



# SUFFOLK CONSTABULARY

**ORIGINATOR:** CHIEF CONSTABLE

**SUBMITTED TO:** OFFICE OF THE POLICE AND CRIME COMMISSIONER

**SUBJECT:** JOINT CUSTODY SERVICES, SERVICE DELIVERY AND PERFORMANCE UPDATE – NOVEMBER 2024

## **SUMMARY:**

1. This report provides an update from Joint Custody Services identifying key performance information and any significant operational or organisational issues.
2. There are no significant financial implications to note within this report.

## **RECOMMENDATION:**

1. The Police and Crime Commissioner (PCC) is asked to consider the progress made by the Constabulary and raise issues with Chief Constable as appropriate to the PCC's role in holding the Chief Constable to account.

## **1 BACKGROUND**

- 1.1 A Brief Description of the Role and Responsibilities of Custody Services**
- 1.2** Custody services provide the starting point for most criminal investigations managed by Suffolk Constabulary.
- 1.3** The key roles and responsibilities that relate to the custody service are defined by the principles within the nationally published Authorised Professional Practice for Detention and Custody and include:
  - There is a strategic focus which promotes the safe, dignified and decent delivery of custody;
  - Detention is appropriate, investigators and custody staff operate lawfully and in accordance with relevant legislation;
  - Detainees are treated with dignity and respect taking account of their diverse needs;
  - Detainees have access to emergency medical care, health and social care services as necessary;
  - All areas of the custody suite used by detainees are clean and safe, meeting required standards.
  - All detained persons have access to support from Liaison and Diversion (L+D) with a focus on support and preventing re-offending.
- 1.4** There are six Police Investigation Centres (PICs) in total, four in Norfolk and two in Suffolk, which have an overall capacity of 146 Cells.
- 1.5** The two Suffolk PICs are based at Martlesham (30 cells) and Bury St Edmunds (24 Cells). Persons arrested in the east of the county are taken to Great Yarmouth PIC (30 cells).

## **2 OVERVIEW**

- 2.1** The staffing of the PICs is dictated by The Custody Deployment Plan which was reviewed and revised in September 2022. It outlines resourcing for the entire year and focusses on key days where demand on the custody provision is anticipated to be higher than usual, for example Weekends and Bank Holidays. There is a current review of Custody being taken to ensure that it remains fit for current demand.
- 2.2** The operational management of custody each day is the responsibility of the 'Custody Bronze' Inspector. This Inspector will be one of the 6 PIC inspectors across both counties and the 'Custody Bronze' role is covered between the hours of 0700-0000 every day on a rota basis. Where incidents need to be managed by a senior officer, they will get raised to the relevant force Silver for the day.
- 2.3** Daily Management Meetings are chaired by 'Custody Bronze' and these provide an opportunity to raise and discuss operational demands. These are then compared with available resourcing and staff allocation to ensure demands and priorities are met. Flexibility exists to move staff between PICs as need arises.

- 2.4 On occasions the deployment plan is not met. To ensure safe detention is still available the Custody Bronze will authorise the use of a “managed service” at the relevant PIC. This in essence means that the capacity of the PIC will be temporarily reduced. If its capacity were to be met any further detained persons would be diverted to another PIC.
- 2.5 Should any PIC identify that the needs or volume of existing detainees present a risk, they may move to operate under an Amber or Red state in conjunction upon assessment by the Custody Bronze Inspector. State Amber describes a managed service through the Control Room - as each detainee is arrested the PIC where they can best be safely accommodated is identified and communicated to arresting officers. State Red indicates a temporary closure owing to detainee numbers. State Black is the closure of custody and results in the relocation of all detainees to alternative PICs. Black status is generally implemented owing to an operational or safety need. State Green describes when PICs are operating as business as usual.

