



Freedom of Information Request Reference N^o: FOI 000972-18

I write in connection with your request for information received by Norfolk and Suffolk Constabularies on the 14 March 2018 in which you sought access to the following information:

1. *"A copy of your organizations Medical care in custody procedure.*
2. *If not covered by above request, please separately provide what is your policy on dealing with fully aware and mental competent detainees who refuse to go to hospital against the advice of a medical expert"*

Response to your Request

The response provided below is correct as of 14 March 2018

Norfolk and Suffolk Constabularies have considered your request for information and our response is below.

Suffolk and Norfolk Constabularies Police Investigation Centres (PICs) have medical professionals available in custody 24x7. If a detainee needs to go to hospital but refuses and has full mental capacity, the on-going dynamic risk assessment and medical advice will be used to determine how best to look after the detainee whilst still in police detention. Should the health and well-being of a detainee in these circumstances deteriorate to such an extent that they are in danger, they will be treated as a medical emergency and appropriate action taken.

The Constabularies custody policy includes a section entitled 'detainee care', which has been copied below for reference.

Detainee Care

Clinical Treatment and Attention

There are three main reasons why a detainee may require clinical attention:

- Physical and mental health;
- Welfare;
- Forensic examination.

All medical examinations must be carried out by an appropriate healthcare professional that should ensure, where practicable, that detainees sign a declaration form for informed consent to share information relevant to their care and welfare.

The custody officer must make sure that a detainee receives appropriate clinical attention as soon as is reasonably practicable if the person:

- a) Appears to be suffering from physical illness; or
- b) Is injured; or
- c) Appears to be suffering from a mental disorder;
- d) Appears to need clinical attention;

For further information see PACE Code C paragraph 9.5, paragraph 9.16 and also Annex G, paragraph 7.

Only in exceptional circumstances would it be appropriate to allow the health care professional to attend to the detainee in their cell subject to a risk assessment. A member of custody staff may be asked to remain in the medical room whilst the detainee is being examined.

The custody officer can authorise the treatment of minor ailments or injuries by providing basic first aid.

The custody officer must ensure that any actions taken in relation to injury, illness or medical requirement are endorsed on the custody record. If no action is taken, reasons for doing so must also be recorded on the custody record.

When a detainee wishes to call their own doctor they may do so at their own expense. If a detainee has been seen by a health care professional and requests a second opinion or their own doctor, they are entitled to do so at their own expense.

The risk assessment remains the responsibility of the custody officer and should be completed in consultation with the healthcare professional reflecting the findings of each clinical assessment. The custody officer and health care professional should agree an action plan for the care of the detainee. Any disagreement, along with the decision-making process, should be recorded in the custody record.

Group Four Security (G4MS) Forensic Medical Services

Suffolk and Norfolk Constabularies provide medical assistance for detainees through a contract with G4MS Forensic Medical Services.

The Contractor provides comprehensive medical services 24 hours a day 365 days a year.

The Contractor provides the following services in relation to detainees:

- Fitness for Detention
- Fitness for Interview

- Injury Assessment and Treatment
- Mental Health Assessment (only when outside the service hours for the CJ Liaison Nurses)
- Forensic Examination – including intimate and non-intimate samples and samples for driving under the influence
- Telephone Advice
- Post incident clinical attention and advice with regard to incapacitant spray and use of Taser.

Custody staff, on behalf of the custody officer, whose 'collar number' will be recorded, will contact the dedicated number for G4MS and give details of the detainee, reasons for the call and any other details required by G4MS.

G4MS will provide free telephone advice as part of the contract and if attendance of a healthcare professional is required, will advise on the expected time of arrival. Custody officers should consider all the circumstances and pay due regard to a doctor's advice that telephone advice is sufficient, when making a decision to request the attendance of a health care professional.

Refusal of Medical Treatment by the Detainee

Detainees may refuse medical assistance even where the custody officer has identified a medical need. The custody officer must record the refusal within the custody record.

If the detainee refuses to go to hospital, and declines any medical assistance, the refusal should be noted on the custody record and the detainee requested to sign this. Their condition must be closely monitored for signs of deterioration.

If following a healthcare professional assessment, they are of the opinion that the detainee should be transferred to hospital and the detainee still refuses, another custody record entry must be made by the custody officer and the detainee asked to sign it.

