



Sikh Detainee Custody Process Review

NSPA UK

December 2023

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Document History

Version Number	Date	Author	Purpose/change
V 1	19/12/2022	Amerjit Singh	First draft
V 2	15/01/2023	Amerjit Singh	Amended with summary/additional findings
V3	17/05/2023	Amerjit Singh	Detailed recommendations and appendices
V4	12/06/2023	Amerjit Singh	Consultation with NSPAUK Harvy Rai. Recommendations on changing words and identifiers.
V5	06/07/2023	Amerjit Singh	Amendments agreed with Harvy and images of wrapping gutka and 5 ks.
V6	25/07/2023	Amerjit Singh	Amending introduction and adding gutka wrapping images as appendices.
V7	25/07/2023	Amerjit Singh	Adding 'washing of hands' mandatory on recommendation 1 and College of Policing Website in appendices.
V8	16/08/2023	Amerjit Singh	Removing branding and advertising around 'Bisley' Storage locker and general amendments/grammar checks.
V9	20/11/2023	Surinder Chana	Adding visual elements and creating document style.
V9.1	04/12/2023	Surinder Chana	Amends to text. Added image to Recommendation 1. Removed links for Appendix D.
V9.2	11/12/2023	Surinder Chana	Removed DRAFT watermark. Removed Appendices A, B and D.

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1.0 Introduction

This project and working group were commissioned by the NSPAUK alongside but independently of an IOPC investigation following an incident that took place on the 25th of October 2021 at the Perry Bar Custody block, Birmingham. This incident prompted protest and demonstrations, including social media outrage. It became a heated issue and was perceived as an attack on faith, hence the need to urgently address this issue and prevent future occurrences.

Given the current challenges nationally and race relations between police and communities, it was essential that this review took place. Since the original inception of this report and commissioning of the fact-finding process, the Casey report has been released, identifying the Metropolitan police as still being 'Institutionally racist' despite 30 years since Stephen Lawrence's murder. Some of the initiatives recommended in this report are intended to serve as an exemplar and to improve trust and confidence with the Sikh communities, however these could have wider applications or considerations to meet the needs of other faiths satisfactorily and appropriately.

The working group were encouraged to keep the focus on the issue from a community perspective which is sometimes overlooked in such matters. Having said that, the NSPAUK did engage with well over 30 non-Sikh staff, mostly Custody Sergeants during several inputs around this subject to help balance the needs of the Sikh detainee with that of the lawful requirements placed on custody staff.

[Police officer accused of 'forcibly removing man's turban and stamping it on floor' - Birmingham Live \(birminghammail.co.uk\)](https://www.birminghammail.co.uk/news/uk-politics/police-officer-accused-of-forcibly-removing-man-s-turban-and-stamping-it-on-floor-2021-10-25)

2.0 Purpose of Report

A review was commissioned to assess the impact of this incident and ascertain what provisions are in place to deal with articles of faith when in custody suite space, in particular turbans and kirpans. The purpose of this is to provide recommendations on how Sikh detainees should be treated while in police custody, considering their religious needs and respect for faith symbols and items. Furthermore, it is to educate and set a framework in place as to how articles of faith should be handled with the sensitivities, Integrity, and Respect they deserve.

The full Terms of Reference (TOR) can be found in Appendix A. This report details the findings of the work undertaken by the NSPAUK review team with supporting data and analysis provided by respective contributors.

Whilst this review is solely focused on Sikh detainees, it can be adapted for other faiths/cultural significance if necessary.

3.0 Methodology

Engagement with Officers and Staff via:

- Focus groups: NSPAUK consisting of eight warranted officers across different Constabularies.
- Consultation with different custody blocks on current religious processes dealing with symbols of faith.
- Consultation with Sikh officers internally
- Partnership engagement with members of county councils.
- Reviews of Cambs/other Force Policies and Procedures
- Analysis of Crime and Incident data

4.0 Findings

4.1 Overview

DCI Singh (Cambridgeshire Police) chaired this meeting as a member of the NSPAUK. Furthermore, he is not a West Midlands officer, where the incident took place. This was to ensure impartiality and provide higher levels of reassurance to communities, external partners, and forces that the report would not be biased.