#### Custody Services – Summary of Detentions in Custody

- 2.6 The following section shows Custody information based on:-
  - Total number of detentions
  - Use of Police Custody as a Place of Safety under Section 136 of the Mental Health Act 1983
  - Levels of Strip-searching, Use of Force and Other Control Measures
  - Use of Police Custody as a Place of Safety under the Children Act 1989
  - Numbers of Children detained in Police Custody and for How Long
  - Numbers of Children to be transferred to Local Authority Accommodation under the Police and Criminal Evidence Act (PACE)
  - Numbers of Children transferred to Local Authority Accommodation.

#### PCC Report – Data

- 2.7 The reporting period for the data is 1 August 2023 to 31 July 2024, unless otherwise stated.
- 2.8 The throughput of detainees for Suffolk for the period 1 August 2023 to 31 July 2024 was 9,975, a reduction of 586 detainees from the previous year. This data is based on Suffolk detainees using the six PICs across Suffolk and Norfolk Police Investigation Centres.
- 2.9 Of the total throughput figures for the period, 4.6% relates to voluntary attendance. This is a reduction of last year’s figure (5.13%).
- 2.10 9225 (93%) of the total throughput were adults, 750 (7%) juveniles (under 18). This is a very similar percentage as previous reporting period and remains low nationally.
- 2.11 Of the total number of adults 81% of detainees were male and 19% were female. Less than 1% were not recorded or ‘unspecified’. This is the same split to the previous year.

#### Levels of Strip-searching, Use of Force and Other Control Measures

##### Strip Searches

- 2.12 There were a total number of 416 strip searches under Section 54 of the Police and Criminal Evidence Act between 1 August 2023 to 31 July 2024, a reduction of 41 from the previous year which was already on a declining trend with 196 reduced the previous reporting period. It is worth noting that a number of these also include the College of Policing’s Authorised

Professional Practice requirement of recording changes of clothes (even in private) as a strip search. In terms of gender and age splits, this is broken down as follows:

Gender / Age	Strip Searches
<b>Female</b>	<b>58</b>
Under 18	2
18 - 29	21
30 - 39	24
40 - 49	8
50 - 59	3
<b>Male</b>	<b>358</b>
Under 18	37
18 - 29	172
30 - 39	92
40 - 49	41
50 - 59	15
60 - 69	1
<b>Grand Total</b>	<b>416</b>

2.13 The proportionate use of strip search is reviewed by the independent scrutiny panel which has enabled learning to be shared and best practice identified. Suffolk and Norfolk have been identified as an exemplar force regarding its provision of a scrutiny panel. The Panel's role is to act as a constructive friend to the Constabulary and to assist in improving standards, trust and confidence in the Police. The most recent report highlights that whilst there are still some areas for improvement, issues are being tackled and the use of both rip proof clothing and strip searching is generally well justified. Strip searches are also audited by the Inspectors with feedback given to the authorising Sgt, both positive and constructive.

2.14 Rip Proof clothing was used on 29 occasions during the reporting period. This type of clothing is used to ensure the safe detention of individuals who present harm to themselves whilst in the custody environment, this a reduction from 59 in the previous reporting period. Norfolk and Suffolk PICs are praised in national forums for the way in which rip proof clothing is used.

#### Use of Force in Custody

2.15 There are 1288 Assault, Force, Incident (AFI) incidents during between 01 August 2023 and 31 July 2024 in police PICs, 1202 are recorded as an individual officer's use of force.

#### Use of Police Custody as a Place of Safety under the Children Act 1989

2.16 Excluding any young person (under 18) arrested and brought into police custody, there were no instances where police custody has been used as a place of safety under the Children Act 1989.

### **3 KEY BUSINESS/RISKS**

3.1 The management structure of Custody is made up of a Chief Inspector (Head of Department), six PIC Inspectors and a Custody Development Officer (Police Staff). These are referred to as the Senior Leadership Team (SLT)

3.2 The PIC Inspectors and the Custody Development Officer all own individual portfolio's which are:-

- Training;
- Operations Management;
- Wellbeing;
- Audits and Scrutiny;
- Vulnerable persons;
- Managing Offenders;
- Contracts Management.

