

HM INSPECTORATE OF PRISONS

Report on Legalised Police Cells

September 2004

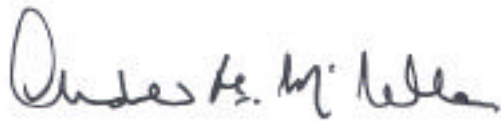


SCOTTISH EXECUTIVE

The Scottish Ministers

In accordance with my terms of reference as HM Chief Inspector of Prisons for Scotland, I forward a report of inspections of the Legalised Police Cells in Scotland which were carried out in July 2004.

A number of recommendations and other observations are made.

A handwritten signature in black ink, appearing to read 'Andrew R C McLellan'. The signature is written in a cursive style with a large initial 'A'.

ANDREW R C McLELLAN
HM Chief Inspector of Prisons for Scotland

September 2004

CONTENTS	PAGE(S)
1. FOREWORD	1-2
2. SUMMARY	3-4
3. INSPECTION REPORTS	5-28
Northern Constabulary	5-15
3.1 Lerwick	5-6
3.13 Kirkwall	7-8
3.25 Thurso	9-11
3.39 Stornoway	12-13
3.50 Lochmaddy	14-15
Strathclyde Police	16-25
3.64 Oban	16-19
3.80 Dunoon	20-21
3.93 Campbeltown	22-25
Lothian and Borders Police	26-28
3.108 Hawick	26-28
4. INSPECTION TEAM	29

1. FOREWORD

1.1 There are nine Police Stations in Scotland where police cells have been “legalised”: in them prisoners (as opposed to those taken into custody by the police) can be detained for a period up to 30 days. These nine Police Stations are all in places which are not near to prisons (where these prisoners would otherwise be held): Lerwick, Kirkwall, Thurso, Stornoway, Lochmaddy, Oban, Campbeltown, Dunoon and Hawick. The cells at Ayr were discontinued from 30 November 2002. It is the responsibility of HM Chief Inspector of Prisons to inspect legalised police cells in the same terms as prisons, and to report on the conditions and treatment of prisoners in them.

1.2 Individual matters are raised in connection with the reports on individual legalised cells. There are also some general matters.

1.3 In not one of the cells were any prisoners held at the time of inspection. Each report will give definite figures: but it is clear that the numbers in each are not overwhelmingly large. When prisoners are detained in the legalised cells, they are held there for as short a period as possible.

1.4 The absence of prisoners made it impossible to carry out an inspection in the same way as an inspection of a prison is carried out; and the reports are therefore heavily dependent on the information and advice supplied by the police.

1.5 In nearly every case members of the Visiting Committee were present during inspection. However, no member present knew of any occasion when any member of a Visiting Committee had ever met a prisoner. This made it impossible to gather from Visiting Committees any independent evidence about the conditions and treatment of prisoners (although it was argued that in the small communities in which most of these cells are located it would have been impossible for the ill-treatment of prisoners not to come to the attention of local councillors). The engagement and level of activity of these Visiting Committees varied considerably. At the very least all members should be provided with guidelines indicating their duties and responsibilities; and it is important that they consider how to make sure that sometimes they meet prisoners.

1.6 The police authorities were most helpful and cooperative throughout the process. In so far as it is possible to judge, the attitudes which were displayed by police officers indicated an entirely proper care of prisoners in their charge.

1.7 Prisoners, both convicted and remanded, form only a small proportion of those detained in police custody. As the cells are dual purpose, it is perhaps inevitable that their conditions and treatment will be very like that of the others who are using the cells. This similarity gives rise, however, to two concerns, since prisoners are in fact in a different category: (i) the physical conditions in which prisoners live are very bleak. The regular provision is of no more than a mattress and an uncovered, unscreened toilet. In one case the practice had been, apparently, to supply cardboard furniture: none of this was available to be seen during inspection. Their imprisonment is in circumstances which are highly risk-averse: they do not wear their own shoes and, in at least one case, their spectacles are removed. In a prison, these conditions would only be experienced by prisoners who had been identified by a careful process as being at real risk. (ii) Information supplied by the Scottish Prison Service to these prisoners was completely absent. In many cases there was good information supplied by the police (although usually with no reference to fire procedures). However, information about the rights of prisoners (e.g. in connection with the Prison Complaints Commission) was not available. The responsibility for the supervision of these prisoners remains with the police authority; does the Scottish Prison Service also have a responsibility to them? The fact that their conditions and treatment are the subject of inspection by the Prisons Inspectorate suggests that their rights are the same as the rights of other prisoners. If that is the case, then it is important that they should know what their rights are.

1.8 Several reports refer to the absence of opportunity for outside exercise for prisoners in legalised police cells. In one or two cases such absence of opportunity has been sanctioned by a waiver. Prisoners are not given an opportunity which is normally their right; and they are denied something that might be good for them.

