



## Women in Police Custody A Lived Experience Perspective from Scotland



### **Purpose of briefing**

HMICS undertook a small focus group in November 2018 with women in Scotland with recent experience of being in police custody. HMICS spoke to four women and one transgender woman in extensive detail on their experiences in custody. ICVA notes that this information pertains to Scottish police custody and was undertaken some time ago, however we think that the feedback we are able to share below remains useful for schemes and independent custody visitors across the UK.

Lived experience of police custody gives valuable insight for all of those working and monitoring detainee rights, entitlements and wellbeing in custody. The detainee view of custody can assist in ensuring that rights and entitlements are proactively offered to detainees, and help monitors focus on areas which can help relieve anxiety for detainees and ensure dignity is protected.

ICVA is very thankful to Her Majesty's Inspectorate of Constabulary in Scotland (HMICS) for sharing their work with us and giving us permission to share with you all. Please note that the findings below in themed headings have been abridged/paraphrased in part from the HMICS report.

This is a longer briefing than usual, but please do take the time to read it fully.

### **Custody Staff**

- The women felt that custody staff did not make much effort to engage with them during their time in custody. When this had happened, women described it as an 'act of kindness' and reported a positive effect on their mood and relieving anxiety.
- The women reported a good level of understanding that custody staff were often busy or dealing with difficult detainees but had a sense that staff could do more to support women when they were not so busy.
- The group reported that they had often been cared for by male staff and that they would much prefer to be cared for by female staff. Being cared for by male staff gave rise to anxieties around privacy such as using the toilet possibly being observed by male staff.
- The women stated that it could often take a long time for requests to be dealt with, giving examples of water and toilet paper. They noted that this could be particularly

problematic at shift changes, where information on requests might not be passed between staff effectively.

- The group said that they often felt judged by police officers and would like more opportunities to show they are compliant, in particular noting that if a woman is having a crisis, it often passes but they still are treated as non-compliant.

### **Safety**

- Women reported custody suites as often being extremely noisy and chaotic. They noted that they could be kept in the same cell corridors as men. Both environmental factors led to women feeling unsafe and intimidated.
- Women also reported feeling unsafe in the holding areas of custody centres, again noting that this was particularly acute when men were also present.

### **Privacy**

- The report notes that the women's comments demonstrated just how much they are aware of what is going on in other parts of the suite and in other cells. They talked about hearing custody staff discussing names, addresses, charge details and circumstances of other detainees on the cell corridors, in holding cells and at the charge bar (booking in desk). The women sometimes knew the other detainees being discussed and were also concerned that others may overhear personal information about them.
- The women particularly noted the lack of privacy at the booking in desks as problematic due to the sensitivity of questions being asked.

### **Contacting family/arranging childcare**

- The women reported that they were unsure as to whether their families were contacted when they were in custody. One woman described being held over a weekend and repeatedly asking staff to contact her mother to ensure her children were being cared for. When she was released after her court appearance, it transpired that this hadn't been done, and that her children had been taken into care causing a large amount of distress.
- Two women reported not being offered a phone call which they believed was their right.
- One woman reported a positive experience in that custody staff released her so that she could care for her children and an arrangement was made that she would hand herself in a few days later.

### **Risk management**

- One woman reported her glasses being taken away due to risk of self-harm, whilst also being on 30 minutes observation. She commented that she found it difficult to

see without her glasses and that the lack of them had increased her anxiety. She had been able to keep on her underwired bra which she voluntarily gave to staff.

- None of the women had ever had clothing removed and been placed in anti-rip clothing. They had ties etc. removed but all had been able to keep their bras, although sometimes jumpers had been removed leaving to the women being cold.

### **Searches**

- Not all women had been subjected to strip searching. One woman reported that she thought she may have had to be strip searched due to an old marker and was not made aware that the search could be done in stages, instead being asked to remove all her clothes. She also noted that there was a male officer at the door during the search who she thought might be able to see her. She was very distressed at recounting her experiences.

### **Use of force**

- There were some concerns from the women on use of force, most notably that when they had pointed out pre-existing injuries which were made worse by the handcuffs/restraint, the police had not appeared to pay any attention. One woman mentioned that she had been restrained by six officers and that the use of restraint did not feel like a measure being used to keep her safe. Another woman noted receiving bruises after restraint but that this wasn't recorded by healthcare.

### **Personal hygiene**

- All the women said that they had never been offered a shower in police custody but that they sometimes had been offered a wash at a sink. They had concerns about not being able to shower after being in custody over a weekend and going on to court/prison. They had not asked for a shower as they did not think they were entitled to one, despite knowing that some make detainees had been offered a shower.
- The women noted that they would have liked to brush their teeth but this either wasn't available, or toothbrushes were inadequate.
- The women said that they sometimes had to ask for toilet paper and commented that they were embarrassed to have to ask for it, or to ask for the toilet to be flushed, leading sometimes to delays in asking. They also fed back that sometimes cell bells would not be answered for a long time, leaving toilets unflushed for some time.
- The women complained that they were not able to wash their hands having used the toilet which was unhygienic. They were not aware that they could wash their hands at the sink, this had not been offered.

