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# **Service Improvement Review of Custody Capacity**

## **Final Report – Management Summary**

**May 2004**



**METROPOLITAN  
POLICE**

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## MANAGEMENT SUMMARY

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### Introduction

Custody facilities are the most functionally specific and capital-intensive part of police BOCU buildings and infrastructure, where a critical part of the criminal justice process takes place. The Metropolitan Police Service (MPS) currently has inadequate custody capacity to meet the growing needs of London. Too few cells are available and the dilapidated MPS facilities fail to meet the diverse needs of detainees and other users of custody facilities. The relationship the MPS has with its custody service partners is localised and in some cases strained. Parochial management practices have emerged due to a lack of central strategic management of custody capacity within the MPS.

The accumulation of these factors has left the MPS inflexible in its response to demand for its custody services and in some circumstances unable to satisfy all requirements of Police and Criminal Evidence (PACE) Act 1984. Currently arresting officers' time is wasted searching for, travelling to and waiting in custody facilities, limiting their ability to police the streets of London.

Credit must be given to the MPS custody staff who make this situation work. However it has become unacceptable to allow MPS staff and detainees to continue to suffer the poor environmental conditions that prevail in many parts of the MPS custody environment. This situation is increasingly untenable if the human rights of detainees are put at risk and if future deaths in police custody are to be prevented.

It is evident from this review that bold changes are required to improve custody provision and service delivery. Substantial investment is required to ensure that MPS facilities meet the ever-changing policing requirements of the capital city. Action is also needed in the immediate term to move the MPS towards a coherent vision of custody capacity provision.

This document constitutes the final report of the Custody Capacity Service Improvement Review conducted by Internal Consultancy Group (ICG). The review was commissioned by the Metropolitan Police Authority (MPA) as part of its Best Value Review Programme.

### Principal Benefits

The recommendations resulting from this review contribute to the goal of significantly improving the match between the demand for and supply of custody capacity across the MPS. The recommendations have regard to economy, effectiveness and efficiency. In particular they are intended to ensure that boroughs are provided with the right level of custody capacity at the right time and at the right cost to meet the policing needs of London in accordance with MPS corporate priorities.

The key anticipated benefits of the implementation of the Custody Capacity Service Improvement Review recommendations are:

- Improved custody capacity so that supply appropriately meets demand.
- Enhanced quality of MPS service to detainees through improved efficiency of custody systems and overall custody capacity.
- Improved service to arresting officers and other users of custody.
- Increased public confidence through improvement in the expeditious processing of detainees.
- Enhanced MPS performance through improvement in custody processing.

## **Background to the Review**

The principle influences that have led to the current provision of MPS custody capacity include:

- The ageing MPS estate.
- The changing structure of the MPS Operational Command Units (Divisions, Areas and Boroughs).
- The agreements made with other agencies (e.g. ACPO & Immigration Service Protocol for the Removal of Immigration Offenders)
- Changing legislation in relation to Health and Safety and Risk Assessment.

## **Scope of the Review and Methodology**

The Custody Capacity Service Improvement Review has sought to achieve a more appropriate match between demand for and supply of custody capacity through detailed analysis and consultation in relation to the current and future custody capacity requirements of the MPS.

The Custody Capacity Service Improvement Review is the second review to use a new approach that places greater focus on outcome delivery and improvement. The approach has adopted a more proportionate and flexible application of 4C (Consult, Compare, Challenge and Compete) principles.

It was acknowledged that work had already been completed in the area of custody capacity by a number of MPS groups. Where this was the case, the review sought to avoid duplicating this effort but drew on the results to inform its own work.

The Custody Capacity Service Improvement Review took a phased approach that included background research and scoping, identification and definition of issues, solution generation, solution evaluation and recommendations.

The Review Project Board agreed that the scope of the review would comprise of five strands:

1. **Demand** for custody capacity – identifying current and future needs for custody facilities within the MPS.
2. **Supply** of custody capacity – identifying current and future property and staff resources required.
3. **Quality** of custody service – identifying which factors influence the experience of those who work in or are accommodated in MPS custody facilities.
4. **Management** of custody capacity – examining ways in which demand and supply are matched and the MPS custody process is managed at local and strategic levels.
5. **Staffing** of custody – examining the staffing issues at a borough level.

This thematic approach encompassed all BOCUs and a number of the MPS Operational Command Units including Territorial Support Group, Traffic, Anti-terrorist Branch, Specialist Crime Directorate and Public Order Branch.

The review drew on existing data on numbers of detained persons held by the MPS Performance Information Bureau, custody staffing information provided by the Operational Policing Measure team, Finance costing, and surveys undertaken by the Territorial Policing Integrated Borough Operations team and Property Services Department. To provide a full picture of custody demand, all BOCUs were asked to submit data on custody occupancy. The Best Value Review of Custody recently completed by West Midlands Police was used as a source of comparison.

Consultation was undertaken to obtain views of external and internal stakeholders about MPS custody capacity. An Independent Challenge Panel was established to provide robust challenge and inject 'blue sky' thinking to the review process. The potential for competition and alternative forms of service delivery were also considered, however given the lack of existing information about custody requirements competition was deemed most appropriate for assessment during the implementation stage of the review. The recommendations made by the review encourage innovative and challenging thinking incorporating the consideration of alternative suppliers and providers (see recommendation 4.1).

Diversity was considered throughout the review with the Greater London Action on Disability (GLAD) and Rethink (Mental Health Charity) providing significant input. The Commission for Racial Equality (CRE) and a Gay, Lesbian and Bisexual Community Safety Charity (GALOP) were also approached for comment alongside internal MPS Staff Associations.

