

HOW TO GUIDE

THE CUSTODY PROCESS

This is an example of what might happen during the custody process. There are four stages: i) booking-in ii) processing iii) detention iv) interview. Not all stages may take place or happen in this order. You can ask if you are unsure about anything.

BOOKING-IN	PROCESSING	DURING DETENTION	INTERVIEW
<p>You will be taken to a charging desk where you will be told why you have been arrested and why you need to be detained.</p>	<p>You may have to do a Smartwater test. The lights will be turned off and a UV light will come on to check for Smartwater.</p>	<p>You will be kept in a police cell. A detention officer will visit you and ask if you need food, a drink, or to see a doctor.</p>	<p>You may be taken to a room to be asked questions. If you have a solicitor and Appropriate Adult they can be with you.</p>
<p>You will be asked questions about yourself and any medical conditions you may have. You will also be risk assessed.</p>	<p>You will be asked to record an image of your fingerprints and palm using a machine. These will help identify who you are.</p>	<p>You may be kept in the cell overnight. You can only be detained for up to 24 hours unless an extension has been approved.</p>	<p>You will read your rights and cautioned. This explains what can be used in evidence against you in court.</p>
<p>You will be asked if you want to: i) tell someone you have been arrested ii) talk to a solicitor. An Appropriate Adult may also be called.</p>	<p>You may have to give a DNA sample from inside your mouth. A sample of saliva may also be taken to check for illegal drugs.</p>	<p>You may need to be examined by a doctor or nurse to check for injuries, to talk about your health or to take more samples.</p>	<p>You will be asked about the suspected offence and what happened. Your solicitor may advise you how to answer.</p>
<p>You will have to hand over personal items (i.e. wallet, mobile phone, shoes or laces, belt and watch). You will also be searched.</p>	<p>You may have a photograph or video image taken of you. This will help others identify you.</p>	<p>You may talk to a solicitor on the phone or in person. If you did not ask for a solicitor, you can request one at any time.</p>	<p>You will then be charged, released on bail, issued an out of court disposal or released without charge.</p>

1. FLOWCHART

Who? Detainees.

Why? Provide information about the custody process to aid understanding and reduce anxiety.

How? Give to each detainee before booking-in and allow them time to read it. You may also use this as a communication aid to support verbal explanation by reading through the sheet with detainees at each step of the process.

You should ask if the person would prefer to read the document alone or if they would like you to explain it to them. You may also want to ask them if they have any questions about anything the document says.

2. CUSTODY BOOKLET

Who? Detainees.

Why? Provide information about the custody process to aid understanding and reduce anxiety.

How? Ask detainees if they would like to read more information about what happens in police custody before the booking-in process. If yes, ask if they would prefer to read the document alone or if they would like you to explain it to them. If they say no, you should tell them that they can ask to read this information at any time.

If they would like to read the document alone, you should allow them time to read this. Some people may also want to read this while in the cell so you should allow them to do this if it is safe to do so. If they would like you to explain the document, you can use it to support verbal explanation by reading through parts of the booklet at each step of the process. You may also want to ask them if they have any questions about anything the document says.



WHAT ARE MY LEGAL RIGHTS AND ENTITLEMENTS?

The Police and Criminal Evidence Act 1984 is the main law which says what rights someone has in police custody and how they should be looked after at the police station. You have several rights which the police officers must respect in law. There are also other entitlements which you have in police custody that are subject to the decisions of police officers.



SOLICITOR

- A solicitor is a person qualified to give you advice on the law and your rights as a suspect of a criminal offence. You have a right to free legal advice from a solicitor while in police custody.
- You are entitled to talk to a solicitor about your arrest and the offence in private. They will offer you advice about what has happened and advise you how to answer questions in the police interview.
- You should not just refuse a solicitor because there may be a delay before they can come to the station. A solicitor can also help you even if you think you are innocent.



APPROPRIATE ADULT

- An Appropriate Adult is an independent person who must come to the police station to help support vulnerable detainees. You can suggest a family member, social worker or volunteer to be your AA. If it is not possible them to act as the AA, the custody sergeant may choose instead.
- They will observe what is happening, help with communication and any concerns you have and ensure you are being treated fairly. They must be present while certain processes are carried out. If they cannot be there when these are carried out, they will be repeated when they arrive.



TELLING SOMEONE OF YOUR ARREST

- You can have someone told that you have been arrested and brought to police custody. You can choose to call a family member, friend, partner or someone else who has an interest in your welfare.
- You can also make a phone call while you are in police custody unless the custody staff decide that there are reasons which prevent this. This will be explained to you.
- It is important to remember that anything you say during this phone call may be listened to by someone else and may be used as evidence. You will not have to pay for the phone call you make.

3. LEGAL RIGHTS SHEET

Who? Detainees.

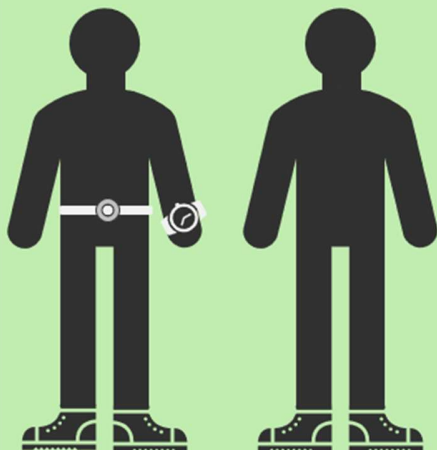
Why? Provide information to detainees about their legal rights to aid understanding and help them make informed decisions.

