

**West Yorkshire
Independent Custody Visiting
Scheme Annual Report
2021-2022**

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Foreword

Welcome to the 2021/22 West Yorkshire Independent Custody Visiting Scheme Annual Report. Please do take time to read the report which outlines the amazing work of our Independent Custody Visiting Volunteers over the last year.

Once again, despite the risks and restrictions posed by Covid-19, our ICV volunteers continued to offer face to face visits to people held in custody suites, across our region. In 2021/22 there were 267 visits (up from 204) to 1098 detainees, which were undertaken by 22 volunteers. This equates to 5 visits every week by volunteers in West Yorkshire.

It goes without saying that without the time, professionalism and dedication given by our ICV volunteers, the experiences of people detained within West Yorkshire custody suites could be compromised and it is only because of their service that the rights and entitlements of detainees are assured.

I want to thank all our volunteers for their tremendous hard work and would also ask that if you are interested in following their terrific example, you would be warmly welcome to the Mayor's Police and Crime Team family.

Alison

**By Alison Lowe OBE
Deputy Mayor for Policing and Crime**



Overview

West Yorkshire

- Five local authorities of Bradford, Calderdale, Kirklees, Leeds and Wakefield.
- Fourth largest police service area in England and Wales.
- Over 2.3m people with 973,000 households.
- Just under a third of the population are under 24 and almost 17% are over 65.
- 95,000 businesses with a 1.1 million workforce.
- £57.6 billion economy – bigger than 9 EU countries.
- UK’s largest regional finance centre.
- More manufacturing jobs than anywhere in the north.
- 1.6% of the land area of England, and 4,600 hectares of national parks.
- 5 universities, 101,000 students and 30,000 graduates each year.
- 18% of the population from a minority ethnic background.
- An economy worth £50 billion with the lowest unemployment claimant rate of any metropolitan region in England, outside of London.
- Over one third of our neighbourhoods are within the top 20% of the most deprived in England.
- In West Yorkshire, 46,314 people were arrested and detained in police custody; on average, 127 people per day.
- Leeds and Bradford were the busiest suites by far, holding over 58% of the total number of detained people in West Yorkshire.
- 76% of respondents to our Your Views survey feel safe in their local area.
- 86 issues were raised by ICVs with the Policing and Crime Team, these are things which cannot be resolved immediately on site.

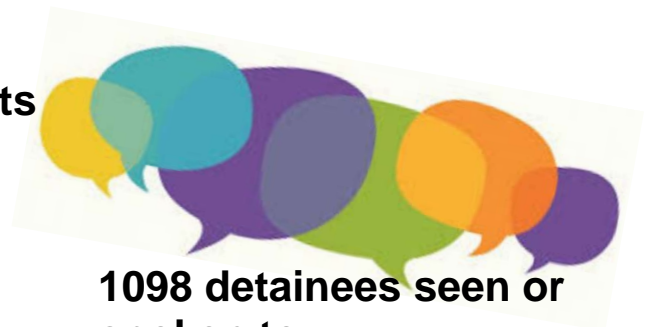
In 2021/22



22
volunteers



267 visits



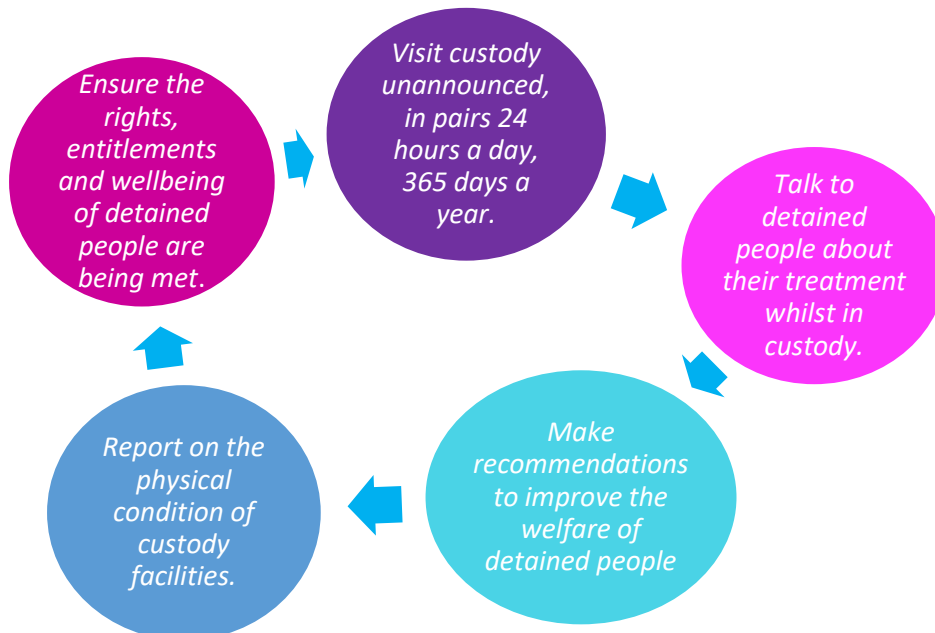
**1098 detainees seen or
spoken to**

Introduction

Administering an effective Independent Custody Visiting (ICV) scheme is a statutory responsibility of the Mayor or Police and Crime Commissioner. Robust systems must be in place to ensure that any issues with custody conditions or the people in them are highlighted and dealt with in the most appropriate way.

