COMMISSIONER'S INDEPENDENT SCRUTINY REPORT

Custody & Detention – Foreign Nationals Processes
18 December 2025

Scrutiny Panel:	**Custody & Detention**
Members:	Martin Adams Fred Cox Paul Smith Karen Sulway Sue Westwick Also present: Ch. Inspector Peacock - Force Michelle Ryan – SCO Holly Sproston - SCO
Purpose:	The Force has a Foreign Nationals in Custody Policy. The purpose of this scrutiny is to ensure that the correct procedures have been followed regarding this policy and recommend best practice for foreign nationals within custody. For all aspects, the scrutiny should demonstrate: - All mandatory checks have been completed. This includes: - ▪ Immigration status check ▪ ACRO Foreign National Conviction check ▪ Interpol Check ▪ ID check - Suitable interpretation support is given. - Cultural and religious beliefs and practices considered? - Has it been recorded properly within the custody record?
Panel Findings:	Between August 2025 and October 2025, 515 foreign nationals were arrested and taken to custody. At the pre meeting on 4th December 2025 the panel selected 10 custody records to review at the main scrutiny meeting. The panel selected based on a 50/50 split of males and females of varying age between 15 – 76. The panel were provided with the Force policy and other information from the Home Office on the checks to be undertaken of any foreign national detainee. Five custody records were checked during the time allowed.

	Custody Record C25015636 – Southern Area Custody Facility Detainee was a 15-year-old female Romanian National. This was a PACE detention. The custody record was clear that the detainee spoke excellent English and indicated they did not want an interpreter. All relevant mandatory checks were undertaken and recorded. BWV footage of initial arrest was available for this detainee which the panel viewed. **Custody Record C25019182 – Northern Area Custody Facility** Detainee was a 16-year-old male Hungarian National. This was a breach of bail conditions. The custody record indicated that the detainee had been in custody on numerous occasions and did not require an interpreter. All relevant mandatory checks were undertaken and recorded. **Custody Record C25014733 – Northern Area Custody Facility** Detainee was a 20-year-old male Syrian National. This was a PACE detention. The custody record indicated that an interpreter was needed. It was not clear whether Language Line was used and if it was used, at which point the interpreter was used. All relevant mandatory checks were undertaken and recorded. **Custody Record C25018223 – Southern Area Custody Facility** Detainee was a 21-year-old female Romanian National. This was a PACE detention. The place of birth on the custody record had not been completed. The custody record was clear that the detainee spoke excellent English and indicated they did not want an interpreter. All relevant mandatory checks were undertaken and recorded. **Custody Record C25016390 – Southern Area Custody Facility** Detainee was a 22-year-old male Congolese National. This was a PACE detention. Detainee initially gave incorrect details, and mandatory checks took some time to complete due to this. Correct ID was established and mandatory checks confirmed and recorded.
Recommendations and Observations:	The panel have noted the following: **Observations:** • This was the first scrutiny undertaken on the process for Foreign Nationals. • The Scrutiny checklist needs updating to clarify which processes are appropriate for PACE detentions and which solely for Immigration detentions. • **Custody Record C25014733** – it was not clear at what point Language Line was contacted and if it was used as part of the Booking In process.

	Recommendations: • It is indicated on the custody record when Language Line is used particularly at the Booking In stage. It is recorded elsewhere when an Interpreter is contacted and when they arrived.
Force Lead Response:	As always custody would like to thank the panel of volunteers for taking the time to review and make comment on these records This was a new area of scrutiny and as such it has allowed us the opportunity to review the feedback forms and areas. There were a few recommendations that have been made around the form which will be updated to account for these finding. This was a very topical subject and crossed over with other areas (CPY) which was beneficial. I have raised the recommendation to the Inspector with thematic responsibility for foreign national offenders. In the whole this review demonstrated a good level of service, support and scrutiny is completed by the custody team which was pleasing to see. I am confident that this area of security will grow and develop as we embed it to the process. **Chief Inspector Rob Peacock** – Force Lead