



**DRUSILLA SHARPLING CBE**  
HM Inspector of Constabulary

**PETER CLARKE CVO OBE QPM**  
HM Chief Inspector of Prisons

Chief Constables in England and Wales  
The Commissioner of the Metropolitan Police Service  
The Commissioner of the City of London Police

**Copied to:** Police and Crime Commissioners and  
their equivalents in London and Manchester

21 May 2018

Dear colleague,

#### **JOINT INSPECTION OF POLICE CUSTODY: ARRANGEMENTS AND LEADERSHIP**

We write to update you on developments in our joint police custody inspection methodology and changes to our Expectations for Police Custody. This does not require any immediate action from you, but you may wish to bring this letter to the attention of relevant colleagues ahead of your force being inspected in future.

2. In line with our international obligations under the UN Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), HM Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and HM Inspectorate of Prisons (HMI Prisons) have undertaken a rolling programme of unannounced inspections of police custody since 2008.

3. The second cycle of unannounced inspections commenced in April 2014, and sixteen inspections of police forces have been conducted since the last update of our Expectations in March 2016 and while the main criteria used are unchanged, we have made some changes to our methodology. These reflect legislative changes introduced through the Policing & Crime Act 2017 that have altered how we look at bail and how people detained under Section 136 of the Mental Health Act 1983 are supported. In particular, that custody is only used as a place of safety in 'exceptional' circumstances for vulnerable adults and never for those under 18.

4. With these points in mind, changes that we are making to our custody inspections include:

(a) as part of our inspection methodology we request that forces provide data by completing a data pack that we provide at the beginning of the inspection. This has been amended to reflect the changes to the treatment of detainees with mental ill health, to increase the information held on children who are detained and to reflect the introduction of those released under investigation (RUI);

(b) the *Expectations for Police Custody* have also been slightly amended to reflect the changes from the Police and Crime Act 2017; and

(c) we have also made some amendments to our logistical and document requirements for each inspected force (although this has not significantly increased the number of documents requested). Some of the changes include:

- i. revised case audits;
- ii. updated logistics and document requirements [please note we have introduced a new file naming convention in line with other HMICFRS inspections. Guidance is provided within the document, and we ask that forces follow this as far as is practicable]; and
- iii. more details about the inspection process.

5. These changes came into effect from the start of our 2018/19 inspection programme, which commenced in April.

6. Our inspections remain unannounced but in the interests of transparency, knowledge sharing and giving forces the opportunity to prepare we are in the process of placing copies of our updated templates and revised *Expectations* on the HMICFRS and HMIP websites ([www.justiceinspectorates.gov.uk/hmicfrs/our-work/article/criminal-justice-joint-inspection/joint-inspection-of-police-custody-facilities](http://www.justiceinspectorates.gov.uk/hmicfrs/our-work/article/criminal-justice-joint-inspection/joint-inspection-of-police-custody-facilities) and <https://www.justiceinspectorates.gov.uk/hmiprisons/our-expectations/>).

#### *Change in HMICFRS's HMI lead for custody: a note from HMI Drusilla Sharpling*

7. You may be aware of my current role as a panel member in the Independent Inquiry into Child Sexual Abuse (IICSA). As you will appreciate this has, for some time now, required a considerable commitment which I have been able to balance with my HMICFRS police custody portfolio responsibilities. On reflection however, I feel this is now the right time to hand the portfolio over to someone else, to give this vitally important area of work the attention required as we enter another busy inspection year.

8. Wendy Williams, current HMI for the Criminal Justice Joint Inspection portfolio in HMICFRS, will be taking over from me and will be in contact shortly. I want to take this opportunity to say it has been very rewarding working in this area of policing.

9. If you have any queries, comments or feedback about any of the issues raised in this correspondence, please contact HMICFRS' custody team ([policecustody@hmic.gsi.gov.uk](mailto:policecustody@hmic.gsi.gov.uk)) or HMIP's custody inspection team lead, Kellie Reeve ([kellie.reeve@hmiprisons.gsi.gov.uk](mailto:kellie.reeve@hmiprisons.gsi.gov.uk)).

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Drusilla Sharpling'.

**Drusilla Sharpling CBE**  
HM Inspector of Constabulary

A handwritten signature in black ink, appearing to read 'Peter Clarke'.

**Peter Clarke CVO OBE QPM**  
HM Chief Inspector of Prisons