

Government scheme 'ineffective at preventing abuse and death in custody' says research

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Participants in a government scheme to check the welfare of people detained in police stations are ineffective at preventing abuse and death

in custody, research says.

The Independent Custody Visiting Scheme, in which lay people visit police stations to check on the welfare of people who have been arrested, should be radically reformed, the study says.

Dr. John Kendall, a retired solicitor, told the British Sociological Association's online annual conference today (Wednesday, 20 April 2022) that after taking part in the scheme for three years, he conducted a research project that interviewed 76 volunteer visitors, detainees, police, lawyers and administrators about their experience.

This found that visitors failed to challenge the police when necessary, did not see their role as preventing deaths in custody, visited stations at predictable times and had only superficial training.

The research comes at a time of concern over custody practice, with around 20 deaths of people each year and the case of a forcible strip-search of an academic after she refused to cooperate with police. Dr. Kendall's proposal for reform was rejected by the scheme's governing body.

In the scheme, around 2,000 visitors, all unpaid volunteers from the community, make more than 10,000 [visits](#) to [police stations](#) each year and speak with 30,000 detainees about their welfare, writing short reports of their findings which are given to Police and Crime Commissioners. The initiative is maintained by the Home Office.

In his research, carried out for his Ph.D. at the University of Birmingham, Dr. Kendall asked visitors what they would do in a hypothetical case where they saw a detainee holding his head, moaning but otherwise unresponsive, and the custody sergeant refused to act. Only four said they would call an ambulance, the others said they would

either make a note in their report or try to get a senior police officer to help.

He found that visitors spent only three minutes on average with each detainee, and the visits took place in the detainee's cell, with a member of the custody staff within sight and hearing, which inhibited discussion.

Dr. Kendall told the conference that: "The problem is that the visitors are volunteers, they lack expertise and are poorly trained with no input from defense solicitors, and are completely controlled by the Police and Crime Commissioners, who can hire and fire visitors and who supervise their conduct and training.

"Most visitors I found seem to be predisposed towards the police anyway and even if they weren't, they were then socialized by contact with the police who they saw regularly on their visits.

"The visitors had no understanding of their role in dealing with deaths in custody, they didn't understand that they were supposed to be there deterring conduct of that sort.

"They weren't aware that there were a number of deaths in custody. They didn't understand about inquests and very few had any idea about the problem at all, which I found quite shocking."

He found that most visitors were white and [middle class](#), and had backgrounds that suggested that they were likely to be favorable to the police. One was a retired magistrate, another was a retired prison governor, two had sons in the police and the father of one had been in the police for 30 years.

During training volunteers were not told that in any cohort of detainees some would be innocent, and many would be released with no further

action. The scheme administrator told the volunteers: "Don't shake hands with detainees. If they have scabies, the whole block has to be closed down."

Other issues Dr. Kendall found were:

- visits were supposed to be unannounced, but many took place at a regular time, so the police were prepared for them, and they never happened at night.
- sometimes visitors were made to wait for long periods before being allowed into the cell area, and some visits were abandoned because of this, even though the scheme rules said access should be immediate.
- visitors needed to get the custody sergeant to sign off their reports, making it less likely that these would contain criticism of the police.
- during the pandemic, some visitors made virtual visits using Zoom, so allowing the police control over communications between the visitors and the detainees.

Dr. Kendall, who is a retired commercial solicitor, said that suspects could be held for 36 hours—longer for terrorist offenses—before being charged or released, or an application made to a magistrate for a longer period.

His recommendations include that visitors should be managed by an independent body, trained to understand deaths in custody, have statutory powers for immediate access to custody blocks, and that their visits should be random and unexpected, with confidential access to detainees. His proposal to set up a trial of his new system in one [police](#) area was rejected on the advice of the scheme's governing body.

Provided by British Sociological Association

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