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# STATES OF JERSEY



## INDEPENDENT CUSTODY VISITOR REPORT JERSEY 2013

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Presented to the States on 12th March 2014  
by the Minister for Home Affairs

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STATES GREFFE

## **REPORT**

### **Independent Custody Visits in Jersey**

This is the second report from the Independent Custody Visitor (ICV) scheme. The scheme was established in Jersey as the result of a Proposition by the former Deputy of St. Martin, Mr. F.J. (Bob) Hill. The ICV scheme has 13 volunteers.

### **Background to Independent Custody Visiting**

Independent Custody Visitors (ICVs) are members of the local community who volunteer to make unannounced visits, in pairs, to Police Headquarters to check and report on the treatment and wellbeing of detainees. ICVs are recruited by the Home Affairs Department, but are independent of both the Home Affairs Department and the States of Jersey Police. The ICVs are not paid, but may claim reasonable out-of-pocket expenses, such as mileage, in line with the rate per mile for States' employees.

The volunteers come from various backgrounds and sections of the community, but cannot have any other involvement with the criminal justice system, for example the Police, Courts or Prison service. This is in order to maintain the integrity of the scheme. ICVs must be impartial and independent in order to make informed judgements in which the community can have confidence.

The ICV scheme has its own Chairperson, responsible for co-ordinating the visiting rota and chairing the quarterly meetings held by the ICVs.

The ICVs carry out their role with a view to providing Home Affairs (and in turn the local community) with assurance that anyone held in Police custody is treated fairly and with their human rights respected. The scheme provides transparency and confidence that the Police are acting in accordance with the legislation covering the treatment of detainees – the Police Procedures and Criminal Evidence (Jersey) Law 2003 (PPCE).

Visits to the custody suite are shared between all ICVs, and are carried out in pairs at any given time over a 24 hour period. On arrival at the Police Station, ICVs are, wherever possible, given immediate access to the custody area. Members of the custody staff will accompany the ICVs around the custody block and introduce each pair of ICVs to detainees and ask if they would like to speak to them; they also ask the detainee's permission for the ICVs to view their custody record. The ICVs will record and report their findings on their observations at the time of their visit. This is then distributed to Home Affairs and to the Chief Inspector in charge of custody. Any immediate concerns are also raised at the time of the visit with the custody sergeant, and in some instances the Chairperson.

### **Visiting statistics**

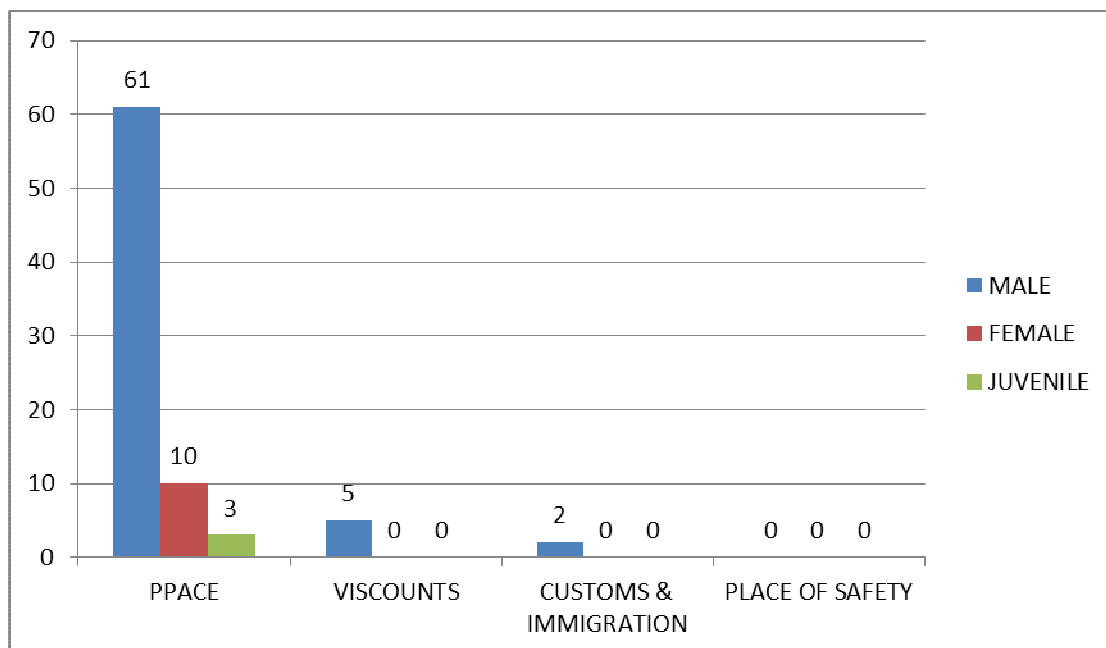
During 2013, ICVs undertook 37 unannounced visits to the custody suite at Police Headquarters. This is up from 25 in 2012. A breakdown of the visits during 2013 and 2012 is set out below.

