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Dealing with alcohol-related detainees in the custody suite

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Drunkenness and associated antisocial behaviour place a considerable burden on police resources. This report presents the findings of a research study that investigated the extent to which detainees in custody have been arrested for alcohol-specific offences or have been drinking at the time of arrest, and the problems for the police when such detainees are held in custody. 1,575 custody records relating to three metropolitan police stations were examined.

Key points

- Almost a third of the custody records sampled indicated that alcohol was a factor in the arrest. 15% of detainees had been arrested for an alcohol-specific offence (e.g., drunkenness or drink driving). 16% were alcohol-related in that the detainee was drunk or had been drinking prior to arrest.
- Arrests for alcohol-related and alcohol-specific offences were most likely to occur during the night, particularly Friday and Saturday nights.
- Alcohol-related detainees spent significantly longer in custody than other detainees (average of 8.7 hours and 6.9 hours respectively) mainly because detainees needed to sober up before interviewing and processing.
- Alcohol-specific detainees spent less time in custody (on average 4.5 hours) than alcohol-related or other detainees. Many alcohol-specific detainees were held to allow them to sober up in a supervised environment and were released without any charges being brought.
- 53% of those arrested for alcohol-related offences and 36% of those arrested for alcohol-specific offences required the attention of the Forensic Medical Examiner (FME). The FME recommended that custody staff closely observe about a quarter of these detainees while they were being held. 24% of other arrestees required attention from the FME.
- Detainees arrested for alcohol-related or alcohol-specific offences were more likely to be noisy, disruptive, agitated, abusive, aggressive and violent while in custody (around a quarter caused at least one of the problems, compared with 5% of other detainees).
- Just over half of the 73 police officers interviewed felt that dealing with 'drunken detainees' was not a good use of police resources and resulted in unnecessary cell blockage and just over a quarter did not feel they were adequately trained to manage drunken detainees.

Research suggests that a substantial proportion of detainees processed through custody have drunk alcohol, particularly on Friday and Saturday nights, and these detainees are likely to present the police and custody suite staff with particular problems while being held in custody (for example, Saunders, 1998).

In a recent study of 169 arrestees brought into two city-centre custody suites late at night,

almost three-quarters had drunk alcohol and 59% were considered to be intoxicated (Deehan et al., 2002). Intoxicated detainees were more likely to be aggressive, non-compliant with custody procedures and to require additional care because of the potential for self-harm.

The current study extends our understanding of the problems posed by 'drunken' detainees while held in custody.

The views expressed in these findings are those of the authors, not necessarily those of the Home Office (nor do they reflect Government policy)

The aim of the study was two-fold:

- to assess the proportion of detainees processed through custody who are either arrested for drunkenness offences or who are assessed to be drunk or to have been drinking
- to examine whether there are any specific or additional requirements in processing such detainees through custody, particularly in terms of the processing time and the provision of medical care.

This report presents the main findings from the study and discusses the policy implications.

Custody records

The study retrospectively examined all custody records (n=1,575) relating to three metropolitan police stations in February 2000. Information collected from the records included reason for arrest, time and place of arrest, demographic characteristics of the arrestee, an assessment of whether they had drunk alcohol, details of the time taken to process the arrestee and any problems they caused while in custody.

When interpreting the findings it must be remembered that the custody records were selected from only three police stations. They were all located in metropolitan entertainment areas. As such, the findings provide an indication of the types of problems that can arise in custody suites in busy, entertainment districts. They may not reflect the experiences of custody suites in other types of area.

The custody records were divided into three offence categories:

- **alcohol-specific offences** – ‘drunk and disorderly’, ‘drunk and incapable’, and ‘drink driving’
- **alcohol-related offences** – offences, other than alcohol-specific offences, where the detainee was drunk or had been drinking (based on the assessment of the custody officer). Note: one site included a standard tick-box on the custody form to indicate if alcohol had been consumed. In the other sites information on alcohol was in a free-text format
- **other offences** – offences (excluding alcohol-specific) where there was no evidence the detainee was drunk or had been drinking.

In almost a third of custody records sampled, alcohol was a factor, either relating to an alcohol-specific offence (15%) or alcohol-related offence (16%). This was consistent across all three sites, though the balance of alcohol-specific and alcohol-related varied. The site with the highest proportion of alcohol-specific offences (19%) had the lowest proportion of alcohol-related offences (11%). Conversely, the site with the lowest proportion of alcohol-specific (10%) had the highest proportion of alcohol-related (23%). The variation may be influenced by differences in policing practices and policies, though the research did not examine this.

Overall, among all alcohol-specific offences, 47% had been arrested for being drunk and disorderly, 25% as drunk and incapable and 27% for drink driving. Among alcohol-related cases, 23% had been arrested for a violent offence, 22% for a theft offence, 15% for criminal damage, 11% for threatening behaviour and 9% for breach of the

peace. The offence distribution was different for other offences: 32% being theft offences, 9% violent offences; 3% criminal damage; 3% threatening behaviour and 2% breach of the peace.