3.3 The SLT meet every six weeks to discuss portfolio updates and to monitor overall performance. This meeting is chaired by the Head of the department. Additionally, at this meeting any new national custody practises which are being introduced are discussed and adopted.

#### Partners

3.4 The NHS Liaison and Diversion (L+D) provision came into operation in May 2015 and has teams working across all PICs to conduct enhanced risk assessments on detainees. The emphasis is on removing the influences that causes them to commit crime therefore reducing reoffending. L+D are commissioned to operate between the hours of 8am-7pm, 7 days a week. A Twilight Liaison and Diversion (L+D) service is currently subject to review with a view to offering an enhanced diversionary service to custody users. During this review period we have a service until 00:00, however in most cases this is a remote service for all PICs except Great Yarmouth where the worker is stationed.

<b>PIC</b>	<b>Seen by L&amp;D</b>
<b>Bury St. Edmunds PIC</b>	<b>1069</b>
Adult	889
Juvenile	180
<b>Great Yarmouth PIC</b>	<b>812</b>
Adult	728
Juvenile	84
<b>Martlesham PIC</b>	<b>955</b>
Adult	816
Juvenile	139
<b>Grand Total</b>	<b>2836</b>

3.5 The Appropriate Adult (AA) service in Suffolk is provided by the Anglia Care Trust. The team of AA's operate up to 2300hrs everyday but can provide 24-hour provision with the authority of a Police Superintendent. The table below identifies the number of times appropriate adults were required during the reporting period (Suffolk detainees only)

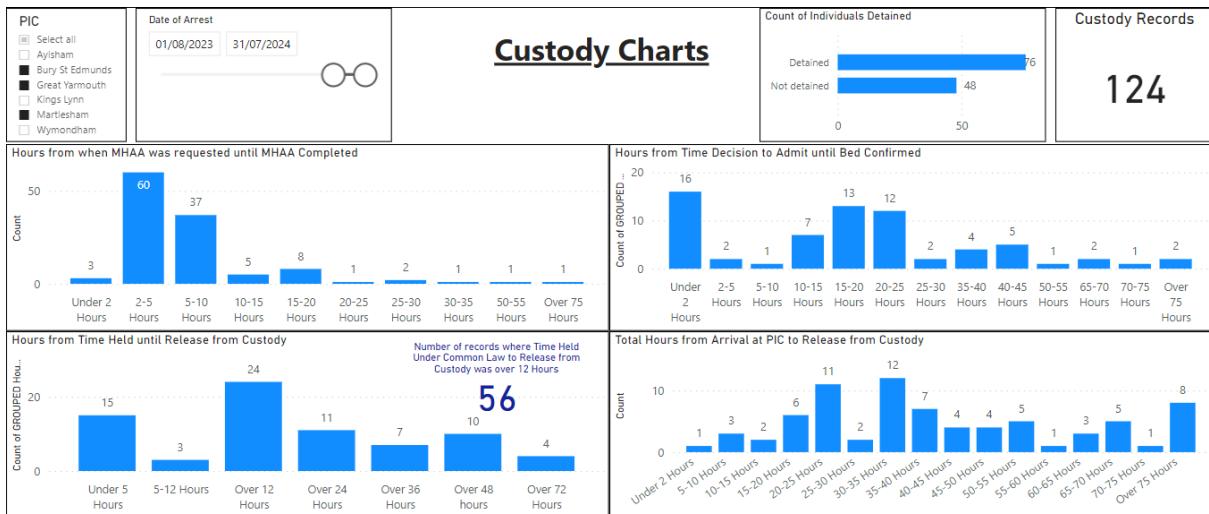
<b>PIC</b>	<b>Detainees requiring an AA</b>
Bury St Edmunds	503
Great Yarmouth	208
Martlesham	542
<b>Total</b>	<b>1253</b>

