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**Comisiynydd Heddlu a Throseddu  
Dyfed-Powys  
Police and Crime Commissioner**

**INDEPENDENT CUSTODY  
VISITING SCHEME**

**ANNUAL REPORT  
2023/24**

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## 1. Foreword from the Dyfed-Powys Police and Crime Commissioner

Independent Custody Visiting was born out of Lord Scarman's report on the Brixton riots of 1981 which recommended that a system of independent, unannounced inspection of procedures and detention in police stations by local community members should be introduced. This was formalised in 2002 by the Police Reform Act which places a statutory duty on all Police and Crime Commissioners to implement an Independent Custody Visiting Scheme.

Custody Visiting has introduced transparency in police custody processes. Independent Custody Visitors (ICVs) have a crucial role in ensuring the Human Rights of detainees are upheld and that the Police and Criminal Evidence Act 1984 is complied with.

An Independent Custody Visiting Scheme was established in the Dyfed-Powys area in 2001. Since its roll out, thousands of visits have been made to custody suites across the Force area, ensuring detainees are treated with respect and dignity irrespective of the reason for their detention.

Volunteers such as the ICVs play an important role in supporting me with my assurance and scrutiny activity. Their dedication and commitment help us to build trust and improve our services. We are incredibly grateful for their hard work and the positive impact they have on our community. 2023-2024 has been another busy year for our ICVs and I would like to take this opportunity to thank them for their continued support and hard work.



Police and Crime Commissioner



## **2. Introduction**

Independent Custody Visitors (ICVs) are volunteers from our local community who visit police custody suites in pairs, unannounced, to check on the welfare of detainees, ensuring that their rights are upheld.

ICVs also undertake checks on the custody environment to ensure it is safe and of a good standard. ICVs can also access custody records should they have any further concerns in relation to the detainee.

If any concerns are identified, they are raised by ICVs initially with the Custody Police Sergeant and then via the Office of the Police and Crime Commissioner (OPCC), for discussion with senior officers in charge of custody matters.

Updates on progress made in relation to matters of concern are provided to the OPCC in a timely manner. Any overarching themes are fed into the appropriate governance boards for consideration of further action to be taken if appropriate. The ICVs' role offers protection to detainees and transparency of detention processes.

## **3. Independent Custody Visitors**

At the end of March 2024 there were 16 Independent Custody Visitors (ICVs) on the Scheme, spread across Carmarthenshire, Ceredigion, Pembrokeshire, and Powys.

We had three ICVs resign from the Scheme between 1<sup>st</sup> of April 2023 and the 31<sup>st</sup> of March 2024. 3 ICVs took a break from the Scheme during this time, with 16 remaining on our system as active ICVs.

Every effort is made for the Scheme to represent the demography of Dyfed-Powys, but critically, volunteers who show a genuine commitment and interest in the Scheme are appointed to the Team. 80% of ICV volunteers are of the age range from 55 years and above. It has been acknowledged that this is not representative of the demographic area of Dyfed & Powys; but this has been a target for this year's recruitment drive. Scheme managers have been attending community group meetings, schools and colleges across Dyfed-Powys and national shows such as the Urdd Eisteddfod to promote and educate members of the communities on the scheme.

Figure 1: Gender of ICVs

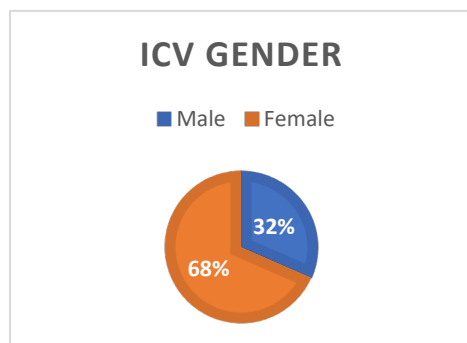


Figure 2: Age of ICVs

Age	Percentage 2022/23	Percentage 2023/2024
18-24	5%	6%
25-34	10%	11%
35-44	0%	0%
45-54	5%	0%
55-64	25%	33%
65-74	35%	28%
75+	20%	22%

## 4. ICV Rotas

### I. Number of Visits and ICV Calls

Dafen, Aberystwyth, Haverfordwest, Brecon and Newtown are the main Custody Suites in the Dyfed-Powys area.