How? Give to each detainee before booking-in and allow them time to read it before asking questions about legal rights. You may also use this as a communication aid to support verbal explanation by reading through the sheet with detainees at the relevant point during the booking-in. You should ask if the person would prefer to read the document alone or if they would like you to explain it to them. You may also want to ask them if they have any questions about anything the document says.

PERSONAL SEARCH

FRONT

BACK



Created by the Nottinghamshire Autism Police Partnership at the University of Nottingham 2014.



4. BODY DIAGRAM

Who? Detainees.

Why? Provide information about what will happen during a search to aid understanding and reduce anxiety. This may also reduce distress which may be caused by touching.

How? Give to each detainee before any search and explain what will happen during this process. Point to each part of the body that will be touched during the search in the order in which this will happen. You should also use this to highlight which items of clothing may be taken away from them and why this is necessary.

AUTISM



NEURODIVERSITY

• Neurodiversity refers to the variety of minds that is a natural part of being human. Autistic people are neurodivergent because they experience and interact with the world differently to how other people may typically do.



COMMUNICATING & PROCESSING

• Autistic people will communicate and interact with others in different ways which can affect how they are understood and how they understand others. They may also process information and react to situations in different ways.



EVERYONE IS DIFFERENT

• Every autistic person is different and will not always experience the same difficulties.

5. TRAINING BOOKLET

Who? Custody staff.

Why? Improve understanding of autism and the difficulties autistic people may experience during the custody process. Highlight key adjustments custody staff can make to help support autistic people in police custody.

How? Provide copies to custody staff at training sessions to support training. They should also be available in police custody so they can be accessed by custody staff at any time to refresh their training.

AUTISM

Have you asked about communication and sensory needs?

Ask directly if they have any conditions which may affect their communication and/or sensory processing i.e. autism?

Have you made adjustments to how you ask for information?

Use clear and direct questions and avoid technical terminology where possible i.e. What is your full address?

Have you made adjustments to aid understanding?

Consider using visual aids such as a flowchart, diagrams or booklets and call an Appropriate Adult of their choice to support them

Have you explained what will happen?

Tell them what will happen during each process, why it will happen and how long it will take where possible

Have you made adjustments to minimise sensory stress?

Ask what adjustments you can make to the custody environment to help minimise sensory stress i.e. Would you like the lights dimmed?

Have you checked if they are anxious or in discomfort?

Ask if they are worried about anything i.e. the toilet, reassure them and make it clear how you can help i.e. Would you like some food?

Created by the Nottinghamshire Autism Police Partnership at the University of Nottingham 2019.



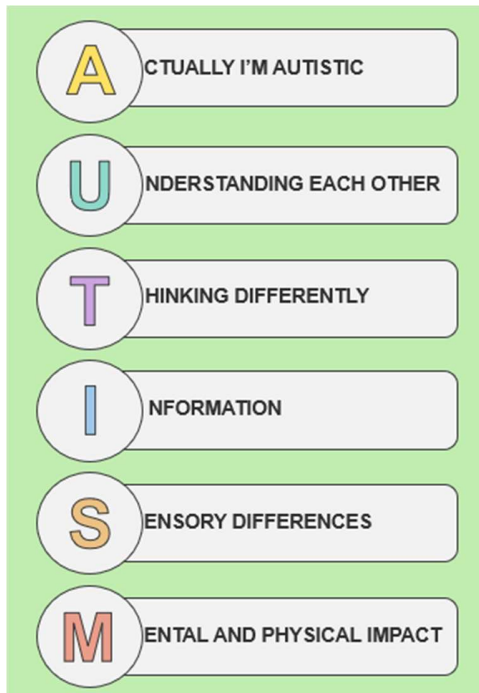
6. PROMPT SHEET

Who? Custody staff.

Why? Highlight key adjustments that custody staff can make when a detainee is autistic to help support them. These adjustments will help aid understanding and minimise any distress or anxiety.

How? Display in a commonly used area such as by the custody desk where it can be seen by custody staff. This can be referred to when dealing with a detainee who they know is or suspect is autistic at key parts of the custody process.





7. POSTER

Who? Custody staff.

Why? Highlight key areas of the autism training which relate to the different issues autistic people may experience in police custody.

How? Display in a commonly used area such as by the custody desk where it can be seen by custody staff. This can be referred to when dealing with a detainee who they know is or suspect is autistic at key parts of the custody process.

BOOKING-IN

- Ambiguous questions can create difficulties for autistic people because it is not obvious what information is being asked for.
- Asking lots of questions might make an autistic person feel over-whelmed, especially when they are anxious. They might find it difficult to process what you are saying and might not respond straightaway.
- It may not be clear what medical conditions they need to tell you about and when they should tell you this information.
- You should ask every detainee directly if they are autistic or have any communication and/or sensory needs i.e. autism.

- ✓ ASK CLEAR AND DIRECT QUESTIONS
- ✓ ALLOW MORE TIME FOR PROCESSING
- ✓ USE VISUAL AIDS AND PROMPTS
- ✓ COMMUNICATION AND SENSORY NEEDS

8. QUICK CARDS

Who? Custody staff.

Why? Highlight key adjustments that custody staff can make when a detainee is autistic to help support them. These adjustments will help aid understanding and minimise any distress or anxiety.

How? Make them available in a commonly used area such as the custody desk or processing room where they can be accessed by custody staff. Each card can be referred to when dealing with a detainee who they know is or suspect is autistic at key parts of the custody process. They outline the key information to be aware of and the specific adjustments that can be made at each point of the custody process.