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Comisiynydd Heddlu a Throseddu  
Dyfed-Powys  
Police and Crime Commissioner



Heddlu Police  
**DYFED  
POWYS**



**February 27<sup>th</sup> 2025**

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**Police and Crime Commissioner for Dyfed-Powys**  
**Authored by: Tom Walters**

# **Custody Independent Scrutiny Panel: Ethnic Minority Detainees in Custody**

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# **Overview, Background, Purpose and Methodology**

The origins, purpose and the rationale for the Custody Independent Scrutiny Panel (CISP) can be found on our webpage and specifically under the Terms of Reference (ToR) via this link: [Dyfed-Powys Police & Crime Commissioner](#)

In June 2022, the Welsh Government launched its [Anti-Racist Action Plan](#) outlining the determination for all criminal justice partners to do all they can, individually and collectively, to root out any form of racism across the Criminal Justice System. The aim is for Wales to become anti-racist by 2030. Taken from within the Anti Racist Action Plan, under the Vision:

*"It would be naive to think we can completely eradicate racism in Wales; but we can start to create a culture with zero tolerance of racism, and change our systems and institutions to 'design-out' racism."*

To compliment the Anti-Racist Action Plan, the OPCC in 2024, released the [Strategic Equality Plan](#), which sets out Dyfed-Powys Police (DPP) and the Police and Crime Commissioner's (PCC) priorities over the next four years in terms of meeting the Public Sector Equality Duty which includes:

- a. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- b. Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- c. Foster good relations between people who share a protected characteristic and those who do not.

The Equality Act 2010 is legislation that protects people from discrimination in the workplace and wider society. Those protected characteristics are:

- age
- gender reassignment

- 
- being married or in a civil partnership
  - being pregnant or on maternity leave
  - disability
  - race including colour, nationality, ethnic or national origin
  - religion or belief
  - sex
  - sexual orientation

The Panel were asked to assess 30 custody records that focused on ethnic minority detainees from June-December 2024. When assessing the records they were asked to use the following guidance taken from the Independent Office for Police Conduct (IOPC), specifically from the 'Guidelines for Handling Allegations of Discrimination':

*"The test for direct discrimination under the Equality Act 2010 is 'was the person treated less favourably because of a protected characteristic?' 'Less favourably' implies a comparison. Similarly, the test for indirect discrimination is that a policy, practice or procedure puts people who share a particular protected characteristic at a 'particular disadvantage'."*

Here is an example of the set of questions the Panel were asked to consider:



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# **Summary of Findings**

Below is a summary of some of the findings by the Panel:

## **Positives:**

### **No signs of discrimination**

From evaluating all 30 custody records, the Panel overall did not identify any direct or obvious concerns relating to any ethnic minority detained person (DP) being treated less favourably.

### **Rights and Entitlements**

All DPs were given their rights either at booking in or at a later stage during custody.

### **Special Risk Clothing**

Out of the 30 records reviewed, no detained person (DP) was put in an Anti-Rip Suit nor were their clothes forcibly removed.

### **Female Detainees**

All females were offered sanitary products and were allocated same sex officer.

### **Hygiene**

All DPs were offered hygiene facilities including showers or handwashing products.

### **Time in detention**

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The average time lapsed from the point a detainee arrived at custody and was authorised for detention was 30 minutes and the average time a detainee was held in custody was 16 hours. This is less time in comparison to the average times of other CISP reports, which are on average, a detainee is held for 18 hours and 34 minutes.

### **Observational Level**

The Panel recorded 93% confirmation that all DPs risks were taken into account with two records being considered not applicable on the basis of the time the DP was held in custody.

### **Healthcare Professional (HCP)**

Out of the 10 DPs that required to see the HCP, 4 experienced delays. However, the Panel noted that staff raised and handled concerns in a professional manner on several occasions noting some DPs behaviour factoring the delay in seeing the HCP.

### **Strip Search**

Out of the 30 records reviewed, only 7 were strip searched. Of those strip searched, the Panel agreed that 6 had proportionate rationale to do so, but queried the grounds for 1 strip search. This is addressed further on [page 11](#) of the report.

### **Areas for improvement:**

#### **Interpreters**

Difficulties associated with obtaining an interpreter for certain languages meant that legal representation were delayed and in one instance, the DP being bailed until one could be sourced.

#### **Childrens Checklist**

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Although only one case out of the 30 was in reference to a juvenile detainee, the Custody Checklist, Voice of the Child nor the Reachable Moments were recorded for this custody record.

### **Female allocation**

Out of the 6 records that were recorded as female, 4 had no detail advising whether a female officer had introduced themselves.

### **Religious items**

Out of the 30 records 17 DPs had their religious items catered for (57%). Whilst this is an improvement, there were 10 records with no details recorded in relation to religious items.

### **Gaps in provisions provided to DPs**

Despite 87% of DPs were offered food and refreshment, there were 3 custody records where this was not recorded and in one instance there was no evidence that food or drink was offered to the DP during their detention. Additionally, there were gaps in the DP being instructed that the toilet area is pixelated, DP instructed of the cell call bell and dietary requirements.

### **Support Services**

Only 50% of DPs were offered support services in comparison to 33% who were not and 17% that this was not applicable. 5 of the 30 custody records scrutinised suggested that there was no evidence to suggest that contact was made with support or Mental Health services during the detainees' detainment.