Dafen, Aberystwyth and Haverfordwest are visited once a week with Brecon and Newtown being visited on a fortnightly basis. This is due to their varying size and use.

There is one other Custody Suite in the Dyfed-Powys area; Cardigan. It is used as an overflow suite and used when a custody suite has to close for refurbishments. ICVs do not routinely visit; however, should this custody suite be used, the OPCC will be notified and can arrange an ICV to visit if necessary. In this period both Haverfordwest and Aberystwyth suites closed for a period of refurbishments; and therefore, our ICVs visited Cardigan custody suite whilst it was being used as a replacement.

<b><u>Custody Suite</u></b>	<b><u>Cell Capacity and detention rooms (used for the detention of children)</u></b>
Dafen	18 cells 2 detention rooms

Haverfordwest	17 cells 2 Detention rooms
Aberystwyth	7 cells 1 Detention room and 1 dry room
Brecon	8 cells 1 Detention rooms
Newtown	9 cells 1 Detention room
Cardigan	6 cells

ICVs are provided with a rota assigning a pair of ICVs to a visit. Rotas are provided by the scheme managers which allow the ICV's to arrange the day and time of visit within the specified week/fortnight.

Within their quarterly ICV Panel meetings, ICVs are provided with data on their recent visits as well as the profile of custody throughput. They are asked to consider this data when arranging visits to ensure visits are conducted at varied days and times throughout the week. A decision was made to combine panel meetings so that all ICV's attend. The panel meetings for 24/25 will now focus on the quarterly reports that the OPCC publish. This will ensure that the ICV's can make any necessary amendments and respond to Force comments.

ICVs also have the option of visiting a custody suite in a different Panel area. 2 ICVs are currently covering two different custody suites.

## 5. Visiting Data

### I. Number of Visits

During 2023-2024, a total of 129 ICV visits were conducted to custody suites across the Force area; during which time there were 377 detainees in custody. Of these detainees, 168 consented to being visited and 105 were observed.

### II. Number of Detainees

During 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024, a total of 8,557 detainees were held in the custody suites across Dyfed-Powys. Of these, 440 were in custody at the time of the ICVs' visits. 45% of those detainee's present were visited by ICVs.

<b><u>Custody Suite</u></b>	<b><u>Number of Detainees</u> <u>April 23 –March 24</u></b>	<b><u>Number of ICV Visits undertaken</u></b>
Ammanford	24	11
Dafen	109	53
Haverfordwest	113	52
Aberystwyth	68	25
Cardigan (Only used as an overspill)	34	14
Brecon	12	6
Newtown	17	7

The data above, in the column for the Number of Detainees, represents the number of detainees that were in custody during the ICVs visits from April 2023-March 2024.

### III. Timings of visits

Figure 5: The number of calls and visits during 1st April 2023 to 31st March 2024