Time and location of arrests

The vast majority of arrests for alcohol-specific and alcohol-related offences, not surprisingly, occurred in the street or a public place (Table 1). A tenth of arrests for alcohol-related offences occurred in a pub or club. Just over half of the alcohol-related and alcohol-specific arrests took place during the night. The night-time figures are similar for Friday/Saturday and Sunday to Thursday, suggesting that arrests for these offences disproportionately occur on weekend nights. Arrests for other offences mostly occurred during the day.

Table 1 Location and time of arrest

| Place of arrest ¹ | Alcohol-specific offence % | Alcohol-related offence % | Other offences % |
|------------------------------|-------------------------------|------------------------------|---------------------|
| Street or public place | 97 | 72 | 81 |
| Pub/club | 1 | 10 | 2 |
| Police station | 2 | 4 | 7 |
| Other | <1 | 14 | 10 |
| Base number | 222 | 183 | 929 |
| Time of arrest ² | | | |
| Friday/Saturday daytime | 9 | 5 | 17 |
| Friday/Saturday evening | 6 | 9 | 6 |
| Friday/Saturday night | 25 | 30 | 9 |
| Sunday to Thursday daytime | 16 | 18 | 43 |
| Sunday to Thursday evening | 17 | 13 | 11 |
| Sunday to Thursday night | 28 | 26 | 14 |
| Base number | 238 | 247 | 1,090 |

Notes: 1. 54% of records in one site did not include information on place of arrest. These have been excluded from the analysis.
2. daytime = 06.00 hrs to 18.59 hrs; evening = 19.00 hrs to 22.59 hrs; night = 23.00 hrs to 05.59 hrs.

Time taken to process arrestees

Custody records showed the time that arrestees spent in custody and the outcome of the arrest (see Table 2).

The majority of all arrestees were placed in a cell. Detainees arrested for alcohol-related offences were most likely to be placed in a cell and, on average, spent the longest time in custody because of the need to sober up before questioning and subsequent processing. In contrast, those arrested for alcohol-specific offences spent the least time, on average, in custody. This is because many alcohol-specific arrestees were held only to sober up before release. Drink-drive arrestees, in particular, were usually released, with or without charge, immediately following a breathalyser test.

In terms of outcomes, the majority of alcohol-specific arrestees were given a formal warning or released without any further action (68%). Less than a quarter were charged

Table 2 The custody process

| | Alcohol-specific offence | Alcohol-related offence | Other offences |
|------------------------------------|--------------------------|-------------------------|----------------|
| Percentage placed in cell | 86% | 94% | 83% |
| Average no. hours spent in cell | 4.0 | 8.2 | 6.3 |
| Average no. hours spent in custody | 4.5 | 8.7 | 6.9 |
| Base number | 238 | 247 | 1,090 |
| Outcome of arrest | % | % | % |
| No further action | 12 | 13 | 9 |
| Formal warning | 56 | 9 | 17 |
| Charged and bailed | 21 | 35 | 27 |
| Charged without bail | 2 | 13 | 15 |
| Returned to bail | 7 | 25 | 24 |
| Other outcome | 2 | 5 | 8 |
| Base number | 238 | 247 | 1,087 |

with an offence and less than 10% bailed to return. Those arrested for other offences, whether or not alcohol had been consumed, were far more likely to be charged or bailed to return.

Care of detainees

The Forensic Medical Examiner's (FME) role is to provide care and forensic assessment of detainees in police custody. The custody sergeant will request the attendance of the FME if he/she is concerned about the well-being of a detainee and requires a medical opinion about whether the detainee is fit to be detained, interviewed or charged.

Those arrested for alcohol-related or alcohol-specific offences were more likely to have been seen by the FME than those arrested for other offences (Table 3). In these cases the FME usually agreed that the arrestee was fit to be detained (hospital referral was rarely recommended), but

around a quarter required close observation whilst being held in custody. Close observation requires custody staff to check on the detainee frequently to ensure that they are still conscious. Arrestees for whom alcohol was involved received more frequent checks from custody staff.

For alcohol-related offences, the FME also often recommended the detainee be given a 'lie down period' in the cell to sober up before being interviewed. For alcohol-specific arrestees the FME was less likely to formally recommend a lie down period because these detainees were unlikely to be interviewed and were usually released after they had sobered up. For other arrestees, the FME was more likely to prescribe medication and less likely to recommend lie down periods or close observation.

Problems caused by arrestees

Details were collected on whether the detainee caused any problems while being held in custody due to their behaviour. Arrestees brought in for alcohol-specific or alcohol-related offences were far more likely to be noisy, disruptive or agitated and were also more likely to be abusive, aggressive and violent (Table 4). Around a quarter of alcohol-specific and alcohol-related arrestees caused problems, compared with 5% of other arrestees.