## Overview of Service Under Review

### Demand for Custody Service

- Between 1996 and 2001 annual numbers coming into custody fell from 360,000 to 270,000. Since then there have been increases to 290,000 in 2002 and 293,000 in 2003. This broadly follows changes in overall police numbers.

- Apart from detainees arrested by MPS officers, the MPS also houses detained persons for the Immigration Service, smaller numbers for Customs and Excise and persons convicted at court but unable to gain access to prison accommodation before nightfall.
- Demand varies significantly from day to day and from hour to hour each day. Although patterns are evident in the long-term average demand, variation is essentially random and peaks cannot generally be attributed to any specific initiatives.

Based on occupancy data taken from the first week in October 2003:

- Average occupancy time of detained persons was 10.2 hours. Approximately 21% of total detention time recorded was incurred post-charge. The average time spent in custody before charge, or prior to release without charge, was 7 hours.
- Average time spent by immigration detainees in MPS custody was 26 hours, with the majority spending less than 15.5 hours but some up to 5 days.
- A daily occupancy pattern is evident with detainee numbers building throughout the day to a peak in the early hours of the following morning.
- There is wide variation in average detention times across BOCUs, with the two extremes at Heathrow (13.9 hours) and Richmond upon Thames (5.7 hours). Possible explanations are discussed in section 5.1.

### Current MPS Supply of Custody Capacity

The Review Team survey (March 2004) showed:

- The MPS had 1097 cells (including 191 detention rooms) spread across 99 buildings.
- Only 755 cells (including 124 detention rooms) were fully available with a further 131 cells (including 31 detention rooms) available to be re-opened as required. A full summary can be found in Appendix D.
- Only 8 BOCUs have their custody facilities at a single site. Most have a number of small units of less than ten cells.
- A shortage of substantive sergeants and the inefficiency of staffing small units of cells make it difficult for BOCUs to justify staffing small custody facilities to utilise their full custody capacity.

The Review Team modelled BOCU custody requirements based on current demand of approximately 300,000 arrests per annum and predicts that:

- Around half of all BOCUs have close to the cell provision required to meet current arrest volumes.

- Almost one third of BOCUs are estimated to need up to 15 more cells to meet current demand, with the West of London under apparent strain.
- Barking and Dagenham, Haringey, Kingston upon Thames, Richmond upon Thames and Merton have the worst supplies of cell capacity relative to local demand.
- The new Private Finance Initiative Police stations at Bromley, Lewisham and Sutton along with Barnet, Southwark, Westminster and Brent have more cells than current demand requires.

### Current MPS Quality of Service

Based on consultation:

- The current MPS custody estate severely limits the quality of custody service provided by the MPS. MPS custody facilities fail to meet the standards expected by the internal and external stakeholders consulted.
- The quality of Private Finance Initiative sites is an improvement on older MPS custody buildings. They offer significantly greater cell availability when compared to facilities in older MPS buildings.
- There are concerns relating to detainee, custody staff and custody partners' health and safety whilst in MPS custody facilities.
- The diverse needs of detainees are not adequately met in all detention circumstances.
- There is no quality of service information collated or analysed at a corporate level within the MPS.

### Current MPS Custody Management

- MPS custody capacity currently offers an inadequate service to arresting officers.
- It is estimated that some 7,000 movements of detained persons per year and subsequent travel of investigating officers are made at an estimated opportunity cost of over £1million annually.
- A shortage of custody capacity is inhibiting arrests in some BOCUs.
- There is no strategic overview, accountability or management system for custody capacity or cell availability management within the MPS.

### Current MPS Custody Staffing

- There is a perceived lack of substantive sergeants to resource borough custody facilities.

- There is a generally agreed perception that permanent custody staff take greater ownership of the custody environment and take a long-term view of its good management.
- The role performed by custody staff is undervalued.

### **Recommendation Summary: Central Custody Management**

Currently Territorial Policing lacks a strategic focus for custody issues, with several ACPO officers taking responsibility for different areas of custody policy and management issues. To provide clear strategic direction, responsibility and accountability for MPS custody, the Review Team recommends:

**Recommendation 1: A single ACPO lead is identified by June 2004 to be responsible and accountable for all aspects of custody service provision and delivery within the MPS.**

A single ACPO lead would co-ordinate and take responsibility for all MPS aspects of MPS custody service delivery and management. The ACPO lead would act as a single point of contact both internally and externally to the MPS for all issues relating to custody.

#### Formation of a Custody Command

Currently there is no mechanism in place to co-ordinate and manage custody issues at a strategic MPS level. To enable the ACPO lead to take responsibility for custody and ensure that all aspects of MPS Custody are strategically co-ordinated, the Review Team recommends:

**Recommendation 2: Formation of a MPS Custody Command by September 2004 consisting of 4 key elements:**

- **Custody Policy and Standards**
- **Custody Partnership Co-ordination**
- **Strategic Custody Planning**
- **Tactical Custody Planning**

The custody command would link custody policy and implementation, moving the MPS towards a high quality of service provision. Communication between the four key units would be essential with their collocation recommended. A coherent programme of work would be carried out across the four units under the guidance of the single ACPO lead.