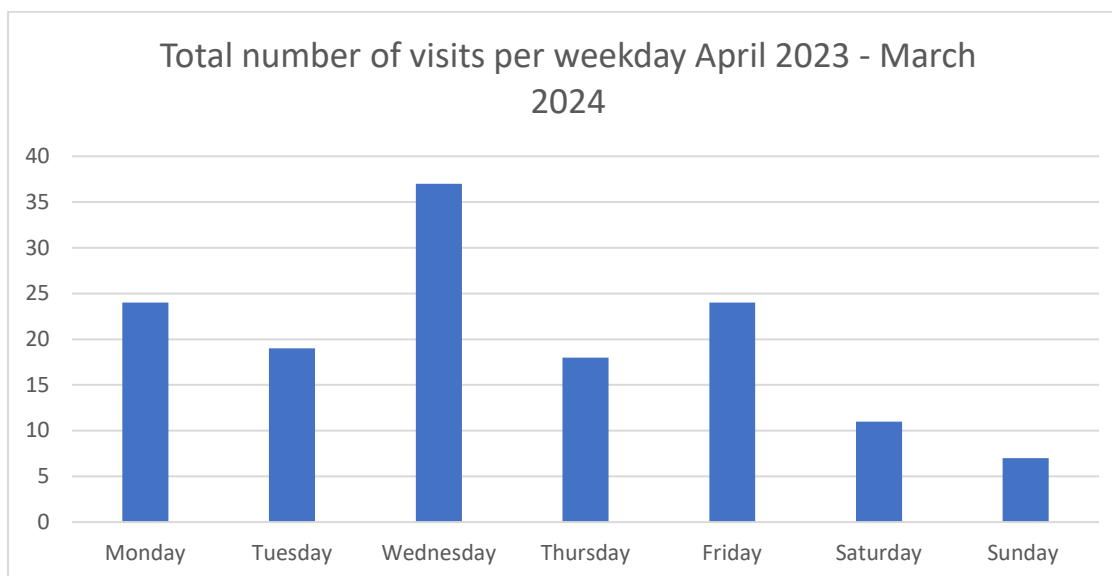
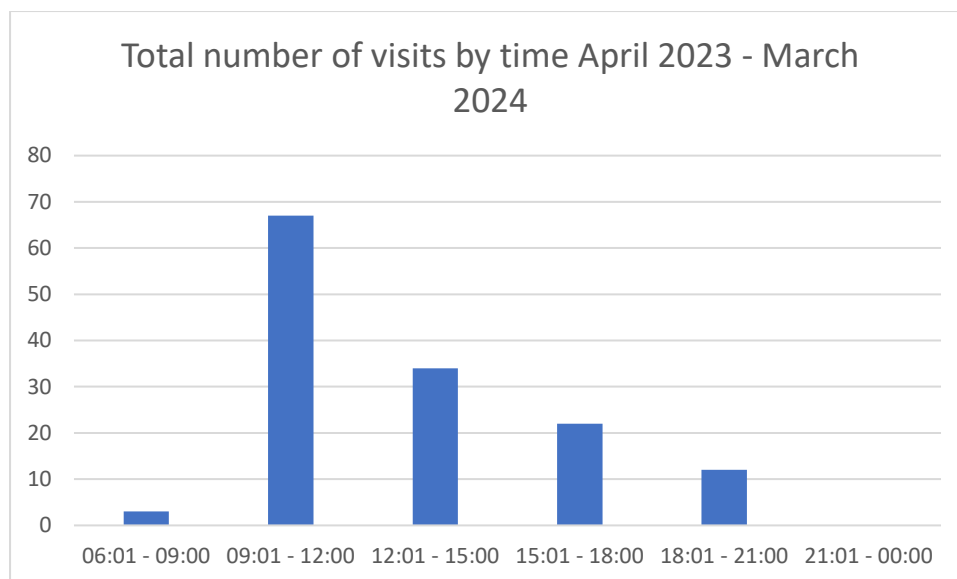


Figure 6: The number of visits during 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024





ICVs carry out visits most commonly in the morning, which is the busiest time in custody, therefore maximising the chance of seeing as many detainees as possible. Also ICVs cannot visit a detainee when asleep or intoxicated; therefore, mornings are often preferred. No visits were carried out after 21:00 as detainees tend to be sleeping and therefore ICVs are likely to have a lower number of detainees to speak to during later hours. ICVs do however try to carry out visits during a variety of times including weekends as well as weekdays to ensure a level of unpredictability in terms of the days and times they visit which is dependent on the integrity of the scheme.

## 6. Issues Raised

During their visits ICVs check on the welfare of the detainees as well as the conditions in which they are held. ICVs are mindful of the rights afforded to detainees whilst held in Custody as per Code C of the Police and Criminal Evidence (PACE) Act 1984. A summary of these can be found in Appendix B.

ICVs are expected to discuss any minor welfare or environmental issues with the Custody Sergeant or accompanying officer at the time of the visit.

Any issues which cannot be resolved during a visit, or which ICVs feel need to be dealt with at a higher level are reported to the Scheme Managers within the OPCC. These reports have now moved from paper copies into electronic forms, with the purpose to reduce paper used within the office environment and to ensure a more instantaneous method of ICVs reporting to the Scheme Managers.