2. SUMMARY

A number of common themes and issues specific to individual cells were highlighted, and these are made subject to **Recommendations and Points of Note** as follows:

2.1 Recommendations for SPS/Relevant Police Forces

- Standard induction information should be produced detailing what prisoners can expect to receive and what they are entitled to.
- Each location should be issued with a standard set of Rules, Notices and Operating Standards and these should be readily available in the cell areas.
- Standard guidelines should be issued to Visiting Committees to allow them to discharge their duties properly.
- All prisoners should be provided with the opportunity to exercise in the open air.
- Some basic furniture should be provided when cells are being used. This should include a table and chair at which prisoners can eat.
- All toilets in cells should be screened.

2.3 Recommendations for Individual Legalised Police Cells

- **Oban** - A practice fire evacuation should be carried out on at least once a year.
- **Dunoon** - A curtain or modesty screen should be fitted in the female shower.
- The cell call alarm indicator screen should be moved to make it more accessible and speed up response times.

- A larger alarm indicator screen should be fitted.
- **Campbeltown -** In the absence of the door being used in the upstairs bathroom, a curtain or modesty screen should be fitted or a cubicle for dressing/undressing provided.
 - A practice fire evacuation should take place at least once a year when prisoners are present.

2.4 Points of Note for Individual Legalised Police Cells

- **Lerwick -** Training should be given to officers in connection with identifying or dealing with incidents of self harm.
- **Oban -** There was clear evidence of water ingress in two of the cells and the WC in the female cell showed leakage. These should be addressed.
- **Hawick -** Safe systems of work for the storage and dispensing of medication should be identified and monitored.

3. INSPECTION REPORTS

Northern Constabulary

Lerwick – 26 July 2004

3.1 The legalised cells at Lerwick were last inspected on 19 July 2001. At that time exercise was taken in the cells corridor in the absence of a secure outside exercise yard. A Direction to Rule 75(1) allowing prisoners one hour access to the open air every day was made from 20 March 2002. This Direction withdraws that opportunity until a further order is made. This means that prisoners are given no opportunity to exercise in the open air.

3.2 The Inspectorate was accompanied on this inspection by Chief Inspector Cowie and Sergeant McCarthy. Councillor Nicholson (Convener of the Visiting Committee) and D Haswell (representing the Clerk to the Visiting Committee) were present throughout. No prisoners were being held on the 26th or during a second visit made on the 27th.

3.3 Cell occupancy since the last inspection was as follows:

	Male	Female	Total
2001	21	1	22
2002	17	3	20
2003	15	2	17
2004 (to date)	23	3	26

3.4 There are six legalised cells (five for male prisoners and one for females). All cells are clean, bright, large and airy. They have recently been painted. However there is no furniture at all, except for a mattress. There are no curtains (in summer there is very little darkness in Lerwick). There is a toilet in every cell. It is open and unscreened. The toilets are heavily stained. There are separate showers for men and women. There are no mirrors anywhere.

3.5 There is a good supply of clean bedding. Prisoners wear their own clothes unless there is reason to fear self-harm. However, no prisoners are allowed to wear shoes.

3.6 Good clear information is posted in every cell. It does not contain any information with regard to fire procedures, nor about exercise, nor about the Visiting Committee.

3.7 The arrangements for the supervision of prisoners are satisfactory, as are the arrangements for fire safety.

3.8 Family visits take place in the presence of a police officer in a small room; or, in certain cases, by means of conversation through a cell door hatch. Visits with lawyers take place in the same room, with a police officer outside the open door. Food is brought from the hospital staff canteen. Occasional complaints are quickly remedied. A contracted system provides the service of local GPs. The police officers present indicated that the arrangements for food, medical cover and visits were satisfactory and that prisoners were treated with dignity and respect. No formal complaints have been received by the police or by the Visiting Committee from any prisoner since the last inspection.

3.9 Attention is paid to the possibility of self-harm throughout the time of detention. However, no special training appears to be given to officers in connection with identifying or dealing with any incident. There have been no incidents of attempted self-harm by prisoners for several years.

3.10 The Visiting Committee has met once in 2004. It did not meet at all in 2003. The Committee agreed not to meet while refurbishment work was taking place, although prisoners were detained as usual during that time. The Convener admitted that “the Committee has failed”. The Committee was invited to consider how best they could meet some prisoners and so properly discharge their responsibilities.

3.11 Written records are in order and up to date. Conversations with the police officers present indicated a clear understanding of their responsibilities and a decent relationship with prisoners, almost all of whom would be known to them. The Convener of the Visiting Committee commented that in a small community it would be almost impossible for ill treatment of prisoners to take place regularly without at least some stories of it coming to his attention: no such stories were ever told.

3.12 There are four matters of concern:

- The absence of any cell furniture apart from mattresses
- Open, unscreened toilets in cells
- The absence of any opportunity for exercise
- The absence of useful involvement on the part of the Visiting Committee.

Kirkwall – 27 July 2004

3.13 The legalised cells at Kirkwall were last inspected on 18 July 2001. No major issues were raised at that time.

3.14 The Inspectorate was accompanied on this inspection by Chief Inspector Cowdry and Sergeant MacLeod. Councillor Leslie and Councillor Drever, both members of the Visiting Committee, were present throughout. No prisoners were being held.

