

F.A.O: HMICFRS

Via email: contactHMICFRS@hmicfrs.gov.uk

31st January 2022

RE: APCC Response to HMICFRS Expectations for Police Custody Consultation

The APCC Custody portfolio is committed to supporting elected Police and Crime Commissioners (PCCs) to deliver effective oversight of police custody and working with strategic partners including the Inspectorate to achieve this. As a result, the portfolio has identified HMICFRS' Expectations for Police Custody Consultation as a key opportunity to consider and inform proposed changes to this critical area of policing.

PCC interest in this thematic area of inspection is based upon:

- PCC statutory responsibilities for effective oversight of police custody.
- PCC statutory responsibilities for oversight of chief constable functions, including custody and more broadly issues such as vulnerability/safeguarding, equality, diversity and inclusion.
- PCC police and crime plan priorities relating to custody and the treatment of people, including those with vulnerabilities, within this setting.
- The statutory requirement placed upon PCCs to publish a response to HMICFRS report.

The portfolio welcomes the opportunity for input on this strategic document, particularly given the publication of recent inquiries and reports, including the Angiolini Review and the Independent Advisory Panel for Deaths in Custody, and the impact of Covid19 on police custody which has created new challenges to an already complex and critical area of policing.

Recommendations & Considerations

The below response is based upon:

- Individual PCC submissions shared with the APCC Custody lead.
- Views gathered from key stakeholders.
- Evidence gathered via a rapid review of police and crime plans published to date conducted with the aim of ensuring PCC priorities relating to custody are reflected within HMICFRS' custody expectations.

PCCs welcome and support HMICFRS inspection focus on:

- The Inspectorate's approach to driving improvements across custody via effective leadership, accountability mechanisms and working with partners.
- HMICFRS focus on data collection regarding the use of force within custody and the expectation for forces to deliver assurance to PCCs and the public on this.
- The need for force understanding of Equality Act obligations and in particular the effective collection of data to enable learning and inform scrutiny. It is encouraging to see synergy between HMICFRS and the Independent Advisory Panel on Deaths in Custody who also recommend external examination of data relating to custody performance. PCCs highlighted their expectations for forces to meet the individual needs of female detainees as a key area of inspection, which is also featured in several police and crime plans.
- Partnership work, with PCCs eager to stress the importance of joint inspections regarding ensuring partners fulfil their custody responsibilities, particularly regarding vulnerable people and children.

- Training and sharing of evidence-based practice. PCCs shared examples of how forces are already delivering learning following deaths or serious injury in custody to prevent similar incidences from occurring. The need for such learning is also recognised by the Independent Advisory Panel on Deaths in Custody and has been discussed as a priority area with the APCC Custody portfolio lead.
- The physical environment of custody, with PCCs eager to highlight actions taken at a force level to improve custody estate and their support for this to be considered as part of police custody inspections.
- Effective external scrutiny, it is positive to see the need for forces to respond to PCC led independent custody visitor feedback captured as a key indicator within the document. The inclusion of this rightly captures the importance of the ICV role in helping forces to improve and in building public assurance and this is a consistent priority identified during our review of police and crime plans in England and Wales.

Additional areas of focus for the Inspectorate's consideration include:

- A focus on Liaison and Diversion schemes effectiveness in custody now they are operating in each local policing area – diversion is a key theme identified across PCC police and crime plans.
- Impact of Covid19 on custody, including mental health demand and impact on vulnerable adults and children – this should include partnership requirements outside of policing's remit.
- Deaths in custody and suicides – this is in line with recommendations made by the Independent Advisory Panel on Deaths in Custody.

On behalf of PCCs, the APCC Custody portfolio looks forward to working alongside HMICFRS to maintain awareness of these expectations and deliver effective scrutiny of this important area of policing. Additionally, the portfolio extends an offer to work with HM Inspectors to highlight and share their recommendations, notable evidence-based practice and/or issues arising from inspections of a national concern.

Yours sincerely,



APCC Custody lead: PCC Emily Spurrell

Contact: APCC Senior Policy Manager, Eddie Smithwick eddie.smithwick@apccs.police.uk