

---

# **STATES OF JERSEY**



## **INDEPENDENT CUSTODY VISITOR REPORT JERSEY 2012**

---

**Presented to the States on 11th July 2013  
by the Minister for Home Affairs**

---

**STATES GREFFE**

## **REPORT**

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

Independent Custody Visiting was established in Jersey as a result of a proposition by the former Deputy of St. Martin, Mr. F.J. (Bob) Hill. The Independent Custody Visitor (ICV) scheme started in October 2010 with 6 ICV volunteers (4 women and 2 men), and has slowly gathered momentum since. From June to December 2011, ICVs undertook 11 unannounced visits to the custody suite at Police Headquarters. From January to December 2012, 25 unannounced ICV visits were made to the custody suite at Police Headquarters. In August 2012, an extra 8 volunteers joined the voluntary ICV scheme, being 2 men and 6 women, bringing the total number of ICVs to 14.

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

Independent Custody Visitors 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 well-being 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 assurances 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).

Initial training for ICVs is provided by a trainer from the national Independent Custody Visitors Association (ICVA). Officers from the Criminal Justice Department of the States of Jersey Police also meet regularly with the Chairperson to advise on developments that Custody Visitors should be aware of.

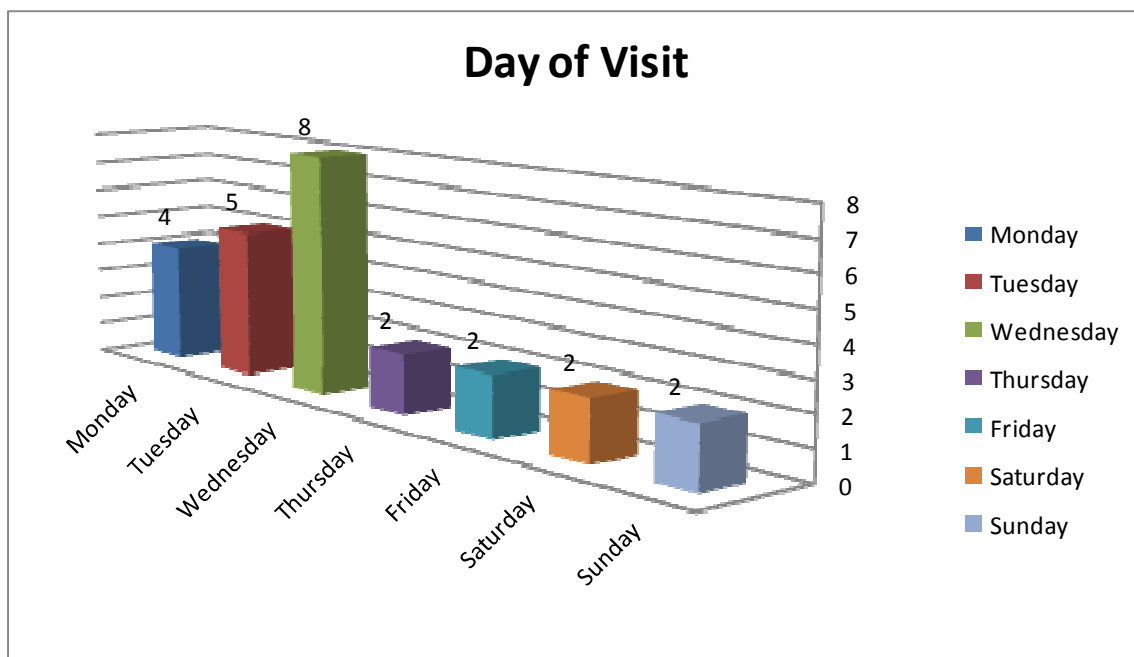
Visits to the custody suite are shared between all ICVs, and are carried out in pairs at any given time over a 24 hour period. On arrival at the police station ICVs are, wherever possible, given immediate access to the custody area. Members of the custody staff will accompany the ICVs around the custody 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,

