Summary of the ‘Good’ Police Custody Study

The aim of the study is to rigorously examine what ‘good’ police custody is, taking into account recent shifts towards civilianisation and privatisation in how police custody is delivered. This research will make an impact by contributing to existing mechanisms for monitoring and reforming police custody. It will also benefit the academic community as theories about ‘good’ police custody will be used to explore the implications for ‘good’ or ‘good enough’ policing, an important topic in light of the thirst for security in contemporary societies and an austere economic climate.

The research has five key aims:

1. Describe and appraise variations in police custody arrangements across England and Wales.
2. Identify the key dimensions of police custody areas (e.g. fairness, justice, cost and accountability).
3. Explore how civilianisation and privatisation impact on these key dimensions of police custody.
4. Conceptualise the dimensions of ‘good’ police custody and examine the implications for ‘good’ policing.
5. Develop benchmarks and a survey tool to monitor and improve police custody facilities, complementing the inspection work of HMIP/HMIC and existing benchmarks such as the PACE Codes of Practice and Authorised Professional Practice Guidelines.

These aims are to be explored through the collection of qualitative and quantitative data, including through surveys, participant observation, interviews and data from official records over four phases of the study:

**Phase 1:** Conduct survey of all custody suites in England and Wales.

**Phase 2:** Complete one month in-depth research in each of the four selected custody suites.

**Phase 3:** Develop theories of good police custody from phase two data and create and distribute surveys to test theories.

**Phase 4:** Disseminate research findings and survey tool to researchers and practitioners through an end of study conference.
Announcements

We are thrilled to announce that Layla Skinns’ beautiful baby girl, Selda, arrived safely in December 2014. We would like to extend our best wishes to the Skinns family and hope Layla thoroughly enjoys her well-deserved maternity leave.

We are also delighted to announce that Andrew Wooff successfully defended his PhD thesis titled: “Space, place and the policing of anti-social behaviour in rural Scotland” and has been awarded his doctoral degree.

Due to Layla’s maternity, Dr Andrew Wooff is currently acting as the GPCS’s Principal Investigator.

Progress to date with the study

1. Continuation of Phase 2

To account for Layla’s temporary departure, the ‘Good’ Police Custody Study has been extended by 6 months. This means that the time periods for Phases 2, 3 and 4 have been pushed back to reflect the new end date of the study, January 2017. As a result, we are currently continuing with Phase 2 of the study. Three fieldwork sites are complete and data collection in the fourth and final fieldwork site is being finalised. Analysis of the in-depth data gathered through the fieldwork began in late 2014 and continues to be our main task. In total we have: over 500 hours of observations; over 100 in-depth interviews with police officers, police staff and detainees; and over 1000 custody records to analyse from the four custody sites. We are also in the process of obtaining data about the cost of custody.

We have the sizeable task of writing a comprehensive report on all data, in relation to the following ‘key dimensions’ of custody: 1) police custody workers; 2) the conditions of custody; 3) discretion; 4) occupational culture(s); 5) power and suspect compliance; 6) access to justice and fairness; 7) emotions and relationships; 8) governance and accountability; and any other relevant themes such as ‘risk’. These will be compared and contrasted across the different types of custody suites to develop a theory of what constitutes good police custody. The progress with and emerging findings from this report will be outlined in our next newsletter.

2. Emerging Findings

The purpose of this section is to outline preliminary ideas about the usefulness of police legitimacy theory, with a focus on ‘procedural justice’ (PJ), in relation to police custody. The existing research on PJ and police legitimacy shows that while the outcomes of interactions with the police matter to people (e.g. whether they are arrested), it is how they are treated during this process that matters more, particularly whether they are dealt with fairly. Fairness in this context can mean a variety of things, such as how decisions are made (e.g. has a suspect had an opportunity to have a say?), or how people are treated (e.g. does communication show respect and dignity towards citizens?). The existing research shows it is important for police and citizens to have a shared understanding of what fair treatment means, based on societal norms, for citizens to be able to
view the police as a legitimate authority and to comply with their directions. In other words, perceived police legitimacy can lead to citizen compliance.¹

Thus far in the GPCS, theories about PJ and legitimacy appear to be particularly useful for understanding the use of staff power, detainee compliance and relationships between staff and suspects. In line with PJ theory, fairness in the context of the GPCS has been found to include things like being treated as ‘human beings’ - being spoken to normally without judgement of the potential crime committed and the tailoring of treatment to suit individual needs:

“They speak to me like, as if I was you... even though I am still locked up and I’ve still done my badness, they are not degrading me because of that” (Detainee 1, CV).