These are then recorded and followed up with Dyfed-Powys Police's (DPP) Custody Chief Inspector or the relevant Custody Inspectors. They then consider the issues, provide the scheme administrator with an update / report and take any necessary actions.

Positive comments and observations are also noted on the forms and reported back to senior custody staff.

The Scheme Managers notify ICVs of the outcome of their report, and further discussions around the issues are held at the next ICV Panel Meeting.

Should any issues need to be considered at a higher level, they are discussed at the appropriate governance board, including Policing Board where the Police and Crime Commissioner holds the Chief Constable to account.

Below is a list of concerns raised by ICVs Between 1<sup>st</sup> April 2023 and 31<sup>st</sup> March 2024 with a response as to the progress made against each concern.

Concern identified	Progress made
Delays in the healthcare provision for custody.	Telemedicine has been introduced to help with care for detainees which allows for a qualified medical practitioner to evaluate the needs of a detainee remotely. There has been an improvement in the number of health care staff available to service demand with additional numbers being expedited in the vetting process. The Fore are working to support the health care provider with additional recruitment as the current contract is out for tender. ICVs continue to monitor.
Staffing shortages.	Reassurances have been provided that this has been rectified, the issues were due to staff change overs, leave, sickness etc. ICVs continue to monitor and concerns are discussed at the ICV Panel meetings.
Option 1 calls made by members of the public dialling via the 101 service is causing difficulties for the staff at the custody suites.	Issue has been resolved, as the option for custody has been moved from option 1 to a different option.

<p>Repair issues identified</p>	<p>Repair issues identified by ICVs including broken cell buzzers, malfunctioning lights in cells and a faulty doorbell (affecting on call visitors including appropriate adults and duty solicitors to notify custody of their attendance) have all been completed.</p>
<p>The storage of Religious Items</p>	<p>The manner with how religious items were stored was identified by ICVs as a concern, specifying that all religious texts and prayer mats should be wrapped and stored correctly, not alongside other storage items such as shoes, toilet paper or any other personal property. This was highlighted to the appropriate custody suite, who promptly resolved this issue. ICVs continue to monitor.</p>
<p>ICVs encountered issues with Detention Escort Officers (DEOs):</p> <ul style="list-style-type: none"> <li>• One DEO was unaware entirely of the ICV scheme.</li> <li>• DEO seemed unaware of their responsibilities whilst ICVs were conducting their visit with the detainee.</li> </ul>	<p>This is being progressed and monitored with the cooperation of the custody inspector and the ICV scheme managers. OPCC Scheme managers have also provided inputs to new custody staff on the ICV scheme. This has helped build their knowledge on the scheme and improved relations.</p>
<p>Issuing of toilet roll and plimsoles to detainees.</p>	<p>This was communicated back to all custody Inspectors who have now rectified the issue. ICVs continue to monitor.</p>

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*“It is encouraging to see the positive impacts that ICV’s are having within custody from their visits. It is comforting to know that our Custody Staff feel that ICV’s make a positive impact on provisions within Custody.”* Temporary Chief Inspector  
 Jenna Jones (Head of Custody Dyfed Powys Police)

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## 7. Training and Events

- An ICV planning day was held on the 18<sup>th</sup> of October 2023 in Dyfed Powys Police headquarters. The panel gathered to discuss the scheme with the new scheme managers from the OPCC. The day focused on the roles and responsibilities of an ICV, discussions around the new anti-racism policy, an input from Tempo Time credit Wales and concluded with a panel meeting alongside representatives from custody.
- ICV Panel meetings were conducted virtually via Microsoft Teams for the second meeting which took place on April 2023. The decision was then made to combine all areas for a whole panel meeting in March 2023.
- In May 2023 the ICVs were invited to attend a Policing Accountability Board (PAB) meeting that was held in Llanelli. The PAB focuses on delivery of service against the Commissioners priorities outlined in the Police and Crime Plan. The meeting concluded with a tour of the new Dafen custody suite.

## 8. Quality Assurance Framework

In December 2023 the Dyfed Powys OPCC ICV scheme was awarded Gold by the Quality Assurance Framework (QAF), issued by the Independent Custody Visiting Association (ICVA). The QAF was first run by ICVA with schemes in 2019 and 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.
- Increase sharing of good practice and resources across schemes.