The ICV procedure is governed by a Code of Practice known as PACE (Police and Criminal Evidence Act) which is issued by the Home Office and promotes fair treatment for those detained in police custody. Independent Custody Visitors (ICVs) are volunteer members of the local community who are unconnected to the police or the criminal justice system, whose independence therefore allows them to monitor the detention conditions and procedures in West Yorkshire to provide transparency and reassurance to the public that detention processes and policies are being adhered to. ICVs talk to detained people about their treatment whilst in custody.

What does an ICV do?



Many people arrive in custody without understanding their rights and entitlements and it can be frightening and stressful, especially if it will be their first experience in custody. Independent Custody Visitors ensure that detainees understand their rights and entitlements whilst in custody and check on the detainees general feeling and welfare. Visitors can also check around the cells, and some areas of the custody suite, for example the food preparation area. Visitors complete a report during each visit to record their findings.

COVID

West Yorkshire was one of the few schemes to continue operating with face-to-face visits and ICVs were given key worker status to continue to visit custodies during the lockdowns. A number of the ICVs were shielding during COVID. In person visitor numbers were slightly up from 204 in 2020-21 to 267 in 2021-22.

Police Custody in West Yorkshire

West Yorkshire Police operate five main custody suites with a total cell capacity of 151:

| | |
|------------------------------------|----|
| Leeds District, Elland Road | 40 |
| Wakefield District, Havertop Lane | 35 |
| Bradford District, Trafalgar House | 34 |
| Calderdale District, Halifax | 21 |
| Kirklees District, Huddersfield | 21 |

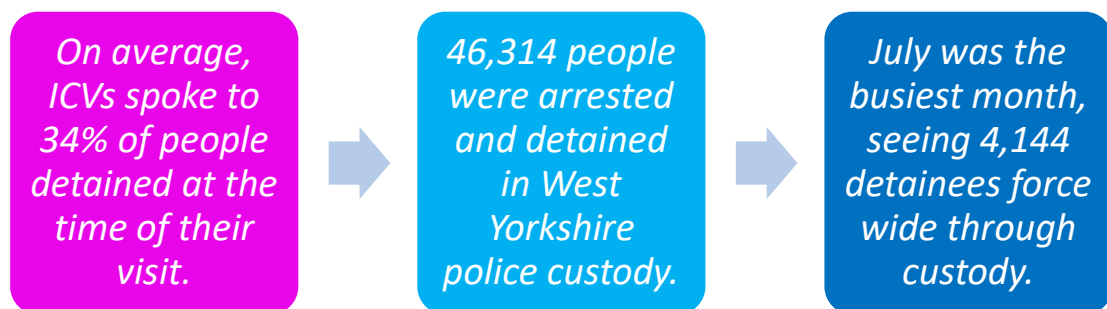
In addition to the main custody suites the force also has a resilience custody suite at Stainbeck with 34 cells available. This suite is ready to use in the event of increased demand across the force custody estate or at traditionally busy periods, (New Year’s Eve, Leeds Festival & Carnival etc.).

West Yorkshire Police also retain two other standby custody suites at Dewsbury (17 cells) and Pudsey (22 cells).

Should a custody suite close or the resilience suite or one of the standby suites open this is communicated to the Policing and Crime team by Custody Services so that ICV’s can be updated and arrange visits in accordance with standard protocols.

| Custody Suite | No. of visits to stations | No. of Detainees seen on ICV visit 2021-2022 | No. of detainees held at the time of the visit |
|---------------|---------------------------|--|--|
| Bradford | 42 | 314 | 888 |
| Calderdale | 32 | 151 | 308 |
| Kirklees | 44 | 182 | 375 |
| Leeds | 49 | 261 | 1156 |
| Wakefield | 44 | 190 | 543 |
| Others | 13 | | |

Figure 1 Shows the number of visits to each station and the total number of detainees seen on ICV visit against the total number of detainees held in custody at the time of the visit.



Our Volunteers

In April 2021, West Yorkshire had 22 volunteers.