3.15 Cell occupancy since the last inspection was as follows:

	Male	Female	Total
2001	28	1	29
2002	14	1	15
2003	16	0	16
2004 (to date)	9	1	10

3.16 The Police Station was opened in May 2004. It provides very good facilities and is in excellent condition. There were six legalised cells (four for male prisoners and two for females). The cells are clean, bright, large and airy. However there is no furniture at all, except for a mattress. There are no curtains. There is a toilet in every cell. It is open and unscreened. There is a welcome fitting for hand washing in every cell. There are separate showers for men and women: the shower rooms are large, well fitted and very suitable.

3.17 There is a good supply of clean bedding. Prisoners wear their own clothes unless there is reason to fear self-harm. However, no prisoners are allowed to wear shoes, and spectacles are removed as a matter of course.

3.18 There is an opportunity for prisoners to smoke in the open air under supervision. The area is not considered to meet the requirements for an outside exercise area: outside exercise is not available to prisoners.

3.19 Good clear information is posted in every cell. It does not contain any information with regard to fire procedures. Helpful notices are provided about access to the Visiting

Committee and about chaplaincy services for prisoners and their families. This local initiative with regard to chaplaincy is a good one, and is already being used.

3.20 The arrangements for the supervision of prisoners are satisfactory, as are the arrangements for fire safety. Three of the six cells have CCTV; it is expected that prisoners would always be held in one of these cells.

3.21 Family visits take place by means of conversation through a cell door hatch; or, at the discretion of the police officer in charge, within the cell, supervised by the officer standing at the door of the cell. Visits with lawyers take place in the cell, with no police officer present, unless requested. Food is brought from the local hospital. No complaints have been received by the police or the Visiting Committee. There is a well-fitted kitchen in which food can be heated if necessary. There is an exceptionally well-fitted medical room. A contracted system provides the services of a local GP. The opinion of the police officers present was that the arrangements for food, medical care and visits are satisfactory; and that prisoners are treated with decency and respect. No formal complaints have been received by the police or by the Visiting Committee from any prisoner since the last inspection.

3.22 Attention is paid to the possibility of self-harm throughout the time of detention. Some training is given to officers in connection with identifying or dealing with any incident. There have been no incidents of attempted self-harm by prisoners for several years.

3.23 The Visiting Committee meets every month. Those present have served on the Committee since May 2003. They have not met a prisoner in that time. The minutes of their meetings are in order. No concerns were raised by them. They were invited to consider how best they could meet some prisoners and so properly discharge their responsibilities.

3.24 Written records are in order and up to date. Conversations with the police officers present indicated a clear understanding of their responsibilities and a decent relationship with prisoners.

Thurso – 28 July 2004

3.25 The legalised cells at Thurso were last inspected on 18 July 2001. No major issues were raised at that time.

3.26 The Inspectorate was accompanied on this inspection by Inspector Reiss. Councillor Saxton, a member of the Visiting Committee, was present throughout. No prisoners were being held.

3.27 Cell occupancy since the last inspection was as follows:

	Male	Female	Total
2001	40	5	45
2002	22	1	23
2003	35	3	38
2004 (to date)	7	1	8

3.28 Only remand prisoners are held. Occupancy rates had fallen as a result of refurbishment of the station.

3.29 The Police Station has received refurbishment: the programme has lasted three years. There were ten legalised cells (eight for male prisoners and two for females). The refurbishment of the cells was completed six weeks before the inspection. The cells are clean, bright, large and airy. There no curtains. It has apparently been the practice to put cardboard furniture in any cell used as a legalised cell: however this furniture has been destroyed during the refurbishment and has not yet been replaced.

3.30 There are toilets in five cells for men and in both cells for women. The toilets are open and unscreened. There are separate showers for men and women: the shower rooms are large, well fitted and very suitable.

3.31 There is clean bedding. Prisoners wear their own clothes unless there is reason to fear self-harm. No prisoners are allowed to wear shoes.

3.32 There is an exercise yard but it is apparently never used. There is no provision for informing prisoners about opportunities for exercise. There are doubts about the security of the exercise yard.

3.33 Good clear information is posted in every cell. It does not contain any information with regard to fire procedures, nor about exercise, nor about the Visiting Committee.

3.34 The arrangements for the supervision of prisoners are satisfactory, as are the arrangements for fire safety. There is no CCTV in any cell, but all surrounding areas are covered by CCTV.

3.35 Family visits take place at the discretion of the police officer in charge, within the cell, supervised by the officer standing outside the door of the cell. Visits with lawyers take place in the cell, with no police officer present, unless requested. Food is brought from a local hotel. Prisoners normally receive a hot breakfast. No complaints have been received by the police or the Visiting Committee. There is a well-fitted medical room. A contracted system provides the services of a local GP. The police believe that the service provided is good. The opinion of the police officers is that the arrangements for food, medical care and visits are satisfactory; and that prisoners are treated with decency and respect. No formal complaints have been received by the police or by the Visiting Committee from any prisoner since the last inspection.