Representations in the focus group came from Thames Valley, West Midlands, Leicestershire, Cambridgeshire, Kent, GMP, Derbyshire & Metropolitan forces. Some of these Representatives cover a wide area of policing and experiences, including custody block Sergeants. There were also members of the public and elected officials from councils in Devon and Leicestershire on the focus groups, giving an external view of the police. These included 'Amritdhari' Sikhs, who wear the 5 Khakars, the Sikh 5 k's signifying initiated Sikhs who become Khalsa. Please see appendix F for images of the 5 Khakars.

These 5 articles of faith were gifted to Sikhs by the 10th Guru, Guru Gobind Singh in 1699. This was at the formation of the Khalsa and are identifiers of those that follow the Sikh faith and its code of conduct. The significance of these items and their provenance to Sikhs around the world, cannot be underestimated. A further link on the formation of the Khalsa and the 5 khakars can be found here.

[What Do Sikhs Wear and Why - The Story of 5 Ks | City On Pedals](#)

The panel were formed and met periodically (once a month) in line with the terms of reference and to discuss the objectives that needed to be achieved.

Some of the group had mock detainees brought into custody to see what processes each force had, (see appendix B).

The group also obtained and had current policies and procedures in custody blocks reviewed, to see what provisions were in place for religious artifacts including turbans (appendix C).

Officers were consulted across forces about any negative/indifferent experiences involving turbans and religious symbols of faith.

These meetings were held virtually, and relevant minutes/actions were recorded, in line with the TOR, (appendix D)

6.0 Summary

Findings over the course of the review process has identified a gap in service provisions, which involve the turban and Kirpan. Sikhs are unique in that they carry overt symbols and articles of their faith on their person (5 signs of the Khalsa and turban, widely recognised as the 5 Ks). This includes Kirpan (dagger), Kachera (long underwear/loose breeches), Kesh (uncut hair), Kanga (wooden comb) and Kara (metal bangle). Furthermore, this is not just for the males but also females, this reinforces the aspects of equality which is a fundamental Sikh principle. To potentially mistreat these articles of faith, is perceived as an attack on the faith.

Custody blocks consulted do not have specific procedures in place when dealing with these articles of faith. Many have processes involving religious texts but not clothing/articles linked to faith. Furthermore, officers and staff in custody blocks have little to no idea what they are searching for, the reasons or how to search for Sikhs who are detained wearing the 5 Ks and turban.

The only cell block/Constabulary to acknowledge religious clothing was Derbyshire Constabulary guidance (appendix E). This should start from the moment when a detainee is arrested to when booked/kept in custody and eventual release.

The provisions of retaining the sacred symbols and articles of Sikhism from a detainee, were also sporadic. Some custody blocks kept these in the persons personal possessions. This could be seen as disrespectful as there could be a turban placed next to shoes/underwear if taken from a detainee) and the 5 Ks placed there also. Some custody blocks had separate provisions but again, not universal or considered appropriate. This could have implications under the ECHR.

Holy scriptures were also discussed and the need to house these respectfully and in accordance with religious protocol. Again, the approach from forces was widely different. Some had cabinets for them, others were housed within boxes on open shelves. One force for example houses scriptures within boxes in the linen cabinet, which is not ideal.

An exercise using mock detainees brought into custody, highlighted concerns around the turban, for example it demonstrated most decisions were made only via narrow questioning rather than wider understanding. Most of this fell within the risk assessment process in custody (see appendix B). The exercise emphasised positive engagement and clear questioning on part of the sergeants which was indicative of a genuine desire to understand how to handle/respect the turban and all Sikh articles of faith.

Clear guidance is needed to officers and custody staff around how turbans and kirpans should be handled/respected/searched in their care. There is a gap in level of understanding and the significance these are held with within Sikh communities.

Training on handling/cultural and religious understanding of the Turban and Sikh articles of faith should be given to all officers. This will further improve (in our opinion) race relations and improve confidence in policing ethically.