- 3.6 Independent Custody Visitors (ICV) work closely with the management team. They provide invaluable assistance in ensuring that standards of detention remain high and give legitimacy to the detention process. ICVs identify ways that a detainees stay can be made more comfortable and assist in continued innovation in relation to care.
- 3.7 In February 2024 we continued our collaboration with Norfolk, Suffolk, Bedfordshire, Cambridgeshire and Hertfordshire contract for embedded healthcare in the five main PICs across Norfolk and Suffolk (not Aylsham). This is managed through the 7-force commercial / procurement team although operational oversight is held within each force with heads of custody or staff managing this. The initial transfer of services has had its challenges, especially considering the staffing model that was already in place, however this is now working with almost full rota and coverage.

#### Mental Health

- 3.8 There were no instances where police custody was used as a place of safety under Section 136 of the Mental Health Act. However, there were occasions where detainees were sectioned under Section 136 of the Act following arrest relating to Police and Criminal Evidence Act (PACE) matters. This occurred when it became clear that detainee was suffering from mental ill health. These cases are referred to colleagues in the Norfolk and Suffolk Foundation Trust. Police stations are no longer deemed a primary place of safety (although they legally can be), with Health Authority locations having primacy for such detentions.
- 3.9 Following consultation with Constabulary Mental Health Co-ordinators, a dashboard has been created to allow tracking of detainees who have been subject to all formal Mental Health Assessments, assessment wait times, decisions, and subsequent movement into relevant authority area beds. There are significant current issues with bed availability within the Norfolk and Suffolk Foundation Trust resulting in some lengthy stays in custody for detainees suffering with mental ill health. It is becoming increasingly common practice for individuals who have been detained under the mental health act to remain in custody, utilising common law powers for several days despite universal recognition this is not appropriate. The longest recorded stay to date was 8 days.
- 3.10 A joint Mental Health policy regarding detention in custody has been agreed with an escalation process when the provision of secure accommodation or transport is not immediately available.
- 3.11 Norfolk and Suffolk manage mental health in a manner which is not consistent with other Constabularies. Persons remaining in custody whilst waiting for beds is not commonplace within wider Policing.

## Mental Health – based on Martlesham, Bury and Great Yarmouth (Unable to split by constabulary)



### Numbers of Children detained in Police Custody and for How Long

- 3.12 Total throughput of children (under 18) in police custody for the period from 1 August 2023 to 31 July 2024 was 750 (7% of all detainees), this is the same percentage from the previous reporting period.
- 3.13 Of the total throughput of children for the period, 11% relate to voluntary attendance.
- 3.14 78% of juvenile detainees were male, 22% were female, a slight increase in percentage of female juveniles, although worth noting this includes multiple instances of the same individuals coming through custody.
- 3.15 The average length of detention for a child (under 18) in custody was 10 hours and 50 minutes, 10 minutes less on average than the previous reporting period.
- 3.16 All children who attended custody were provided with a solicitor unless they were to opt out with good reason (this is a reversal of the right to opt to have a solicitor appointed free of charge)

### Numbers of Children to be transferred to Local Authority Accommodation under PACE:

- 3.17 During the period there were a total of 41 child remands requested for transfer to Local Authority care (under 18). This is a reduction of 10 since the last reporting period.
- 3.18 In 36 cases, the juvenile was not moved to alternative accommodation due to insufficient capacity from the local authority, or impractical to move due to the timeliness of the arrest to present to court from custody. The other 5 were moved to suitable accommodation.
- 3.19 Since the last reporting period, Suffolk continue to recruit and train foster carers who are PACE trained who should be able to offer a more frequent service to take juveniles from custody on remand.
- 3.20 Initial indications, based on the increase of transfers from the previous reporting period, suggest that more children will be moved from custody in the future. The increased capacity coupled with the refreshed officer training will lead to a reduction in children staying overnight in police custody.

3.21 A Custody Safeguarding Multi-Agency Forum is held to debrief all cases where transfer did not take place. This meeting is attended by the custody Inspector who holds the vulnerable persons portfolio.