The following functional model is proposed for implementation:



# CUSTODY COMMAND

## Custody Policy & Standards

- Development & communication of all custody policy
  - Custody materials & supplies approval
- Identifying & championing legal changes to PACE
  - Development of future custody design requirements
- Professionalisation of custody staff roles
- Monitoring of custody policy implementation

## Strategic Custody Planning

- Updating and review of MPS custody demand forecasts
- Development of a custody provision strategy for each BOCU in consultation with each BOCU
- Ensuring the custody strategy is embedded in the MPS Estate Strategy
- Strategic planning of custody refurbishment and new-build programmes in partnership with PSD
- Strategic management and forecasting of custody staffing requirements

## Custody Partnership Co-ordination

- Custody partnership liaison & co-ordination (Immigration Service, Prison Service, Detainee transfer services, Solicitors, Appropriate Adult Schemes, CPS, Social Services, Interpreters, NHS, FMEs, Drugs referral schemes etc)
- Custody IAG co-ordination & administration
  - Incorporation of the Safer Cells Forum
    - Analysis of ICV reports

## Tactical Custody Planning

- Co-ordination of custody facility closures
- Collation & analysis of custody management information
- Direction of operational custody availability
  - Central allocation & booking of cell accommodation (initially for planned operations only, full implementation is reliant on NSPIS, C3i & IBO implementation)

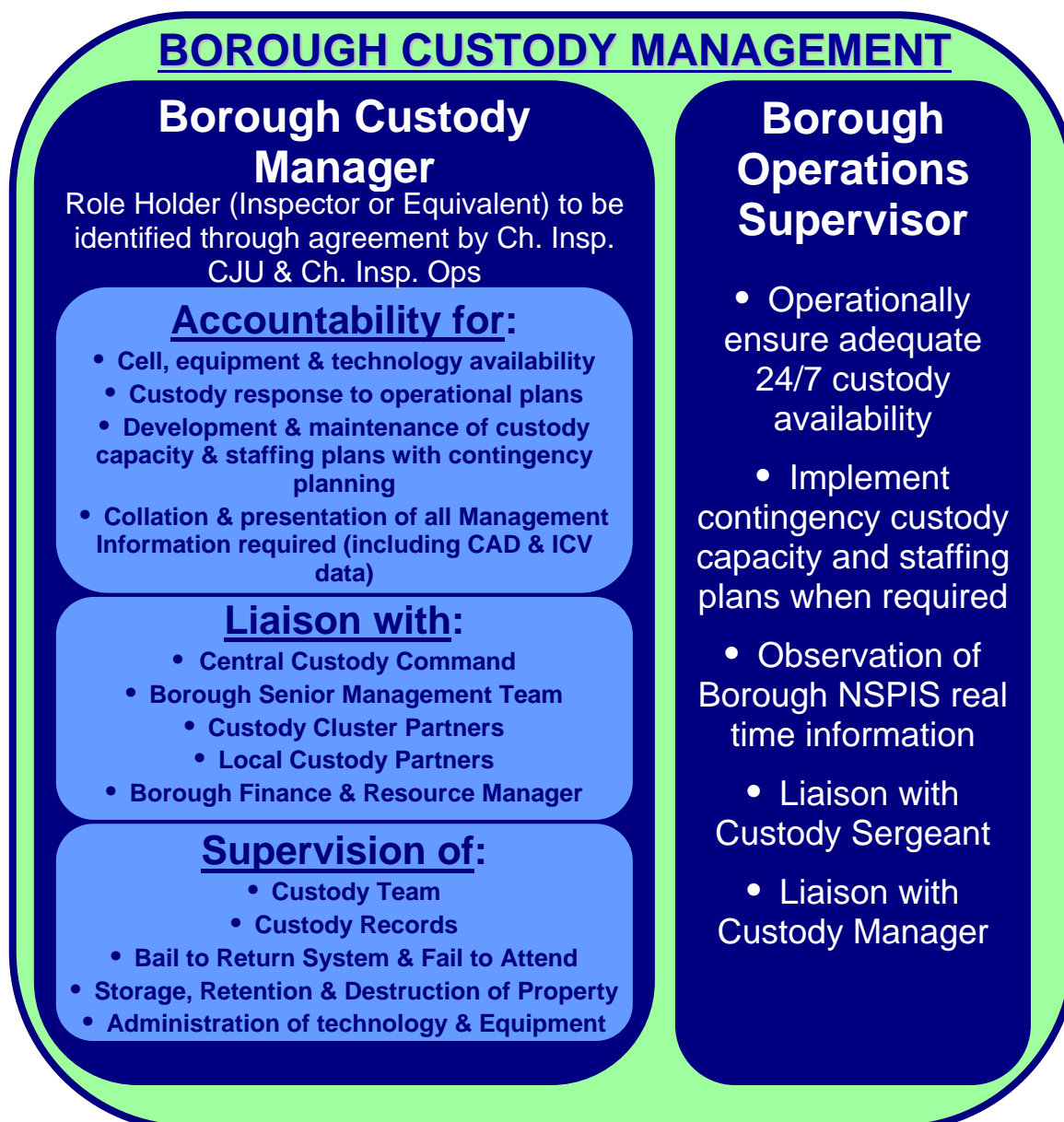


## Borough Custody Manager Role

Currently there is no consistency across BOCUs in relation to responsibility and accountability for custody issues such as cell availability, staff management or planning to meet peak workloads. To ensure that the Custody Command has close links with BOCU operational custody issues and that responsibility and accountability are reflected at a local level, the Review Team recommends the MPS:

**Recommendation 3: Establish a Custody Manager role within each BOCU by October 2004.**

The following model is proposed to demonstrate how the new Borough Custody Manager role relates to the Borough Operations Supervisor role planned as part of the Integrated Borough Operations programme of work.



## Recommendation Summary: Custody Policy & Standards

The MPS Custody Policy Unit of the MPS Criminal Justice Department is vastly under-resourced to adequately tackle the wide variety of issues that relate to custody policy within the MPS. This has resulted in localisation of custody policy and a lack of central monitoring and management. To reduce the variation in MPS custody quality of service, the Review Team recommends:

**Recommendation 4: Formation of a Custody Policy and Standards Unit by October 2004 to be responsible for the development and monitoring of all custody policy and standards within the MPS.**

The unit would be formed through the expansion of the existing MPS custody Policy Unit and would carry out key responsibilities previously detailed in the model on page vii of this management summary.

