

Females in Custody

POLICY (only)

OFFICIAL

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Department of Origin	Criminal Justice
Policy Holder	Head of CJ
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Related Information	Authorised Professional Practice (APP) APP module on Detention and Custody. Police and Criminal Evidence Act 1984 Detainee individual needs College of Policing The Corston Report 2007 APP College of Policing -Female Detainees IDVA Menopause in Custody Human Rights Act 1998 Equality Act 2010 Baird Inquiry Interim police search guidance following Supreme Court decision on the legal definition of a woman Women in Prison - Justice Committee Women – HM Inspectorate of Probation Female Offender Strategy Delivery Plan 2022 to 2025
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Policy

Precis

This policy is to outline Merseyside Police's approach and framework for the care of female detainees whilst in police custody.

National Context

Authorised Professional Practice (APP) is produced by the College of Policing as the official source of professional practice on policing. All officers and staff are expected to have regard to APP in discharging their responsibilities. Essentially, our "policy" is to comply with APP as it develops to cover all areas of policing.

APP recognises that a distinct approach is needed for female detainees with consideration of the needs and vulnerabilities of the detained female. The method by which each force implements this provision is determined at a local level.

Rationale

Merseyside police are committed to meeting the needs of the community and providing support both for the community and for officers and staff on how to best meet the needs of that community.

Detainees come from all areas of the community. They each have their own needs and vulnerabilities – some are obvious, others less so. It is fair and right that the police service takes all reasonable steps to ensure that these needs and vulnerabilities are identified to help mitigate any risks.

A distinct female – centred policy is needed within the Criminal Justice System (CJS) because women's pathways into crime and their experiences within the system differ significantly from men's, often involving trauma, domestic abuse and mental health challenges. These factors, coupled with the disproportionate impact on children when women are incarcerated, necessitate a tailored approach in order to reduce reoffending, improve rehabilitation and address the root causes of female criminality. This disproportionality begins from the moment women enter the CJS, and therefore within police custody we have a responsibility to address this.

The need for a clear and consistent approach to the management of female detainees in custody is apparent with additional support measures and the early identification of vulnerabilities is key.

Aims

The aim of this policy is to outline Merseyside Police's approach and framework for the care of female detainees whilst in police custody. It is recognised nationally that female detainees in

custody have different vulnerabilities, welfare and medical needs when compared to males and forces should adopt distinct procedures to deal with such. These concerns have been raised in the Corston report and the Baird enquiry to address failings with the treatment of females by the police and prisons service and so by adopting these recommendations, custody can afford an equal provision for the needs of all detainees.

It is intended that the term “female” or “she” is applied sensitively, using thorough and inclusive risk assessments and processes for all detainees, recognising that not all detainees who are biologically female will identify as female. Conversations should be held compassionately and where necessary in private to ascertain details of this nature.

This policy is designed to provide support and guidance specifically for gynaecological and pregnancy related needs. However, the overarching elements of this policy in relation to dignity, care and respect apply to all detainees. Although cited specifically within this policy, all risk assessments, conduct of searches and custody support will be provided equally, addressing health and wellbeing needs and concerns of detainees of any gender. All detainees will be afforded necessary support in relation to their specific needs and vulnerabilities, including access to healthcare, sanitary products and Liaison and Diversion services.

Objectives

The overriding objective is to ensure that female detainees are appropriately cared for whilst in custody and any risks mitigated through proper and correct risk assessments.

- Early identification of vulnerabilities and risk and comprehensive risk assessments to mitigate risk.
- Appropriate care plans to put measures in place to mitigate risk and safeguard female detainees.
- Health Care practitioner referral pathway for specific vulnerabilities such as menopause.
- All custody staff to understand their roles and responsibilities in relation to the care of female detainees.
- All police officers and staff to have an overview of their roles and responsibilities in relation to the care of female detainees.

Application and Scope

All police officers and police staff, including the extended police family and those working voluntarily or under contract to Merseyside Police must be aware of, and are required to comply with, all relevant policy and associated procedures.

This is a non-statutory policy that sets out the principles to help guide decision making. It provides guidance that, on occasions, officers and staff may depart from based on the particular circumstances they encounter. On such occasions, officers and staff will be supported provided

they can demonstrate a clear rationale which can be objectively justified for why they have departed from the policy.

Whilst this policy is specifically aimed at staff working within the Custody environment it's important that all police officers and staff are aware of the contents.

Outcome Evaluation

This policy will be monitored and evaluated by Criminal Justice, this will include analysis of data trends where possible, monthly audit of custody records to ensure compliance in certain areas, allocation of female officers and staff to detainees, menopause screening questions, strip searches and the issuing of replacement and safety clothing in addition to any feedback from colleagues.