

**Request Culture in Custody
A briefing for ICVs and Schemes
August 2021**



Background to the briefing:

In 2019 the [United Nations Subcommittee for the Prevention of Torture](#) visited the UK and undertook monitoring visits of places of detention, including several police stations. They produced two reports as a result of this visit, one for the UK [National Preventive Mechanism](#) and one for the UK Government. Both reports and responses from the relevant bodies have now been published. You can read the report from the SPT to the UK government [here](#). The findings for police custody are on Page 15, and note that overall the material conditions in police custody were found to be very good, but did include that the SPT had a concern and a recommendation on 'request culture'.

What is 'request culture'

Detainees in police custody have a raft of rights and entitlements when they are in custody. [PACE Code C notes](#) at point 3.2 onwards dictates that detainees must receive written information on their rights, and brief information on their entitlements. PACE notes that the detainee must be given an opportunity to read the information and be requested to sign to prove its provision.

The entitlements section of leaflets may vary across different forces but PACE does dictate that information included should note that detainees will have access to food and drink, showers, menstrual care, clothing and exercise where practicable. PACE notes that the written information should be given in an easy read format 'if available'. All entitlements detainees may have access to might not be included in the written information. It is possible that entitlements such as religious items and distraction items may not be included.

The leaflets may not make it clear to detainees how they are to access entitlements. If the detainee has not fully read/is not able to read the written information provided they may not be aware of the full range of entitlements, or that they may need to actively request their entitlements from custody staff. It is possible that even when staff give a comprehensive verbal overview at booking in, detainees are not subsequently able to fully recall all entitlements available to them and how to access them.

This can lead to a 'request culture' where detainees may not know of or may not have understood all things to which they are entitled in custody. For items such as toilet paper, replacement clothing and showers, there can be a serious impact on detainee dignity if not proactively offered by staff. Some detainees may not feel able to make requests of staff and therefore do not get access to all entitlements.

What does the SPT report say on 'request culture'

The report states:

81. The Subcommittee also notes with concern that access to showers, phone calls and other rights were only provided to detainees upon their request and not as a right. The enjoyment or denial of these rights depended on the availability of staff. While noting that the length of

police detention rarely surpasses 24 hours, the Subcommittee notes with concern that most establishments visited were not equipped with exercise yards; where they did exist, they were obviously not used.

82. The Subcommittee recommends that appropriate steps be taken to remedy the inadequacies in police stations and cells, including by improving natural light. The Subcommittee also recommends ensuring the enjoyment of the rights to shower, make phone calls and exercise, on a regular basis.

What does good practice look like?

- Detainees consistently being given rights and entitlements leaflets in an accessible format.
- Detainees being proactively offered showers/fresh air/distraction items throughout their time in custody.
- Meaningful interactions with custody staff and detainees.
- Cell bells are answered effectively and not muted.

What should ICVs do to monitor 'request culture'?

ICVs are a fantastic resource in checking on the rights and entitlements of detainees being effectively offered. ICVs should consider the following points/questions when considering if one of the suites in their force area, or a particular shift is operating a 'request culture'.

- Observe the staff interaction with detainees, are they visiting cells and talking to detainees regularly?
- Have you observed detainees being proactively offered things such as showers, food, drinks, religious items and exercise where this is possible?
- Check with detainees that they are aware of all possible entitlements in the suite, including all of those contained in PACE and any additional things the custody suite might be able to provide such as distraction items.
- Ask detainees if those entitlements have been offered or if they have had to request them.
- With consent, check the custody record to see what entitlements have been offered to the detainee during their detention.
- Remember if something is good, report it! If something doesn't look right, report it!
- Scheme managers can then raise any issues of good practice and/or concern.