West Yorkshire continues to promote inclusivity of all communities within its scheme, the demographics below outline the current proportion of volunteers based on age, gender and ethnicity:

| Gender | Male | Female |
|--------|------|--------|
| | 50% | 50% |

| Age | 18-30 | 31-40 | 41-50 | 51-60 | 61-70 | 71-80 | 81+ |
|-----|-------|-------|-------|-------|-------|-------|-----|
| | 5% | 9% | 0% | 23% | 41% | 18% | 4% |

| Ethnicity | White British | Asian or Asian British | Black or Black British |
|-----------|---------------|------------------------|------------------------|
| | 86% | 5% | 9% |

Figure 2 Shows the current demographics of ICVs in West Yorkshire

As well as organised learning and development sessions, ICV's are encouraged to conduct visits with people they have not previously undertaken a visit with. Sharing experiences and differing communication techniques is essential in ensuring the continued development and growth of both the scheme and the volunteers.

ICV evenings have been held online during COVID. An in-person experience day is planned for the summer of 2022.

Governance

ICVA Quality Assurance Framework

At the launch of the Independent Custody Visiting Association's (ICVA) national Quality Assurance Framework (QAF); whereby the West Yorkshire Scheme was awarded Gold in 2019. The next QAF will take place in 2023, the delay is due to COVID.

The framework is designed to bring continuity between schemes and unify the way in which custody visiting is managed and delivered. Our assessment was undertaken by another scheme manager, not local to our region and consequently the West Yorkshire scheme has been recognised as operating at a 'Gold' standard.



The Quality Assurance awards were introduced by ICVA to help schemes:

- ✓ 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 schemes have made.
- ✓ Drive performance and increase sharing of good practice

There were four graded levels of award:

- ★ Code Complaint - Scheme meets statutory requirements and necessary volunteer standards
- ★ Silver – Scheme provides a good standard of custody visiting and volunteer management
- ★ Gold – Scheme provides an excellent standard of custody visiting and volunteer management
- ★ Platinum – Scheme provided an outstanding standard of custody visiting and volunteer management

Reporting

ICVs complete a report for each visit which records requests from detainees on minor issues that can be addressed on site by custody staff; and additionally, to record more serious issues for the Policing and Crime Team to facilitate a resolve at a force wide level with Custody Services. These issues are discussed at ICV meetings and responses fed back accordingly.

Issues resolved by staff on duty at the time of the visit

As part of the conversation with ICVs, detainees can raise requests which ICVs note down and then ICVs may be able to facilitate a resolution on site with custody staff. Medical attention covers a wide-ranging field of requests, from pain relief for a minor ailment, such as a headache, sourcing medication from home, or seeing to minor injuries such as cuts, aches and bruising.

