, staffing has been the most reported thematic area of concern in ICV reports throughout the reporting year. Schemes have reported issues quarter on quarter regarding the effective staffing of healthcare in suites, with reports that detainees are unable to access healthcare in a timely manner and reports of detainees experiencing long waits.

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 staffing of custody more generally being lacking, leading to issues in ICVs gaining access to undertake their visits and impacting on detainee treatment, particularly in terms of entitlements such as showers and access to fresh air.

### Vulnerability

ICVs have reported across the year that they see detainees who they would assess as vulnerable, but where either the detainee has not been assessed for vulnerability or an assessment has determined that the detainee is not vulnerable enough to meet the PACE safeguard of requiring an appropriate adult (AA).

ICVs are encouraged to report whenever they have concerns about the vulnerability of a detainee and raise any ongoing issues with their scheme manager and the OPCC for review and further action. Evidence from the Home Office Custody Statistics and the National Appropriate Adult Network suggests that the identification of vulnerability varies significantly from one force to another.

ICVs also regularly report on long wait times for both children and vulnerable adults, meaning that their time in custody is likely to be longer than it might otherwise be.

## Reviews

Schemes have reported issues with detainees being notified of when sleeping reviews have taken place. Where a review occurs during a detainee period of rest, the detainee should be notified of the review when awake and the outcome of that review. This does not always take place, and where ICVs see this in custody they are raising it via their reports. This is an area that the inspectorate frequently notes requires improvement in its reports.

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## 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 2023/2024 and all of ICVA's work and achievement against the business plan [here](#). All outputs in the business plan were achieved.

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## What's next for ICVA?

Looking forward to 2024/2025, we will be undertaking the following key activities in addition to a range of business-as-usual membership benefits:

### **Police and Crime Commissioner Elections**

PCC and Mayoral elections take place across England and Wales in early 2024. ICVA will provide new Mayors/PCCs with the information, resources and support they need to fulfil their statutory duty of running an independent custody visiting scheme. ICVA will work with the Association of Police and Crime Commissioners to highlight the importance of the work to meet international standards of monitoring.

### **Development of a Digital Transformation Strategy**

Following a consultation with ICVA members, several digital transformation priorities were identified, such as consideration of training, monitoring of training delivered and collation of reports from ICVs and schemes.

To enable longer term transformation, the priority for 2024 is to develop a Digital Transformation Strategy. ICVA recognises that this work will require additional funding to meet what are likely to be ambitious goals. ICVA has committed funds to recruit a Development Manager in 2024 to assist with the development of the strategy and raise funds to meet its aims.

### **Review of Code of Practice**

The Code of Practice was developed by the Home Office and has been in operation since 2013. Many areas of scrutiny have developed and changed in this time, and it has been agreed that the current Code requires amendments, not least to ensure its compliance with the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. ICVA will undertake a review of the Code along with stakeholders to help inform a Home Office review in due course.

### **Internal priorities**

ICVA's Board of Directors conducts regular work to stay fit for purpose. The ICVA board will hold an away day in 2024 to consider future priorities for the organisation.

ICVA regularly reviews its governance, legal requirements, fiscal position and strategic requirements.

## 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. Dame Anne Owers is the Chair of the Board and acts as line manager for the Chief Executive who, in turn, manages other staff members.

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 nominates 'member directors' to sit on the Board of Directors. These members are complemented by 'external directors' who are recruited to provide specialist knowledge and abilities to the organisation. Member directors must always comprise a 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 during 2023/2024:

- Dame Anne Owers
- Emily Spurrell
- Katie Beaumont
- Erika Dallinger
- Natasha Plummer
- Elise Pout
- Kirsty Scott
- Elizabeth Shenton (stepped down July 23)
- Rachael Waldron
- Moawia Bin-Sufyan
- Niamh Byrne
- Rosanna Ellul

The following people have worked for ICVA in 2023/24:

- Sherry Ralph, Chief Executive
- Jenna Walop, Membership Engagement and Training Manager
- Kim Goulden, Office Manager and Bookkeeper
- John Eagles, CPFA, Honorary Treasurer
- Jo Nicholls, Company Secretary (stepped down July 23)

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## **Further information**

**[www.icva.org.uk](http://www.icva.org.uk)**

**Twitter: @custodyvisiting  
@projectICVA**



## Financial Review

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

At the end of 2023/2024 ICVA held approximately 9 months of reserve funding, with the ICVA board agreeing to reduce this over the forthcoming two years by employing a new post of Development Manager. This will reduce reserves to approximately three months, which is in line with small charities without premises. This post will support the CEO with communications and policy work, and will also have a fundraising element, to consider how ICVA can attain funding for project activities from the Digital Transformation Strategy.

At the end of the fiscal year 2022/2023 ICVA reported an underspend, which the Home Office allowed ICVA to retain in 2024/2025 to fund the new post, and to assist with a large loss on the annual conference due to train strikes.

In 2023/2024 there was a small underspend, which will be added to the funding for the development manager post and rebuild of the ICVA members website.

ICVA continues to receive funding from two sources: a Home Office grant, and membership fees.