

30th July 2025

Re: Delays in access to custody for ICVs

Dear Colleague

As I am sure you are all aware, Independent Custody Visitors are a statutory function of the PCC (and equivalents) for ensuring that detainee rights, entitlements and wellbeing are upheld in our custody suites. I know you all value the feedback from your local schemes greatly, and I thank you for your ongoing work to facilitate these visits, an integral check and balance for detainees, and the force themselves.

Concerningly, ICVA have reported to us a spike of visits nationally (with 25% of their membership reporting issues) that are being delayed or abandoned due to custody not letting the ICVs in upon their arrival.

The Home Office Code of Practice for Independent Custody Visiting states at Paragraph 49 that,

ICVs must be admitted to the custody area immediately. Delay is only permitted when immediate access may place the visitors or another individual within the custody area in danger. A full explanation must be given to the visitors as to why access is being delayed and that explanation must be recorded by the visitors in their report.

Common instances reported by schemes where ICVs have faced delayed or denied access include:

- Lack of available staff
- Handover taking place
- No explanation offered

None of the instances above are a lawful reason for denying or delaying entry to an ICV. It is recommended in these instances to allow ICVs into the suite immediately as per the Code and then allow them to wait somewhere safe inside the suite (some areas have dedicated waiting rooms, while others may wish to let the ICVs wait behind the bridge for example).

I would urge you all please to ensure that the visitors in your area are allowed entry without delay, other than in those cases whereby there is an immediate danger as per the statutory requirement for forces to do so.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact my staff officer, Simon Barnes.

Yours faithfully,



Ivan Balhatchet
Chief Constable