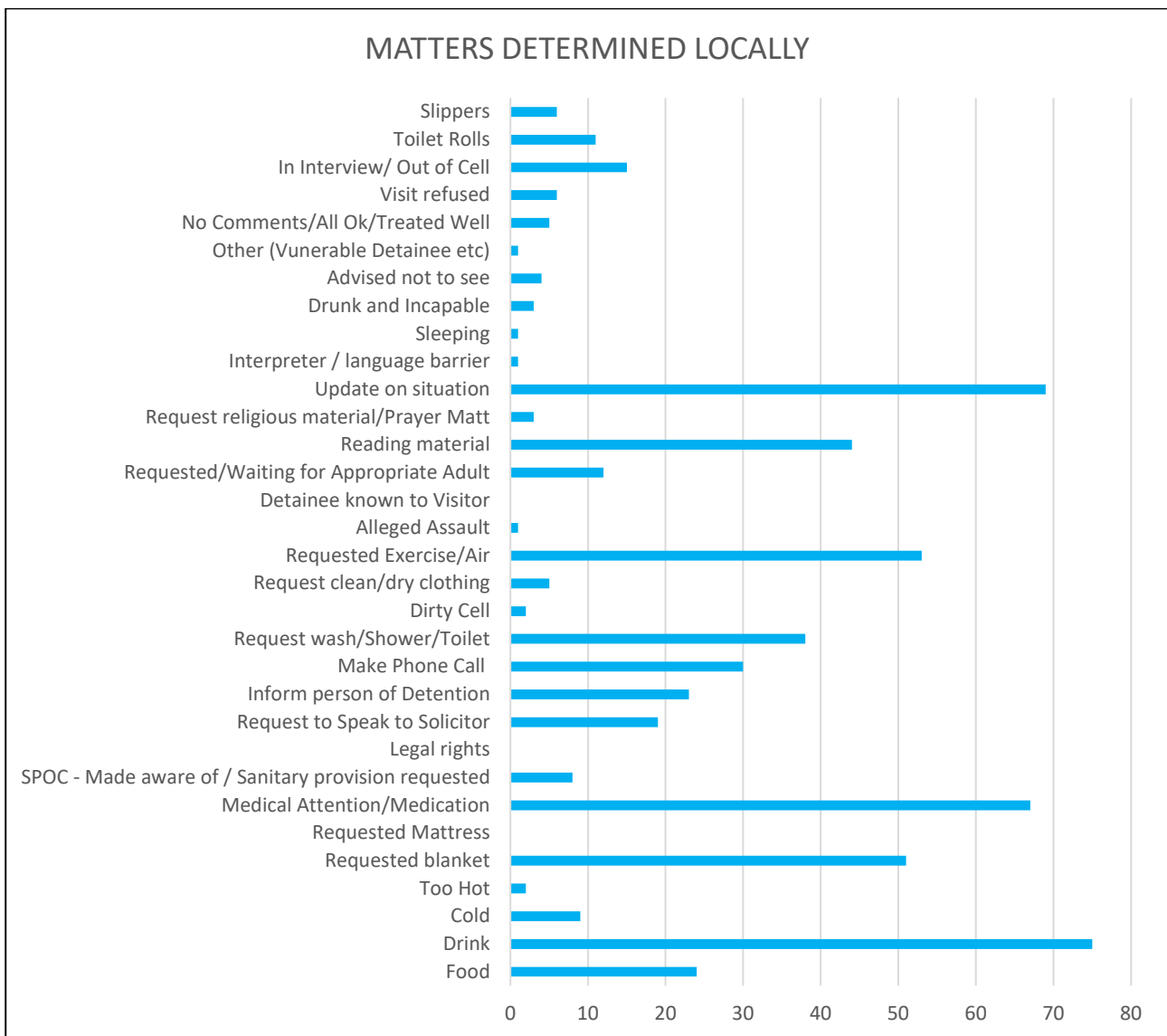


Figure 3 shows the number of each requests made by detainees where a resolution could be provided immediately on site

Issues Escalated to the Policing and Crime Team

86 issues were reported to the Policing and Crime Team in 2021/22 that the suite could not be resolved on site. These issues included but are not limited to: resourcing, physical equipment, PPE and food. All issues reported back to the Policing and Crime Team are followed up with Custody Services or as necessary and a full response of the resolve is relayed to the ICV's. The increase in numbers was mainly due to COVID and PPE.

Custody Visiting Data

In West Yorkshire, it is expected that as a collective ICVs will conduct one visit per suite, per week; 260 visits per year. Over the year, 267 visits were conducted which equates to 5 visits per week across the 5 operating custody suites; up on last year's visits. Of these visits 181 were rostered.

On average, people detained in West Yorkshire spent 10 hours and 4 minutes in custody.

Leeds was the busiest suite with 14,708 detainees held during 2021/22.

Leeds was the most visited custody suite by ICVs, with 49 total visits, closely followed by Kirklees (44), Wakefield (44) and Bradford (42).

There are a number of reasons why a rostered visit may not take place, for example, if a non-rostered visit has already taken place in the suite within a close proximity of the rostered one. COVID also affected the number of rostered visits, with not all ICVs undertaking visits during lockdowns.

Custody suites are obliged to allow the ICVs access to the custody suite as soon as practicable after they arrive. Our data shows that the average wait time for ICVs gaining access to custody was 8.4 minutes, which is within our expected range and considered reasonable.

Visits per Suite

The chart below shows the total number of visits in each custody suite. ICVs visited each suite proportionately achieving a consistent and co-ordinated approach.