## **Menstruation**

- Menstrual products were never proactively offered by staff, nor were the women asked if they were menstruating. Instead, they had to request products from staff which they found embarrassing, in particular with male staff.
- The women said that they hated having to hand over used sanitary pads to staff, they found this mortifying and felt it was not fair for the staff either.

## **In the cell**

- The women described feeling anxious whilst they were in the cell and said it was helpful to have something to distract them, one woman said she had been given a book which was helpful, but others did not know this was allowed, or that you had to ask for it.
- The women said not having a pillow meant it was difficult to be comfortable and one woman noted that the cells were very cold.
- The women commented that whilst they understood being woken early for court, they did not understand why they were woken so early at weekends. One woman commented that she was frequently woken, and another commented that staff didn't check on her (she thought this might be as she was in a camera cell and was being watched on CCTV but wasn't sure).
- Generally, the women were not aware of their entitlements in custody. They felt it might be useful to have this information somewhere in the cell.

## **Mental health**

- The women said that often they are in crisis or very upset when being taken into custody, and that good interactions with staff can help calm them. They also noted that due to being upset/in crisis that they may not take in all information when booked in, and once settled having information repeated would be helpful.
- The women also suggested that custody staff use less jargon as sometimes they weren't sure of what was happening.

## **Transgender issues**

- The transgender woman reported being aware of rights and when to ask for them. She reported that she felt her experience of custody were sometimes better than that of other women, commenting that this didn't seem fair.
- She noted that the booking in area had been cleared of other detainees for her booking in and was grateful for this but wondered why other women were not offered the same degree of privacy.
- The transgender woman noted how important it is to be able to maintain her appearance whilst in custody. She felt that custody staff had helped her do this sometimes for example allowing her to use a battery-operated razor prior to release. She also described efforts being made to ensure searches were conducted

appropriately, including being given a choice of who would search her, and not removing her wig.

### **Food**

- The women said that the food provided in custody was of poor quality and some were concerned at the lack of vegetarian and vegan options, however one woman had heard that staff would go out to get this food if needed.

### **Healthcare**

- The women all described the importance of healthcare whilst in custody. Most women had seen nurses however said that this was not always the case, and they did not feel that they had a right to see a healthcare professional.
- The women stated a preference for being able to see female health care practitioners but that they often saw males.
- One woman said that she would particularly like to have a choice over who she saw for psychiatric care.
- Women described problems with attaining medication, access to the right medication and delays in receiving the medication they needed. Medication was given at the wrong times and there was distrust in medicines given out by custody staff.
- Women noted problems with attaining medical items such as inhalers from property bags once secured.
- The women who smoked said it was difficult to get through the weekend without smoking and no one had been offered nicotine replacement therapy.

### **Support services**

- The women would appreciate better support whilst in custody from non-policing services.
- Where community support services changed and meant that they could no longer access them, the women felt that they would be more likely to end up in police custody.

### **Release arrangements**

- The women felt that more could be done to ensure that women were released safely and with means to get home. They did not recall being asked how they were getting home. One woman recalled being released whilst heavily intoxicated and ending up being found by a canal by her partner. She felt she should not have been released in this way and should have been taken home or released into the care of her family/partner. One woman commented that sometimes you would be given bus tickets.

### **Overall recommendations from the women's group:**

- The women felt that staff engagement was the most effective way of dealing with vulnerable women and those in mental distress.
- The group felt that custody staff should be trauma-informed, have training in mental health and have greater awareness/training of transgender issues.
- Women would prefer to be kept in cell corridors away from men.
- Women commented that they could use the time in holding cells to contact family, using their own mobiles if able to, to let families know that they were ok. They noted that this would be reassuring and help alleviate their worries during their detention.
- Women would prefer to have a supply of toilet paper in their cells and not to have to ask for either toilet paper or for toilets to be flushed. Overall, giving detainees access to personal hygiene and effective menstrual care was integral to their dignity.
- The care given to the transgender woman in custody is to be praised, but consideration should be given to extending this level of care to other women in custody.
- Throughout their feedback women strongly expressed a preference for being cared for and being able to talk to female custody staff.
- Women felt that a greater focus on them getting home safely would be beneficial.

### **What can schemes and ICVs do?**

HMICS have committed to using the information above to inform inspections. All of the women have given their consent for the above to be shared across the UK for the purposes of continuous improvement in police custody across the UK.

Scheme managers and ICVs can learn from the feedback above and include some of the issues identified in their monitoring. In particular, schemes and ICVs might want to monitor the areas where the women have made recommendations for improvements in police custody in their suites.

The feedback also highlights very clearly 'request culture' in police custody. ICVA have produced a separate briefing on what 'request culture' means and how ICVs can monitor for evidence of it in their suites, please do take a read of the briefing.

**Briefing Ends.**