3.36 Attention is paid to the possibility of self-harm throughout the time of detention. Some training is given to officers in connection with identifying and dealing with any incident. There have been no incidents of attempted self-harm by prisoners for several years.

3.37 The Visiting Committee has met once in the period January – July 2004. It did not meet regularly during the preceding months, and even years, while refurbishment was taking place. There is no record or memory of ever meeting a prisoner. No concerns were raised by the member present. The committee was invited to consider how best they could meet some prisoners and so properly discharge their responsibilities.

3.38 Written records are in order and up to date. Conversations with the police officer present indicated a clear understanding of their responsibilities and a decent relationship with prisoners.

Stornoway – 20 July 2004

3.39 The legalised cells at Stornoway were last inspected on 3 July 2001. Two suggestions were made following that inspection: the possibility of introducing a video link system between the cells and the courts, and the possibility of providing portable televisions in the cells. Neither suggestion had been implemented.

3.40 The Inspectorate was accompanied on this inspection by Inspector Murdo Fraser and Mr Iain MacLeay, Caretaker. The cells were unoccupied at the time of inspection.

3.41 Cell occupancy since the last inspection was as follows:

	Male	Female	Total
2001	57	7	64
2002	51	1	52
2003	35	1	36
2004 (to February)	1	0	1

3.42 There were three legalised cells (two for male prisoners and one for females). All cells were clean and in good decorative order. There was no furniture in any of the cells apart from a mattress. The male cells are separated from the female cell by a lockable door. The buzzer and light alarm system was working in all three cells. Male prisoners have access to a shower, toilet and sink; women to their own separate bathroom. Women accessed sanitary products through female officer. Adequate clean bedding and clothing was available. Laundry arrangements were in place with the local hospital.

3.43 There was a good sized exercise yard and arrangements for access to this was flexible. It appeared that it was used as much for fresh air and as a smoking area as an exercise yard. Arrangements for visits were also flexible, with most taking place in the interview rooms. However, the overwhelming majority of prisoners being held in the cells were well known to the police, and visits could be facilitated in cells or in the exercise yard if it was considered appropriate.

3.44 Information on what prisoners could expect was posted on the inside door of each legalised cell and on the walls outside the cells. This included information on meals, writing

material, communications with friends, the doctor and language issues. Provision for ethnic minority prisoners was available – a copy of the Koran and (an unused) prayer mat were conveniently located.

3.45 Processes were in place to deal with prisoners considered to be at risk and if necessary the observation cell was utilised. Supervision included use of CCTV, a ‘two way’ window and 15 minute checks. Clear notices on fire, evacuation and safety were posted in the main control areas, and copies were posted in the LPC area during inspection.

3.46 Medical cover was provided by a local practice, and if required the doctor on duty would attend the cells. There was a medical room for the station, and this was also used by prisoners being held in the legalised cells.

3.47 Food was provided by the local hospital. Meal times were approximately:

Breakfast	08.30
Lunch	13.00
Dinner	17.00

3.48 A copy of the Prison Rules could not be located within the cell area or station generally. It was agreed that the station would obtain this. An SPS information pack was however available.

3.49 The Visiting Committee was not available during inspection and the last recorded visit was 5 March 2003 when conditions were described as satisfactory.

Lochmaddy – 23 July 2004

3.50 The legalised cells at Lochmaddy were last inspected on 4 July 2001. Two suggestions were made following that inspection: the possibility of introducing a video link system between the cells and the courts, and the possibility of providing portable televisions in the cells. Neither had been implemented.

3.51 The Inspectorate was accompanied on this inspection by Sergeant Graeme Murdoch. The cells were unoccupied at the time of inspection.

3.52 Cell occupancy since the last inspection was as follows:

	Male	Female	Total
2001	8	2	10
2002	4	0	4
2003	6	1	7
2004 (to date)	3	0	3

3.53 Of the 24 prisoners held over the past three and a half years only four were held overnight. This usually resulted from bad weather and associated transport difficulties. The remaining 20 prisoners tended to spend only a few hours in the cells. Most were held for relatively petty offences: usually drink related.

3.54 There were three legalised cells (two for male prisoners and one for females). All cells were clean, in good decorative order, and had integral sanitation. There was no furniture in any of the cells apart from a mattress. A shower and sink were available in an adjacent area. The female cell was separated from the male cells by two grille gates. All facilities were in good working order and the areas were warm and clean. The buzzer and light alarm system was working in all three cells. Cameras were in place in one male and one female cell.

3.55 Adequate clean bedding and clothing was available and laundry was carried out by a private cleaners in Benbecula. Food is provided by a local hotel.

3.56 A good sized exercise yard was available and all exercise sessions were supervised as there was the potential for someone to scale the wall.