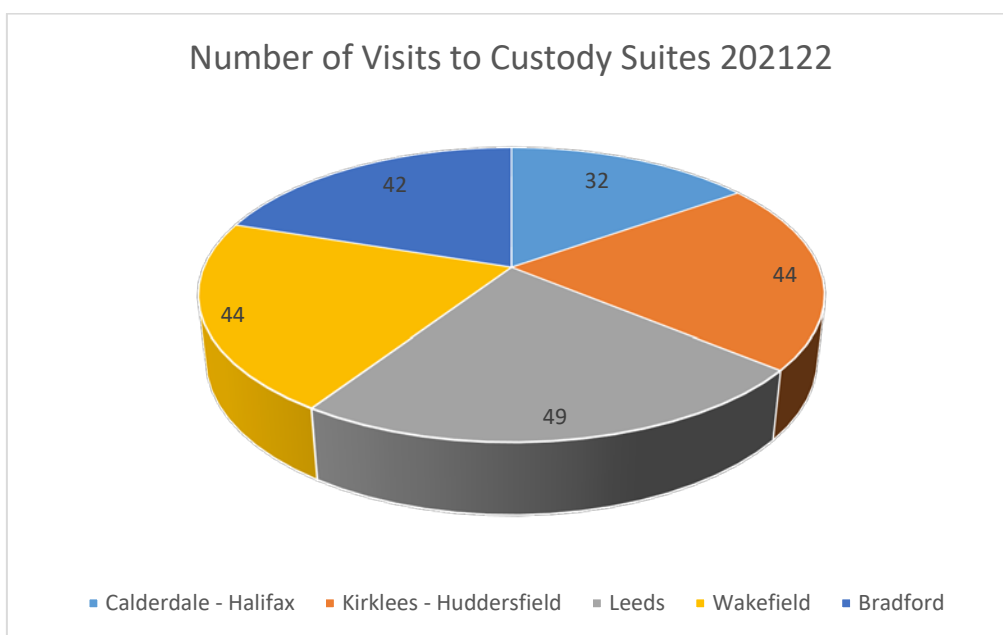


Figure 4 shows the number of visits to custody suites

Time of Day

ICVs are able to visit custody 24 hours a day, 7 days a week, 365 days of the year. They are particularly encouraged to visit outside of normal working hours i.e. before 08:00 and after 20:00, as this allows the data we collate to be more robust. In 2021-22, 17 visits took place before 08:00 or after 20:00 and this year.

Most visits were undertaken between 08:01 and 12:00 with 134 visits taking place during these hours. 50 visits took place between 12:01 and 16:00, and 62 visits took place between 16:00 and 20:00. The time of day that visits are undertaken is very much dependant on the available of hours of our volunteer ICVs, who must carry out their visits in pairs. Coordinating visits around personal and professional commitments can be challenging and it should be recognised that this variation in visit times is commendable.

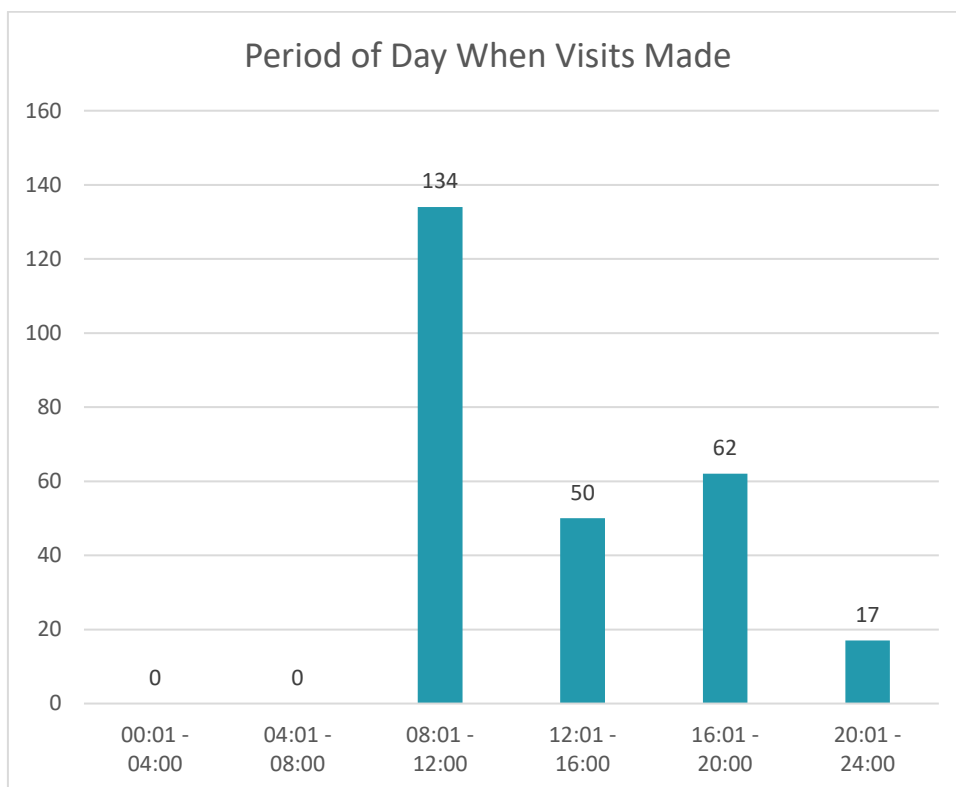


Figure 5 shows the number of visits carried out against the time of day

Day of the week

Visits were made over an equal spread during the week, visits on a Tuesday were most frequent with 51, and the least with 26 visits taking place, was Thursday.