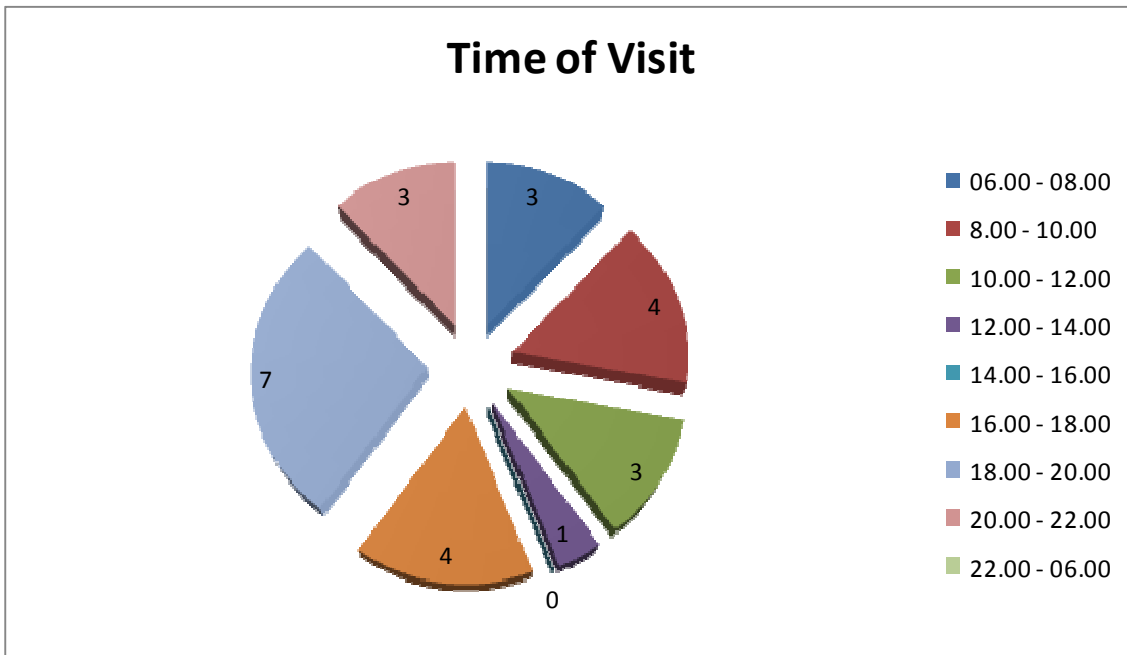
and in some instances the Chairperson. Any issues raised during unannounced visits are scrutinised at the quarterly meetings, where the team consider any emerging themes and ensure that any necessary follow-up action is completed and any identified concerns are addressed.

### Visiting Statistics

The table and charts below give more details of the 25 visits during 2012

<i>Number of unannounced visits carried out in 2012 by ICVs</i>	<i>Number of detainees in custody at the time of unannounced visits</i>	<i>Number of detainees offered a visit</i>	<i>Number of detainees who accepted a visit</i>	<i>Number of detainees who declined a visit</i>	<i>Number of detainees who were unavailable for visiting (due to sleeping, being interviewed, etc.)</i>
25	75	47	37	10	28





There were 5 occasions recorded during 2012 where access to the custody suite was not possible within 5 minutes of the arrival of ICVs at Police Headquarters. This was for a number of reasons: for example, where either a shift change was happening or the custody team was dealing with multiple issues which took priority over ICV visits (i.e. processing detainees).

### Issues reported by Custody Visitors

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

- Extra blankets
- Food or drink
- Reasons for their detention to be further explained
- Reading material
- Reasons for the length of time they had spent in custody
- Concerns about medication on release
- Temperature of cells to be adjusted where possible.

All requests from detainees were reported to the custody Sergeant, and the majority were dealt with at the time.

Other queries raised by ICVs were in regard to –

- Hygiene packs
- Fire-drill procedures
- Excessive temperature of the custody office, which creates an uncomfortable working environment for staff
- Cleaning procedures
- The lack of cell availability at peak times of custody throughput.

From March 2012, a no-smoking policy was enforced in Police Headquarters, in line with the States of Jersey policy, which follows the UK practice and has been in force in police stations for some time. During the 25 visits made by ICVs, only a small minority of detainees have expressed unhappiness with this policy, with the majority accepting it.

Shortly after this, the custody suite changed the choice of food available to detainees. On such occasions where detainees are detained for long durations, custody staff do make arrangements for more substantial food options.

It is acknowledged that the custody suite is located in an old building, and as such, does not afford detention of detainees in line with Home Office specifications. Despite these difficult working conditions, it is apparent that the custody staff work effectively with the facilities they have.

**Chairperson, ICV Scheme  
May 2013**