3.57 Visits took place in the cell area and were always supervised.

3.58 Medical cover was provided under contract with Medacs, and a local GP was used when required. In an emergency, the ambulance service was available from Benbecula. No medications were kept within the station although a first aid bag was readily available.

3.59 Information on what prisoners could expect was posted on the walls of the cells.

3.60 Prisoners considered at risk were dealt with on an individual basis: and the local GP was always called if there was cause for concern. The station did not have an observation cell, but prisoners were checked regularly and the cameras in two of the cells helped ensure that prisoners at risk were monitored.

3.61 A notice of fire safety and evacuation procedures was posted in the desk area.

3.62 A copy of the Prison Rules could not be located and it was agreed that the station would obtain this. An SPS information pack was available.

3.63 The Visiting Committee was not available during inspection and the last recorded visit was 28 November 2003.

Strathclyde Police

Oban – 26 July 2004

3.64 The legalised police cells at Oban were last inspected on 16th July 2001. No major issues were raised at that time.

3.65 The Inspectorate was accompanied on this inspection by PC Raymond Law and Sergeant Maurice Lindsay. The Inspectorate also met with the chair of the Visiting Committee (Mr Ian Smyth) and the clerk to the Visiting Committee (Mrs Isabelle Soudan).

Cell occupancy

3.66 Cell occupancy of committed prisoners since the last inspection was as follows:

	Male	Female	Total
2001-02	52	5	57
2002-03	105	3	108
2003-04	173	18	191

3.67 No particular reason was given for the increased use of the cells.

3.68 There are six cells for male prisoners and one for females. Three cells, all for male prisoners, are located downstairs and four upstairs. The female cell is separated from the male cells by a grille gate. The cells are fairly spacious. Each has a concrete plinth and a WC; the WC is flushed externally. While it is the norm for there only to be one prisoner held in each cell, if sharing is required, Force policy dictates that three prisoners will share rather than two. The WC is not screened and on the rare occasions where three prisoners are in a cell there is no privacy: nor would there be privacy if an individual was using the WC during a routine observation. There is no provision within the cells to wash hands after using the WC, prisoners would require to use the cell buzzer and be escorted to an external area to use a wash-hand basin.

3.69 If the cell WCs are to be used, provision should be made for individuals to wash their hands.

3.70 The cells in the downstairs corridor are all tiled which while better in terms of cleanliness does give a very institutional feel. Prisoners are provided with a mattress to use on top of the concrete plinth however, there is no provision for a chair, or a table on which to take meals.

3.71 Oban police station dates from the 19th century and the cells reflect this. At least two of the cells show very clear evidence of water ingress. The cells are reasonably decorated although there is evidence of graffiti. On the day of inspection, the female cell showed leakage from the WC.

3.72 For the downstairs cells there is a shower room with two wash-hand basins; the shower has no door or modesty screen. The shower room upstairs has a door, which would provide privacy, but due to concerns over potential self-harm, it is not usual for the door to be closed. **It is recommended that a curtain or modesty screen is fitted in both shower areas.**

3.73 Prisoners are issued a mattress and bedding from a well-stocked storeroom. Prisoners wear their own clothes while in the cells area; relatives can provide a change of clothes. Towels and bedding are laundered weekly. Toiletries and personal items are issued as required, a small stock of reading material is available however, prisoners have no access to a radio or to a television. Notices were posted on the back of each cell door setting out the rights of prisoners and procedures in the cells. These however, are the Force notices "Notes for the Guidance of Accused". While Prison Rules are available they are not on display; nor are any notices regarding the rights etc., of convicted prisoners.

3.74 Adjacent to a cell which has been converted for use as a fingerprint room, is an observation cell with a large glass panel where those who require to be observed for any purpose can be held and observed on a 24-hour basis. Usually this is done on the basis of suspected self-harm. In general, prisoners are checked every hour although this may be reduced to 30 or 15 minutes where drink, drugs or medical concerns suggest this be required.

Each observation requires the prisoner to respond or be roused. This is markedly different from the situation in prisons where, when sleeping, it is not usual to rouse prisoners.

3.75 All officers, who deal with prisoners, require to have completed the Force Custody Officers training. This is a two-part course; one part being training in the prisoner processing computer programme; the second one being Duty Officer Care and welfare of prisoners. Without this, officers cannot access and use the computerised programme, which provides a comprehensive record of the management of prisoners while they are in the cells area. The introduction of this course is to be commended since it provides a consistency in the treatment of prisoners. There are first aid staff on duty and all custody officers have been trained in food hygiene. Exercise for prisoners at Oban is carried out, when it occurs, in a closed corridor, the external area being insecure. Catering is provided by a local hotel and the meals are reported to be of a high standard by the Visiting Committee.

