

Custody

An OPCC scrutiny report into the provision of welfare and legal services in custody centres across Devon & Cornwall.

Final report
November 2025

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1. Introduction

This report details the findings of scrutiny activity undertaken by the Office of the Police and Crime Commissioner for Devon, Cornwall and the Isles of Scilly designed to:

“Understand, compare and detail the quality and consistency of welfare and legal services provided to detainees across the Devon and Cornwall custody estate.”

In undertaking this scrutiny, the OPCC’s Accountability and Standards team have interviewed a number of key stakeholders, including external service providers, custody centre managers, and representatives of the OPCC’s Independent Custody Visitor scheme (ICVs).

Additionally, other OPCCs, OPFCCs, and Mayoral offices have been contacted specifically regarding the provision of Appropriate Adult services to vulnerable adults.

There are currently six custody centres across Devon and Cornwall (the Isles of Scilly is not in scope for this piece of work):

- Barnstaple
- Camborne
- Charles Cross (Plymouth)
- Exeter
- Newquay
- Torquay

This scrutiny work has looked at the welfare and legal services provided to detainees across all of these centres, to determine the quality, timeliness and equality of access to the services provided, and to provide a comparison between each centre. The services provided both to adults and to children are included within the scope of this work.

Within this report, it should be noted that a number of the assessments have been made through evidence secured by interview and commentary, and as such are subject to some professional judgment.

The services subject to scrutiny include:

- Legal services (defence and legal aid where different)
- Healthcare
- Mental healthcare
- Appropriate adults (children and vulnerable adults)
- Translators
- Drugs and alcohol services
- Faith support

2. Executive summary

The scrutiny team have found:

- The welfare and legal services provided to detainees held within custody centres across Devon and Cornwall are predominantly provided by external agencies, and the majority of these services are subject to inconsistent provision. These inconsistencies can have a negative impact upon the timeliness of investigations, and can be to the detriment of victims of crime.
- Taking all welfare and legal services into account, Exeter and Plymouth custody centres provide the most consistent, reliable level of services, followed by Torquay, Camborne and Newquay, and then Barnstaple.
- The provision of legal services – Legal Aid – to detainees is inconsistent, with better service provision in the more urban centres. The national model, including fixed-fee funding, is reportedly one of the factors that can affect availability, by deterring law firms taking on Legal Aid cases. Barnstaple provides most concerns in this area, with only one law firm in the area providing Legal Aid support.
- Barnstaple custody centre raises the most concerns about services provided, both in relation to the sufficiency and availability of some of the most important services (legal services and healthcare), and the physical custody estate, which cannot fully meet the needs of visiting professionals such as Appropriate Adults.
- Healthcare availability – a service provided through a regional arrangement by private healthcare provider ‘Mitie’ – is problematic in four out of the six centres, with only the two city-located centres of Exeter and Plymouth reporting consistent cover.
- The availability of Appropriate Adults (AAs) is subject to substantial inconsistencies across the force area, with significant variances in the services provided to children (a statutory responsibility of Local Authorities) and vulnerable adults (non-statutory).
- The force’s geography and location of custody centres also present challenges for AA provision, with Local Authority boundary disputes a regular occurrence.
- The provision of drug and alcohol support services, also commissioned by the geographical local authority in whose custody centre is located, is also subject to significant centre-by-centre variance.
- Translation/interpretation services, and faith services, were assessed as being provided to an appropriate standard in all six centres.
- The inconsistencies and delays to service provision – particularly healthcare and Appropriate Adults – can have a significant operational impact, with detainees having to be escorted to hospital in the absence of ‘in-house’ healthcare provision, and in relation to difficulties in obtaining AAs, detainees being bailed for ‘Police and Criminal Evidence Act (‘PACE’, the legislation that applies to police processes) clock’ purposes rather than for investigative reasons. This is clearly inefficient and can prolong matters for victims of crime.

Five recommendations have been made and can be found at Chapter 5 below.

3. Methodology

This scrutiny has been undertaken predominately via interviews and questioning.