# Panel Observations

Force comments were produced by Inspector of Custody Services for Dyfed-Powys Police Andrew Rogers.

| Theme                          | Observation   | Force Response  |
|--------------------------------|---|---|
| <b>Red RAG rating concerns</b> | <ol style="list-style-type: none"> <li>1) A Panel members expressed specific concerns in relation to one DP who was arrested for begging outside a supermarket and was held for 23 hours without charge and had small amounts of money forfeited. Can you please review this record and advise if the detainment of this DP was proportionate.</li> <li>2) For the same custody record, the Panel member expressed concerns that the MH for the DP did not appear to have been considered. Given that the DP disclosed having difficulties in enclosed spaces and English was not their first language, could more have been done to cater for this individual's needs?</li> <li>3) A separate Panel member advised that the circumstances to the arrest was not clear, specifying that the DP was arrested on the smell of Cannabis; however, how was it known to officers that the smell of cannabis was emitting from within the vehicle and was in motion?</li> </ol> | <p><i>1) Begging in a public place is a criminal offence and the DP was identified as being linked to an organised crime group which uses begging to obtain/raise funds. Whilst the DP was not charged, the DP was issued with a conditional adult caution following a full admission to the offence in interview. The money forfeited was part of the conditional caution and this is covered under Criminal Justice Act legislation where conditions can be rehabilitative, reparative, or punitive. The money was not seized under Proceeds of Crime Act, as suggested by the panel member, where this would need to exceed £1000. The DP admitted the offence during interview and that the money in her property was gained as a result of the offence. The DP was under no obligation to accept this caution and alternative disposal such as charge would have been considered. Begging has been a criminal offence for many years under the Vagrancy Act and was made a recordable offence in 2003. It is not ASB as the panel member suggested. The DP's release was caused due to a lack of available Romanian interpreter. Custody record has been endorsed stating that Wales Interpretation and Translation Services (WITS) informed custody that the only available interpreter already had 3 other bookings to complete. Due to the delay/lack of interpreter, custody staff were forced to use interpreter services remotely. Review of available options to improve interpreter services to be explored.</i></p> |

|  |  |  |
|--|--|--|
|  |  | <p>2) Relating to the same DP and custody record as point one, having reviewed the custody record, the DP was booked into custody using Language Line and this would have allowed her to pass all relevant information via a Romanian interpreter. Having reviewed the risk assessment, the DP disclosed no ongoing physical or mental health issues, other than she struggles in enclosed spaces. Due to the number of other detainees in custody at that time, it would not have been possible to place the DP elsewhere in custody other than a cell. In addition to this, there are no endorsements on the custody record that would suggest that the DP complained about being in the cell at any time and appeared calm and compliant throughout detention. Whilst, from the information within the risk assessment, there would not have been any reason for a HCP assessment, I perhaps would have sought a review with the HCP because the DP may in fact be homeless and there could be underlying health issues. There could potentially have been other underlying vulnerabilities such as exploitation, trafficking, immigration, etc.</p> <p>3) I have reviewed the occurrence and the custody record. To provide clarity regarding the circumstances, the DP was a rear seat passenger in a vehicle that was subject of a stop check under Road Traffic Act legislation. When speaking with the occupants of the vehicle, cannabis could be smelt coming from within the vehicle, whilst it was stationary. The arresting officer formed grounds for a search under S23 Misuse of Drugs Act and during the search a quantity of cannabis was located with the DP. DP subsequently arrested, charged, and remanded for</p> |
|--|--|--|

|                              |  |   |
|------------------------------|--|---|
|                              |  | <i>several offences including possession with intent to supply class B drugs.</i>   |
| <b>Provisions in Custody</b> | <p>- There was no evidence that the DP was offered or requested any food or drinks during their time in custody which was lengthy.</p> <p>- There was no evidence of distraction tools or reading material provided.</p>                                   | <p><i>- Custody record checked and there are no entries relating to meal/drink and no other endorsements to say that either has been declined by DP. Feedback to be provided to staff involved.</i></p> <p><i>- Custody record checked and no entries found relating to reading material being offered. However, the DP may not have requested them. All DPs are provided with a list of items that they can ask for when signing for their rights and entitlements which includes hygiene packs, food/drink, washing facilities, reading material, exercise and to speak with someone in private.</i></p>  |
| <b>Female Allocation</b>     | <p>One Panel member noted that the reason why the DP was not assigned a female officer was due to the fact that they identified as male. If the DP identified as a male, should the custody sergeant have recorded this during the DP being booked in?</p> | <p><i>Custody record reviewed and the custody has endorsed the custody record with an entry regarding this matter. The DP was Bulgarian and an interpreter was required from Language Line to complete booking in procedure. The custody officer records that whilst the DP appeared masculine, he believed the DP to be female. The custody officer asked the DP what gender they identify as, which the DP stated male. Custody officer also asked what sex they were born as, but the DP declined to answer this question. Due to this, the custody officer believed that the DP was born female and now identifies as male, so selected the trans male identity section which would be correct.</i></p> |
| <b>Interpreters</b>          | <p>There were two occasions when an interpreter could not be provided due to the difficulties obtaining the language spoken by the DP. On one occasion the DP was bailed without an interview due to speaking Slovakian and a</p>                          | <p><i>All requests for interpreters are dealt with by WITS (Wales Interpretation and Translation Services). Delays are most often caused due to travel time, depending on the location of the available interpreter, or a lack or shortage of interpreter for a specific</i></p>  |

