

Background

Scheme managers requested ICVA guidance on near miss incidents in custody and how schemes should respond. Local arrangements will vary, however the following from the College of Police Detention and Custody Authorised Professional Practice (APP) will help scheme managers to become familiar with the processes and opportunities for learning.

What is an Near Miss?

Near miss is the term commonly used in detention settings, however this terminology is slightly different in the APP. The [official definition](#) of what is commonly referred to as a near miss is:

“For the purposes of this APP, the terms ‘successful intervention’ and/or ‘adverse incident’ mean any incident which, if allowed to continue to its ultimate conclusion, would have resulted in death or serious injury to any person.”

What should the force do?

The APP contains a detailed overview of what should happen on an operational level following a near miss or successful intervention in custody:

When a successful intervention occurs in custody, officers should:

- check for vital signs and consider first aid
- call for medical support if available within the custody suite
- consider the need for an ambulance and call one if appropriate
- allow the detainee to be taken to hospital if required
- brief ambulance staff or hospital staff on medical history while in custody
- decide if the detainee should be accompanied by a police officer
- authorise a police officer (or officers) not involved in the incident or directly responsible for the detention of the person to accompany the detainee to hospital
- not delay the detainee’s departure to hospital if it is not immediately possible to find a suitable officer to accompany them to hospital.

Immediately thereafter, the officers should inform the duty inspector.

Officers should consider carrying out the following in conjunction with the inspector. These steps are determined by the seriousness of the actual harm and the intended or likely consequences of the actions in question:

- identify all potential scenes and secure as appropriate
- photograph the whiteboard

- ensure that the incident and any subsequent actions are noted on the custody record and provide the time of those actions and the time the record is made
- ensure an incident log/serial/report is created and commence a scene log
- consider relieving custody staff for remaining shift and their next shift.

The APP then continues and gives detail of the reporting structures and follow up from a near miss/successful intervention for forces:

Next steps:

- inform the professional standards department (PSD), which will ensure compliance with the statutory requirement to report the incident to the IOPC – if death or serious injury has not occurred, there is no mandatory referral requirement but voluntary referral may be appropriate
- inform the relevant Police Federation or staff association representative as they can advise the officers and staff involved and secure legal representation if required
- consider the welfare of officers and staff who have been present/involved in the incident and may be experiencing the effects of psychological trauma and distress
- arrange a debrief, which should be carried out only after the officers involved have provided an account and the needs of the investigation have been met – it may be that this debrief only takes place following conclusion of the investigation.

These considerations do not preclude speaking to relevant staff on issues of welfare and the next stages of any PSD and IOPC actions.

What can scheme managers do?

Schemes can learn from near misses/successful interventions in the same way as the force can, and may wish to ask ICVs to monitor specific areas once learning from an incident has been established. Schemes should be mindful that forces may not be able to share information and/or points of learning until IOPC processes are completed if they are made mandatorily or voluntarily by the force.

Schemes can:

- Identify who the main point of contact from the force is for near misses/successful interventions.
- Identify a mechanism by which learning from these incidents can be passed back to the scheme to be agreed with the force.
- Consider how to use these findings in order to inform custody visits or ICV training where appropriate/necessary.
- Report any themes to ICVA so that identified learning can be shared nationally.