

Independent Custody Visiting Association
Independent Custody Visitors Checklist
Spitguards
September 2020

Those detained and thought to be at risk of spitting or biting, have spat or bitten or threatened to do either can be placed into a piece of restraint equipment known as a spitguard (they can also be known as spithoods, or spit and bite guards). This checklist provides ICVs with areas to consider when going on custody visits and possibly seeing a detainee placed in a spitguard. ICVs are in place as members of the public to report on what is and is not acceptable in custody. Please can ICVs record any use of spitguards in custody and ensure this is highlighted to the scheme manager.

When you arrive in custody

- If there is a detainee in custody in a spitguard, it is likely that you will be unable to see them whilst the restraint is ongoing.
- If the restraint incident is resolved appropriately during your visit and risk is thought to be minimal, visit the detainee as you normally would.
- Ask if anyone in custody has had a spitguard placed on them who is no longer restrained.

Should you view someone in a spitguard during your visit

- Note if the detainee spitting, biting, or threatening to do either.
- Are the custody staff endeavouring to de-escalate the situation?
- Does the guard look comfortable for the detainee and not constricting?
- Is the detainee constantly supervised?
- Is the spitguard removed as soon as practicable by the custody staff?

During your visit

- Check on rights, entitlements, and wellbeing as you would for any visit.
- Check additional arrangements such as:
 - Does the detainee need or has the detainee seen a Healthcare Professional since the removal of the spitguard?
- Ask the detainee if you are able to check the custody record.

When looking at the custody record (with permission)

- Check that the use of a spitguard has been recorded, including the length of time the guard was in place.
- Check that, if necessary, after restraint that they have been seen by a healthcare professional.

- Check the detail in terms of the recording - is there sufficient detail on the reason for use, detainee welfare and removal.
- Check, if possible, that the Use of Force form has been completed.

When completing your report

- Report on rights, entitlements, and wellbeing as normal.
- Note if you have not been able to access the custody record and why.

If you have had access to the custody record:

- Record how long the detainee was in the spitguard.
- Note anything that seems unusual in the custody record.
- Comment on the quality of the custody records information regarding the use of spitguard and the restraint incident.
- Please make a note of healthcare interactions with the detainee where appropriate.

Scheme managers

- Please ensure you alert ICVA of any reports containing information on spitguard use, including if you or the ICV have concerns regarding appropriateness, justification, or proportionality.
- Please highlight any problems, themes, or strengths to your PCC.
- Please report themes and issues to ICVA as part of your quarterly report.