

Transporting a Detained Person

Procedure

Greater Manchester Police

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1. Introduction & Background

The transportation of detained persons can, on occasions, present significant risks. This procedure has been compiled to safeguard against exposing either the detainee or the transporting officer(s) to risk of harm. The procedure covers movement of a detainee from point of arrest into the custody environment.

This document is intended to highlight to officers how a detainee should be transported and what consideration must be given in terms of suitable restraint/vehicle and escorting options.

2. Scope

This procedure is intended for routine detainees and does not relate to the transportation of detainees held under the Terrorism Act 2000 (TACT) or those classed as High Risk Category 'A' prisoners.

3. Roles & Responsibilities

Police officers must have current Officer Safety Training and First Aid qualifications. Any other staff utilised to transport detainees must have received adequate training specific to the role that they are required to undertake in the transportation of a detained person.

The responsibilities of the driver and escort are explained at section 5.

4. Terms and Definitions

PNC - Police National Computer
PACE – Police and Criminal Evidence Act

5. Procedure

5.1 Vehicle Selection

The type of vehicle used to transport detainees will be influenced by availability and whether transportation is planned or spontaneous. A risk assessment of each detainee, including circumstances of arrest must be considered when determining the most appropriate form of transport.

The transport options could include the following: -

Compliant Detainee

Following risk assessment at the scene, officers may opt to transport a detainee in a standard police vehicle, police carrier or unmodified vehicle.

Compliant Detainee (Handcuffed)

Following risk assessment at the scene, officers may still opt to transport a handcuffed detainee in a standard police vehicle, police carrier or unmodified vehicle, however consideration must be given to the safety of the officers and the detainee.

Non Compliant Detainee

If the detainee is considered as non-compliant and a risk to himself or others, the detainee should be transported in a caged van.

If there is a requirement to remove a detainee from the scene for their safety or the safety of others, it may be appropriate to transport the detainee to a safe location, then transfer the detainee into a more appropriate transport vehicle. All vehicles must be fitted with a First Aid kit.

5.2 Risk Assessment

Prior to placing a detainee in a police vehicle, a dynamic risk assessment must be conducted. The following list is not exhaustive, but may be considered:

- The offence alleged.
- The actions of the detainee prior to police intervention.
- Actions after contact with the police, particularly their level of violence.
- PNC warning markers.
- Local intelligence (if available).
- Allegations by others about the detainee.
- Information from friends and family.
- The condition of the detainee (physically, mentally) and vulnerability.
- History of violence, in addition to the above sources.
- The extent and result of a search of the detainee.
- Use of weapons by the detainee on this or prior occasions.
- Assessment of escape risk.
- Length of journey.
- Vehicle availability.
- Physical disability.
- Staff resources available.

For pre-planned operations, consideration should be given to the most appropriate type of transport dependent on the intended detainees.

5.3 Staffing

Police officers must have current Officer Safety Training and First Aid qualifications. Any other staff utilised to transport detainees must have received adequate training specific to the role that they are required to undertake in the transportation of a detained person.

An escorting officer is required in addition to the driver when a detainee:

- Is intoxicated through alcohol or drugs;
- Is violent or known to be violent;
- Is believed to be at risk from suicide or self-harm;
- Has increased susceptibility to positional asphyxia, e.g. factors include drug/alcohol intoxication, physical exhaustion and obesity; and/or
- Has a mental health issue.

An ambulance should be called where a detainee requires urgent medical attention.

A detainee must be transported directly to hospital if they:

- Are showing any symptoms of head injuries;
- Are, or have been, unconscious;
- Have suffered serious injury;
- Are drunk and incapable and treatment centres are not available;
- Are believed to have swallowed or packed drugs;
- Are believed to have taken a drugs overdose;
- Are suffering from any other medical condition requiring urgent attention; and/or
- Are suffering from any condition that the arresting officer or transporting staff believes requires treatment prior to detention in custody.

An officer should accompany the detainee if they are to be transported to hospital by ambulance. A joint risk assessment between the ambulance crew and officer should be carried out to establish whether it is appropriate for the officer to accompany the detainee in the ambulance, or whether they should follow in a separate vehicle.