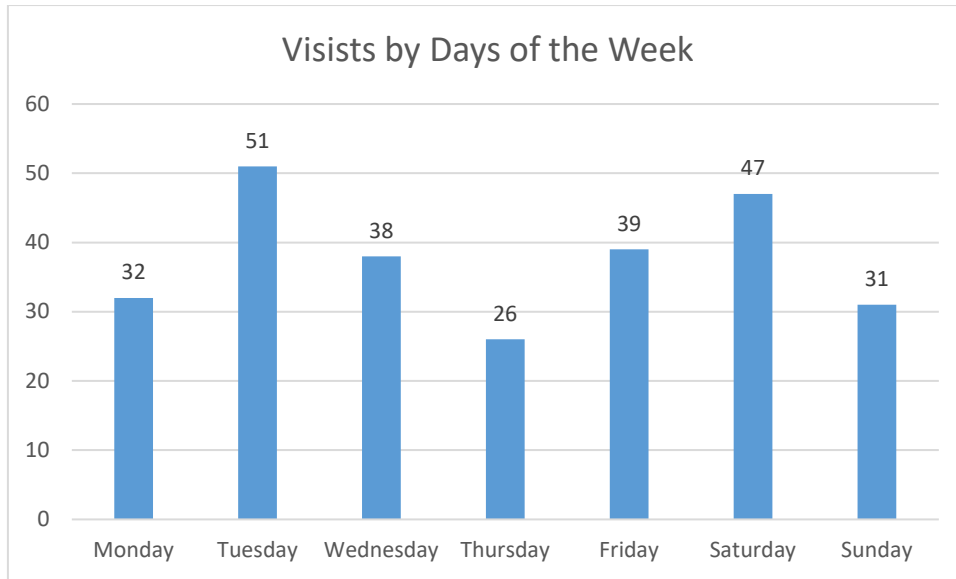


Figure 6 shows the number of visits carried out against the day of the week

Detainees Seen

ICVs continue to prioritise visits to those most vulnerable; females, children and vulnerable adults. ICVs are advised of detainees that they are unable to visit due to their personal safety, i.e. if they are violent, intoxicated etc. The below graph shows the percentage of detainees visited from the number of detainees in custody at the time of the visit, on average 33% of those detained are visited by an ICV.

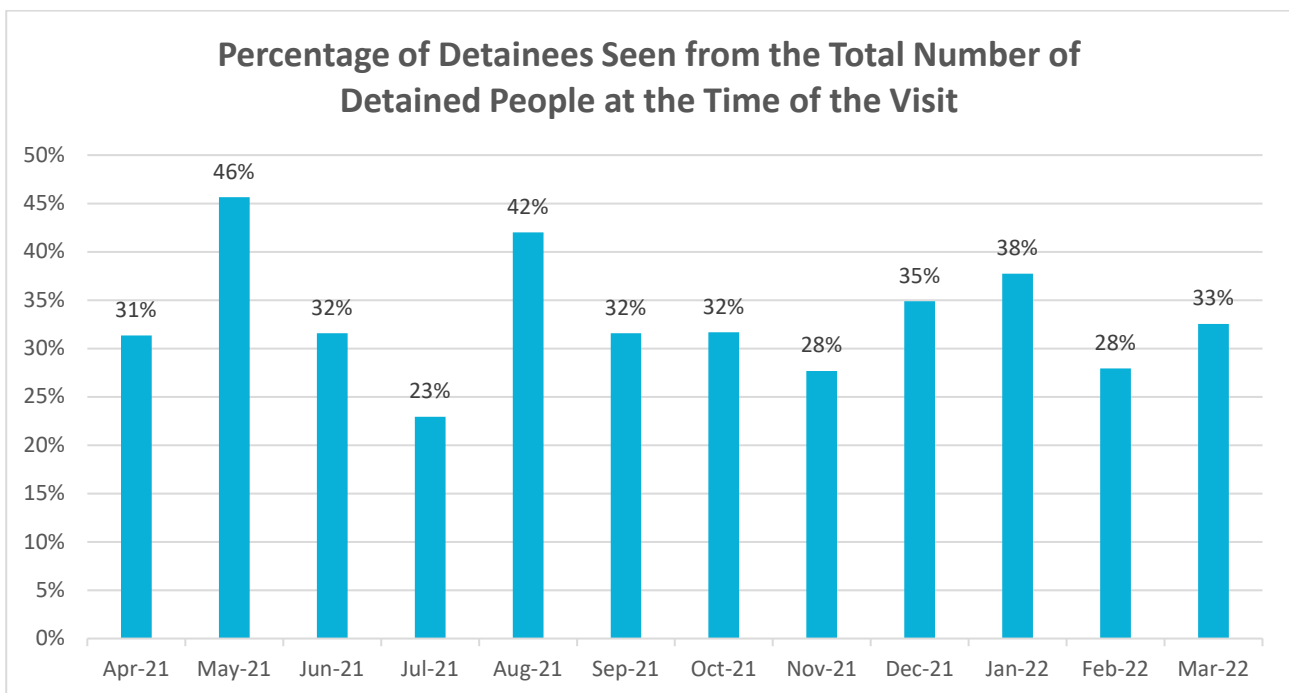


Figure 7 shows the percentage of detainees seen from the total number of detainees in custody at the start of a visit

Detainees Not Seen

Detainees are not obliged to accept an ICV visit. 93% of detainees who were offered a visit, accepted one. ICVs are encouraged to undertake 'self-introductions' rather than being introduced by a uniformed custody colleague to amplify the ICVs independent position. ICVs receive specific training on communication and personal skills, to support them in being approachable and to manage their unconscious bias in their communication and body language.

