

NOT PROTECTIVELY MARKED

Published

Event History

Policy owned by Operational Services**Custody****1. Policy Purpose and key drivers**

The purpose of this policy, the associated procedures and the contents of the national Authorised Professional Practice (APP) (Detention & Custody) is to provide high standards and a corporate approach to processes within Staffordshire Police Custody facilities. The emphasis is on the fair and equitable treatment and care of all detained persons according to their individual needs within a functional and safe environment and to reassure the public that all staff operating in custody are exercising their powers fairly, ethically, consistently and in line with relevant legislation.

The policy applies from the time a person is arrested, their arrival at a custody facility to their release from police detention/custody.

Account is taken of operational needs and the requirement to comply with relevant legislation and draws together existing procedures into a consolidated format. The procedures provide a framework for dealing with all aspects of managing persons in police detention/custody to the highest of standards in that detained persons:

- § Will be treated in a dignified and professional manner according to their needs;
- § Will have their welfare and medical needs pertinent to their time in police detention/custody addressed and managed as appropriate;
- § Will be dealt with diligently and expeditiously in line with legislation and any Codes of Practice pursuant to that legislation;
- § Will be subject to ongoing risk assessments to ensure their safety and that of others within the custody environment.

Related Documents

Links to related documents:

[Custody - Force Procedures including APP \(Procedure\)](#)

Gatekeeper - the Author suggested the following Procedure document(s) to link to.

Relevant Dates and Review Period

Effective Date:	25/05/2016
Review Date:	04/05/2018
Review Frequency:	Annually

Policy Basis and Implications

2. Legal Basis: Police And Criminal Evidence Act 1984 & the Codes of Practice; Police Reform Act 2002.

3. Management of Police Information (MoPI): **MoPI Policing Purpose:** Protecting Life and Property, Preserving order, Preventing the commission of offences, Bringing offenders to justice, Any duty or responsibility arising from common or statute law
MoPI Review, Retention and Disposal addressed as follows:

Staffordshire Police currently stores custody records in an electronic (structured and searchable format) in both the legacy ABM custody system and in the NSPIS custody system (since December 2005). Paper custody records were also created and retained for the ABM custody system as they contained hand written details of all the activities carried out with detainees such as PACE Act authorisations, visits, provision of food and medical treatment with appropriate signatures.

The routine creation of paper records was discontinued with the introduction of NSPIS custody as all activity is recorded on the system with an electronic signature. Paper custody records created since the inception of NSPIS are those created when the system is unavailable for technical reasons and then these are subsequently converted onto NSPIS when the system returns to functionality. Other custody records are copies from other Forces accompanying a detainee when transferred into Staffordshire Police Custody. Other paper documentary elements of custody records created and retained are those created for administrative purposes and are filed using a form 90S to identify and link to the electronic custody record. Such documents include Forms ICV2 (detainees consent to view custody records by ICVs) Person Escort Record (PER) form which deal with risk assessment and transfer of detainees to Escort Contractors etc.

Paper custody records will be retained until they reach six years old as recommended by the MoPI guidance and ACPO retention guidelines 2009 (urn 490) then disposed of. Data recorded directly onto the ABM custody system is still available. Individual records, identified on a case by case basis, can still be retained for a longer period if appropriate, for example, for a serious case (retained with file), if required by other legislation such as CPIA or civil litigation (seven years time limit).

Forms 90S which only have administrative paperwork (out of scope for MoPI) attached to them should be disposed of, together with the attachments, after 12 months.

4. Associated Benefits:	Greater corporacy of the processes within the custody environment leading to an increase in the confidence of detained persons and the public in the way in which Staffordshire Police demonstrate fairness in the treatment and the upholding of the rights of those detained persons. A better managed and safer custody environment for all.
5. Consultation:	The Force Executive The Force Custody Management Police Federation Unison Health & Safety Learning & Development Scientific Support Professional Standards Dept The Force Finance Department Estates & Facilities Superintendents Association G4S
6. Financial Implications:	The implementation of this policy and its procedures require no additional finance beyond the training for the staff concerned.
7. Human Resources / Training:	Initial custody officer training supported by refresher training as appropriate. Custody Detention Officers are on contract and trained by their company prior to being designated by the Chief Constable.
8. Associated Policy:	Offence Resolution

Indicators

FOIA:	Release to Public		
ECHR:	Compliant with proportionality test	Articles engaged:	Article 5 Right to Liberty and Security; Article 6 Fair Trial; Article 7 No Punishment without Law
EIA:	Compliant	Compliant with Code of Ethics:	Yes

Indexing

Categories: Custody
Offence Resolution

NOT PROTECTIVELY MARKED