The healthcare professional may decide to call an ambulance despite the detainee's refusal. If the detainee subsequently refuses following the advice from the ambulance staff, a copy of the ambulance record that the detainee signs that confirms their refusal for hospital treatment should be added to the detainee's custody record.

The custody officer must then consider the options for continuing with the detention of the detainee in consultation with the healthcare professional and the custody bronze or duty Inspector.

Fitness to be detained

The custody officer may decide that clinical attention is needed before a decision can be made that a detainee is fit to be detained.

Fitness to be Interviewed

The custody officer must not allow a detainee to be interviewed if they believe it would cause significant harm to their physical or mental state.

Hospital

In medical emergencies an ambulance should be called and the detainee taken to hospital as soon as possible. If there is an appropriate healthcare professional available at the PIC, they should be called to attend while awaiting the ambulance. Only in exceptional circumstances will it be appropriate to transport the person to hospital by police vehicle.

The custody officer must ensure that a PER form is completed to accompany the detainee to hospital. When, in emergencies, there may not be sufficient time to complete the PER form, the escorting officers should be verbally informed and the PER form passed to them at the hospital as soon as practicable. On returning to police detention from hospital, the detainee must be searched again to ensure that they have not acquired items that could be used to cause harm to themselves or others, or to damage property.

Any case notes or items of information from hospital medical staff relevant to the continuing treatment of the detainee should be passed to the healthcare professional at the PIC.

The escorting officers should return the PER to the custody officer and inform them of any additional risks identified.

The police retain a duty of care for detainees who are refused admission to hospital or treatment by ambulance staff. Efforts should be made to have the detainee examined and assessed but if healthcare services still refuse to accept the detainee, they should be taken to the PIC. Clear instructions about their care and transportation should be requested from healthcare staff. Preferably this should be in writing, including reasons for refusal of admission or treatment.

Hospital Supervision and Security

Police officers and designated custody detention officers undertaking hospital supervision duties must be briefed about their role and all relevant risks associated with the detainee.

Refusal of Treatment by Healthcare Staff

The police retain a duty of care for detainees who are refused admission to hospital or treatment by ambulance staff. Efforts should be made to have the detainee examined and assessed but if healthcare services still refuse to accept the detainee, they should be taken to a PIC.

Escorting staff must obtain written documentation outlining the reasons for the refusal. Escorting staff must also request clear instructions about the detainee's ongoing care, treatment and transportation from healthcare staff.

Upon arrival the custody officer should discuss the options for the continued detention of the detainee with a healthcare professional who should advise on the medical issues. Advice can also be sought from the custody bronze or duty Inspector.

Should you have any further queries concerning this request, please contact Clair Pack, FOI Decision Maker, quoting the reference number shown above.

A full copy of the Freedom of Information Act (2000) can be viewed on the 'Office of Public Sector Information' web-site;
<http://www.opsi.gov.uk/>

Norfolk and Suffolk Constabularies are not responsible for the content, or the reliability, of the website referenced. The Constabulary cannot guarantee that this link will work all of the time, and we have no control over the availability of the linked pages.

Your Right to Request a Review of Decisions Made Under the Terms of the
Freedom of Information Act (2000).

If you are unhappy with how your request has been handled, or if you think the decision is incorrect, you have the right to ask the Norfolk and Suffolk Constabulary to review their decision.

Ask Norfolk and Suffolk Constabularies to look at the decision again.

If you are dissatisfied with the decision made by Norfolk and Suffolk Constabularies under the Freedom of Information Act (2000), regarding access to information, you must notify the Norfolk and Suffolk Constabulary that you are requesting a review within 20 days of the date of its response to your Freedom of Information request. Requests for a review should be made in writing and addressed to:

*Freedom of Information Decision Maker
Information Management Department
Suffolk Constabulary
Police Headquarters
Martlesham Heath
Ipswich
Suffolk
IP5 3QS
OR
Email: information@suffolk.pnn.police.uk*

In all possible circumstances Norfolk and Suffolk Constabulary will aim to respond to your request for us to look at our decision again within 20 working days of receipt of your request for an internal review.

The Information Commissioner.

After lodging a request for a review with Norfolk and Suffolk Constabulary, if you are still dissatisfied with the decision, you can apply to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at www.ico.org.uk or contact them at the address shown below:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone: 01625 545 700