Table 4 Problems caused by the arrestee

| | Alcohol-specific offence | Alcohol-related offence | Other offences |
|-----------------------------|--------------------------|-------------------------|----------------|
| Any problem | 27% | 24% | 5% |
| Disruptive, noisy, agitated | 13% | 15% | 3% |
| Abusive | 11% | 11% | 2% |
| Aggressive | 7% | 8% | 1% |
| Violent | 5% | 4% | 1% |
| Vomit/soil/dirty cell | 3% | <1% | <1% |
| Base number | 238 | 247 | 1,090 |

Notes: Figures do not sum to the total because more than one response could be given.

Table 3 The care of detainees

| | Alcohol-specific offence | Alcohol-related offence | Other offences |
|--|--------------------------|-------------------------|----------------|
| Percentage seen by forensic medical examiner (FME) | 36% | 53% | 24% |
| Base number | 238 | 247 | 1,087 |
| Average time FME spent with detainees | 9.2 mins | 8.6 mins | 8.3 mins |
| Base number (those seen by FME) | 86 | 132 | 262 |
| Outcome of FME visit | | | |
| Prescribed medication | 7% | 11% | 32% |
| Recommended four-hour lie down | 12% | 27% | 3% |
| Recommended shorter lie down period | 1% | 8% | 1% |
| Recommended close observation | 26% | 23% | 10% |
| Recommended hospital admittance | 3% | 2% | <1% |
| Base number (those seen by FME) | 86 | 132 | 262 |
| Checks by custody staff | | | |
| Average number of times checked | 7 | 10 | 8 |
| Base number | 191 | 220 | 769 |
| Frequency of checks | 50 mins | 71 mins | 93 mins |
| Base number | 187 | 219 | 762 |

Table 5 The care of detainees

| Base number = 73 | Agree | Neither agree nor disagree | Disagree |
|--|-------|----------------------------|----------|
| <i>I have suffered injuries from dealing with violent drunks</i> | 79% | 8% | 12% |
| <i>I feel capable of working with offenders with alcohol problems</i> | 78% | 14% | 8% |
| <i>The four-hour sleep off period causes unnecessary blockage of cells</i> | 59% | 19% | 22% |
| <i>Processing drunken detainees is not a good use of police resources</i> | 53% | 8% | 38% |
| <i>I am adequately trained to manage drunken offenders</i> | 49% | 23% | 27% |
| <i>Processing drunken detainees has a negative effect on morale</i> | 21% | 23% | 56% |

Interviews

In addition to the examination of custody records, a sample of 73 police officers at the three sites who spent at least a tenth of their time in the custody suite completed questionnaires to assess their attitudes towards dealing with drunken detainees in general (Table 5).

More than half of the police officers interviewed agreed that 'processing drunken detainees is not a good use of police resources'. A similar proportion felt that the 'sleep off' period drunken detainees often required caused an 'unnecessary blockage of cells'. A fifth of interviewees felt that 'processing drunken detainees had a negative effect on morale' and almost four-fifths recalled personally being injured in dealing with a violent drunk.

Three-quarters of respondents said that they felt capable of working with offenders with alcohol problems. However, just over a quarter did not think they were personally adequately trained to manage drunken offenders and only a third could recall receiving any formal training to help them deal with drunken or alcohol dependent detainees. Two-thirds felt that custody staff in general should receive more training.

Recommendations

The findings from this study have implications for the role of the police in dealing with drunken detainees and those with alcohol problems:

- A substantial minority of the police officers interviewed felt that they were inadequately trained to manage drunken detainees. This suggests that further training is required to ensure that detainees are safely detained and that health and self-harm risks are minimised.

- Those arrested for alcohol-specific offences were often held in custody simply to sober up in a supervised environment. Criminal charges were not usually brought. It is questionable, therefore, whether the custody suite is an appropriate place for this particular group. Several schemes around the country have been developed to divert 'drunkenness' cases away from the criminal justice system. The police and local alcohol services have worked together to develop protocols that allow the police to refer appropriate candidates directly to designated detoxification or rehabilitation services. Further research is required to evaluate the effectiveness of such schemes and to develop good practice guidelines to encourage the establishment of further schemes.
- Those arrested for alcohol-related offences, pose an additional burden on the police compared with detainees who have not been drinking. Diverting these detainees from custody would be inappropriate in most cases. However, further consideration should be given to how detainees with alcohol problems, whether chronic or acute, can be effectively dealt with in the custody environment. Trained staff could screen detainees for alcohol problems and then either implement a brief intervention or refer the detainee onto treatment services as appropriate. Some police forces already operate alcohol arrest referral schemes. Again, further research is required to evaluate innovative schemes and provide best practice guidance.

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