To achieve an award, scheme managers must assess and provide evidence for a host of criteria under the themes of:

- recruitment and training,
- managing volunteers,
- communications,
- holding the force to account,
- transparency and public reassurance
- detainee welfare.



Each area has several criteria for schemes to meet; the higher the level, the more criteria scheme managers need to meet in order to attain it. Schemes need

to complete each criterion under each level before moving on to the next. All levels require self-assessment and sign off from their respective line managers. When going for Gold or Silver, ICVA will conduct dip sampling to ensure criteria has been met and for Platinum, all evidence is individually dip sampled and assessed by ICVA.

The gold award means that the schemes have an excellent standard of custody visiting and we are incredibly proud to have achieved this level once again.

## 9. Opening of the Dafen Custody Suite

On the 26<sup>th</sup> of May 2023 the Police and Crime Commissioner and the Chief Constable officially opened the new Carmarthenshire Custody Suite and Policing hub in Dafen, Llanelli. ICVs were welcomed to attend the opening event. The suite is the biggest in the Dyfed Powys region and will be visited by the ICVs on a weekly basis.



## 10. Anti-Rip Suit Pilot

During 2023, ICVs continued with the Anti Rip Suit Pilot scheme with Dyfed-Powys Police and the Independent Custody Visiting Association (ICVA).

Records were reviewed using the following rag rating:

Reason for Rating	Follow Up Action
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Drop down in use, full rationale for use of suit, which is both justifiable and proportionate to risk posed.	No further action required at this point.
Suit removed as soon as practicable.	
Clear de-escalation, distraction items etc. used to mitigate risk of detainee DSH.	
Little or unclear justification for the use of the suit.	Advice/further training given to custody staff.
Insufficient information to determine the proportionality of the use of the suit.	
Detainee left in suit for elongated periods of time.	
Suit drop down used but no further information.	Further exploration required as to use/rationale. Cases to be raised with custody inspector.
Suit used in absence of risk information but no other rationale.	
Suit used by force with no further information.	
Drop down not used, information on suit discovered as part of routine CRR by ICVs	

The following ratings were taken from the records reviewed from April 2023 to March 2024:

Green	14
Amber	0
Red	1

During March 2023 Dyfed Powys Police implemented a new police intelligence system Niche. Due to this change, there was no further pilot activity undertaken.

Following the interim evaluation of the pilot, ICVA made a series of recommendations to the Home Office, National Police Chiefs' Council and the College of Policing. The recommendations included:

- That the Home Office consider expanding point 8.5 or adding an additional point of PACE Code C and H to include that detainee clothing is not to be removed due to perceived risk only.
- That the Home Office puts in place mandatory reporting of the use of special risk clothing (formally known anti-rip clothing) as a subset of the use of force data.
- Ensure that all forces, without delay, implement a reportable function for the use of anti-rip clothing on custody systems to allow greater scrutiny.

- All forces should be made aware that the use of anti-rip clothing in the absence of risk information because a detainee is not engaging in the risk assessment questions, is inappropriate and should cease.
- That the NPCC agree to work towards a removal of the use of anti-rip clothing in police custody, in favour of use of effective observations, de-escalation and dynamic risk management.
- That the Authorised Professional Practice for custody be updated to reflect that forces should never use anti-rip clothing, by force, in the absence of risk information.
- That the College of Policing (CoP) estates manual ensures that the custody design build reflects optimal use of CCTV so that adequate observations can be managed without the need for clothing removal under any circumstances.

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*“As a result of the work undertaken by ICVA and Dyfed-Powys Police, the College of Policing were able to update its Authorised Professional Practice (APP)... this update provides clarity on when the use of anti-rip clothing is appropriate and when it is not.” Tony Maggs (Custody lead, College of Policing)*

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ICVs continue to review Anti-Rip suit cases through the Custody Independent Scrutiny Panel (CISP) which meets on a bi-monthly basis.

Further information on the pilot can be found here: [Anti-Rip Clothing - An Interim Evaluation of the Joint Pilot - ICVA](#)

[Custody Independent Scrutiny Panel](#)

## **11. Custody Independent Scrutiny Panel**

In March 2024 the Custody Independent Scrutiny Panel (CISP) was implemented to replace the custody record reviewing.