3.76 The Force prisoner processing programme places a considerable emphasis on identifying potential factors of risk amongst prisoners. Generally, the approach taken is to be extremely cautious in the management of risk; consequently there is a degree of supervision and use is made of the observation cell. Additionally, wherever there is any form of medical question it is policy to have admissions seen by the doctor if considered necessary by staff, or if requested by prisoners. Where there is any question over fitness for detention a referral to the local hospital appears to be routine. Methadone is available in the community in Oban and is available within the cells however, this is managed by the on-call duty doctor. Equally, any medicine is authorised by the doctor and subsequently issued via the use of daily dose boxes. It is not policy for officers to issue medication; this extends to routine issue of items available across the counter – such as aspirin.

3.77 Provision for prisoners whose first language is not English appears to be adequate with a standardised Force notice in a range of languages and access to a translator service via Force Headquarters. Prayer mats were available.

3.78 There is a Fire Evacuation Plan in place and while fire drills have been carried out no practice evacuation of the cells area, when prisoners have been present, has been carried out. **It is recommended that a practice fire evacuation is carried out on at least once a year.**

3.79 The Visiting Committee at Oban had visited the cells on eight occasions during the previous reporting year. The Committee use a standardised checklist and also complete a written report during each visit. The checklist direct members to examine both physical provision and management arrangements and provides a consistent approach by all VC Members. The Committee also meet on a regular basis with the Committees from Dunoon and Campbeltown LPCs. It is clear that the Visiting Committee take their duties extremely seriously and assiduous in carrying out their duties.

Dunoon – 1 July 2004

3.80 The last inspection of the Legalised Police Cells at Dunoon Police Office was carried out on 17 July 2001. On that occasion one formal recommendation was made regarding the fire door at the rear of the building. This has now been addressed, and the door is easily opened.

3.81 The Inspectorate was accompanied on this inspection by Sergeant Howard.

3.82 Cell occupancy rates since the last inspection was as follows: -

	Male	Female	Total
2001	48	8	56
2002	104	1	105
2003	67	1	68
2004 (up to July)	14	2	16

3.83 No prisoners had been held overnight in the last year.

3.84 There are 10 cells, eight male and two female. The male and female areas are separated by a grille gate. One cell in the male area stores firearms confiscated from, or handed in by, members of the public. This cell is locked differently from other cells and the key is held in a safe in the duty room accessible only by senior staff.

3.85 All cells were inspected and found to be clean and well maintained. Each cell has a concrete plinth and a stainless steel toilet. The toilet is not screened off from the rest of the cell. There was no furniture in the cells. Separate washing and showering facilities are available for male and female prisoners. The shower for female prisoners is, however, exposed from the grille gate and a woman in the shower could be seen by a passing male prisoner or police officer. There is a door on the shower room but it was clear that this was not used regularly as it was stiff and difficult to move. **It is recommended that a curtain or modesty screen is fitted in the female shower.**

3.86 Prisoners are issued a mattress and bedding from a well-stocked storeroom. When necessary, clothing is also available. All kit was clean and in good condition. Prayer mats

and a copy of the Koran were also available. There was a small selection of books available on request.

3.87 Notices were posted on the back of each cell door setting out the rights of prisoners and procedures in the cells.

3.88 Prisoners assessed as at risk are located in an observation suite adjacent to the duty room. There is a large hatch in the door which can be opened for easier supervision. This room is also used for agents and other visits. It is adequate for purpose. There is no CCTV in the cell area.

3.89 A new cell call system has been installed since the last inspection. All cell call buttons were tested and were working. The call button sets off an audible alarm, and an indication panel located in the duty room has a screen that indicates which cell call button has been pressed. The screen is quite small and has been fitted too far away from the duty officer's location for it to be easily seen. **It is recommended that the cell call alarm indicator screen should be moved to make it more accessible and speed up response times. It is also recommended that a larger alarm indicator screen is fitted.**

3.90 Staffing arrangements for the legalised cells have been reconfigured. There are now designated duty officers who have the primary responsibility of looking after any prisoners in the cells. There are always trained first aid trained staff on duty.

3.91 The exercise area for prisoners is not spacious but it is adequate. It is used very rarely. Catering arrangements are satisfactory. A local hotel is contacted and prisoners are able to make a choice from their menu.

3.92 The Visiting Committee was not available on the day of inspection, but they made some representations by telephone a few days after the inspection. The only concern expressed by the Committee related to the location of electrical equipment in the storeroom of the cells. It would be helpful if the police could make sure that this has been properly risk assessed by their own fire precautions officer or the Fire Service. They attend the cells four to six times a year.

Campbeltown - 27 July 2004

3.93 The legalised cells at Campbeltown were last inspected on 18th of July 2001. On that occasion the Inspectorate raised four points:

- *The flush buttons on some of the WCs could, potentially, pose a problem as ligature points.*

Action: The flush buttons on the toilets have been replaced and no longer pose a concern.

- *No system was in place for regularly checking cell buzzers.*

Action: The buzzers have been renewed. Additionally, as part of the checklist, the Visiting Committee checks the operation of cell buzzers during their regular visits.

