



Constant Observations Procedure

Policy

[Detention and custody | College of Policing](#)

Supporting Documents

- Constant Observations Aide Memoire
- Covert Drug Recovery Facility (Drugloo)
- Searching Biological Sex Policy (Surrey and Sussex) (1248).docx
- Continuation of Community Prescribed Treatment Policy SURREY.docx

Procedure

1. Introduction

- 1.1** This procedure must be used by Police officers and staff responsible for conducting constant observations on persons detained in Police Custody, both within the custody suites and at external locations such as hospitals.
- 1.2** Detainees (DP) must be placed onto [level 3](#) or [4](#) observations (constant observations/close proximity constant supervision) when the Custody Officer perceives a risk to that detainee. The risk is usually (although not exclusively) due to medical issues, self-harm, exceptional violent episodes or where there is a belief that the detainee is concealing or has swallowed drugs. Any change requires a care plan update on the custody record by the custody sergeant.
- 1.3** It is accepted that constant observations can be unpleasant and challenging, as such there must be regular communications between custody staff and the line managers for those officers on constant observations to allow for sufficient rotation.
- 1.4** The officers carrying out constant observations must be briefed on the risks and justification for constant observations by the Custody Sergeant prior to carrying out constant observations. Once the officers are satisfied, the Custody Sergeant must record this on the custody record using the Observing Officer section of the Care Plan.

2. Custody Observations Log

2.1 All interactions with the Detainee must be detailed on the log which will become part of the custody record and be available for examination during any investigation. It must be fully detailed in the same manner as a pocket notebook (PNB) or Major Incident Log.

2.2 Officers or Staff completing constant observations must record on the observation sheets that they have been briefed and commence constant observations. Suggested text to be:

I PC _____ now commence constant observations with detainee _____ at cell number _____ of _____ Custody suite. I have received a briefing from PS _____ and confirm that I am aware of all risks, warnings and care regimes associated with this detainee.

2.3 All observations must be recorded withing the detention logs of the Custody Record. For all detainee under constant observations Custody Staff will complete additional 30 L1 checks throughout the period under constant observations. If it is decided by the Custody Sergeant that a Detainee requires rousing under PACE code C annex H, this remains the responsibility of custody staff.

2.4 at the closure of constant observation all completed constant observation sheets must be scanned onto the documents section of the custody record by a member of Custody Staff.

2.5 if constant watch commences again then a new set of constant observation sheets must be used.

3. Observing Detainees

Whilst observing Detainees, the officers on constant observation must:

- not allow themselves to get distracted, even if they think the Detainee is asleep; be aware that all actions (including audio) are recorded by CCTV in the
- refrain from using mobile devices/books, mobile phones and MDTs etc. should be left with custody staff and not taken into the cell when conducting observations.
- be aware that all actions (including audio) are recorded by CCTV in the custody suite.
- speak via the intercom/use the cell buzzer to speak to custody staff if they require a comfort break or need refreshments.
- check the Detainee's welfare at regular intervals making sure they are asked if they are okay and whether they want food or drink. If the Detainee

chooses not to speak to the observing officers, the Detainee's welfare must still be checked and this recorded;

- ensure that the Detainee is as comfortable as their restraints (i.e. Handcuffs/bodycuff) allow;
- advise the custody staff immediately if the observing officers see any cause for concern as it could be vital to the welfare of the Detainee.
- remember that any comments or actions by the Detainee may impact on an investigation or provide evidence of offences, so should be noted on the detention log and the custody officer/OIC notified as appropriate.

4. Observation levels

There are two levels of constant observations; **level 3 and level 4.**

a) Level 3

The observing officers may be asked to sit outside the Detainees cell watching through the glass wicket or sit on the bridge observing the Detainee through CCTV. The officers must ensure that they can see the Detainee at all times and that they have easy access to keys to enter the cell quickly if required.

b) Level 4

The observing officers must ensure that the Detainee is physically supervised in close proximity to enable immediate physical intervention if required. The observing officers must be close enough to the Detainee to prevent any spontaneous outburst of self-harm.

The observing officers must not allow the Detainee to be completely covered by blankets or other clothing.

Further information on Observation Levels can be found on [APP](#).

5. SureLock Restraint System

SureLock Restraint System should be applied at the discretion and under the authority of a Custody Sergeant. Whilst looking after a Detainee in a **SureLock Restraint System** the observing officers **must**:

- ensure the Detainee is unable to excessively wriggle around or harm themselves.
- be immediately next to or within arm's length of the Detainee to control them sufficiently taking into account positional asphyxia and/or excited delirium in the case of violent Detainees.
- ensure that the Detainee is lying/sitting comfortably.

6. Drugsloo

If a Detainee is under constant observations as they are suspected of having plugged or swallowed drugs the following additional principles must be applied:

- **Keep their hands in sight** - The Detainee **will not** be permitted to place their hands out of sight of the officer at any time for any reason.
- **Must not be completely covered by a blanket or additional clothing** – the Detainee **will not** be permitted to completely cover themselves with items which prevent the officers from seeing the Detainee's movements (head and hands).
- **Detainee rights** - The Detainee still has the right to speak with a solicitor and may request to do so. The solicitor will be advised that officers will be stood outside the door looking through the spy hole/window. The Detainee **will be** handcuffed to the front if allowed to use one of the solicitor rooms and be told to keep their hands in sight at all times. The officer is to watch through the spy hole/window to ensure no evidence is tampered with. This will also be the same for medical visits, which will be conducted at regular intervals.
- **Showers** - Detainees will be offered washing facilities / use of a shower as appropriate. Prior to showering the cubical **will be** searched and a mat placed over the drain to prevent any evidence being lost. The Detainees clothes **will be** searched and consideration of using the opportunity to search their cell as well. The Detainee **will be** handcuffed to the front / constantly observed as appropriate – this will be decided by the Custody Sergeant and justification based on proportionality, necessity, and dignity factors. Although this may restrict the extent of the shower it may be necessary in such circumstances and an entry will be required on the main custody record justifying these actions by the Custody Sergeant. Showers with detainees on constant supervision must be supervised by an officer of the same biological gender as the detainee. However, where there is a request by a detained person to be supervised by an officer of their lived gender (where different from their biological gender), then the principles of section 4 of the Searching Biological Sex Policy (Surrey & Sussex) will be followed. This is to say the detainee must make a clear request for this; the custody sergeant must record this request in writing on the custody record and record the detainee's consent to be supervised by a police officer of their lived gender. The supervising officer must also record their voluntary agreement on the custody record to undertaking this task. No officer can be ordered to carry out this task. A shower may be delayed until such time as a consenting supervising officer can be deployed into custody. Consent may be withdrawn by the detainee or supervising officer at any time. If this is the case the shower will cease or will revert to being supervised in accordance with biological gender.

- **Food/drink** – all food/drink consumed is to be recorded on the detention log/constant observations sheets. Officers are to follow guidance from the custody sergeant and HCP in relation to food/drink that the Detainee can consume. E.G limit amount of sugar intake

7. Health Monitoring

Officers or Staff completing constant observations due to risks identified as a result of medical conditions must:

- Be aware of the specific medical condition(s) and the risk(s) identified.
- Be aware of the signs to watch for and how to observe the detainee effectively.
- Communicate any concerns to Custody Staff via intercom or in person while Custody welfare checks are being conducted.

8. Forensic Capture

Officers must be forensically aware and ensure forensic opportunities are not lost due to acts of in error or omission.

Officers or staff completing constant watch to enable the capture of forensic samples are subject to the same guidance as above. They must be briefed by the custody sergeant and record actions and interactions on constant watch sheets.