|                              |   |   |
|------------------------------|---|---|
|                              | <p>further delay in solicitor arriving was due to the availability and arrival of a Bulgarian speaking translator who had to travel from England.</p> <p>Are the provisions in place for language interpreters adequate to meet the needs of Dyfed-Powys?</p>   | <p><i>language. Unfortunately, this is not within DPP control, and the number of interpreters can vary greatly depending on the language. However, Language Line is also used for telephone interpretation, and this is always used for the booking in procedure but can also be used for interview if there is no interpreter able to attend in person.</i></p>  |
| <b>Access to a Solicitor</b> | <p>-Access to a solicitor appeared to have been linked to when the investigating team were ready to interview DP. Can you advise if this is the case, and if so, is this considered standard practice?</p> <p>-The Panel noted on two occasions that there was no record detailing the solicitor contact, type of contact or time of arrival.</p> | <p><i>-This would not have been the case. All DPs can make contact with their solicitor (named or duty) at any time via telephone as and when duties permit the custody staff to accommodate this. However, solicitors will not attend custody until officers are ready for interview. This is due to the solicitor's own capacity and commitments and so are not willing to travel to custody to provide advice in person, which could be provided via telephone, and then leave before having to return later in the day. Some solicitors travel more than 1 hour to reach custody.</i></p> <p><i>-Two of the custody records noted do have entries relating to DP being with or speaking with a solicitor, as well as the transfers to and from the consultation room. One of the custody records has no entries relating to the DP speaking with a solicitor. None of records endorse the arrival time of the solicitor at custody. This appears to be a recurring theme during audits and consideration will be given to sending force wide communications regarding this.</i></p> |
| <b>Observation Level</b>     | <p>One Panel member could not find detail of the observation level in the custody record. Another Panel member noted that the observational level was not adhered to. They noted that the observation level was not exactly met within the 30-minute deadline</p>   | <p><i>Observation levels are recorded on the Care Plan. Initial observation level was 2 30's (rousing checks) as DP had consumed alcohol. Observation levels were then changed to 1 30's as the DP had roused well and showed signs of sobriety.</i></p>  |

|                           |   |   |
|---------------------------|---|---|
|                           | and review was over 30 minutes late and that there was no reason given for the delay.   | <i>I have reviewed the timeliness of the checks, the first check was 6 minutes late, but all other checks conducted were early and some conducted 10 minutes early. This was not commented on by the panel member reviewing. I cannot locate any checks which were over 30 minutes late as suggested by the panel member. There will be occasions where checks are endorsed later than when actually conducted, especially when numerous detainees are checked at a similar time and staff are required to update several checks on different custody records.</i>  |
| <b>Support Services</b>   | 5 of the 30 custody records scrutinised suggested that there was no evidence to suggest that contact was made with support or Mental Health services during the detainees' detention. Would this be considered to be proportionate?   | <i>All 5 custody records have been checked and none of the DPs would have required referral to support or mental health services. All 5 DPs answered no to having any ongoing mental health problems or dependencies relating to alcohol, drugs or gambling. All 5 DPs also declined to speak with an arrest referral worker. All of these questions and information are included in the risk assessment.</i>   |
| <b>Strip Search</b>       | One Panel queried whether there were proportionate grounds to conduct a strip search on the DP. They queried the rationale provided which was that the DP was suspected of county lines drug supply and failed to stop for police. The Panel member noted that there was a strong smell of cannabis coming from the DP, with their car and property already searched. | <i>I would argue that there are sufficient grounds to authorise a strip search under these circumstances. DP suspected to be involved in county lines drug supply where concealment/packing is commonly used by suspects. The DP still smells strongly of cannabis on arrival at custody, away from vehicle which could indicate that DP still had cannabis concealed on his person. The custody officer's role is to manage risk and any concealed drugs would pose a significant risk to the DP. To note, the searches of the DP's vehicle and home address were authorised by an Insp prior to the strip search being conducted and were not actually searched prior to the DP being searched.</i> |
| <b>Children Checklist</b> | For the single juvenile custody record reviewed, the Children in Custody checklist,   | <i>Panel member is correct. The checklist was not completed, so no reachable moment was completed</i>   |

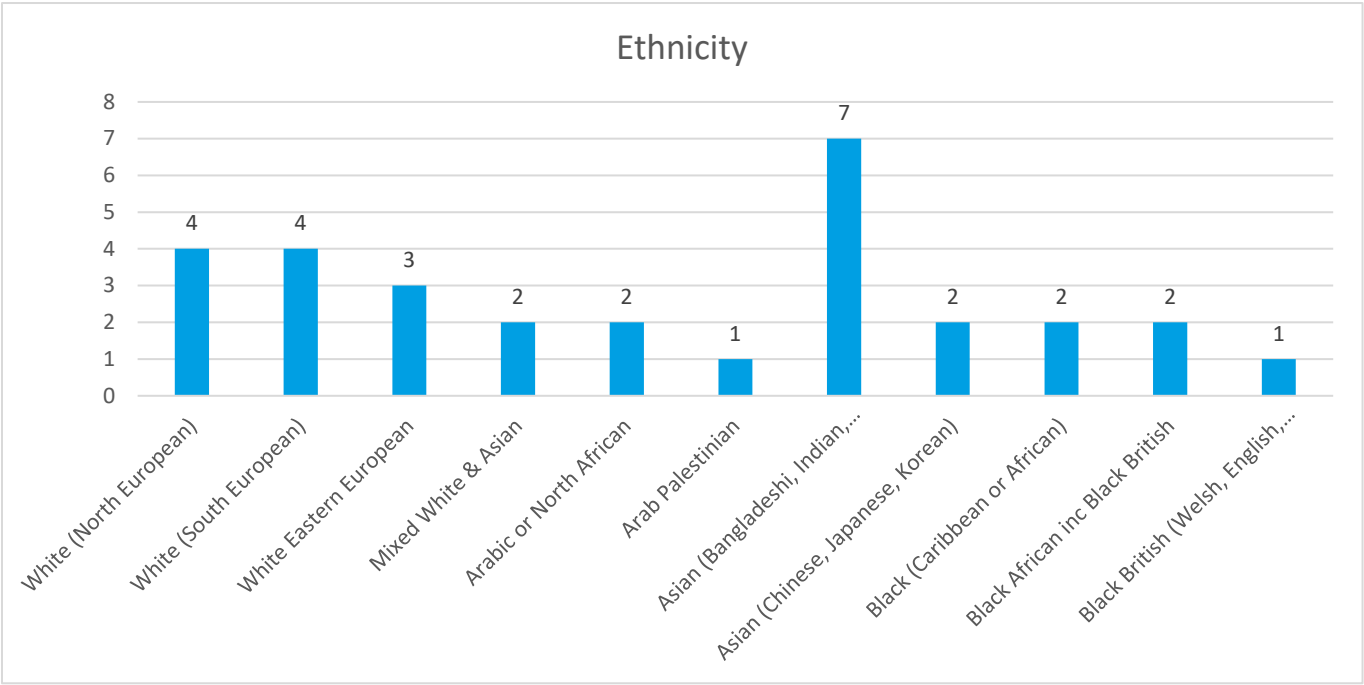
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|  |  |   |
|--|--|---|
|  | Voice of the child nor the reachable moments were completed for this record. | <i>and there was no entry covering voice of the child. This will be highlighted during monthly Quality Assurance audits where 100% of children in custody are reviewed.</i> |
|--|--|---|