### Consideration of Innovative, Flexible and Alternative Solutions

The MPS has previously explored a number of solutions to cell provision with a variety of success. To ensure mistakes are not repeated, that successes are recorded as best practice and that the MPS is open to innovative cell design and alternative custody provision options, the Review Team recommends that the MPS Custody Policy and Standards unit undertakes:

**Recommendation 4.1:** Completion of a bi-annual custody environmental scan, the first to be completed by December 2004, to inform the use of innovative and flexible options for interim and long-term custody capacity provision including alternative suppliers and providers.

This will ensure that the MPS is at the forefront of custody innovation and management.

### Custody Standardisation and Staffing

In the future the introduction of NSPIS Custody will enable greater flexibility in who deals with some custody functions. In addition moving to large facilities will make it possible to staff custody suites so that the Custody Sergeants can focus on specific areas such as detainee risk assessment that require their expertise and powers under PACE (1984). Given the steps currently being taken to improve the provision of substantive sergeants within the MPS, the Review Team recommends that to ensure care of detainees and the most effective use of Custody Sergeant expertise, the MPS:

**Recommendation 4.2:** Develop standardised working practices and flexible staffing models by October 2005 that maximise the opportunities afforded by the NSPIS Custody package introduction and expansion of the Designated Detention Officer role to make efficient use of custody sergeants' expertise.

This would allow Custody Sergeants to focus on duties that require their expertise and police powers, all non-essential duties that they currently carry out could be completed by police staff or police constables e.g. data entry.

## Enhancing Custody Staff Professionalisation

To take adequate responsibility for the detention of vulnerable detainees and ensure criminal proceedings are followed requires a vast amount of knowledge, skill and experience. Within the MPS there is a perception that the role of custody officers and staff is undervalued. To ensure the continued professionalisation of custody staff and recognition of their roles, the Review Team recommends:

**Recommendation 4.3:** Continued professionalisation of all custody staff roles by completion of a rigorous Performance Needs Analysis by December 2004 and subsequent implementation of the Performance Needs Analysis solutions by July 2005.

This will allow the MPS to identify a range of solutions for valuing, professionalising and therefore improving the service offered to all detainees.

## Championing Legislation Changes

The review has identified a number of areas where the current custody legislation is having a detrimental affect on the ability of the MPS to deliver a suitable service to detainees. For example PACE prevents the MPS from contracting an organisation to provide independent appropriate adult services. To ensure the MPS is proactive in driving forward improvements in service to detainees, the Review Team recommends the MPS:

**Recommendation 4.4:** Implement a process by April 2005 to identify and champion legal change in order to improve provision of service to detainees e.g. relaxation in legal constraints preventing MPS contracting of organisations providing appropriate adult services.

This will enable the MPS to start to influence legislation that affects its ability to deliver a quality of service to all detainees.

## **Recommendation Summary: Custody Partnership Co-ordination**

The review has identified a wide range of MPS custody partners at a strategic and local level. The MPS relationship with these partners is unco-ordinated and in some cases strained. MPS custody partners reported difficulties in liaising with the MPS at a strategic level in relation to custody. To ensure that detainees' needs are at the centre of all custody systems and, that the MPS is working with its partners to improve service delivery, the Review Team recommends:

**Recommendation 5: Formation of a Custody Partnership Co-ordination Unit by October 2004 to co-ordinate MPS strategic custody partner relationships and to guide and monitor local custody partner relations.**

The unit would carry out the key responsibilities detailed in the model presented on page vii of this management summary. Recommendations 5.1

to 5.5 provide some additional direction as to the required activities of the MPS Partnership Co-ordination Unit.

### Post-Charge Occupancy Reduction

Approximately 21% of occupancy time in MPS cells is time spent by detained persons after they have been charged and are waiting to be transferred to court or transferred by the Immigration Service. In order to facilitate a reduction in post-charge occupancy and improve the availability of cells, the Review Team recommends that the MPS immediately:

**Recommendation 5.1:** Initiate a programme of partnership projects by December 2004 involving detainee transfer service providers and Magistrate and Crown Court Services, aimed at reducing post charge occupancy of MPS cells.

Through opening dialogue, and taking a partnership project approach the MPS could start to influence how post-charge detainees are accommodated. Through careful negotiation and financial support the MPS may be able to initiate open debate with its transfer and accommodation partners enabling post-charge occupancy to be ultimately eliminated from MPS custody cells.

### Management of Immigration Detainees

The MPS currently accommodates three types of immigration detainee:

- Those arrested by police officers on behalf of immigration officers through an immigration operation.
- Those that are arrested by the Immigration Service and are brought into police custody for accommodation until deportation can be arranged.
- The third group consists of those detainees arrested by police officers for a criminal offence later found to be illegal immigrants. Within this third category the immigration offence may take precedence over the criminal offence or vice versa depending on the severity of the criminal offence.

The Government's long-term vision, shared by the Review Team, is that Immigration Officers should arrest and accommodate the first two types of detainees at immigration detention sites. This would significantly reduce the occupancy of police cells by immigration detainees. The Review Team suggests that in relation to the third group of detainees, who are arrested for criminal offences originally and later found to be immigration offenders, a partnership approach must be taken to reduce the amount of time spent in police rather than Immigration Service accommodation once immigration papers have been served. In order to manage the Immigration Service demand on MPS custody and improve the availability of cells, the Review Team recommends:

**Recommendation 5.2:** Using a partnership approach to renegotiate the “ACPO and Immigration Service Protocol for the removal of Immigration Offenders” by September 2005, towards a position where the Immigration Service arrests and accommodates the vast majority of immigration detainees.

