

Press release: Dignity of women in custody ensured by planned law change

The Home Office is set to change the law to ensure all menstruating women, and others with personal health and hygiene needs, are treated with dignity whilst in custody.

Police forces will have to ask female detainees at the earliest opportunity whether they are likely to require sanitary products, which they will be given free of charge.

The changes will also require police forces to make arrangements for all detainees to speak in private to a member of custody staff of the same sex about personal needs relating to their health, hygiene and welfare.

The Home Office completed a public consultation, which saw overwhelming support from the public and the police for the proposals.

Minister for Policing and the Fire Service, Nick Hurd, said:

I have been clear that everyone who enters custody should be treated with dignity and have their personal needs met.

Great progress has been made by the police, ICVA and the College of Policing on this issue, and today we are announcing how we will ensure these standards are met across the board.

The Independent Custody Visiting Association (ICVA) wrote to the Home Office last year concerned that women were being left without basic sanitary protection in police cells.

Examples included one force not providing tampons to women for safety reasons, female detainees being stripped of all clothing, including underwear, and placed in paper suits with no menstrual products being offered. There are also concerns about a lack of access to hand-washing facilities and the use of CCTV in cells.

The changes will ensure that detainee dignity, health, hygiene and welfare products are considered when:

- providing access to toilet and washing facilities
- removal of a detainee's clothing is necessary for investigation
- allowing clothing and personal effects to be retained by detainees

The notice given to detainees informing them of their rights and entitlements in police custody will be updated to reflect the changes to the law.

Kate Kempen, chief executive of ICVA, said:

The Independent Custody Visiting Association welcomes the announced changes to legislation.

These changes ensure that the needs of female detainees are addressed, that detainees have basic privacy to use a toilet and access to menstrual products and that dignity is promoted within the police custody environment.

No detainee should be left to bleed for want of a difficult conversation or a cheap tampon. These changes should ensure that never happens.

Assistant Chief Constable Nev Kemp, National Police Chiefs Council lead on custody, said:

We have worked closely with the Home Office and consulted widely, with partner organisations, police forces and females in developing new guidance and now a change in the law.

We welcome this change because we are a service that has some of the very highest standards of care and transparency when it comes to how we treat those in our custody and these changes only help ensure consistency across Forces in England, Wales and Northern Ireland.

The intended changes will be brought into effect when the revised Police and Criminal Evidence Act 1984 (PACE) Codes of Practice have been laid in Parliament.

Additionally, the College of Policing has also strengthened its guidance on ensure the needs of menstruating detainees are adequately met.