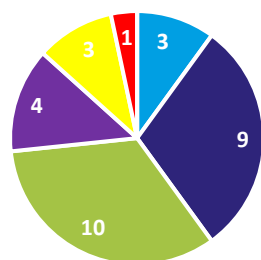
# Annexe- Custody Record Review Findings

The data below outlines the results of the feedback forms completed by the Panel members which was analysed to identify the positives and areas requiring improvement in each specific area of custody with the focus of Ethnic Minority detainees in custody. This section of the report is supplemental to provide context to the *Summary of Findings* and the *Panel Observations* sections above. All custody records were viewed from June-December 2024.

## Demographics

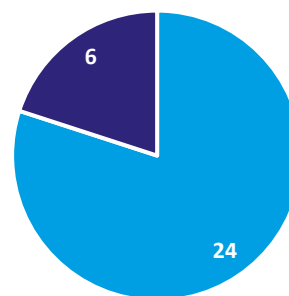


Age



■ 13-18 years ■ 19-25 years ■ 26-35 years ■ 36-45 years  
■ 45-55 years ■ 56-65 Years ■ 66 +

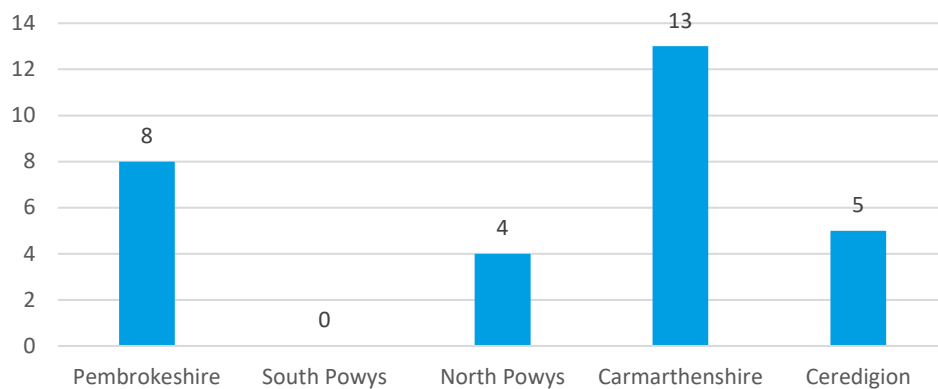
Gender



■ Male ■ Female

## Proportion of Custody Suites Holding Ethnic Minority Detainees

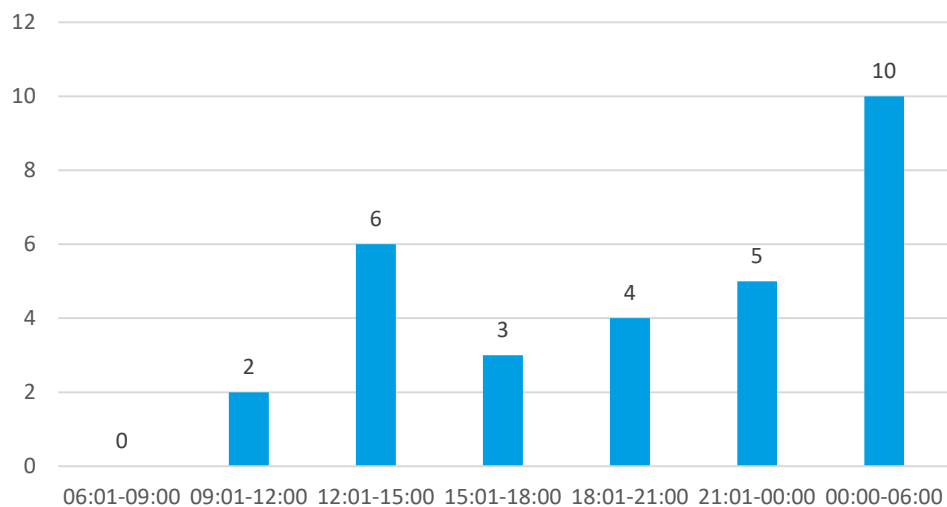
Proportion and Location of Detainees in Dyfed-Powys





## Time Arrived in Custody

Time Arrived in Custody



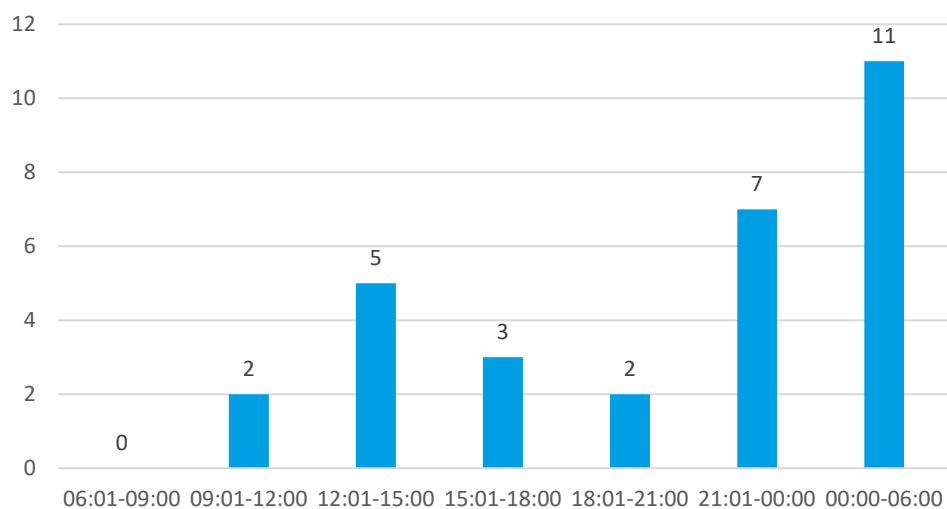
## Time Lapsed From Arrival to Detention Authorised

- The average time lapsed from the point a detainee arrived at custody and was authorised for detention was 30 minutes.
- The highest waiting time was 3 hours and 57 minutes.
- The fastest time for a detained person (DP) to have their detention authorised was 2 minutes.

