



## **Custody Equality Impact Assessment Report**

### **1 Overview**

#### **1.1 Title of policy and/or procedure being assessed**

Custody

#### **1.2 Author**

CI R Otter, Operations

#### **1.3 Owner**

ACC Ops

#### **1.4 Date**

December 2006

### **2 Introduction**

2.1 BTP only has two designated and 8 non-designated custody suites in England and Wales and 2 suites in Scotland.

2.2 The ethos of the policy is to treat detainees according to their individual needs. The policy itself has been created to ensure that 'detainees are treated according to their needs, ensuring that they are treated fairly, in a professional and dignified manner irrespective of race, gender, sexual orientation, disability, age, religion or beliefs'. However, this report recognises that there are still issues relating to the custody process that will affect certain groups negatively if not recognised and acted on.

### **3 Impact of the policy**

3.1 Was a potential differential impact (either positive or negative) identified for the following groups:

Racial or ethnic groups	yes/ <del>no</del>
Gender groups	yes/ <del>no</del>
People with disabilities	yes/ <del>no</del>



Lesbian, gay, bisexual and transgender community	yes/ <del>no</del>
People with learning difficulties	yes/ <del>no</del>
Age groups	yes/ <del>no</del>
Different religious groups	yes/ <del>no</del>
Economic/social backgrounds	<del>yes</del> /no

## **4 Consultation and Research**

### **4.1 What consultation, with people who might be affected by this policy or their representatives, was done?**

#### 4.1.1 The following people were consulted:

- Association of Muslim Police - Zaheer Ahmad
- Data Protection - Joe Napier
- Disability Equality Support Association (DESA) - Odette Butson
- Diversity - Kerry McCafferty
- Federation - Roger Randal
- Finance - Nick Khinch
- Freedom of Information - Brian Coleman
- Health and Safety – Anne Richards
- Human Rights/Legal Advisor - Jim Millar
- Insurance and Claims Manager - Kay Black
- LINK (Support Network for Lesbian, Gay, Bi-sexual & Transgender Staff)- Denise Harris & Mark Ruscoe
- Support Association for Minority Ethnic Groups – Baseem Akbar
- TSSA (Transport Union) – William Taylor
- Welsh Language – Mike Furness
- Women’s Strategic Forum - Theresa Ferguson



4.12 The following people were consulted on disabilities issues through our consultation on the Disability Equality Scheme (feedback from this consultation was used to feed into the policy):

External

- Disability Croydon
- Restricted Growth Association
- Mencap
- Transport for London
- Association of Train Operating Companies – Disability and Inclusion
- Department for Transport
- Employers Forum on Disability
- RNID
- Guide Dogs for the Blind
- UK Coalition for HIV and Aids
- British Stammering Association
- Artsline Disability Database
- Disabled Persons Transport Advisory Committee (DPTAC)
- First Group – Mobility & Inclusion Manager
- GNER – Compliance & Regulatory Affairs Manager
- London Travel Watch – Inclusion manager
- Individuals representing physical, learning, and mental health disabilities

Internal

- Police Officers
- Police Staff
- Disability Equality Support Association (DESA)
- Police Community Support Officers
- Estates
- IT
- Human Resources



- British Transport Police Authority
- Training
- Community and Race Relations
- Operations
- Procurement
- Professional Standards
- Strategic Planning and Policy Co-ordination Unit
- Employee Relations
- HR Planning and Resources

4.1.3 Centrex will be doing a Diversity Impact Assessment on the impact of the *Safer Detention and Handling of Persons in Police Custody* guidance document, our key associated document.

## **4.2 What research was done or will be done to assess the policy**

4.2.1 We have looked at the work done by the Fawcett Society to identify the issues they have raised for women in custody.

4.2.2 A plan to research the access and special requirements needs of people with disabilities has been put in to place. Further details on this can be found in section 5.4.

4.2.3 Research has been done by our Community Engagement and Participation Unit (formerly Community and Race Relations) in to specific religious needs.

4.2.4 We have also used the recommendations of the IPPC investigation into the death of Christopher Alder and the Stephen Lawrence Enquiry to shape our practices.



## **5 Current and future practice**

### **5.1 External arbitrators**

- 5.1.1 We are part of the Independent Custody Visitor scheme (<http://www.icva.org.uk/>).  
“Independent custody visitors (ICVs) are local community members who check on the welfare of people in police custody, by visiting police stations unannounced.”

### **5.2 Complaints**

- 5.2.1 We will monitor complaints, medical callouts etc through the Professional Standards Department.

### **5.3 Monitoring**

- 5.3.1 The Custody Manager who will monitor custody records for any identifiable issues arising on a regular basis.

### **5.4 Facilities**

- 5.4.1 Our Facilities dept will be working with our Operations dept to look at access issues in accordance with the Disability Discrimination Act. BTP is in the process of adopting the national safer detention guidelines, with a timeframe of January 2008.
- 5.4.2 A capability assessment framework has been completed and many areas where we believe we will not be compliant and areas where we are working towards compliance have been identified. A person's detention is personally handled by a custody officer and their requirements are recorded in the custody record. Any need or service that cannot be provided by existing resources will be brought in to be provided. A person's fitness to be detained is determined by the custody sergeant, who will call in professional assistance (medical examiner) if it is felt necessary. However, it may be the case that some of our facilities lack disability provisions



such as hearing induction loops, disabled toilet, etc. Each custody facility has an appointed custody manager who is responsible for ensuring everything reasonably practicable is done to comply with regulations. The final decision would be to transfer (or refuse) detention to a Home Office custody facility where the identified special needs can be met.

## **5.5 Training**

5.5.1 Police training has been updated to include comprehensive diversity awareness training.

5.5.2 All PCSOs and Officers have 1 week's diversity training in their basic training. This is followed by a one week community placement and then a week reflecting on the placement.

5.5.3 In addition to this, each policing module of the training includes National Learning Requirement Quality Indicators on the following:

- Understanding and engaging with the local community
- Responding to Human and Social Diversity
- Professional Standards and Ethical Conduct

5.5.4 All First and Second line managers take part in a Diversity and Professional Practice workshop.

## **5.6 Information on specific needs**

5.6.1 To compliment the training, information has been produced by our Community Engagement and Participation Unit to provide guidance on the needs and requirements of different communities. These documents are the Good Practice Guide for Interacting with People with Disabilities and the Ethnic Awareness Guide and are available on the intranet. They also publish bulletins at relevant times with specific information, for example on Ramadan.



## **5.7 Awareness Raising**

5.7.1 Our Horizon Scanning Manager prepares a weekly briefing of relevant publications and arising issues from ACPO, the Home Office and other sources. This briefing provides information and up to date guidance and recommendations on best practice as well as recent research findings. This report is circulated to the Head of the Operations Department as well as to the lead on custody matters. The Department will then disseminate this information to relevant staff, including custody officers and those involved in training custody staff.

## **5.7 IPPC Recommendations**

5.7.1 BTP has a commitment to adhere to IPCC recommendations.

## **6 Conclusions**

6.1 BTP has been working hard to ensure their practices in relation to custody issues are fully transparent and fair and that their officers are trained appropriately and given all the information they need to act with respect and understanding. Many of the processes outlined above are recent developments and all will be kept under review to ensure their effectiveness and value.