- *A proposed exercise yard should be free of low hanging wires.*

Action: An exercise yard has been created but no application has been made yet for a removal of the Direction under Rule 75. There is concern that the exercise yard is not yet secure and cables are still exposed. Consequently, while the yard has been used there is still concern on the part of the Visiting Committee and local management over its suitability. While the exposed cables could be accessed by a prisoner and could aid an escape attempt over the metal fence this would take a potential escaper into the main yard of the police station, which can be secured by a metal gate. However, any use of the yard is invariably supervised by an officer. It is the view of the Inspectorate that provided the prisoners are being supervised, there is no reason that the exercise area could not be used.

- *Efforts should be renewed for regular local fire brigade inspections of the station.*

Action: There is a Fire plan on display. Additionally, the local Fire brigade inspected the cells area approximately 2 months prior to the inspection.

3.94 The Inspectorate was accompanied on this inspection by Chief Inspector Miller and Sergeant Reid. The Inspectorate also met with, and attended part of the Visiting Committee meeting. Present were Jack Milligan (Chair), Joyce Gardiner and Duncan Henderson and Isabelle Soudan (Clerk to the Committee).

3.95 Cell occupancy since the last inspection was as follows:

	Male	Female	Total
2001-02	33	1	34
2002-03	23	2	25
2003-04	60	1	61

3.96 There are now six cells in use (for male prisoners): four on the bottom corridor and two on the top. The cells out of use are being used as store rooms. The female cell is located on the ground floor and is separated from the male cells. It is the practice at Campbeltown as far as possible to use only the ground floor, although occasionally the cells in the upper floor require to be used. The cells are of a reasonable size but those downstairs are tiled, which while having advantages for cleanliness does present a rather stark and institutionalised environment. Each cell has two concrete plinths. There is no in cell furniture. Each cell has a WC which can be flushed from within the cell. It is Force policy that either one or three prisoners be located in the cells although the use of the cells for three prisoners is very rare. Only two instances in the past few years could be recalled. Nonetheless, the WC lacks any form of modesty screen for those rare occasions on which the cell may be shared or when the WC is in use and routine observations occur. There is no provision for water within the cell or hand washing after the use of the WC. Prisoners are reliant on being taken to the upstairs shower and bathroom area.

3.97 Upstairs, a room provides a shower, bath and wash-hand basin. There is a door on this area however, this is not closed in order to ensure observation at all time (a pipe runs round three walls of the bathroom area and is considered vulnerable in terms of self-harm). However, the cell door does provide a modesty screen although there is no modesty screen to allow dressing/undressing. **It is recommended that in the absence of the door being used some form of curtain and modesty screen be fitted or a cubicle for dressing/undressing provided.**

3.98 There is an adequate stock of mattresses and bedding available for prisoners routinely using their own clothing, clothing is available as is a supply of toiletries, razors etc. A small selection of reading material is available; however, prisoners have no access to a radio or to television.

3.99 Notices were posted on the back of each cell door setting out the rights of prisoners and procedures in cells. This consisted of the “Notes for Guidance of Accused Persons”, a Force Notice. Additionally there was the standard SPS “Notice to Visitors” on display. This however was somewhat outdated having been signed by the previous Chief Executive.

3.100 Prisoners at risk are located in a detention room adjacent to the Charge Bar area. This room is bare with only a bench seat. A mattress is provided if a prisoner is held (which is rare). The room itself does have blind spots which an observer seated in the bar area would be unable to view a prisoner within the room. This room is designed primarily for holding under 21 prisoners for a short period of detention (usually a few hours) its use as an observation room is far from satisfactory. Given the plans to build a new police station, it is accepted that this area will stay as it is in the short term.

3.101 A dedicated medical examination room for the station has been created, designed with the advice of the police doctors. This is available for the medical examination of prisoners and for minor treatments. It is a bright, spacious, well-appointed room and provides a good facility for the confidential management of prisoner medical examinations. As is standard within Strathclyde Force area, medication is a matter for the medical officer. There is no methadone prescription in the Campbeltown area consequently there is no issue of methadone. Any other prescribed medication is authorised by the doctor. Police custody officers do not prescribe any medication including across the counter medication such as aspirin.

3.102 Visits take place in the cells area. Families stand outside the cells, and legal agents can enter the cells and have issued a personal alarm. The cells have no furniture, nor are there any chairs.

3.103 As described above, an exercise area was included in the refurbishment of the police station, although this has not been routinely used apart from a smoking area. As suggested above with minimal additional provision this area could be used. All officers who deal with prisoners require to have undertaken the Force Duty Officer Training Programme. This provides a consistency in dealing with prisoners and a detail in terms of electronic record keeping which can also be printed off to provide paper records and detail to accompany the prisoner on transfer or escort.

3.104 There are adequate arrangements, in terms of prisoners whose first language is not English with the standard Force foreign language sheet on display and translator available via Force HQ. Additionally, a small number of local translators are also available. Provision, in terms of prayer mats, has also been made. A copy of the Prisoner and Young Offenders Rules was on display at the Charge Bar.