Consideration should be given to the need to take a person directly to hospital having regard to the potential impact of waiting for an ambulance to arrive and the potential risk associated with moving the person. If a detainee is transported to hospital in a police vehicle, an escort must constantly monitor the detainee. However, the transportation of a person to hospital should not be delayed by waiting for additional resources to accompany them, if such a delay would pose a risk to the detainee's health and welfare.

Single staffed transportation must only be used for detainees who are assessed as low risk and do not fall into one of the above categories. The transporting officer must be satisfied that he/she can supervise and monitor the detainee whilst in the driver position. Should it become necessary to transport a high risk detainee by use of a single staffed vehicle, this may be justified e.g. to expedite the removal of a detainee for safety. Once the detainee has been moved to a suitable safe location, the driver must stop, observe the detainee, and request an escorting officer.

5.4 Escort Responsibilities

The escorting officer is responsible for the safety, welfare, supervision and monitoring of a detainee and may be responsible for more than one detainee. Where appropriate, the escorting officer should accompany the detainee in the rear of the vehicle or cage, and must be in a position to communicate with the driver at all times in addition to maintaining visual contact with the detainee.

A detainee must not be left unsupervised in any police vehicle. If a detainee attempts to inflict injury on him/herself or conceal evidence, the escorting officer should, if necessary, ask the driver to stop the vehicle so the matter can be dealt with.

5.5 Mental Health

A person detained under section 136 of the Mental Health Act should preferably be transported in an ambulance with police personnel present to assist ambulance and mental health staff. Where circumstances determine that a police vehicle is used, at least one police officer, in addition to the both the driver of the police vehicle and an appropriate health care professional, should accompany the detainee. Where the detained person is sedated, the need to care for this person should be taken into account and in all but the most extreme of circumstances an ambulance should be used as the primary means of transportation.

5.6 Searching

Vehicles used to transport detainees must be searched before and after use and, where practicable, in the presence of the detainee. When searching vehicle interiors officers are to be aware of potential hazards from sharp instruments that may have been hidden in fixtures and fittings. This is relevant in the rear of saloon vehicles that have accessible areas in the rear seating.

Section 32 PACE sets out the powers of a police officer to search a person on arrest. Detainees should be searched before being placed in any police vehicle. An exception to this may be in disorder instances, where there is risk of harm to the detainee or officer(s). In such cases, it may be preferable to transport the detainee a short distance from the scene prior to conducting the search, and then continue the transportation. The assistance of an officer of the same sex as the detainee should be sought whenever possible.

5.7 Safety

Use of Handcuffs

Arresting or escorting officers may wish to consider handcuffing detainees in order to prevent their escape or to prevent harm to themselves or a third person. Handcuffing is a use of force and must be justified in each case. The handcuffing of a detainee by an unaccompanied officer might be considered reasonable in certain circumstances. Handcuffs must be used in the prescribed manner and officers must follow the criteria in which they have been trained in their use. A detainee must never be handcuffed to a vehicle or restrained to it in any way.

Use of Seatbelts

The requirement to wear a seat belt does not apply where a vehicle is being used for police purposes or for carrying a person in lawful custody. (Regulation 6(1)f Motor Vehicles (Wearing of Seat Belts) Regulation 1993). Where seat belts are fitted, staff are encouraged to consider making use of these based upon the risk posed at that time. Wherever possible, detainees must be secured in saloon vehicles by the use of seat belts.

5.8 Placement of a Detainee

Where a standard police car, carrier, or unmodified livered vehicle is used, an escort will sit in the rear seat with the detainee. Under no circumstances will a detainee be allowed to sit behind the driver or sit in the rear of the vehicle alone. The 'child-proof' locks on the rear doors must always be engaged. No more than one detainee may be conveyed in an unmodified vehicle.

If a vehicle has a caged or containment area it must be used. When a cage that is designed for more than one detainee is already occupied, officers must consider whether placing a second detainee in the cage would present an increased risk. High risk detainees must not be placed in a cage or containment area with another detainee.

Due to the risks of positional asphyxia, the prone position should not be used during transportation. If it is unavoidable an additional escorting officer must constantly monitor the detainee. In all events, the officer(s) transporting the detainee must conduct a risk assessment and may be required to justify their actions.