## Total Time in Detention

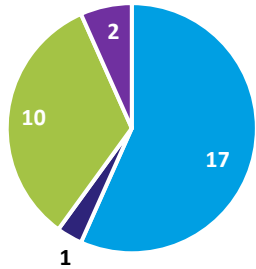
- The average time a detainee was held in custody was 16 hours.
- The longest time a DP was held in custody was 30 hours and 59 minutes.
- In contrast, the shortest time a DP was held in custody was 3 hour and 5 minutes.

Time Authorised in Custody



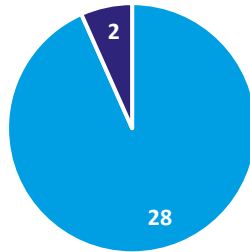
## Provisions in Custody

Were religious requirements catered for?



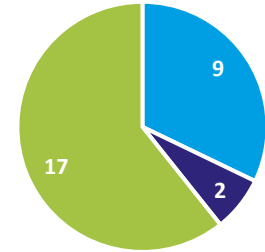
■ Yes ■ No ■ No details found ■ N/A

DP was asked about dietary requirements and allergies?



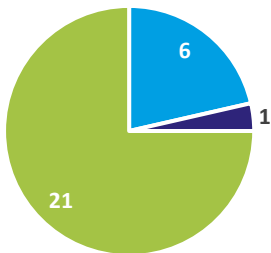
■ Yes ■ No

Was the DP instructed in the use of the cell call bell?



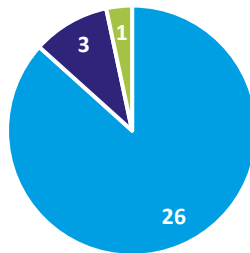
■ Yes ■ No ■ No details found

Was the DP instructed that the toilet is pixelated?



■ Yes ■ No ■ No details found

Food and refreshments offered regularly?



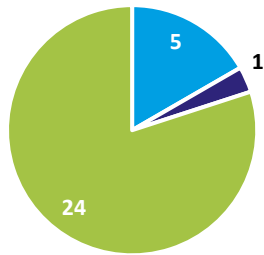
■ Yes ■ No ■ N/A

• The Panel had the following observations in relation to provisions in custody:

- There was no evidence that the DP was offered or requested any food or drinks during their time in custody which was lengthy.
- There was no evidence of distraction tools or reading material provided.

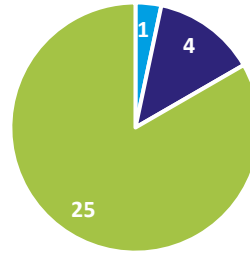
## Female Detainees

Was a female officer assigned where necessary for a female DP?



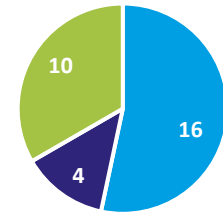
■ Yes ■ No ■ N/A

Did a female officer introduce themselves to the DP?



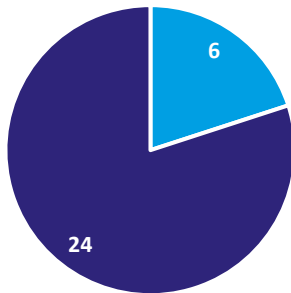
■ Yes ■ No details found ■ N/A

Was the DP asked if they would like to speak with someone from the same sex?



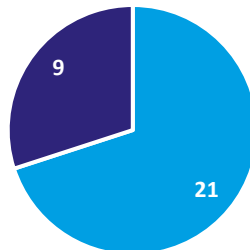
■ Yes ■ No ■ N/A

Were menstrual products offered?



■ Yes ■ N/A

Does the record make any reference to hygiene requests



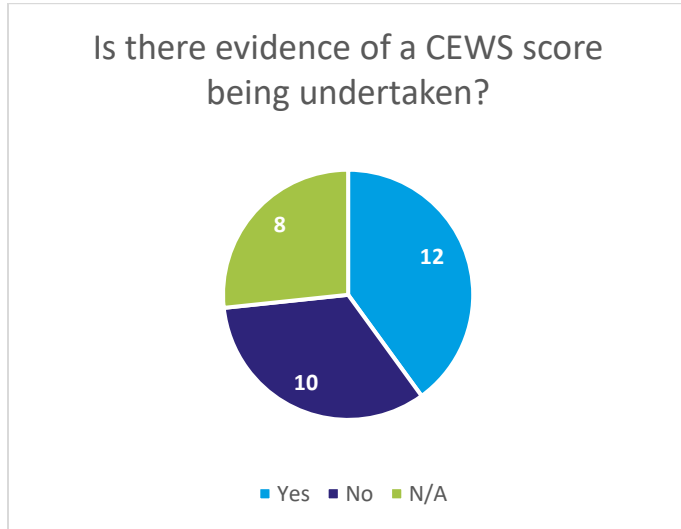
■ Yes ■ N/A

- One Panel member noted that the reason why the DP was not assigned a female officer was due to the fact that they identified as male.

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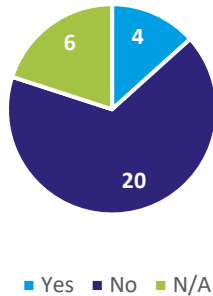
## Custody Early Warning Score (CEWS)

Custody Early Warning Score has been added to the normal standardised police risk assessment process to identify detainee morbidity and mortality risk. This is an assessment made by custody staff to assess the detainee's health needs.