The MPS will achieve a better understanding of Immigration Service difficulties enabling a reduction in the overall number of immigration detainees accommodated in police custody.

#### Reduce Service Delays

The occupancy of some detained persons in custody is extended by having to wait for support services and other agencies to attend the custody suite. It has not been possible to quantify these delays for the MPS as a whole, but consultation reveals particular local problems with obtaining Appropriate Adults and co-ordinating the arrival time of agencies. To ensure that detainee needs are met through the adequate provision of specialist services the Review Team recommends the MPS:

**Recommendation 5.3:** Using a partnership approach negotiate service level agreements with all custody partner organisations by October 2006, with initial focus on securing adequate appropriate adult services by October 2005.

By gaining an understanding of the difficulties experienced by Social Services and other agencies the MPS will be better positioned to begin productive partner relationships. This will enable the MPS to achieve the vision of true partnership service delivery where the needs of detainees dictate service provision.

#### Formation of a Custody Independent Advisory Group

Currently a variety of external groups represent the diverse needs of detainees. These groups feed into the MPS at a borough level, with some feeding in to the Safer Cells Forum at a more strategic level. To ensure the needs of all detainees are satisfactorily understood and to inform MPS policy and practice in relation to custody provision, the Review Team recommends:

**Recommendation 5.4:** Formation of a MPS Custody Independent Advisory Group by November 2004, to represent the views of detainee groups and advise the MPS on current best practice.

To capitalise on the strong contacts already made through existing MPS IAG forums the Custody IAG should comprise of representatives from established MPS IAGs. Additional representatives of groups closely linked to custody should be identified and invited to participate (e.g. Independent Custody Visitor panel representatives).

#### Quality of Service Management Information

Currently the MPS custody I.T. system does not allow for the recording and monitoring of quality of service information. This means that it is impossible to identify trends or understand how the MPS can improve its quality of service

to detainees. To ensure that the MPS is able to monitor and improve its quality of custody service the Review Team recommends:

**Recommendation 5.5:** Central collation and analysis of custody quality of service management information by November 2004, incorporating Independent Custody Visitor information and subsequently NSPIS data in synchronisation with its MPS NSPIS implementation.

This would allow the MPS to take remedial action in areas of poorest service quality and identify best practice.

## **Recommendation Summary: Strategic Custody Planning**

### Strategic Custody Planning Unit

Currently the vast majority of custody operational management is performed at a local BOCU level. This means there is variation in the way custody is managed and whether custody planning is undertaken. This had led to a lack of strategic direction in the custody arena and a lack of centralised knowledge and management of MPS custody capacity. To ensure that the MPS is able to plan for future custody requirements the Review Team recommends:

**Recommendation 6: Formation of a Strategic Custody Planning Unit by October 2004 with responsibility for all aspects of strategic custody planning within the MPS.**

The unit would carry out the key responsibilities outlined in the model on page vii of this management summary. The Strategic Custody Planning Unit would be required to continue the work started by the Review Team. Initial work would centre on translating the Review recommendations to a BOCU level in consultation with each BOCU (BOCU Commander and Borough Custody Manager). In addition close liaison with Property Services Department would be required in relation to developing the custody strategy alongside the MPS Estate Strategy to ensure that planning of refurbishment and new-build projects gets underway immediately.

### Planning to Meet Demand

The Review Team considered increases in police numbers, changes in policing of cannabis possession, Criminal Justice Act 2003 Street Bail and detention time extension, additional arrests due to improved custody capacity and demand from the Immigration Service as influences in the assessment of possible future demand for custody capacity within the MPS. To ensure adequate future custody provision the Review Team recommends that the MPS:

**Recommendation 6.1:** Immediately plan future custody provision to meet a demand of 360,000 detainees per annum, with annual review of planning assumptions and forecasts to be completed by December of each year.

This would provide the capacity to cope with all of the following:



- 32,000 additional detainees linked to increased officer numbers.
- Latent demand for 35,000 arrests.
- No reduction in Immigration Service demand.
- No reduction in arrests due to cannabis arrest policy changes.
- No improvement in custody occupancy times.

360,000 would be used as the basis for planning future custody supply requirements. This figure should be reviewed annually in December to ensure that planners can incorporate the most accurate estimates available in financial and strategic planning during the following financial year.

### Self-Sufficiency of BOCUs

To meet the possible demand forecast of 360,000 arrests per annum a range of strategies were considered. To ensure the MPS has adequate custody provision in the future, the Review Team recommends:

**Recommendation 6.2:** Immediate adoption of a custody estate strategy that moves towards providing each BOCU with sufficient custody capacity to provide a 95% service level to arresting officers by December 2010.

A 95% service level would mean that BOCUs would self-sufficiently cope with demand on all but 18 days of each year. This service level is acceptable because daily demand shows that peak days on individual BOCUs are generally not concurrent. Moving to service levels above 95% is likely to be unacceptable in terms of cost for the number of additional cells required. The planning assumption of 95% service level should be incorporated into the MPS Custody Policy and Property Services Department planning strategy for new build custody facilities.

The Review Team modelled future BOCU custody requirements based on future arrests increasing to approximately 360,000 arrests per annum and predicts that:

- Havering, Camden & Islington have close to the number of cells required to meet future arrest volumes.
- Two thirds of all BOCUs are estimated to need between 10% and 230% more cells than they currently have to meet the predicted future demand.
- The cell capacity of the majority of West London BOCUs would fall severely short; needing over 50% more cells to match predicted future requirements.
- The model predicts that Barking and Dagenham, Haringey, Merton and Richmond upon Thames will be the most severely short of cells compared to local demand. Improving cell provision on these BOCUs should be given priority.