7. Recommendations



Recommendation 1: Storage Provisions for 5Ks and Turbans



All custody blocks should be provided with purpose bought filing cabinets (lockable) to exclusively store Sikh articles of faith. This will allow those detainees to see/feel that their faith and religious articles are treated with the sensitivity, integrity, and respect they deserve. Below is an example of such an item in each custody block and the average price is approx. £150. Forces will have their own procurement suppliers, but this gives an indication. It is further recommended that before handling Sikh articles of faith officers/staff **MUST** wash their hands **OR** wear fresh rubber gloves.



Recommendation 2: Training of Custody Staff

Training to be given to all custody staff on the searching of Sikh detainees. Custody staff should be provided bespoke training on searching of Sikh suspects in custody. This will include how to search the turban. Turbans (if necessary to be removed) should be done out of public view and handled with respect and dignity. The turban would be removed by gently unwrapping it layer at a time. Gloves should be worn and engagement with the detainee who is wearing the turban, to ensure they are happy with the process. The turban should never touch the ground. The officer conducting the search will reassure detainee that their hands are clean, and gloves being worn. Communication with the detainee throughout this search is key. Once the turban is searched and where it cannot be returned to the detainee, it must be placed carefully in a separate clean previously unused or exclusively retained turban bag (not with other items) and put in the approved filing cabinet above, with any other articles of faith linked to the detainee. Some Sikhs use patkas (cotton square cloth) to cover their hair and/or starched turbans which are rigid in the shape of a turban. The same method above should apply. Should they not be allowed to retain their turban in custody, Sikhs who wear turbans should be offered an alternative whilst in custody of a 'patka' to cover their head. The alternative is currently being explored and will be presented to forces at the appropriate time. Training should also be given to custody staff on how to search/handle with care all the 5 Ks, to be adopting the same process above. Where a decision is made to not remove the articles of faith, consideration can also be given for constant/level 2/3 observations either open door or via CCTV (where appropriate and risk assessment allows it).



Recommendation 3: Scripture Housing / Handling

There is a unique challenge with police forces to accommodate Sikh scriptures/religious text (Gutka Sahib). Where a Sikh detainee is brought into custody with a Gutka Sahib, then the same search/housing provisions as above and communicate effectively as before.

A Gutka Sahib held by custody blocks for their detainees, should be wrapped exclusively in a Ramaala (cotton cloth) for such purposes and only stored in the top drawer of the storage locker and handled with care/respect, as articulated in recommendation. If a custody block has technological provisions to play sound in individual cell blocks, then holy prayers 'nitnem' can be played as an alternative. **If there is no dedicated cabinet/process, then no Gutka Sahib can be housed in custody.** Please see appendix G which shows how an example of Gutka Sahib is covered with a bespoke covering.



Recommendation 4: Training





Training for all front-line staff on the Sikh faith and articles of faith, is key to understanding the religious and cultural significance of these faith items. Furthermore, it will give officers confidence in understanding/respecting and handling such items, especially in the event of an arrest/incident that requires such intervention. There may be occasions where 5 Ks/Turban are removed at the point of arrest (self-harm threat or other reasons). The guiding principles should be to treat the symbols of faith with as much respect and dignity as is possible under the circumstances, overtly communicating with the detainee on this. As best as possible whilst transporting a detainee, and if such symbols removed in advance of arriving to custody, ensure that they are bagged separately from other items and handled with care, before giving to custody staff.



Recommendation 5:
Sikh Force SPOCs (Specific Points of Contact)

Sikh Force SPOCs (specific points of contact) in issues relating to Sikh detainees should be identified in all forces. This will give front line officers/custody staff confidence to seek answers to any issues relating to Sikh detainees. The NSPAUK can also be SPOC on such issues if need be.

8.0 Appendices

Appendix	Descriptions	Links
A	Minutes from Custody Group meetings and actions	Removed
B	Sikh custody walk through experiences	Removed
C	Current storage provisions of some Constabulary's re scriptures/articles of faith	 Religious Provision and Storage Guidan
D	Minutes from Custody Group meetings and actions	Removed
E	Derbyshire Constabulary guidance on religious needs	 Custody Briefing Sheets - Religious N
F	Images of the 5 K's (Khakars)	 5 khakars K's.docx
G	Image of wrapping Gutka Sahib	 sundar gutka covers.docx
-	College of Policing Website	www.college.police.uk