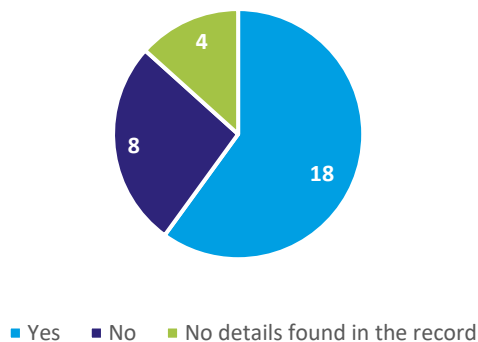
## Rights and Entitlements

Was there a delay in receiving R+E  
(e.g. with AA/interpreter present)  
of more than 1 hour?



- All DPs were given their rights either at booking in stage or at a later stage during their detention.

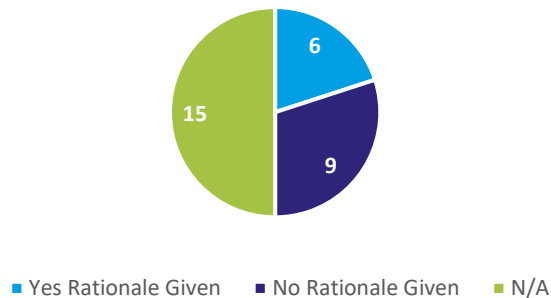
Did the DP see or speak to a  
Solicitor?



### How long, after detention authorised, did the DP request a solicitor?

- The average time for a detainee took to request a solicitor was 1 hour 15 minutes.
- In 17 of the 30 of the cases, the DP made the request for a solicitor within one hour.
- The longest period for a DP to request a solicitor was 7 hours and 30 minutes.

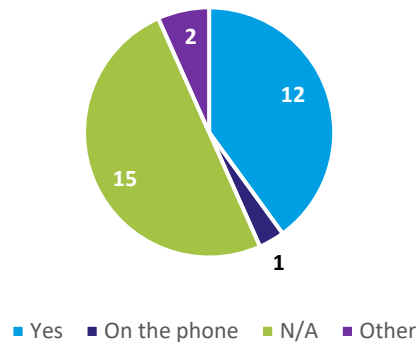
If there was a lengthy delay in seeing a solicitor, was there any rationale available?



#### The length of time taken for police to contact a solicitor

- The average time taken was 3 hours and 50 minutes for police to contact an on-duty solicitor.
- The longest period of time was 14 hours and 40 minutes.
- The shortest was 3 minutes.

Was solicitor advice given in person?



#### The length of time taken for solicitor to arrive from the point of being contacted

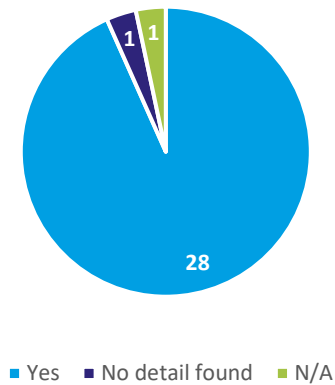
- The average time it took for a solicitor to arrive after being requested was 9 hours and 28 minutes.
- The Panel noted on two occasions that there was no record detailing the solicitor contact, type of contact or time of arrival.
- The Panel made the following observations on the circumstances relating to the solicitor being delayed:
  - 1) Delay in solicitor arriving due to the availability and arrival of a Bulgarian speaking translator who had to travel from England.
  - 2) Awaiting an interpreter due to the time of evening the DP was detained.
  - 3) Solicitor was delayed due to court commitments.
  - 4) Access to a solicitor appeared to be linked to when the investigating team

were ready to interview DP.

- 5) An interpreter could not be provided due to the language spoken; therefore, the DP was bailed without an interview.

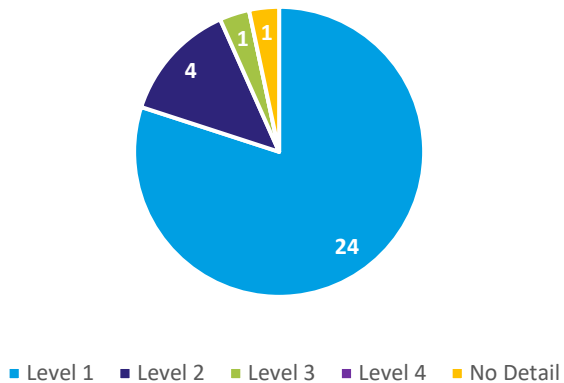
## Observation Level

Was an observation level set

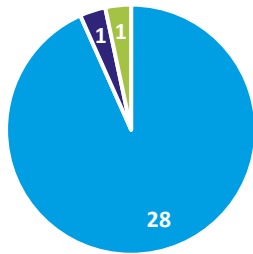


- The risk level is judged on 4 levels.
  - Level 1 General (at least once every hour)
  - Level 2 Intermittent (every 30 minutes)
  - Level 3 Constant (constant observation CCTV and accessible at all times)
  - Level 4 Close Proximity (physically supervised in close proximity).
- The Panel recorded 93% confirmation that all DPs risks were taken into account with two records being considered not applicable on the basis of the time the DP was held in custody.
- One Panel member could not find this detail in their custody record.

What level was set?



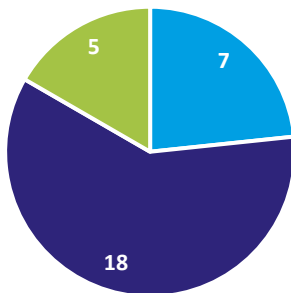
Was the observation level adhered to?