The overall purpose of the CISP is to ensure that the implementation of police detention and custody procedures in Dyfed Powys are proportionate, lawful, and necessary. The panel is made up of existing volunteers within the OPCC including members of the ICV scheme.

The first meeting was held in March 2023 with the panel focusing on juveniles in custody. Each meeting will have a set focus and volunteers will be provided with inputs from the Force and external partners to aid their understanding. Reports from the meetings will then be shared and published onto the OPCC website.

## **12. Future Developments**

- A Recruitment Strategy Plan to aid the diversity of volunteers to ensure that the scheme is reflective of the community we serve.
- Enable the crossover of volunteer schemes.
- Establish an ICV Teams channel to create a form for ICV resources.
- Scheme managers to continue providing inputs to force custody training in order to help aid understanding of the scheme and build positive relations with custody staff.
- Full review of the ICV handbook to be undertaken. Scheme managers will obtain feedback from ICVs and implement any necessary changes.

## **13. Interested in becoming an ICV?**

If you are interested in volunteering for the Police and Crime Commissioner and becoming an ICV within the Dyfed-Powys area, or would like some further information, please visit: [Dyfed-Powys Police & Crime Commissioner \(dyfedpowys-pcc.org.uk\)](https://dyfedpowys-pcc.org.uk)

Or contact Ellen or Tom on 01267 226440

Or Email: [OPCCQualityofService@dyfed-powys.police.uk](mailto:OPCCQualityofService@dyfed-powys.police.uk)



## Appendix A:

**A detainee's rights under Code C of PACE are summarised below. This is the information provided to detainees at the police station. Full details are available in the Police Code of Practice C.**

**1.** Tell the police if you want a solicitor to help you while you are at the police station. This is free.

**2.** Tell the police if you want someone to be told where you are. This is free.

**3.** Tell the police if you want to look at their rules – they are called the Codes of Practice.

**4.** Tell the police if you need medical help. Tell the police if you feel ill or have been injured. Medical help is free.

**5.** If you are asked questions about a suspected offence, you do not have to say anything. However, it may harm your defence if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence.

**6.** The police must tell you about the offence they think you have committed and why you have been arrested and are being detained.

**7.** The police must let you or your solicitor see records and documentation about why you have been arrested and are being detained and about your time at the police station.

**8.** If you need an interpreter, the police must get you one. You can also have certain documents translated. This is free.

**9.** Tell the police if you are not British and you want to contact your embassy or consulate or want them to be told you are detained. This is free.

**10.** The police must tell you how long they can detain you for.

**11.** If you are charged and your case goes to court, you or your solicitor will have a right to see the prosecution evidence before the court hearing.

## Appendix B

<b>The environmental checks that ICVs undertake whilst visiting Custody:</b>
- Check that the cells are clean (both occupied and empty cells where possible).
- Check that the kitchen and food preparation area is clean and tidy.
- Check that all other areas within Custody are clean and tidy.
- Check that the heating, lighting and ventilation is adequate.
- Check that the medical room is locked if no healthcare professional is present.
- Check that a first aid kit is readily available.
- Check that there are sufficient stocks of bedding, anti-rip suits & spare clothing.
- Check that there are sufficient stocks of food.
- Check that the Custody Suite is clear of any apparent health and safety hazards.
- Check that the cell buzzer and CCTV systems are in working order.
- Check that religious materials are readily available to detainees.
- Check that there are no ligature points posing a risk to detainees.

<b>The welfare checks that ICVs undertake whilst visiting Custody:</b>
- Are they being treated reasonably?
- Have they been made aware of their legal and visitor rights?
- Do they understand their rights as they have been explained to them?
- Has someone been informed of their detention (if they have requested this)?
- Have they seen a solicitor (if they have requested this)?
- Have they been offered/ provided with food/drink?
- Have they requested / received medical attention if needed?
- Have they been given access to toilet/ hygiene/ washing facilities?
- Has additional bedding/ replacement clothing/ blanket been provided, if required?
- Have suitable rest periods and/or exercise been made available, if appropriate?