Where possible, consideration should be given to transporting male and female adults, and vulnerable detainees, separately.

5.9 Juveniles

Arrangements should be made to keep juvenile and adult detainees separate during transport wherever possible.

5.10 Appropriate Adults

Where an appropriate adult is present at the time of a juvenile or vulnerable person's arrest, he or she may only be conveyed together if the arresting officer does not consider there is any risk of injury to people in the vehicle. Where the detainee is violent, or is likely to become violent, or the adult is likely to interfere with the transportation of the detainee, they should not be conveyed with the juvenile or vulnerable person.

5.11 People with Disabilities

Special arrangements may be required to be made for people with disabilities. Officers may need to consider summoning a wheelchair-enabled taxi, or in cases where detention is not required for the purpose of obtaining evidence, other means of disposal should be considered. For example, the person may be reported for summons or arrangements made for him or her to attend the police station at a later date by appointment. Under no circumstances should a detainee be lifted into police transport whilst occupying his or her wheelchair. Specially adapted wheelchairs and

motorised equipment can be easily damaged and require specialist lifting and handling procedures. This type of apparatus must not be conveyed in police vehicles.

5.12 Arrival at Station

From the moment of arrest until arrival at the custody desk, detainees must always be under the direct control of a least one police officer. The transporting officer(s) are responsible for the secure delivery of the detainee to the police station and that does not end until the detainee is accepted into the control of the custody staff.

Custody officers and staff should prioritise and triage vulnerable detainees as part of the booking-in process. Where practicable, escorting officers should inform the custody suite of their impending arrival.

The transporting officer must alert the custody officer of their arrival at the police station and state the risk status of the detainee, making specific reference to any medical condition, vulnerability or evidence of violence presented by that detained person.

If there is a requirement to wait for entry to the custody facility, the detainee must not be left unattended. Should the risk status of the detainee change, the custody officer must be informed immediately. An escorting officer must be in a position to relay the circumstances of the arrest to the custody officer when booking the detainee in.

At any point from an arrest to arrival at a custody office, a calm and compliant situation may change for the worse. If an officer perceives that a detainee presents an immediate threat, the officer must act to protect himself or herself and other road users as well as the detainee. Whilst the action taken will depend on the circumstances, it may be appropriate to stop the vehicle and call for further assistance

5.13 Breaks

If a journey in excess of 2.5 hours without a scheduled break is anticipated, arrangements should be made with relevant police forces to advise that comfort breaks will be taken in their area. More frequent breaks may be taken if an individual need arises.

5.14 Adverse Incidents

An adverse incident is:-

Any incident, which if allowed to continue to its ultimate conclusion, would have resulted in the death, serious injury or harm to any person.

If an adverse incident occurs prior to placing a detainee in a police vehicle, or following placement of a detainee in a police vehicle, supervision must be informed immediately, and action must be taken in accordance with the Force Policy on Adverse Incidents.

5.15 High Risk Category 'A' / Tact Prisoners

Where transportation of a high risk category 'A' prisoner is required, contact should be made with Specialist Operations Branch. Where persons are detained under the Terrorism Act 2000 (TACT), consultation must be undertaken with senior investigating officers as to the appropriate method of transportation.

6. Associated Documents

Custody Approved Professional Practice (APP) - College of Policing

7. Statutory Compliance & Consultation

7.1 Statutory Compliance

7.1.1 Equality Act (2010)

This procedure helps to meet the General Equality Duty by taking into account the needs of all detainees as well as the needs of officers to be protected.

The procedure provides guidance on retaining the dignity of detainees, taking account of disability and medical needs and indeed ensuring health takes primacy over the need to transport to custody. The imperative of dynamic risk assessment is explicit. This demonstrates the commitment to a constant consideration of the individual needs of the detainee (with specific reference to protected characteristics) and that transport/restraint and escorts must take account of this.

There is not perceived to be any negative impact on any specific protected characteristic.

7.1.2 Data Protection Act (1998)

No change. This procedure is compliant with the Data Protection Act 1998.

7.1.3 Freedom of Information Act (2000)

This procedure is disclosable under the Freedom of Information Act 2000.

8. Appendices

None appended.