Interviewees have included representatives of people that receive services, those that provide services, and custody centre managers. Interviews included:

- Custody centre Inspectors
 - Barnstaple
 - Camborne
 - Charles Cross
 - Exeter
 - Newquay
 - Torquay
- Inspector Emma Fox – D&C Police Custody and Identification Inspector
- Chris Spencer – Duty/defence solicitor & Legal Aid (and LCJB member) (Cornwall)
- Rebecca Wood – Duty/defence solicitor & Legal Aid (Plymouth)
- Mark Hardie – Healthcare (Mitie)
- Melissa Gould – NHS Liaison & Diversion services, Devon Partnership Trust
- Tina Carrington – NHS Liaison & Diversion services, Cornwall Partnership Trust
- Leanne James – The Appropriate Adult Service Ltd (TAAS)
- Sue Edwards – The Appropriate Adult Service Ltd (TAAS)
- Eyan Naylor – D&C Police Category (procurement) manager – Healthcare
- Cheryl Bridges – Appropriate adult provision, Cornwall Council
- Sam Burrige – Appropriate adult provision, Cornwall Council
- Paul Giblin – Appropriate adult provision, Devon County Council
- Helen Howarth – Appropriate adult provision, Devon Council
- Martine Aquilina – Appropriate adult provision, Plymouth City Council
- Nancy Meehan – Appropriate adult provision, Torbay Council
- John Ralph – Appropriate adult provision, Torbay Council

Additional scrutiny work has included:

- The force's own assessment of current welfare and legal service provision
- A workshop to secure the views of the Independent Custody Visitors (ICVs)
- OPCC attendance at the Mitie (Healthcare provider) Operations Management Meeting
- Contact with 19 other OPCCs / OPFCCs / Mayoral offices regarding the funding or delivery of Appropriate Adults for vulnerable adults, with 9 responses.

To inform this report and aid decision-making, the scrutiny team have made a number of assessments regarding their confidence in the provision of services being provided to detainees, however it should be noted that these assessments are informed by interview and commentary, and as such have had a degree of professional judgment applied. Unless specifically attributed to one person or source, comments and evidence have been triangulated wherever practicable.

4. Findings

a. Legal services (defence and legal aid where different)

There is inconsistent provision of legal advice to detainees across the force area.

In more urban areas, particularly Exeter and Plymouth, the number of legal service suppliers is greater, and this provides an increased number of legal advisors available at any given time.

However, all centres highlight vulnerability with regard to future provision, with concerns being raised that very few 'new' legal aid providers are coming forward to replace existing firms, with the national model and fixed-fee case funding identified as being a significant contributory factor.

Where centres have a more limited supply of providers, any increase in the number of detainees can have a disproportionate impact upon timely accessibility to legal services with detainees having to wait in turn to receive advice from one single legal advisor.

Concerns were also raised that where significant delays are being experienced in the provision of legal aid, some detainees are waiving their right to legal advice for reasons of expediency.

Barnstaple custody centre is of particular concern, with only one law firm providing legal aid in the area. This firm is reported as often declining to attend in person to provide advice to detainees, and in instances where multiple detainees require legal advice, sees detainees effectively waiting in a queue. This delay in legal advice can in turn increase the pressure on the completion of timely investigations, with detainees being bailed for 'PACE clock' purposes rather than for reasons of effective investigation.

Concerns were raised from a defence lawyer about what is seen as sub-optimal, virtual, legal advice provision. These concerns include privacy, as detainees are often not allowed to sit on their own with a laptop or mobile phone during legal consultations, and the inconsistency of IT.

b. Healthcare

Provided through a contract with healthcare provider Mitie, the availability of healthcare services to detainees is inconsistent across the force area. Given the potential risks to detainees, this issue is of the most concern to the scrutiny team.

However, despite this inconsistency in availability of healthcare services, the quality of the care when provided is generally reported as of being to a high standard.

Exeter and Plymouth report appropriate healthcare cover available for the majority of times, however Barnstaple, Camborne, Newquay and Torquay report regular gaps in provision with healthcare professionals being moved between centres according to dynamic demand.

Additionally, detainees are also being moved on occasions between centres in order to access healthcare services. This in turn impacts operational police resource, and can result in detainees being held in, and then released from, custody centres some considerable distance away from their home addresses.

A lack of healthcare cover is also reported as a factor in custody centres temporarily closing, or stopping the receipt of 'new' detainees, at short notice.

During the inspection, Mitie reported obstacles to the recruitment and appointment of new healthcare professionals (HCPs) caused by significant delays in vetting new staff via the national contract, which sees Warwickshire Police as the only vetting body.

During the scrutiny programme, Mitie reported that they had ten HCPs ready for deployment across Devon and Cornwall but who were held up by lengthy vetting delays. However, when authorisation was given to use Devon and Cornwall's vetting department, Mitie reported that all ten had found alternative employment during the wait for vetting.