■ Yes ■ No ■ N/A

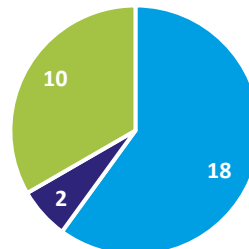
- One Panel member noted that the observational level was not adhered to. They noted that the observation level was not exactly met within the 30 minute deadline and review was over 30 minutes late and that there was no reason given for delay.

Was the DP on rousal?



■ Yes ■ No ■ N/A

Was this adhered to? (Including the 4Rs)



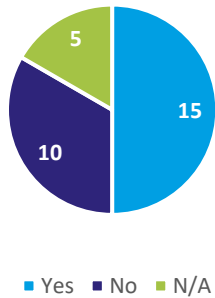
■ Yes ■ No ■ No detail found in record

- The Panel made the following comments in relation to the observational levels:
  - 6 comments referenced how the level recorded was appropriate and adhered to.
  - In one instance the Obs level was raised to 4 due to medical emergency and DP requiring hospital treatment.
  - There were two occasions when the 30 minute observations were not adhered to.



## Support Services

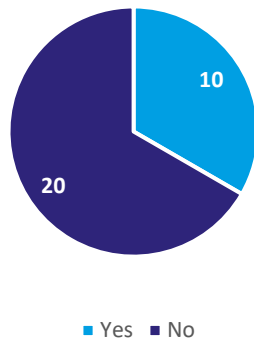
Was the DP given access to/offered/referred to any support services?



- 50% of DPs were offered support services in comparison to 33% who were not and 17% that this was not applicable.
- Panel members stressed that support services were not applicable due to:
  - 1) DP already receiving support for their Mental Health (MH).
  - 2) Was not recorded in the custody record.
- 5 of the 30 custody records scrutinised suggested that there was no evidence to suggest that contact was made with support or Mental Health services during the detainees' detainment.

## Healthcare Professional (HCP)

Did the DP see a healthcare professional?

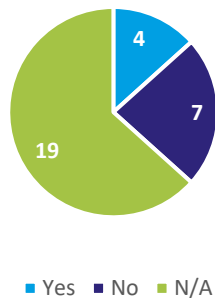


•The Panel noted the following observations in relation to HCP:

1) *"It was noted that there had been a deterioration in DP's mental health between the first arrest on 13/08/24 and this arrest on 27/08/24, and observation level reflected this. Entry indicates that a Fit For Release assessment was to be carried out by HCP; it is unclear whether this did happen. It was recorded that appropriate information re. mental health support was given before release."*

2) It was noted that staff raised and handled concerns in a professional manner on several occasions noting some DPs behaving aggressively, others refused to answer questions regarding self-harm and other referenced their MH and stress in enclosed environments; they were all observed and monitored more frequently as a result.

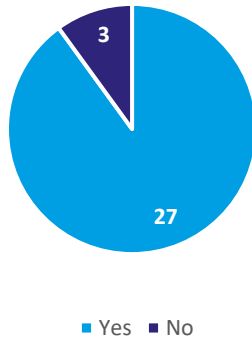
Was there a delay in healthcare professionals attending and DP receiving a health assessment?



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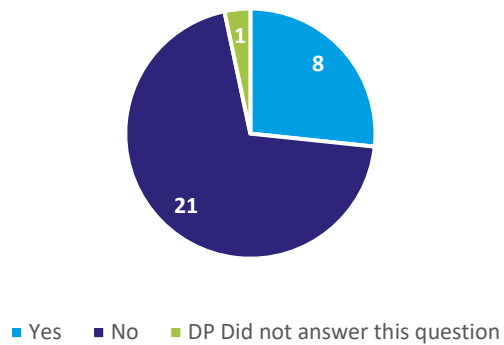
## Special Risk Clothing (SRC)/Anti-Rip Suites

Did the detainee engage with the risk questions?



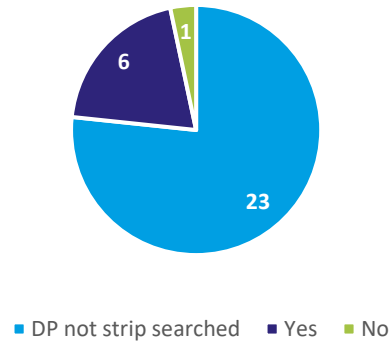
- Of the 30 custody records reviewed, no detainee was provided with SRC and no clothing was removed by Force.

Was the detainee assessed as at risk of self-harm?



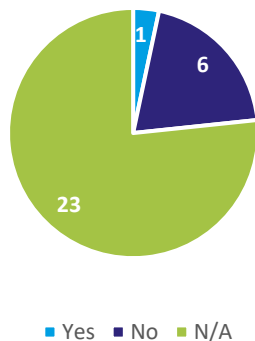
## Strip Search

Was there a good rationale for strip search?



- One Panel noted that there was not a good rationale for a strip search to have been conducted.
- There was no Appropriate Adult (AA) present for any of the strip searches conducted. There was only one record that contained a juvenile and they were not strip searched.

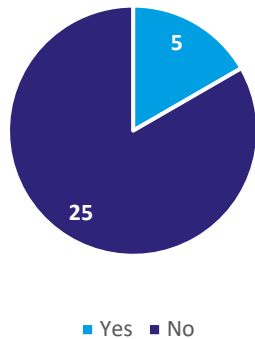
If no, was the Strip Search considered as urgent?



- The Panel raised the following observations in relation to Strip Searches:
  - 1) A Panel member deemed the rationale to be appropriate as the DP wanted their trousers changed as opposed to having the strings removed.
  - 2) Another Panel member queried the rationale provided for a custody record to strip search the DP who was suspected of county lines drug supply and a fail to stop for police. The Panel member noted that there was a strong smell of cannabis coming from DP with their car and property already searched.