Code H

A national picture

The threat to the UK from terrorism is Substantial, meaning an attack is likely.

The CT policing network is currently working on a record number of more than 800 investigations. These investigations, the majority in partnership with MI5, focus on a range of activities, including fundraising, radicalising and preparing acts of terrorism.

Demands on CT Policing have increased by around a third, compared to the period before the 2017 attacks.

Working closely with MI5 and other partners we prioritise our resources against those cases that pose the most risk to the public.

Since March 2017, CT Policing and UK Intelligence Services have stopped 32 attacks.

In the 12 months to 31 March 2022 there were 196 CT related arrests. This is 27 more than the previous 12-month period and represents an increase of 16%. Of those arrested 38% were related to Islamist Terrorism, 51% to ERWT, with the remainder categorised as other, or unclassified. 6% were female and 15% were under the age of 18.

During the same period, 55 people were charged with terrorism related offences. 23 people were convicted of terrorism related offences, with 30 awaiting prosecution.

There were 42 pre-charge detentions under Section 41 of TACT 2000 in the year ending December 31, 2022. This represents an increase of 45% compared with 29 detentions during the previous year. Of the 42 detentions in the latest year, 23 led to a charge (55%).

National indications suggest the coming year is unlikely to bring any significant reduction in the volume of CT investigations.

North East region

West Yorkshire houses the North East Region's Terrorism Act (TACT) facility, which is opened on a reactive, need basis and is used to detain people who are arrested under PACE Code H. Persons detained under PACE Code H are persons who have been arrested on suspicion of being, or have been concerned in the commission, preparation or instigation of acts of terrorism or have been arrested for statutory offences as detailed in the Terrorism Act. Persons held under PACE Code H can be detained for up to 14 days, significantly longer than those arrested under PACE Code C of whom can be detained for up to 96 hours without charge; and the rights, entitlements and suite change accordingly to reflect the differing needs.

Each detained person held at the North East Region's TACT facility was spoken to by an Independent Custody Visitor within 24 hours. Issues raised by detainees with ICVs and locally resolved on site by custody staff included requests for reading material, a change of clothes and medical attention. One issue was raised by ICVs with the Policing and Crime

Team during these visits, a detainee was unable to shave due to safety concerns on using razor blades in custody; an appropriate electric shaver was sourced and bought for the detained person.

The Code H ICV Visit Protocol accommodates 24/7 contact between Code H ICVs and the custody suite during evenings, and states the need to arrange an ICV visit daily, where available.

Code H volunteers

ICVs must hold at least 18 months service as a Code C ICVs before they are able to train to undertake Code H Visits; undergo further vetting and receive additional specialist training. More recent ICVs will be eligible to become Code H trained in the next few months.

Training for Code H ICV's includes input from an expert West Yorkshire Police Counter Terrorism Unit (CTU) trainer, the ICV Scheme Manager and includes a physical tour of the dedicated suite.

Independent Reviewer of Terrorism Legislation (IRTL)

The Independent Reviewer's role is to inform the public and political debate on anti-terrorism law in the United Kingdom. This is done via regular reports for the Home Secretary or Treasury and laid before Parliament, in evidence to parliamentary committees, in articles and speeches, in media interviews and debates and online platforms

The role has complete independence from government, and comes with access based on a very high degree of clearance to secret and sensitive national security information and personnel. In performing the role, the IRTL speaks to the widest possible range of people with experience of how anti-terrorism law operates, including the police, those who are stopped, arrested and detained and ICVs. All ICV visit report forms with those who are arrested under Pace Code H are sent to the IRTL for review by the Policing and Crime Team.

Jonathan Hall QC was appointed in May 2019 to scrutinise and report on terrorism legislation. Jonathan works with Scheme Managers across the UK to support them in ensuring a transparent and dignified process for all persons detained under terrorism legislation.