When interviewed, the Procurement Category manager for Devon and Cornwall Police was positive about the service provided by Mitie, stating that in his opinion they were delivering as well as was possible under the confines of the current contract and custody environment.

c. Mental healthcare - Liaison and Diversion (L&D) services

Mental healthcare is provided to detainees by local NHS partnership trusts liaison and diversion teams. This is assessed as being broadly acceptable with 'just some gaps' in all custody centres, except Barnstaple. At the time of review Barnstaple had no local cover, relying on the mental health care practitioner (MHCP) in Exeter to provide a triage service by phone when needed, only attending Barnstaple in person where absolutely necessary (leaving an MHCP gap in Exeter)

With this North Devon exception, cover was seen as broadly suitable, tending to be provided between 8:00am and 8:00pm in all centres. Some custody centres highlighted that it would be helpful, given the demand, for the provision of mental health services to extend beyond 8pm, suggesting possibly a 24/7 service in the larger centres.

d. Drugs and alcohol services

Services for drug and alcohol support are assessed as being too limited forcewide, with issues reported of consistency, quality and availability. The absence of dedicated drugs and alcohol specialists within centres results in a dependency on external partners, with provision of services commissioned by Local Authorities.

The approach taken by each centre can vary significantly, and even on a centre-by-centre basis, accessibility and quality can vary from detainee to detainee, depending on the ability/competence of individual staff assessment to identify need, and the time of day when a referral is requested.

Exeter custody centre has a more positive assessment than the other centres, being equipped with specific drugs and alcohol cells, and with more regular access to referral specialists. However, even in Exeter, the absence of dedicated support can result in service provision being at times, variable.

e. Appropriate adults (children and vulnerable adults)

The availability of Appropriate Adults (AAs) is subject to substantial inconsistencies across the force area, with significant variances in the services provided to children (a statutory responsibility of Local Authorities) and vulnerable adults (non-statutory).

The geographic model also presents challenges for AA provision, with Local Authorities disputing which body should attend, depending on the location of custody centres, where the alleged offence took place, and the home address of detainees.

The AA provision for children in both Exeter and Plymouth is reported as “good”, with Torquay “generally good”.

Although the provision in Barnstaple of all AAs is described as “good” by custody staff, there are significant issues with the custody centre estate, made up of a short to mid-term modular solution, with a lack of suitable locations for AAs to meet detainees and complete their work.

For both children and adults, the provision and availability of Appropriate Adults in Cornwall can be problematic. Concerns were identified regarding the number of AAs available (usually one covering both Camborne and Newquay). Cornwall suites also reported issues involving cross-county border detainees, especially with the Plymouth border.

Delays in the provision of appropriate adults can have an operational impact upon the police, affecting the timeliness of investigations, with some detainees being bailed solely for ‘PACE clock’ reasons rather than for investigative purposes. This is clearly inefficient and can be detrimental to victims of crime.

Contact with other OPCCs, OPFCCs, and Mayoral offices, who either fund or provide Appropriate Adult services for vulnerable adults, has provided examples of other models for further comparison/consideration. Work is also being undertaken nationally to review both this issue, and the wider concerns of AA provision.

f. Translators

The force use ‘Language Line’, a national service used by several UK police forces.

The provision is reported upon positively at all centres with some minor issues raised by ICVs in relation to the physical use of the system when speaking with detainees, which can see ICVs and detainees sharing a phone.

When the physical presence of interpreters/translators is required at custody centres, (e.g. for more complex interviews), the availability and provision of interpreter and translator services is again reported positively at all centres.

g. Faith support

The provision of faith support across the force area is assessed as both consistent and to an appropriate standard.

Every centre is reported to have ready access to faith articles (such as faith books and prayer mats, etc.) and although demand from detainees can be sporadic and limited, custody staff demonstrate knowledge in understanding the need for and importance of providing such services when requested.

There are some reports from ICVs that storage of faith articles could be more consistent across centres, however this is relatively isolated, and this feedback has been provided to relevant centres.

h. Geographical comparisons

Little or low confidence in provision	
Partial confidence in provision	
Confidence in provision	

	Barnstaple	Camborne	Exeter	Newquay	Plymouth	Torquay
Legal services						
Healthcare						
Mental healthcare						
Drugs & alcohol services						
Appropriate adult (children)						
Appropriate adult (vulnerable adults)						
Translators						
Faith support						

5. Recommendations

It is recommended that:

1. The Chief Constable and Police and Crime Commissioner consider the OPCC scrutiny report in any deliberations about the long-term design and management of the custody arrangements.
2. The OPCC formally contacts all local authorities/local safeguarding boards responsible for providing Appropriate Adults requesting an update on their AA resourcing position.
3. The OPCC formally contacts each Combatting Drugs Partnership with the outcome of this scrutiny work, to seek their position on the respective provision of drug and alcohol services in custody.
4. South West Procurement is requested to bring a formal report to Devon and Cornwall governance about the healthcare contract, including the successes and challenges of the current contract.
5. This scrutiny report is tabled at a future LCJB meeting to update all partners on the current quality and challenges of service provision to detainees when held in Devon and Cornwall custody centres.

Report end