- Brent and Westminster are predicted to have approximately 50% surplus of cells however the Review Team model does not account for the need to provide additional cells to cover contingencies such as large scale public disorder and requirements as a result of the new stadium at Wembley.
- The new Private Finance Initiative Police stations (Bromley, Lewisham and Sutton), Barnet, Southwark, and Redbridge would have between 10% and 30% more cells than the model predicts they would require.

### Distribution of Custody Capacity

The Review Team has identified through consultation that the location and size of some custody facilities is inappropriate. This may be because they are not located close to areas where crime is most frequently committed or that they are difficult to get to due to high levels of traffic congestion. To ensure the MPS has appropriately located custody provision in the future, the Review Team recommends:

**Recommendation 6.3:** Immediate adoption of an MPS custody estate location strategy that by December 2010 ensures **one custody facility per BOCU** with collocation of investigating officers' except:

When BOCU cell requirements are less than 20 cells, sharing facilities with adjacent BOCUs should be considered.

When BOCU cell requirements exceed 35 cells, providing more than one custody facility on that BOCU should be considered.

This will ensure that custody suites in the MPS have a minimum of 20 cells and a maximum of about 35 per facility, with travel costs held at reasonable levels. This planning must form an integral part of a new MPS estate strategy in order to ensure that the operational needs of BOCUs, SO and SCD are provided for. Table 9-4 in section 9.4.4 of this report illustrates what the implications of this recommendation may be at a BOCU level. Based on the assumptions detailed in section 9.4 of this report only Bromley, Lewisham and Sutton currently have the custody facilities to match future requirements. The MPS will need some 600 new (additional and replacement) cells, estimated by PSD to cost at least £120m (excluding site costs and site identification costs). Additional consultation is required to establish the specific requirements for SCD detainees to ensure these are met within the proposed custody provision strategy.

### Identifying Initial Budget

Currently the costs recovered for accommodating Immigration Service detainee's are split: 50% are returned to the borough and 50% are directed to central TP budgets. This has set up a false economy for BOCUs whereby custody costs are recovered at only 50% of the original cost. To ensure economy, and the identification of a minimal initial financial budget to facilitate

implementation of the Review's key recommendations, the Review Team recommends:

**Recommendation 6.4:** All costs recovered from the Immigration Service for the accommodation of immigration detainees are ring-fenced from June 2004 onwards for the formation of the MPS Custody Command, re-opening, refurbishment and new build of MPS custody facilities.

### **Recommendation Summary: Tactical Custody Planning**

The MPS Devolution Programme has led to greater local control of resources and planning. In addition greater rigor has been invested in developing MPS policies in relation to a variety of aspects of policing such as custody, health and safety, and working time directives. As a result a gap has emerged between central policy and local interpretation and implementation of these policies. To ensure that the strategic vision is implemented and that MPS Custody develops into a flexible and responsive service provider, the Review Team recommends:

**Recommendation 7: Formation of a Tactical Custody Planning Unit by October 2004 to co-ordinate the daily maximisation and utilisation of MPS custody capacity.**

The unit would carry out the key responsibilities as described in the model presented previously on page vii of this management summary. The unit will also need to liaise closely with the NSPIS Case and Custody team, C3i and IBO programme leads.

#### Immediate Improvements in Custody Availability

The Review Team considered a range of possible measures to make more custody capacity available in the short-term. To immediately improve custody capacity the Review Team recommends:

**Recommendation 7.1:** Directed re-opening and staffing of out of action custody facilities in parts of the MPS that are currently under capacity from July 2004.

By reopening the larger 'out of action' facilities with closest proximity to boroughs with a current lack of cell availability, custody capacity will increase at the points of greatest need. Through re-opening closed suites there will be minimal disruption to already functioning custody facilities.

#### Direction of Immigration Detainees

Although Immigration Service use of MPS cells is governed by a Memorandum of Understanding (ACPO & Immigration Service Protocol for the Removal of Immigration Offenders) that limits the scope for reducing demand in the short-term, there is scope for reducing the impact of Immigration Service detainees currently accommodated in police custody on those BOCUs with limited cell space.

**Recommendation 7.2:** Directing Immigration Service demand to custody facilities with least utilised custody capacity from October 2004.

By directing all arrests initiated by Immigration Service to MPS custody facilities with larger capacity this will allow greater demand management across the MPS estate.

#### Planned Operations Demand

Review Team consultation with custody officers repeatedly drew attention to a lack of planning and advance warning about the custody requirements of operations which generate additional demand on custody facilities. To ensure maximum efficiency in cell utilisation planning, the Review Team recommends:

**Recommendation 7.3:** Custody requirements are incorporated into the planning of all operations by July 2004 with formally agreed notification given as far in advance as possible to the intended BOCU Custody Manager.

Ensuring that the arrests predicted to result from planned operations are communicated to custody staff in advance will allow them to better manage demand on custody capacity. In addition suitable custody suites for use in planned operations can be identified and will be more likely to be available when required.

#### Managing Cell Closure

There are significant risks that if current refurbishment and upgrade programmes are not managed as a single programme then individual custody suites may have to close repeatedly, adjacent BOCUs may have to close at the same time, preventing them from supporting each other, or the programmes may have to be extended. To ensure minimal operational impact of custody facility closure, the Review Team recommends:

**Recommendation 7.4:** Central co-ordination of all cell and custody facility closures in conjunction with MPS Property Services by November 2004, giving urgent priority to returning cells to use in active custody facilities.

This would allow Territorial Policing to co-ordinate the plans of all current and future projects that involve individual cells or whole custody suites being taken out of use, and agree planned downtime with BOCUs.

