

Detention and Custody



Reference Number: P5

The Authorised Professional Practice (APP) has been approved by the College of Policing as the official and most up-to-date source of professional practice on policing. South Yorkshire Police have adopted APP as their Statement of Agreed Policy. This is the agreed policy on **Detention and Custody** and you may wish to refer to the APP section now. Any deviations from the APP will be covered in a separate policy or procedural instruction to accommodate local issues.

Exceptions

South Yorkshire Police do not deviate from APP in this subject.

Detention of Females

South Yorkshire Police support the APP with regard to always having a female member of staff on duty within the custody suites and has processes in place to maximise this. However it is acknowledged that staffing profiles and recruitment mean on occasion this is not possible. Whilst there are certain duties that require female staff present, all custody staff will have consideration for specific female needs and vulnerabilities. The detainees will remain under the care of the on-duty staff regardless of their sex, however where a female staff member is present they will be specifically allocated.

Associated Procedural Instructions:

In addition to APP, South Yorkshire Police's statement of agreed policy on Detention and Custody is supported by the following procedural instructions:

- **Pi5.1 – Record of Detained Person's Property**
- **Pi5.2 – Digitally Record Interviews with Suspects Conducted within Custody Suites**
- **Pi5.3 – Medical Treatment of Detainees**
- **Pi5.4 – Incidents/Positive Intervention Reporting in Custody Units**
- **Pi5.6 – Bail**
- **Pi5.7 – Independent Custody Visitors – Guidance for Custody Unit Staff**

- [Pi5.8 – Testing for Specified Class A Drugs in Police Stations – Instructions](#)
- [Pi5.9 – Overt CCTV in Custody Suites](#)
- [Pi5.10 – Detainee Risk Assessment](#)
- [Pi5.12 – Forensic Coding – Checking Detained Person for Smart Water](#)
- [Pi5.13 – Cleaning Protocols within Custody Suites](#)
- [Pi5.14 – Visitors to Custody](#)
- [Pi5.15 – Drug Referral Workers – Cell Sweeps](#)
- [Pi5.16 – Custody Suite Evacuation](#)
- [Pi5.17 – Custody Audit and Inspection](#)
- [Pi5.18 – Review of Police Detention](#)

Other relevant SYP policy documents you may wish to consider are

Please see [Arrest of Military Personnel Flowchart](#)

P7 - Information Management

Equality Act 2010

The Act creates a statutory requirement for all Functions and Policies (Including Procedural Instructions) to be analysed for their effect on equality, diversity and human rights, with due regard to the [General Equality Duty](#).

In principle, this document has been assessed for discrimination, which cannot be justified, among other diverse groups.

The [Code of Ethics](#) published in 2014 by the College of Policing requires us all to do the right thing in the right way. It also recognises that the use of discretion in Policing is necessary but in using discretion, states that you should, "*take into account any relevant policing codes, guidance, policies and procedures*."

Human Rights/Discretion

The purpose of providing policy is to give an indication to staff of the expected course of action. However it is not possible to cater for every possible combination of factors that would justify a departure from stated policy. The Human Rights Act 1998 requires the proper use of discretion at all times and nothing within this policy and associated procedural instructions prohibits the proper use of discretion in appropriate circumstances.

Where action is taken that has the potential to interfere with an individual's Human Rights, the reasons behind the making of the decision to act in that way should be recorded on the appropriate forms, or where this is not practicable, in pocket books or policy logs.

Rights of redress for members of the public:

Anyone who feels that a member of staff has behaved incorrectly or unfairly, or who is dissatisfied with organisational matters, service delivery or other operational policing issues, has the right to **make a complaint**.

Initial action should be taken in one of the following ways:

- Complain in writing or in person to the Senior Officer at the appropriate police station or to the Chief Constable of the force concerned.
- Visit a local Citizens' Advice Bureau
- Contact a Solicitor

Rights of redress for South Yorkshire Police personnel:

South Yorkshire Police personnel who feel they have grounds for concern in relation to the implementation of policies may, as appropriate:

- Pursue concerns through their line manager.
- Contact a First Contact Advisor.
- Pursue a grievance formally through the South Yorkshire Police Grievance Resolution Procedure.
- Seek advice from their staff association or trades union.

Use procedural instruction **Pi23.11 - Management of Complaints**, in the section entitled Handling Complaints relating to Direction and Control.

Start Date: 03/07/2015

Review:

This statement of agreed policy is managed by Superintendent, Criminal Justice Department.

This policy and its Equality Analysis were last reviewed on: 05/05/2020

The date for the next review of this policy and Equality Analysis is: 05/05/2022