Year	Number of unannounced visits carried out in by ICVs	Number of detainees in custody at the time of unannounced visits	Number of detainees offered a visit	Number of detainees who accepted a visit	Number of detainees who declined a visit	Number of detainees who were unavailable for visiting (due to sleeping, being interviewed, etc.)
2012	25	75	47	37	10	28
2013	37	81	57	43	13	20

It has to be noted that a number of detainees were not offered visits due to their state of intoxication.

### Reason for detention

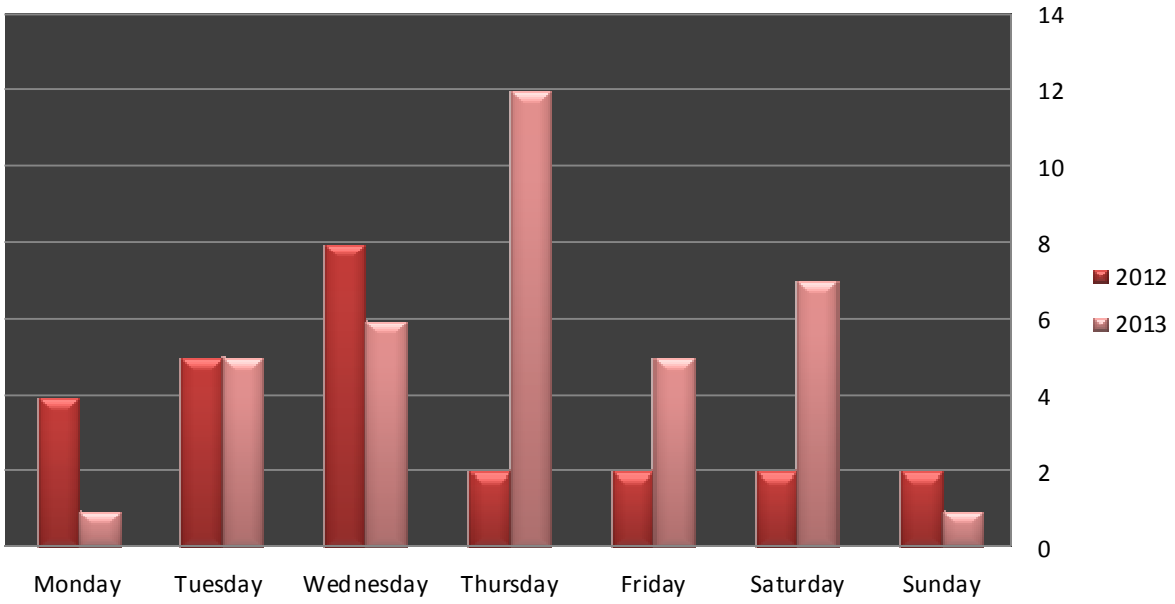
When someone is detained, the reason for their detention is categorised. A breakdown of the reasons for detention is set out below (only 2013 data is available).