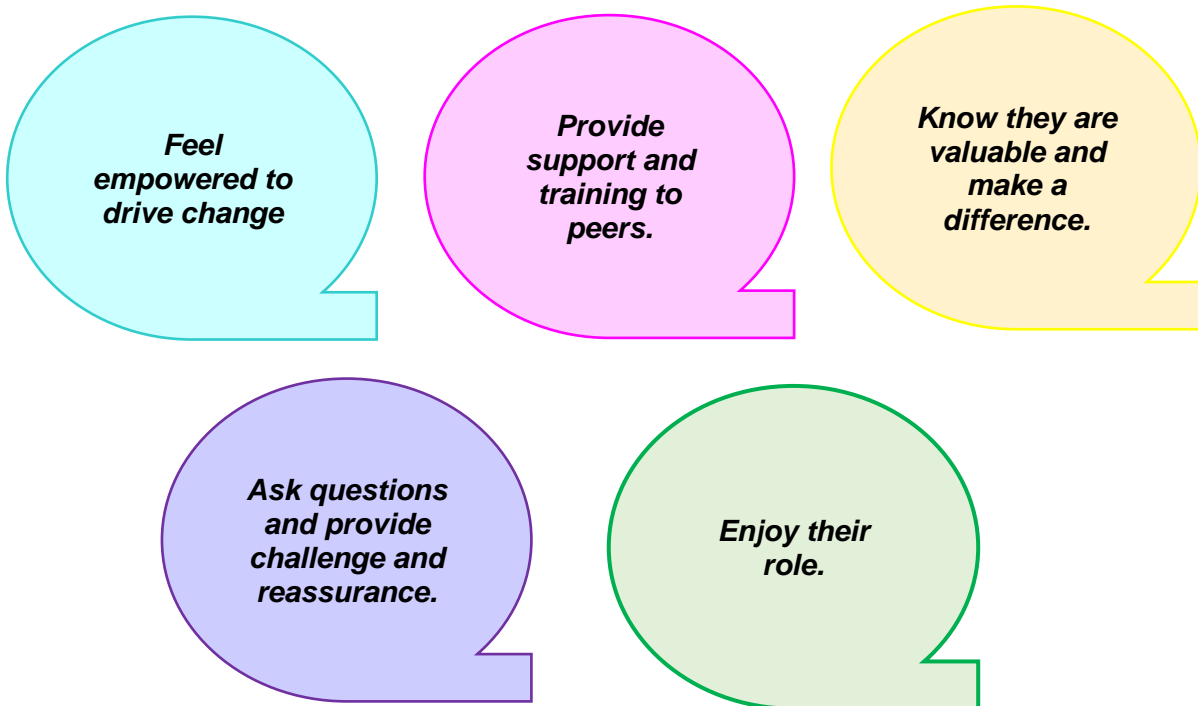
Jonathan Hall QC

Police Response

Positive working relationships between ICVs and custody staff are integral to the success of the scheme. Ongoing work is undertaken and continually reviewed by Custody Services, Training and Development and the Policing and Crime Team to ensure that both parties understand the roles and responsibilities.

We regularly receive feedback that custody staff were accommodating and helpful, which is a reflection that the continued training has a positive impact.

This good working relationship and continuous engagement allows our ICVs to:



In any such case that custody staff do not respond well to ICVs or their visit, ICVs are able to report this in confidence to the Policing and Crime Team. The matter is raised with a senior West Yorkshire Police Central Custody Services colleague who works with the Policing and Crime team, custody colleagues and ICVs to facilitate a resolve.

Future Plans

One of the main focusses for West Yorkshire in 2022-23 is to recruit additional ICVs and existing ICVs to become Code H trained. We will work towards an excellent outcome for the national Independent Custody Visiting Association Quality Assurance Framework. The recruitment drive will have a focus on inclusivity from all communities to strive towards having a truly representative team of volunteers.



Continue to work collaboratively with other schemes

Provide opportunities for ICVs to broaden their understanding of the wider police service

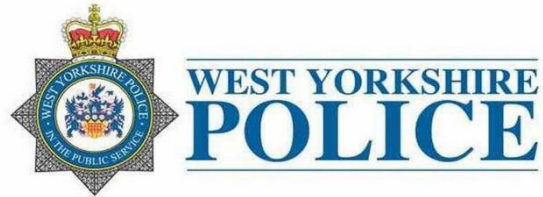
Useful information and contact details

**Policing and Crime Team
West Yorkshire Combined Authority
Wellington House
40-50 Wellington Street
Leeds
West Yorkshire
LS1 2DE
Tel: 0113 3481653**

If you would like more information on becoming an Independent Custody Visitor in West Yorkshire then please email: [**policingandcrime@westyorks-ca.gov.uk**](mailto:policingandcrime@westyorks-ca.gov.uk)

If you would like more information on the role of the national Independent Custody Visiting Association (ICVA) please visit: [**www.icva.org.uk**](http://www.icva.org.uk)

For more information regarding the work of the Policing and Crime Team for West Yorkshire please visit: [**Policing and Crime - West Yorkshire Combined Authority \(westyorks-ca.gov.uk\)**](http://westyorks-ca.gov.uk) and Custody Visiting [**Custody Visiting - West Yorkshire Combined Authority \(westyorks-ca.gov.uk\)**](http://westyorks-ca.gov.uk)



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