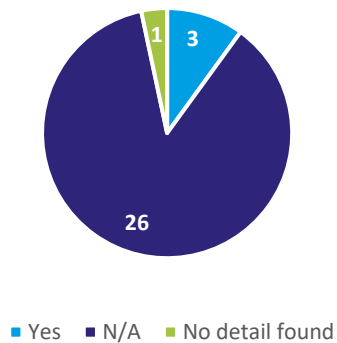
## Mental Health (MH), Appropriate Adults (AA) & other Vulnerabilities

Did the Force identify that an AA was necessary?



- The average time for a detention officer to make contact with AA was 1 hour and 1 minutes, and the average time the DP first made contact with an AA was 6 hour and 39 minutes.
- The longest period was 19 hours and in contrast the shortest was 20 minutes.
- The average time it took after detention for the first contact between the DP and the AA recorded was 7 hours and 46 minutes.

Was the nominated person/AA contacted?



- The Panel member noted that no detail was found due to the DP was in custody for a short period before being bailed.

## Children in Custody

It is important to note that there was only one custody record that would be classed as a juvenile (under the age of 18).

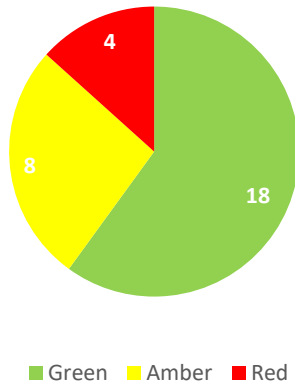
- The child was charged with the offence and was kept overnight. The rationale provided for keeping the child overnight was provided by an officer rank of Superintendent specifying that they have reasonable grounds for believing that detention without charge was necessary to secure and preserve evidence relating to the offence.
- Therefore, no alternative care was sought.
- The Children in Custody checklist, Voice of the child nor the reachable moments were completed for this record.

## Red Amber Green (RAG)

At the end of each custody record reviewed, the Panel were asked to review the below criteria and assess their overall grading of the custody record using the RAG rating:

| Examples of Reason for Rating   | Follow Up Action   |
|---|--|
| <b>Full rationale provided for use of force, strip search or and for any delays from external agencies supporting detainees which are both justifiable and proportionate.</b> | <b>No further action required at this point.</b>   |
| <b>All Rights &amp; Entitlements have been provided to the detainee.</b>  |  |
| <b>Clear de-escalation, distraction items etc. used to mitigate risk of detainee DSH.</b>   |  |
| <b>Little or unclear justification for the use of the Anti-Harm Suit, use of force or strip search.</b>   | <b>Advice/further training given to custody staff.</b>   |
| <b>Insufficient information to determine any delays in the detainee receiving their rights for legal representation or an appropriate adult.</b>                              |  |
| <b>Inconsistent recording of Rights &amp; Entitlements.</b>   |  |
| <b>No rationale or justification is not proportionate.</b>  | <b>Further exploration required in relation to lack of rationale. Cases to be raised with custody inspector.</b> |
| <b>Decisions made in the absence of risk information and with no other rationale.</b>   |  |
| <b>Significant delays in detainees seeing HCP, legal services or an appropriate adult.</b>  |  |
| <b>No apparent consideration for detainee's vulnerabilities.</b>  |  |

RAG Grading



The rationale assigned to each colour grading were of individual Panel member's assessment/judgement of the custody record they were assigned to. Below are some of the rationale the Panel provided for their grading:

| Green  | Amber  | Red  |
|--|--|--|
| <i>"Custody staff treated DP with great respect"</i>                       | <i>"Foreign national DP, only found to have language needs 10 hrs into detention. Interpreter sought but no Telugu interpreters available so communications continued in slow English. Difficult to judge whether the DP fully understood what was communicated to him - in terms of welfare needs being met during detention or in accepting a caution. Especially as he had declined a solicitor or for his high commission to be contacted (although they later were)."</i> | <i>"Confusion between reviewing officers, 1st thought it was a trigger offence, 2nd Differed. DP detained for 23 hrs and released with a caution minus £50 Doesn't seem proportionate or reasonable"</i>   |
| <i>"No issues seen in custody record, staff followed correct process."</i> | <i>"No following action on AA request"</i>   | <i>"Although the content of the report was good, Circumstances of arrest is not clear. report states a smell of cannabis in the vehicle was detected. Was the car stopped for a specific reason then the smell identified. How was the smell of"</i> |

|   |  |   |
|---|--|---|
|   |  | <i>cannabis identified if the car was in motion. Not clearly specified in report."</i>  |
| <i>"With language needs the DP was provided with access to Language Line and an interpreter and in reasonable timeliness given detention occurred late at night. Unclear however if DP is a foreign national as offer to contact embassy/high commission not made."</i> | <i>"Lack of clarity re. provision of interpreter to explain rights and entitlements; no evidence that DP was seen by HCP - although several entries saying that he "will see HCP" and that he is requesting pain relief; Sleeping reviews recorded - but no evidence that information was communicated to DP."</i>   | <i>"no consideration for DP vulnerabilities. mental health mentioned.. DP stated mental health issues and suffers panic attacks in enclosed spaces. DP was checked every half an hour but as English not DP first language, more consideration could have been given."</i>  |
| <i>"Green. DP was dealt with care and dignity. Prayer box and book of faith provided. Concern at DP shown in discomfort of irritation to legs and genital areas. HCP provided and cream given."</i>   | <i>"I have rated this as amber, simply for the reason that the detainee was unable to make phone contact with his relatives to inform them of his arrest (after incommunicado had been lifted) due to the fact the custody telephones were unable to call out to international numbers. This detainee being non British had his friends/relatives abroad. "DP has attempted to call home, but DPP phones do not do international calls."</i> | <i>"I had difficulty finding the actual time the solicitor arrived and the time the AA arrived. I can however see the time that they were requested. There was a 12 hour extension of detention granted in this case, hence the length of detention. I have had to record this as a RAG rating of red as... although detainee was under 18 and detained on juvenile wing in custody, no evidence was found in records of Reachable Moment Interview, Voice of Child recorded or Children in Custody Checklist completed."</i> |