3.22 The Independent Scrutiny Panel has begun reviewing of children staying overnight in custody, this has enabled learning opportunity for Police and partners. Early findings indicate that the Constabulary usually request the correct accommodation for the child's needs.

#### 4 INNOVATIVE PRACTICE

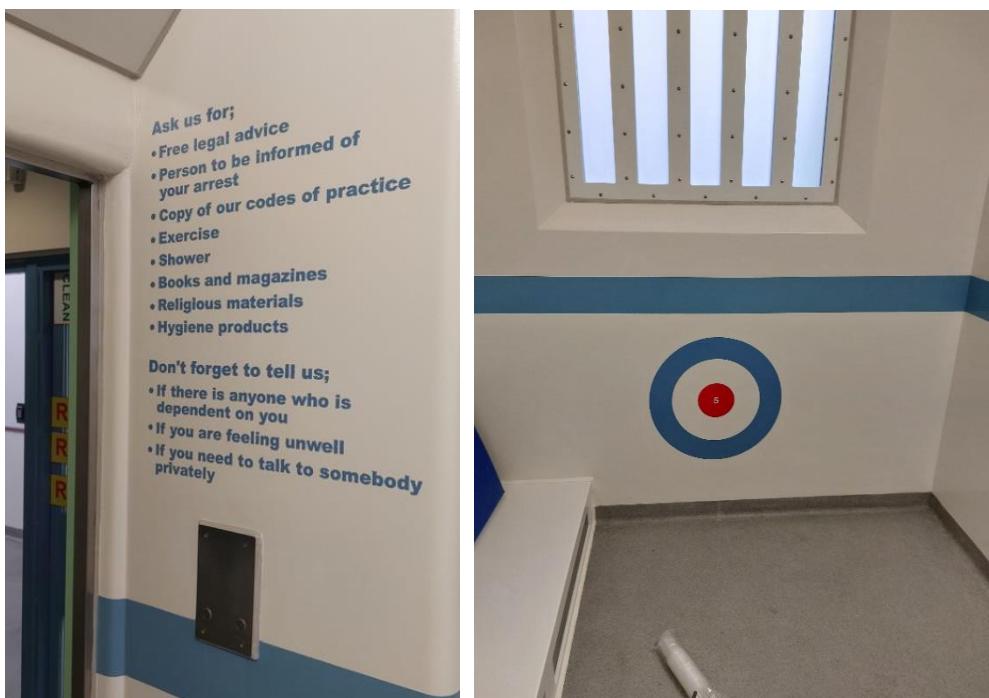
##### Managing offenders

4.1 In 2021 Custody introduced the portfolio role for Managing Offenders. This position has been introduced to oversee the management of several key Joint Justice priorities including Bail management, restorative justice, use of civil orders and encouraging officers to use voluntary attendance where appropriate. The Manging Offenders lead is also responsible for out of court disposals (OOCD) across both forces. This strategic piece of work compliments the national drive to reduce the number of offenders going through the court system. It is hoped that this team will continue to grow and work with external stakeholders to reduce the number of entrants into the judicial system.

##### Cell Transformations

We are currently undergoing a programme of works to transform our Child cells. It is recognised as best practice that children should be separate from the adult population within custody. Whilst a completely separate 'wing' is not feasible we have painted a number of cell doors a different colour to signify that they are juvenile cells. Within these cells there are a number of distraction items painted within the cells, this includes a target for kicking / throwing a ball, a whiteboard area for drawing and further rollout is imminent.

4.3 Additionally, we have begun to install decals above every cell intercom which is a constant reminder of ongoing rights and entitlements. This area has been selected as it is out of view when in the main part of the cell but easily read when at the intercom. It also serves as a timely reminder for any visitors to the cell to remind the detainee of those rights.



## Nudge theory

4.4 Nudge theory has been introduced across all PICs. Information has been displayed within half the cells with a view to prompting more persons to utilise the help of liaison and diversion. Early indications are that this trial is being successful and will lead to the decals being displayed across the entirety of the estate. This project is being academically reviewed by the University of East Anglia.



