

**JUNE 2023**

**LUX LIGHTING IN CUSTODY  
AN IMPACT REPORT**

## Introduction

ICVA endeavours to survey schemes about important issues in custody visiting on a monthly basis. This month ICVA has focussed on measuring the impact that Sussex OPCC, with assistance from ICVA, along with the National Police Chiefs Council (NPCC) and College of Policing (CoP) have had in their work on lighting levels in custody.

## Overview

Sussex OPCC had reported that detainees were concerned about the levels of lighting in their cells and the impact that this was having on their ability to rest in particular for those who are neurodiverse and/or have mental health challenges, and approached ICVA for some assistance. ICVA had received previous reports on this issue and was concerned that rest periods being disturbed by too bright lighting could possibly constitute a breach of Human Rights articles. It was determined that the best approach was to contact the Ministry of Justice and National Police Estate Group (NPEG) and ask for a review of the current brightness levels (lux levels) of lighting in cells.

Agreement was reached to amend the Custody Design Guide to reduce the levels of light in cells at night-time. There was an amend to the design guide lowering the lux levels by 33% for new build suites and large-scale refurbishments across England and Wales.

At the request of Sussex OPCC, ICVA and the Home Office, consideration was then given as to what could be done in existing estates. NPEG representatives were able to provide some guidance for forces on measuring lux levels and ways of reducing the light, ICVA provided context for the changes, and the NPCC wrote a letter which was sent to all Heads of Custody and Heads of Estates. ICVA also shared the letter in a newsletter and updated stakeholders with schemes. The letter asked that forces test the lux levels in their suites and gave some options of how to reduce the levels to be in line with the NPEG design guide for new suites.

In order to track the impact of this area, ICVA has used the June monthly monitor to ask schemes what has been happening in their suites as a result of the policy work. It is now c6 months after communications went out to forces. ICVA gave schemes notice that the value assessment would take place to give time to contact custody and attain responses. Data was collected from 20 schemes.

## Conclusions

The full responses are included below, but important points to note are:

- 85% of respondents indicated that custody were aware of the work in this area.
- 10% of respondents stated 'other' as either outside of England and Wales or were in the process of checking with custody.
- 78% of force areas responding had checked the lux levels of their cells at the time of the survey.
- Of those checked, 35% of suites met the new lux lighting level criteria.
- Of those who required work done in one or more suites, 5 had completed some work with more to do, 1 area was pricing options and 2 areas had completed work in all suites. This means that 47% of respondents had taken positive action in the 6 months following the letter to forces.
- 6 areas had tested the lighting, but no work or replacements had undertaken as yet.

Overall, the impact of this piece of work is impressive. Attaining an amend to the design guide for the whole of England and Wales for police custody suites from ICV reports is something to be celebrated and we thank the ICVs and NPEG for their work on this with Sussex and ourselves.

The impact of the ICVA, NPCC and NPEG supporting letter to all forces is equally impressive. 78% of all force areas responding to the ICVA survey had undertaken testing with nearly half of those taking positive action where required. A further third of suites did not require any action to be taken, leaving only a small number of those responding who still needed to undertake any kind of remedial action with the lighting.

Although the sample size is relatively small, there is no doubt that the work on lux lighting has had a national impact. Northern Ireland and Scotland have both engaged with the work for consideration in their own area, and ICVA and Sussex OPCC have also been in touch with Border Force to discuss the work that is taking place there and their design guides for detention centres.

At the time of writing, three areas (16%) of schemes noted that they have had reports from ICV regarding detainees complaining of the brightness of the lighting. ICVA will continue to ask schemes to monitor this area of ICV reports for further evidence of impact.

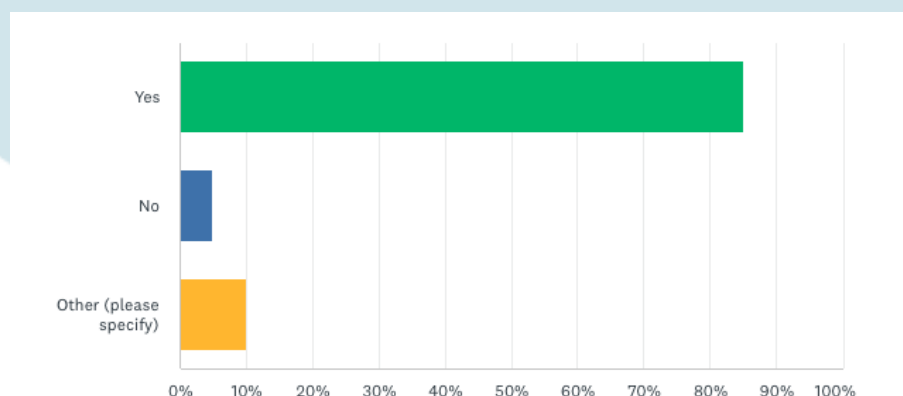
Sherry Ralph, ICVA CEO said:

*"I am delighted to be able to share such a clear example of where independent custody visitors have had a national impact on conditions for detainees in police custody. This piece of work shows how ICVA is able to support our amazing members, engaging with national stakeholders from policing and make a real difference on the ground to the treatment and conditions for detainees."*

*Enormous thanks go to the ICVs from Sussex, Claire Taylor from Sussex OPCC, to Tony Maggs from NPEG and to Nev Kemp and Nathan Neville from the NPCC for their positive and speedy responses to this piece of work".*

## The Responses

*Q1: Are your Heads of Custody/custody staff aware of the letter from the NPCC with some suggestions on lux lighting?*

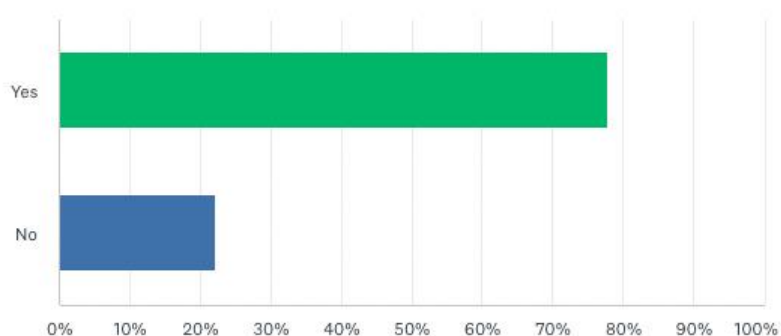


- One 'other' response is that Police Service Northern Ireland will not have received the NPCC letter but are checking on their lux levels.
- The other response is that the scheme manager is in the process of attaining the information.

*Q2: How many custody suites do you have?*

Schemes of all sizes responded, with one scheme reporting one suite, up to those with 8 suites.

*Q3: Have the lux levels in cells been tested in your custody suites?*



*Q4: How many custody suites need the recommended action being taken?*

16 responses were received to this question:

All suites meet criteria	6
1	2
2	2
4	2
6	1

Don't know	2
Will be replaced over time	1
Total Responses	16

*Q5: Has any action been taken on in cell lighting in any of your suites?*

No work undertaken as yet	6
Yes, but more to do	5
Pricing Options	1
Complete	2
N/A	2
Unknown	1
Total Responses	17

*Q6: If action isn't being taken, what are the reasons for no action being taken?*

This question received 14 responses, of which several were n/a as work had been undertaken. Where it had not, the reported responses (abridged) were:

- Dimmable lights in place/planned.
- Custody had determined that current specification of 15 lux is in place.
- Investigations/testing is underway at present.
- Suites are due refurbishment and lighting amends will be made at that point.

*Q7: Have you received any ICV reports of detainees stating that the lighting is too bright or asking to turn the light level down in the last 6 months?*

Response	Number
No	17
Yes	2

**Below is a summary of additional comments received.**

- CI Custody has advised, I am aware and had correspondence with our facilities management department last July (2022) regarding these guidelines, particularly ahead of the commencement of the new Doncaster suite rebuild when it begins. I have requested a positional report around our current lighting arrangements at all three suites.
- Please see the lighting specification within M8 Custody which is 15 lux within custody cells as opposed to the recommended 10 lux published in the last MOJ custody design guide.
- Suites are PFU and this issue is being introduced to the ongoing maintenance programme. Lights that have failed are being replaced with appropriate ones as and when.
- Conversations are ongoing to allow detained persons to sleep with no lighting at all.
- Police are mindful of future proofing the requirement including an option to offer 3 lux levels. While the new 10 lux has been set, (to our knowledge) this has not been tested in a live custody centre and could require further adjustments if complaints are still being received.