

PRESS RELEASE

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## **“DIGNITY IN CUSTODY MEANS DIGNITY FOR ALL. PERIOD.”**

- **Police in England and Wales are failing to ensure that women and girls having their period in custody have access to safe and adequate sanitary protection.**
- **These failures amount to a violation of women’s human rights.**
- **The Independent Custody Visiting Association (ICVA, a Home Office and Police and Crime Commissioner funded police custody watchdog) calls on the Home Secretary to help end poor practices which leave women without basic sanitary protection in the cells.**
- **Prominent figures including Police and Crime Commissioners and Members of Parliament support ICVA’s campaign.**

Year on year, official inspections have shown that police forces across England and Wales are falling short of the standards on female detainees.

Today, we are calling on Amber Rudd, UK Home Secretary, and the Minister for Women and Equalities, Justine Greening, to take urgent action to protect the dignity rights of women and girls having their periods in police custody.

We, the ICVA, invite the Home Secretary to conduct a review and urge Parliament to support the necessary and urgent changes to the guidance required by law to ensure women’s rights are protected.

**Katie Kempen, Chief Executive of the ICVA said:**

***“Dignity in the cells must mean dignity for all. Period.***

***No woman or girl should be left bleeding in a cell in indignity simply for want of a difficult conversation or an inexpensive box of tampons.”***

We are publishing an independent legal opinion by barristers Caoilfhionn Gallagher QC and Angela Patrick, Doughty Street Chambers, provided to the Home Secretary. Counsel consider that a continuing failure to ensure access to safe and adequate sanitary protection in police stations is likely to breach human rights standards, including the Human Rights Act 1998 and the Equality Act 2010.

The legal opinion makes clear that leaving women and girls in the cells without access to a pad or a tampon may also amount to degrading treatment under international human rights law. The Home Secretary and individual forces risk judicial review and some women may have a right to compensation.

The ICVA campaign is supported by many leading figures including Police and Crime Commissioners, Members of Parliament and Period Poverty campaigners.

College of Policing guidance states that women detainees must be treated with respect and automatically offered access to a female officer and a hygiene pack.

Inspectorate reports make clear these standards are not being met. Without clearer guidance on the law, women and girls will continue to be left without sanitary protection, in violation of their rights, and exposing the Home Secretary and individual forces to significant legal risk.

We invite the Home Secretary to conduct a full review of the existing guidance offered to officers, with view to their duties under the Equality Act 2010. We also urge Parliament to support necessary and urgent change to the existing statutory Codes of Practice (including the Police and Criminal Evidence Act 1984 'PACE').

**Martyn Underhill, Dorset Police and Crime Commissioner, Chair, ICVA, said:**

***“Forces must be given clear guidance and adequate support to ensure that the rights of women and girls in custody are met both on paper and in practice.***

***ICVA stands ready to work with Ministers and officers on the ground to better protect women from degrading and undignified treatment in custody.”***

**\*\* ENDS \*\***

**Notes for editors:**

1. **Further comment:** for further comment, please contact: Beth Davies, Communications and Engagement Officer: [media@icva.org.uk](mailto:media@icva.org.uk) / 07825 933237 / 07401 100450
2. **Interviews:** Katie Kempen, Sherry Ralph Natasha Plummer and Martyn Underhill (ICVA) and Caoilfhionn Gallagher QC and Angela Patrick (Doughty Street Chambers) are available for interview. Please contact ICVA (as above).  
Katie Kempen Chief Executive Officer of ICVA.  
Sherry Ralph Chief Operating Officer of ICVA.  
Natasha Plummer Vice Chair of ICVA and Head of Engagement at the Mayor’s Office of Policing and Crime (MOPAC)  
Martyn Underhill Chair of ICVA, PCC for Dorset and Association of Police and Crime Commissioners lead for Custody.  
Caoilfhionn Gallagher QC and Angela Patrick Doughty Street Chambers and Counsel for ICVA.
3. **Multimedia:**  
Multimedia resources, including video and audio, photographs and other materials are available on request from ICVA or online at  
[https://www.dropbox.com/sh/0r6egukw5lbs3qh/AAC0vhms\\_sr\\_Rqc85165Z1Jla?dl=0](https://www.dropbox.com/sh/0r6egukw5lbs3qh/AAC0vhms_sr_Rqc85165Z1Jla?dl=0)
4. **The Open Letter:** The open letter sent on 3 January 2018 by ICVA to the Home Secretary, The Rt. Hon. Amber Rudd MP, and the Secretary of State for Women and Equalities, Justine Greening MP, is enclosed with this Press Release. **The Legal Opinion:** A legal opinion by Caoilfhionn

Gallagher QC and Angela Patrick, Doughty Street Chambers, has been obtained by ICVA. A full copy of this opinion is available as above and on request from [e.donaghey@doughtystreet.co.uk](mailto:e.donaghey@doughtystreet.co.uk).

5. **Briefing:** A short background briefing is enclosed with this release.
6. **The Independent Custody Visiting Association:** The ICVA is a Home Office and Police and Crime Commissioner (PCC) funded organisation which leads, supports and represents PCC-led visitor schemes designed to check on the rights, entitlements, wellbeing and dignity of detainees and which work to hold Chief Constables to account. It forms part of the UK National Preventive Mechanism (UKNPM) required by the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), designed to strengthen the protection of people deprived of their liberty.