## Biometrics Officers

4.5 The primary function of the Biometrics Custody Detention Office (BCDO) is to improve the quantity and quality of biometric submissions, Fingerprints, Photographs and DNA.

4.6 The role requires the sharing of best practice with their colleagues through support, guidance, and education. By collaborating with colleagues, they observe how detainees' biometrics are obtained. Giving an opportunity to provide feedback, guidance or identify a training need to individuals where their knowledge or experience may indicate a need. This has been effective in reducing error rates and improving standards within custody.

4.7 The BCDO also assists the custody command in improving standards of fingerprinting by providing bespoke one to one training with new custody staff, discussing common errors, different techniques for resolving issues, and giving them opportunities to practice. During this training, there is an opportunity to explain and reaffirm the importance of taking good quality fingerprints and taking them on every relevant occasion.

## Peer Reviews

4.8 Norfolk and Suffolk Constabularies are at the forefront of development and have forged relationships with other constabularies in the region. The custody command has developed an inspection framework based upon the previous and joint inspections with His Majesty's

Inspectorate of Constabulary and Fire & Rescue Services' (HMICFRS). This is used to conduct peer review and to ensure that within the region there is constant learning and improving.

#### In Cell Technology

4.9 Over 50% of all cells across Norfolk and Suffolk PICs have been transformed to include in-cell technology. This is a screen which is embedded into the cells which enables remote PACE reviews, tele medicine, consultation with Liaison and Diversion, mental health / drug workers etc. This also allows for digital content to be played to detainees and currently we are working with the university of Sheffield creating videos and evaluate their effectiveness in ensuring detainees understand the custody process. More information on the project can be found - ['Good' police custody: Influencing police custody policy and practice | Law | The University of Sheffield](#)



### **5 HIS MAJESTY'S INSPECTORATE OF CONSTABULARY AND FIRE & RESCUE SERVICES (HMICFRS) CUSTODY INSPECTION**

5.1 The previous HMICFRS inspection of custody was carried out in 2018, with the next inspection due within 2024. As such, there has not been any updates directly from HMICFRS since previous reports published.

5.2 The recent HMICFRS inspection relating to children and young persons has identified some areas for consideration. This includes the number of children remaining in custody overnight. Elements 2.25-2.30 identify progress against this issue.

5.3 An escalation policy is required in relation to young persons who are remanded following charge. This is an obligation placed upon the Local Authority to provide housing provision which is normally not available. It is suggested that child friendly cells are created (all cells are approved for use with children, but decoration is in the process of being commissioned).

5.4 The HMICFRS recommend that a dedicated Custody Officer is responsible for being the single point of contact for each child and female in custody, to look to generate trust and gain information associated to exploitation and vulnerability. We include this in our audits which are completed monthly by randomly assigning a number of records to audit by Sgts, meaning around 300 records per month are looked at.

5.5 Recent reviews outside of Norfolk and Suffolk identify that some constabularies have room for improvement in the way they manage bail. The current processes are subject to review and will result in updated procedures being introduced.

5.6 The Custody Command Team review all HMIC reports relating to custodies within other forces to ensure that we assess their areas for improvement against our own practices. We then implement any necessary changes to ensure that our operating processes reflect what is identified as best practice.

## 6 DEATH AND SERIOUS INJURY INCIDENTS

6.1 A review of the serious incidents which have occurred in relation to detainees arrested or recently released from PICs within Suffolk, for the period 1 August 2023 and 31 July 2024 identified 15 cases. Of those, 12 were referred to the Independent Office for Police Conduct (IOPC) and were assessed as either suitable for local investigation by the Professional Standards Department (PSD) or returned to the Force to deal with.