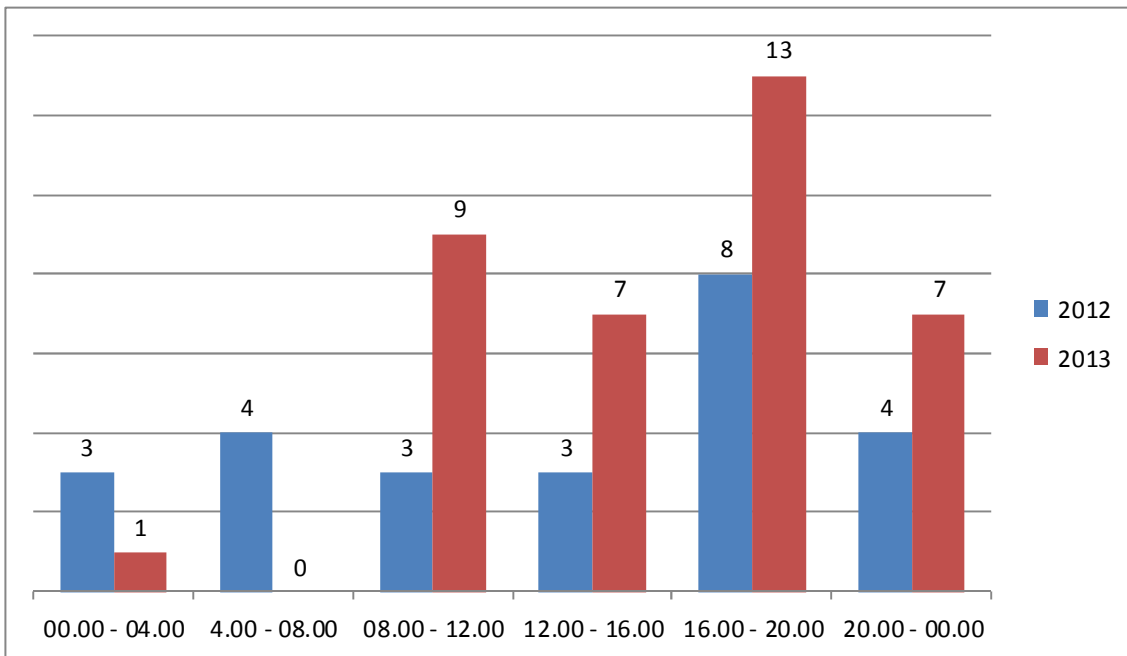
### Day and time of visits

ICVs are paired on a rota basis. It is down to the paired team to decide the date and time of the visit. A breakdown of the 2012 and 2013 data is set out below.

### Day of Visit



### Times of visits to Police Headquarters



**Issues reported by ICVs**

From conversations with detainees, requests were made for the following items –

- Extra blankets
- Food or drink
- Reading material
- Temperature of cells to be adjusted where possible
- To see the police doctor.

All requests from detainees were reported and marked on the ICVs' paperwork. The majority of requests were dealt with there and then by the custody team.

Other queries raised by ICVs were in regard to –

- Hygiene packs
- Excessive temperature of the custody office, which creates an uncomfortable working environment for staff
- Cleaning procedures.

**Closing Comments**

As reported in the 2012 ICV report, the States of Jersey Police Station has become a smoke-free venue. It has to be noted that the smoke-free policy seems to have had very little impact on the detainees during the visits in 2013.

One thing that has been noted is the number of comments regarding the choice of food by detainees. While some detainees are happy with a Pot Noodle, there is very little choice of food unless you have been detained for a number of hours. In this instance, a custody officer would collect something from outside the Police Station.

On the whole, the feedback from detainees has been positive regarding their time in custody; there have also been a number of positive remarks regarding the custody staff.

**Chairperson, ICV Scheme  
February 2014**