#### Custody Management Information

In the medium to long term, NSPIS Custody will provide management information covering numbers of detained persons and occupancy times in custody. However the current and urgent need for custody performance data could be partially satisfied in the short term by the development of a weekly return covering cell availability and downtime, custody suite closures and transfers of detainees to other BOCUs. To ensure tactical planning takes place based on sound knowledge and intelligence, the Review Team recommends:

**Recommendation 7.5:** Collation and analysis of simple custody management information including weekly cell availability, detainees refused, complaints and incidents by June 2004. When NSPIS Custody is implemented use data from that system to provide detailed management information.

The Borough Custody Manager (see recommendation 3) would be responsible for collating and inputting reports into a standardised format on a weekly basis. The Tactical Custody Planning Unit would complete collation and analysis of the data received. The unit would be responsible for feeding findings back to BOCUs and other units within the Custody Command. Once NSPIS has been rolled out to all custody facilities, more detailed case information will be available from the system through timed custody records and the availability of information on occupancy times.

### Custody Information Technology and Central Cell Allocation

With the implementation of NSPIS Custody in the medium-term, Territorial Policing will be able to access real-time information on cell availability centrally. To ensure future maximisation of MPS custody capacity, the Review Team recommends:

**Recommendation 7.6:** Central custody availability management and allocation of facilities to detained persons based on real time information by December 2006.

This will allow custody to fit with the C3i and Integrated Borough Operations programme. It will enable the allocation of cells based on demand with a strategic view of availability. This will eliminate the impact of cell allocation on the basis of informal agreements between officers.

## **Summary of Costs and Benefits**

### Principal Costs

The principal costs of the recommendations resulting from this review are:

- Additional revenue costs of £0.5m p.a. in salary costs (£0.7m including pension and accommodation costs) to establish the Custody Command within TPHQ.
- Capital costs of at least £120m (excluding site costs and site identification costs) to provide some 600 new cells.

### Principal Benefits

The principal benefits are:

- Overall, by having more cells available, the MPS will be better equipped to handle expected increases in arrests and therefore better able to fulfil its duty in policing London.

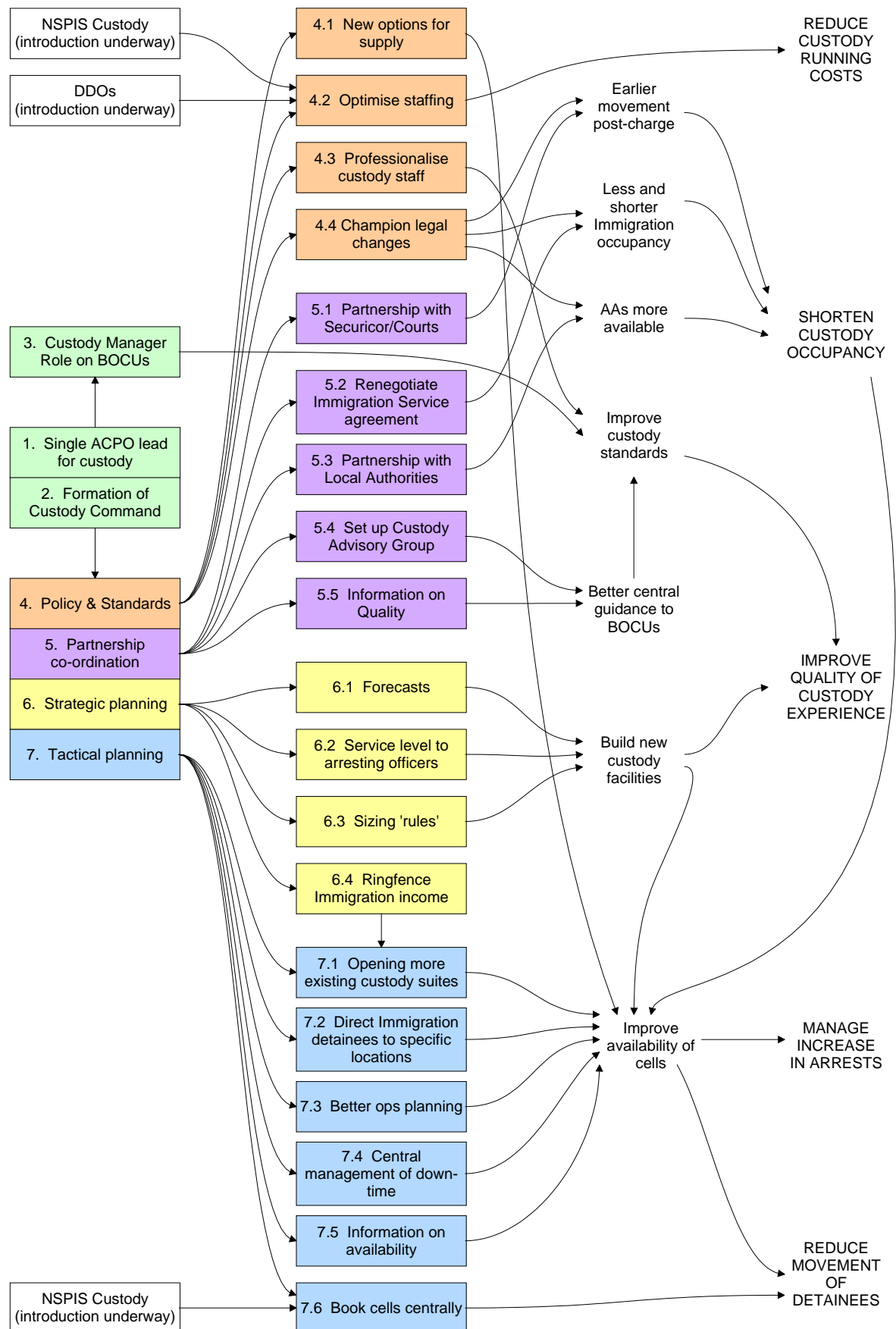
- An increasing proportion of MPS custody capacity provided in modern units which can fully satisfy Human Rights, Health and Safety, Disability Discrimination Act and other quality requirements and improve the quality of custody service for all users. This will significantly reduce the risk of external challenge over issues relating to the custody environment.
- BOCUs will have sufficient cells to ensure that a lack of custody capacity does not inhibit their performance or prevent them from adopting initiatives that involve additional arrests.
- An improvement in local cell availability, leading to a better service for arresting officers and savings in the opportunity costs of police time spent moving detainees between BOCUs. These costs are estimated at £1m p.a. in 2003, and expected to rise to over £3m p.a. if arrests increase with no additional cells.
- Closure of smaller, less efficient custody suites, will provide opportunities to reduce the unit cost of custody staffing. Current staffing costs are in excess of £25m p.a. and the expected 5% improvement in efficiency will provide revenue savings of £1.25m p.a. However this will be offset by the opportunity costs of longer trips to custody suites, which are estimated to reduce the saving to 3% or £0.75m p.a.
- Through the proposed Custody Command, the MPS will pursue opportunities to reduce the requirement for new cells (and hence the capital costs) through initiatives to reduce post-charge occupancy of cells and reduce Immigration Service use of MPS cells.
- Similarly, the Custody Command will take the lead in other corporate initiatives to manage cell availability, professionalise custody staff, and standardise and improve the quality of custody.
- An increasing number of BOCUs will have custody facilities adequate for dealing with SCD and SO arrests across the Metropolitan Police District.