Month/Year	Incident Summary	IOPC decision
August 2023	The detainee was arrested for a number of offences, held over night and taken to court the following day. On return home they state they suffered epileptic seizures and a fall which the detainee states was due to not receiving their medication while detained.	Referred to the IOPC and assessed as suitable for Local investigation.
August 2023	The detainee was arrested for a public order offence and transported to custody. They refused to engage with the booking in process and was taken to a cell. The detainee became less responsive, and a medic was called to conduct observations. An ambulance was called they were taken to hospital.	Not referred. Did not meet criteria for referral to the IOPC.
August 2023	The detainee was arrested and conveyed to custody. Whilst in the holding area the detainee refused to get up to be booked in and was either unwilling or unable to stand and may have briefly been unconscious. An ambulance was called, and paramedics were satisfied the detainee did not need to attend hospital.	Referred to IOPC, and their assessment declared not requiring investigation and returned to Force to deal with as they see fit.
September 2023	The detainee is arrested for assault and a public order offence and is transported to custody. When being booked in the detainee decides to lay on the floor but then becomes less responsive and goes quiet. The medic attends and the detainee is taken to hospital.	Referred to the IOPC and assessed as suitable for Local investigation.
November 2023	The detainee had been released from custody on bail and was found 7 days later having self-harmed.	Referred to IOPC, and their assessment declared not requiring investigation and returned to Force to deal with as they see fit.

November 2023	The detainee was arrested for driving with excess alcohol and was remanded for court. Following release, they were reported missing the next day and were found deceased.	Referred to the IOPC and assessed as suitable for Local investigation.
December 2023	The detainee was arrested on suspicion of assault and transported to custody. Following being processed it was noticed the detainee was unsteady and confused. An ambulance was called, and the detainee collapsed before the ambulance arrived. Seen by paramedics and refused to go to hospital.	Referred to IOPC, and their assessment declared not requiring investigation and returned to Force to deal with as they see fit.
January 2024	The detainee had been arrested, charged and bailed from custody. They were found deceased 3 days later from a suspected drug overdose.	Not referred. Did not meet criteria for referral to the IOPC.
April 2024	The detainee was arrested for a domestic related matter and was seen in custody by a medic. As the detainee is diabetic and prescribed insulin, this was given by the medic however the medic administered more than they should, and the detainee was taken to hospital as a precaution.	Not referred. Did not meet criteria for referral to the IOPC.
April 2024	The detainee was arrested for an allegation of sexual assault and passed out whilst in the cell. Taken to hospital and returned to custody.	Referred to IOPC, and their assessment declared not requiring investigation and returned to Force to deal with as they see fit.
May 2024	The detainee was conveyed to custody after paramedics confirmed they were fit to be detained. Assessment conducted by a medic in custody who was concerned about the detainee's recall following the possible loss of consciousness.	Referred to IOPC, and their assessment declared not requiring investigation and returned to Force to deal with as they see fit.
June 2024	The detainee was arrested for breach of a Criminal Behaviour Order and conveyed to custody. They were intoxicated and complained of pain in arm due to an injury a few weeks prior. The medic suspected the detainee may have had a stroke and they were transferred to hospital.	Referred to IOPC, and their assessment declared not requiring investigation and returned to Force to deal with as they see fit.
June 2024	The detainee was arrested for common assault. During cell check was found to be having an asthma attack, struggling to breathe and having chest pains. The detainee was given their inhaler and an ambulance called which was subsequently cancelled.	Referred to IOPC, and their assessment declared not requiring investigation and returned to Force to deal with as they see fit.
June 2024	The detainee was arrested and taken to custody. While there the detainee suffered a seizure and was transferred to hospital.	Referred to IOPC, and their assessment declared not requiring investigation and returned to Force to deal with as they see fit.
July 2024	The detainee was being transferred to the cell when they began resisting. They charged the cell door and were pushed back, resulting in slipping and hitting their head on the ground. Transferred to hospital.	Referred to the IOPC and assessed as suitable for Local investigation.

7 **FINANCIAL IMPLICATIONS**

7.1 No financial implications

8 **OTHER IMPLICATIONS AND RISKS**

8.1 No other implications or risks