

COMMISSIONER'S INDEPENDENT SCRUTINY REPORT

Custody & Detention – Mental Health 16th July 2026

Scrutiny Panel:	Custody & Detention
Members:	Sue Mather Paul Smith Jennifer Watkins Sue Westwick Martin Adams Vicki Cartwright-Davies Karen Sulway Also present: Insp Andrew Bryan Holly Sproston – SCO
Purpose:	That the correct procedure has been followed with regard to the detention of detainees with mental health issues. To ensure that the process is compliant with the law and best practice. For all aspects, the scrutiny should demonstrate: - Was the action/behaviour justified? - Has it been explained adequately? - Has it been recorded properly?
Panel Findings:	The panel were offered 7 records where a Mental Health Act Assessment had been undertaken between the period of 1st April 2026 and 30th June 2026. Full Custody Records were provided for the cases. No BWV footage was available for the incidents. Custody Record C26005749 – Watling Custody Facility. The adult female detainee was arrested for common assault. Detention was authorised at 19:30. A female Custody Detention Officer was assigned at 19:55. The detainee was calm and compliant on arrival with no thoughts of self-harm although the detainee expressed some paranoid thoughts. A Health Care Professional (HCP) assessed the detainee at 21:24. HCP recommended an Appropriate Adult who attended at 02: 30. HCP reviewed the detainee again at 22:34. Mental Health Act Assessment (MHAA) was requested and carried out. Detainee was detained under Section 2 of the Mental Health Act. Detainee was later released without charge. Custody Record was detailed and complete.

Custody Record C26006959 –Northern Area Custody Facility.

Male adult detainee was arrested for Theft from a shop. The detainee was calm on arrival at 12:00 and detention was authorised at 13:12. Initial risk assessment was not carried out as detainee would not confirm his details. HCP reviewed detainee at 13:28 and again at 15:19. The detainee is a known substance misuser and has poor mental health. HCP requested a Mental Health Act Assessment. The Mental Health Act Assessment was conducted at 20:05 but detainee was not detained. An Appropriate Adult was present for rights at 21:55. DP released at 23:11. Custody Record was detailed and complete.

Custody Record C26007051 – Northern Area Custody Facility.

The male detainee was a young person. Detainee was arrested for driving a motor vehicle dangerously. Detainee was detained at 02:22. Detainee was calm and complaint on arrival. He was reviewed by HCP at 02:31 and an Appropriate Adult was requested due to age of detainee. HCP carried out an assessment, but a formal Mental Health Act Assessment was not undertaken. Detainee was released on bail at 21:33. Custody Record was detailed and complete.

Observations and Recommendations**Observations:**

- The panel noted that in two cases a mental health assessment was swiftly arranged and where necessary and assessment under the Mental Health Act undertaken.
- The panel noted that in one case a mental health assessment was completed and not a Mental Health Act Assessment.
- That all custody records were comprehensive and complete with no gaps in information.
- The panel noted that there were 7 available records related to Mental Health available to them however, the Inspector indicated that there were 30 logged on the system for the same reporting period. The Force will be asked to explain the difference in records presented.

Recommendations.

- The Force explains why there is a difference in the number of records indicating Mental Health Assessments.

Force Lead Response:

I'm happy with the report. I suspect that the anomaly for the number of assessments is down to how the data is obtained after review.

Inspector Andrew Bryan