3.105 Food is normally provided by a local hotel and whilst not sampled, both the Police and the Visiting Committee indicated that it is of a very high standard. Recognising that occasionally times of escort mean that prisoners cannot be fed from the local hotel, staff on duty provide a breakfast. Consequently, Police Custody Officers have also been trained in food hygiene.

3.106 In response to the Inspectorate concerns regarding fire precautions, a fire plan was on display at the entrance to the cells area. The local Fire Brigade had visited the cells area and were content with the arrangements in place. The Fire Plan however, had never been tested while prisoners were within the cells area and **it is recommended that a practice fire evacuation take place at least once per annum when prisoners are present.**

3.107 The Visiting Committee raised a number of issues. Concerns over the security of the exercise area have been discussed above. There was some discussion over the introduction within Strathclyde Force of independent lay visitors to police stations, however, this did not appear to conflict with the statutory role of the Visiting Committee. The Visiting Committee were at pains to comment on the good relationships with local police management and their willingness to act on any concerns the Visiting Committee might have. In common with the Visiting Committee at Oban and Dunoon, the Campbeltown VC uses a written checklist and supports this with a written report after each visit to the police cells. During the last reporting year, the cells were inspected on 11 occasions (being occupied on two of those 11 occasions). The Visiting Committee are clearly assiduous in carrying out their duties and the use of the check list and attendant report provided the Inspectorate with an extremely useful set of additional independent observations.

Lothian and Borders Police

Hawick - 2 July 2004

3.108 The legalised cells at Hawick were last inspected on 8 August 2001. At that time no formal recommendations were made and the report said that the Inspectorate was impressed by the way in which the cells were operating.

3.109 The Inspectorate was accompanied on this inspection by Inspector McGrath. Discussions were also held with Superintendent Simpson and four members of the Visiting Committee.

3.110 Cell occupancy since the last inspection was: -

	Male	Female	Total
2001	225		225
2002	291		291
2003	317		317
2004 (up to July)	102	1	103

3.111 There were five legalised cells (four for male prisoners and one for females). A gate separates the male and female areas. All cells were clean and well maintained. All the cells except one had a concrete plinth and stainless steel toilet. The other one had a wooden plinth and porcelain toilet. None of the toilets are screened off from the rest of the cell.

3.112 The cell alarm system is in good order. The system has a light indicator and audible alarm. There is CCTV covering the corridors in the cells area. The only area not covered is the exercise yard. The yard is spacious and secure.

3.113 The ablutions areas for both male and female prisoners are well appointed, and there are separate shower rooms for men and women.

3.114 A significant development has been the removal of incident management responsibility from the station to a central "Force Control Centre". This means that staff in the station have prisoner management as their primary responsibility.

3.115 There are five Custody Care Assistants employed in the cells area. They are trained in first aid, food hygiene, IT and officer security. In discussion it was clear that these staff take their responsibilities very seriously. The group of staff are very experienced and knowledgeable.

3.116 At the time of inspection some staff expressed concern about the management of medication, particularly how methadone was stored and dispensed. Safe systems of work should be identified and monitored.

3.117 Hawick has a 'special' toilet fitted into one cell for monitoring any prisoners who have allegedly swallowed an illicit article. The cell has only been used twice in the last year, and on one of these occasions an article was recovered.

3.118 Detailed attention is paid to the potential for, or incidents of, self-harm. It was clear that this area is well managed and the attitude and expertise of the staff who work in the cells area reflect the importance attached to this.

3.119 There is a well-stocked store in the cells area. There are sufficient mattresses, blankets, clothes and a small selection of books and magazines. Everything in the store is clean and fit for use. Laundry arrangements are contracted out to Borders General Hospital. There is a copy of the Koran and a prayer mat available if required.

3.120 A small visit area is located in the cells area. It is discreet and comfortable and provides a decent area for family or friends to spend some time with a prisoner.

3.121 Catering arrangements are as they were three years ago. An extensive supply of microwave meals is available. All cultural or religious requirements are catered for and prisoners can exercise some choice. The preparation area is spacious, clean and functional. Hawick still adopt the colour-coded cleaning system, and everywhere was very clean. It was apparent from entries in the VC book that this was consistently the case.

3.122 All documentation was accessible and in good order. There was a copy of the Prison Rules available. Rules and regulations notices are posted in cells. There is access to information in other languages and a translation service is available for non-English speakers.

3.123 The Visiting Committee are a dedicated and conscientious group who are regular visitors to the LPCs. They did not raise any significant issues in how the LPCs are managed in their log book or during the inspection.

3.124 It is pleasing to record that the LPCs in Hawick continue to be very well managed. The safe, decent and secure custody of prisoners is achieved to a high standard by a dedicated and professional team of staff.

4. INSPECTION TEAM

Andrew McLellan
Rod MacCowan
David McAllister
David Abernethy
Janet Reid

HMCIP – Lerwick, Kirkwall, Thurso
HMDCIP – Oban, Campbeltown
HMACIP – Stornoway, Lochmaddy
HMIP – Dunoon, Hawick
Administrative support