“All I know is this bloke here, he is a human being and that’s we treat him like... You might have heard the expression ‘treat everyone the same’. Yeah, we don’t. We treat everyone according to their own individual needs” (Custody Sgt 1, CV).

Fair treatment of detainees was important to both staff and detainees because it made detention in police custody easier for all. Staff were able to gather accurate information about detainees’ welfare so they could be looked after properly, which in turn made the situation safer for detainees and, ultimately, led to improved cooperation. For instance, the quotation below is from a detainee, who had been handcuffed, restrained and sprayed with an incapacitant spray on arrest and who refused to provide his personal details to the police for a number of hours. When we asked why he eventually complied, his response was:

“The custody sergeant was talking to me like a human being, that’s why I told him who I was eventually” (Detainee 10, CV).

Seemingly then, verbal communication was a powerful tool in police custody which was used to establish a shared understanding of fairness – that you treat others how you would wish to be treated in those circumstances. If staff began this process, it encouraged detainees to extend them the same courtesy; police officers’ attitudes and behaviours affected detainees’ attitudes and behaviours. This may be because it showed the custody officers respecting societal values about fair treatment and not taking advantage of their power.

Such reciprocated respect and compliance did not occur in all cases for a number of reasons. Staff used some of the softer forms of authority that have just been described alongside firmer forms of authority (e.g. use of force) to de-escalate or escalate the use of their power as appropriate for each situation in order to secure compliance. Consequently, it seems that there is more than one form of compliance at play at any one time during police-suspect interactions in police custody and that different forms compliance are inter-linked. For example, detainees often referred to cooperating with the police but not in a way that could implicate them, or said that they followed police instructions because officers treated them well but that they were still aware that reciprocating this behaviour may be beneficial to them. The implication is that as the GPCS progresses we will consider the interaction of different forms of compliance in different circumstances to gain a full understanding of why people comply with the police in police custody and beyond. This will build on the work that Layla Skinns completed in her 2011 book Police custody². Overall, the research thus far suggests that understanding PJ, legitimacy and compliance is more complex in police custody environments than initially conceptualised.

3. Dissemination

Over the past six months we have drafted several papers, some of which are based on findings from Phase 1 data collection.

- A journal article titled “Transforming the police institution ‘from the inside’? Police custody delivery in the 21st century” has been submitted for peer-review. This article uses the analysis from the Phase 1 survey which gathered data on 213 custody suites from 40 out of 43 police forces in England and Wales and outlines our five-pronged typology of police custody.

- A second article titled “Preliminary findings on police custody delivery in the 21st century: Is it ‘good’ enough?” has been submitted for peer-review. This paper advances on the previous journal article by using HMIC inspections of police custody suites to provide some preliminary answers to two key questions: Are some types of custody suites likely to be better than others? What are the implications for ‘good’ policing?

- Finally, we have submitted a book chapter titled “The ethics of conducting research on the police: dilemmas and new directions”. In Martin & Tong (eds) ‘Researching Policing: taking lessons from practice’. Routledge.

- We are currently in the process of producing a further two journal articles that will be submitted for peer review later this year.

In addition to these publications:

- Andrew attended the briefing event for the report into “Preventing Deaths in Detention of Adults with Mental Health Conditions: An Inquiry by the Equality and Human Rights Commission” which took place at the House of Commons on February 23rd 2015.

- Amy attended an event from the Howard League for Penal Reform’s ‘What if’ series titled: ‘What if police bail was abolished?’ at LSE on January 13th 2015.

- Andrew will be giving a poster presentation on behalf of the GPCS at the Evidence-Based Policing Research Showcase at The College of Policing Headquarters on May 13th 2015.

- The GPCS team will be attending the British Society of Criminology, the European Society of Criminology and Policing and Democracy conferences to present papers related to the analysis of the in-depth phase two data and developing theories.

For regular updates on GPCS activities please join our other 400 twitter followers: @policecustody.

The next steps...

Our key focus over the coming months will be on data analysis and the production of the GPCS’s main report, which will cover the key dimensions of custody in light of our custody typology. This will enable us to develop the phase three survey that will be distributed to staff and detainees in order to assess our theories of good police custody. **We aim to distribute our survey to up to 15 different police forces from January 2016 onwards, if this is something your police force may like to participate in, or if you have any other questions about the study, please do get in contact with Andrew or Amy.**

With best wishes, the ‘Good’ Police Custody Study team.