A diagram illustrating how the recommendations are expected to lead to key benefits for the MPS follows the management summary.

## Implementation Arrangements

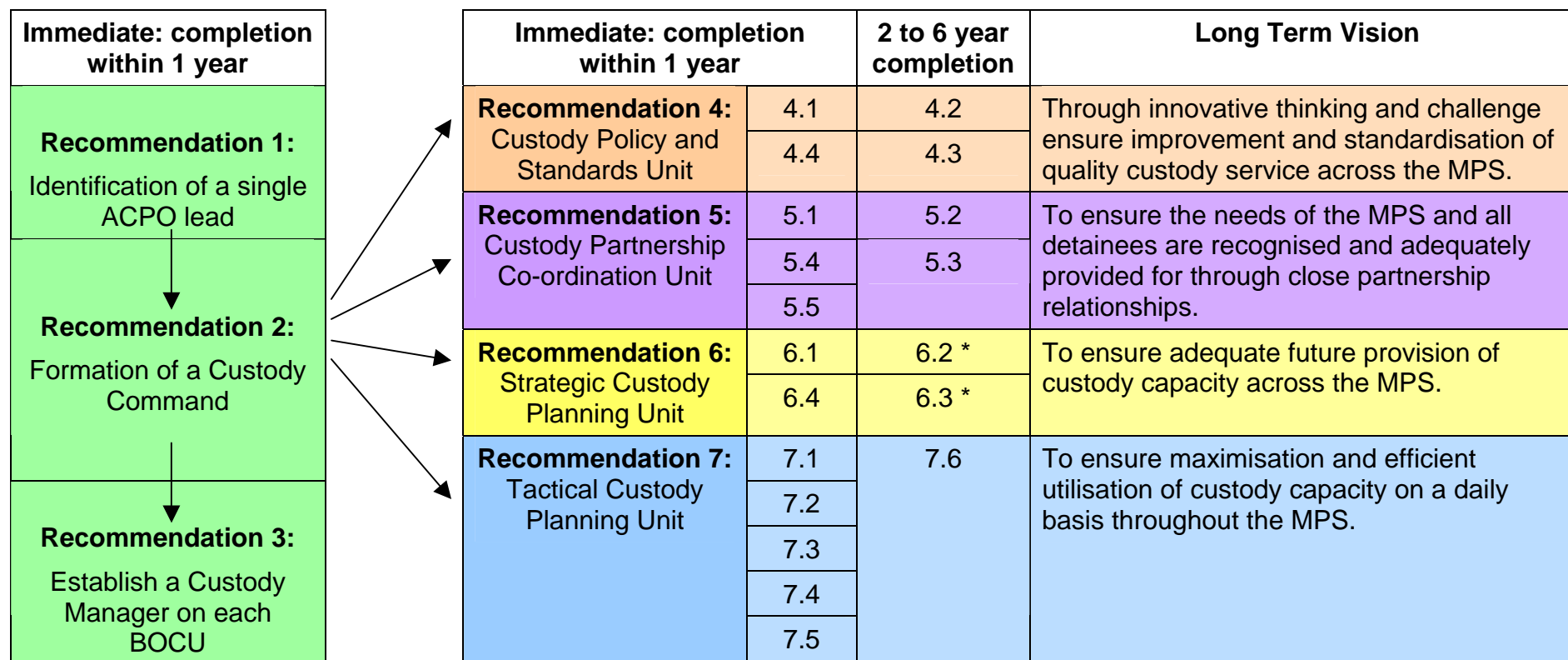
The Review has considered the practicality of its emerging recommendations and improvement plans from an early stage. The Service Improvement Plans in Appendix E include proposed dates for implementing the Custody Command and its initial work. An overview of the timescales for implementing the different recommendations follows at the end of this management summary. However it is not possible to give a timescale for implementing newly built custody suites, as these will have to be agreed as part of the MPS Estates Strategy.

# Summary of Benefits Flowing From Recommendations





## Overview of Implementation Timescales



\* Timescales dependent on the MPS Estates Strategy.