

Lewisham Independent Custody Visitors

Report to Lewisham Safer Neighbourhood Board 2021

ICV Background

Lewisham continues to maintain its panel of Independent Custody Visitors who are all community volunteers. We check on the conditions and treatment that detainees face whilst in police custody by conducting weekly random visits. During these visits we both speak to detainees and check several areas such as shower facilities and food storage.

During the pandemic there have been many changes to processes that take place in custody. As with other walks of life the use of PPE and awareness of disease control has become the norm. And remote visits conducted via computer have been made available to cater for those visitors who are vulnerable or are shielding themselves.

Lewisham has just one custody suite located at the police station on Lewisham High Street.

Most people held in police custody, though arrested, have not yet been charged or convicted of any offence. Many will be released without charge following proper investigation. Some might also be held for their own safety until alternative accommodation can be found – including those suffering poor mental health. The role of the Independent Custody Visitor is to provide visible reassurance to the community that those held in custody by the Police are treated fairly and properly even whilst their liberty is denied them.

ICV Performance

The pandemic has affected all aspects of custody visiting performance. We have retained a core group of visitors who have continued to conduct physical visits throughout the period when we have been allowed. This has been the exception across London and the UK.

As Chair I am incredibly proud that Lewisham panel members made this commitment. It reflects their desire to ensure that those detained are treated properly and with humanity. Custody suites and cells are not the most ventilated of spaces. If we continue to hold detainees in these places and expect police and other staff to cater for them properly and with care then it is only proper that we do what we can to observe and monitor and report on what we find.

I would like to record here thanks given to Lewisham ICVs for their commitment over the past year from the departing Acting Chief Inspector for Met Detention as it sums up much of what we are trying to achieve through our work:

“It’s been a pleasure to work with you and your fine upstanding ICV colleagues in one of the most challenging areas of police work and your vocal positive support for me and my Custody colleagues has been so inspiring, Thank-you.

Please pass on my sincerest thanks to your ICV colleagues for their commitment, patience, dependability, adaptability and endurance over what has been the most challenging year in Policing and Custody history.”

It should be noted that it is only now (in June 2021) that duty solicitors are being required to resume physical visits to support detainees and provide legal support to them. Throughout the last year this legal support has been provided remotely.

Custody Suite findings

Met Detention is the part of the Metropolitan Police that runs Lewisham Custody Suite. At the start of the pandemic local Lewisham Met Detention officers took matters into their own hand in providing basic PPE and managing the suite as safely as could be, based on the knowledge available at the time. They worked in a dedicated manner despite the unknown nature of risk to their own safety. In time the wider Met Detention organisation introduced London wide safer working practices. The custody suite team do not have the luxury of working from home.

We remember that custody can be a dangerous place and processes and security must take this into account. We were all affected in September 2020 by the murder of Custody Sergeant Matiu (Matt) Ratana whilst on duty in Croydon by a detainee. He was known personally to many at Lewisham and had worked there himself. We send condolences and thoughts to his family and all who knew him and have been affected by this horrible incident.

We observed the local Custody Suite Inspector working tirelessly to ensure the suite was kept clean and that PPE was available to staff and detainees alike. He also managed during this period to get maintenance work done including providing for a confidential booth to allow detainees to speak with their solicitors who worked remotely.

The year has been dominated by the pandemic that affected the entire justice system. Lewisham was already running virtual courts which avoids the need for detainees to be taken to the magistrates' courts for their initial hearing. Nearly all hearings became virtual which resulted in many detainees spending longer in custody than they otherwise would have done.

We found it ironic that at a time when in the world outside custody everyone was isolating and social distancing the opposite was happening in custody. We found custody was busier than we had ever seen it before due to the police finding it easier to find suspects and so arrest them, and that detainees spent longer in custody and had less reason to leave for the magistrates' courts. At this time staff was at its lowest due to both long lasting shortages compounded by teams self isolating following Covid contact.

We continue to focus on the time children spend in custody and any delay due to lack of Appropriate Adults being available, and issues in coordinating with duty solicitors. Provision of satisfactory mental health services (especially numbers of secure beds) in the area means that a number of detainees are forced to remain in custody which is recognised as not being the most suitable environment for them.

We found that despite all the Covid related additional pressures on staff, the overall treatment of detainees is as it should be with the team of custody staff in the main behaving professionally, and with compassion, even when faced with extremely complex and sometimes dangerous circumstances.

It is reassuring that a medical professional was almost always present in the custody suite though their workload is often such that it takes longer than ideal to respond to requests from individual detainees.

We report on what we find during our visits and not on incidents that are reported or occur throughout the period. Our reports are used by MOPAC and other agencies in their overall assessments of policing performance and management of those in custody and when relevant to specific individual inspections.

Custody suite resourcing

Lewisham is not a popular assignment for Met Detention officers. Shortages of staff continued throughout the year and so many staff were working their on overtime. These staff, though professional, do not have an affinity or association with their place of work. This lack of specific localised knowledge can lead in some instances to a breakdown of communication and suboptimal use of local resources.

Due to the busy nature of Lewisham custody, and that Lewisham Police Station is the base of a number of specialist police teams, it is known as the suite that never shuts. On at least one occasion it was only kept open as a result of the closure of a suite in South West London and those staff being bussed over to Lewisham for the shift.

We understand that recruitment has succeeded recently in bringing on more permanent staff. We will be watching this closely as we believe that it is far better for detainees if the staff see Lewisham as their base.

Continuing staff shortages mean that the custody suite is often running at its minimum complement of detention officers. This shortage adds to the difficulty staff experience in responding properly and comprehensively to the needs and entitlements of all detainees. The requirement to dedicate time to those detainees at risk of harm means that other detainees do not receive the entitlements they might normally expect.

For the future

We will continue to pressure MOPAC to seek new custody visitors for Lewisham as we are still short and unable to maintain weekly visits. As Lewisham has continued to undertake physical visits easing of lockdown will have little effect on us.

We will continue to report on what we find in custody and its impact on detainee welfare. We note that the local custody suite team are often at the mercy of other parts of the justice system and have to deal with inefficiencies and resource issues elsewhere that are not of their making. For example local operational police shortages mean that detainees held for minor offences (though still considered serious enough to include detention and loss of liberty) wait a lot longer than they otherwise would for their interview and decisions on charging.

We will continue to build collaborative and trusted relationships with Met Detention staff at all levels including the new Chief Inspector responsible for Lewisham and other SE custody suites. It was pleasing that his predecessor attended SNB meetings and we hope that in due course the current incumbent will do the same when invited.

Do you think being an ICV is for you?

As mentioned earlier Lewisham Independent Custody Visitors are still recruiting – we are looking for new visitors to join the panel. If you are interested, and we welcome applications from all those who have a connection with Lewisham – whether working, living or studying in the Borough – please make contact with me via the Safer Neighbourhood Board, or look at the MOPAC web site where there is further detail and an application form (<https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/community-safety/independent-custody-visitors>).

James Mitchell Independent Custody Visitor

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