



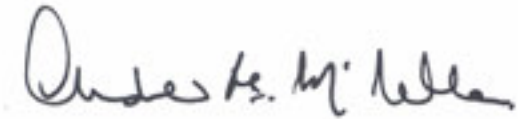
HM INSPECTORATE OF PRISONS

Report on Legalised Police Cells

MAY 2008

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 2007-08.

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

May 2008

CONTENTS	PAGE(S)
1. FOREWORD	1
2. SUMMARY	2-4
3. INSPECTION REPORTS	5-32
Northern Constabulary	5-19
3.1 Lerwick	5-7
3.15 Kirkwall	8-10
3.32 Thurso	11-13
3.49 Stornoway	14-16
3.64 Lochmaddy	17-19
Strathclyde Police	20-28
3.79 Oban	20-22
3.97 Dunoon	23-26
3.116 Campbeltown	27-28
Lothian and Borders Police	29-32
3.127 Hawick	29-32
4. INSPECTION TEAM	33

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. The need for the cells within Northern Constabulary (Lerwick, Kirkwall, Thurso, Stornoway and Lochmaddy) was an ongoing issue throughout the year. The cells were discontinued in February 2008 and then reinstated. 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.

2. SUMMARY

2.1 A number of common themes and issues were highlighted:

- The most recent version of the Prison Rules and other information notices should be available.
- Information on how to access the relevant Visiting Committee and how to make a complaint should be available.
- All prisoners should be provided with the opportunity to exercise in the open air.
- Some basic furniture should be available when cells are being used.
- Toilets in cells should be screened.

2.2 Matters of Concern for Individual Legalised Police Cells

- **Lerwick**
 - The absence of any cell furniture.
 - Open, unscreened, toilets in cells.
 - The absence of any opportunity to exercise in the open air.
 - Badly stained toilet bowls.
 - No notices describing how to access the Visiting Committee or the Prisons Complaints Commissioner.
 - A copy of the Koran and a Prayer mat were not available.
- **Kirkwall**
 - Toilets in cells are not screened.
 - A copy of the Koran and a Prayer Mat could not be located.
 - A copy of the Prison Rules was not available.
 - There is no opportunity for exercise in the open air.
- **Thurso**
 - Information was not available on how to contact the Visiting Committee and the Prisons Complaints Commissioner.

- Sheets and pillows were not available.
- The most recent version of the Prison Rules was not available.
- **Stornoway**
 - A current version of the Prison Rules was not available.
 - The record keeping is not detailed enough to determine which individuals being held were police custodies and which were prisoners, or if any prisoners had been held overnight.
 - There is no record of fire drills being carried out.
 - There appears to be a lack of involvement of the Visiting Committee.
- **Lochmaddy**
 - The record keeping is not detailed enough to determine if any prisoners being held were females.
 - Prisoners have to leave their cells to wash their hands after using the toilet.
 - There were no notices available in foreign languages.
 - There was no information available on how to contact the Visiting Committee or how to make a complaint.
 - It was not possible to determine when the Visiting Committee had last visited.
 - There is no record of fire drills being carried out.
 - A copy of the Koran and a Prayer Mat were not available.
- **Oban**
 - A practice fire evacuation is not carried out at least once a year.
 - The wash hand basin on the first floor was not clean.
 - A copy of the Koran was not available.
 - A notice highlighting the role of the Visiting Committee was not displayed.
- **Dunoon**
 - An auditable system to ensure that the prisoner is contacted before the cell alarm bell is cancelled was not in place.
 - Prisoners dressing and undressing in the shower area should not be in full view of others.

- A copy of the Koran was not available.
- A copy of the Prison Rules was not available.
- Prisoners are not able to access the toilet within a reasonable period of time, particularly when staff are busy.

- **Campbeltown** - There is no modesty screen for undressing in the shower area.

- **Hawick**
 - Toilets in cells were not screened.
 - Notices detailing how to access a copy of the Prison Rules and the Visiting Committee were not available.
 - Information on how to make a complaint was not available.
 - Showers did not have curtains.
 - A Visiting Committee Book was not available.
 - An up-to-date version of the Prison Rules was not available.

3. INSPECTION REPORTS

Northern Constabulary

Lerwick – 19 March 2008

3.1 The Legalised Police Cells at Lerwick were last inspected on 26 July 2004. Four matters of concern were raised at that time:

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

3.2 Concerns still remain about the first three of these: nothing has changed since the last inspection. On the fourth, the Visiting Committee is now much more involved and this is described in more detail below.

3.3 The Inspectorate met with Inspector Smith and was accompanied on the inspection by Sergeant Czerniakiewicz. The Inspectorate also met with Councillor Grains and Councillor Duncan from the Visiting Committee and Mr Murray from Reliance Custodial Services. There was one prisoner being held in the cells, and he also agreed to speak to the Inspectorate.

3.4 Cell occupancy since the last inspection was as follows:

	Male	Female	Total
2004	35	1	36
2005	32	5	37
2006	43	16	59
2007	55	4	59
2008 (to date)	7	1	8

3.5 There are six legalised cells (five for male prisoners and one for females). Two of the cells are covered by CCTV. The cells are clean and bright although the toilet bowls remain

badly stained. There is no furniture except for a mattress, and prisoners eat their meals on their lap. There are no pillows, but an additional blanket can be provided for use as a pillow. There is a separate shower area for men and women, and both of these were clean and in working order. An effective cell buzzer system is in place – buzzers are relayed to the sergeant's room and the control room. The buzzer tested was in working order.

3.6 There is a good supply of clean bedding and toiletries. A limited number of notices were posted on the inside of cell doors but there was no information about how to access the Visiting Committee or the Prisons Complaints Commissioner. A copy of the Prison Rules and a Bible were available, but a copy of the Koran and a Prayer mat could not be located.

3.7 There is no access to exercise in the open air.

3.8 Arrangements for medical care are good. There is a small, well equipped, medical room within the cells area. A doctor is always on call, and one was called to the cells on 20 occasions in 2008 to time of inspection. Examination of the call out book showed that a doctor was always in attendance within one hour – and usually much sooner than that. Arrangements for dealing with prisoners considered to be at high risk of self-harm or suicide are appropriate. A risk assessment is carried out on all prisoners admitted. Anti suicide clothing is available; a doctor will be called immediately if it is considered necessary; and the prisoner would be placed under observation.

3.9 Meals are usually provided by the local hospital, although the prisoner who had been held overnight during this inspection had received a meal, of his choice, from a local fish and chip shop. Prisoners can have a cup of tea when they want and can also access a newspaper and magazines.

3.10 Family visits take place with the prisoner in the cell and the family member outside the cell. They speak through an open shutter. Visits are always supervised by a police officer.

3.11 One prisoner was being held in the cells during the inspection. He had been held overnight. The prisoner said that he had been very well treated by RCS and police staff, saying that they had always been polite and courteous. He felt that the cells were clean but a

bit cold, although he only had to ask for an additional blanket and one was provided. He had arrived in the cells at about 17.00 hours the previous evening. He had received an “excellent meal” from a local fish and chip shop and had also been offered a shower. The key issue was boredom! Although staff had provided a newspaper and some magazines there was simply nothing to do. This was compounded by the fact that he was not allowed to smoke in the cell. Overall, however, he was very satisfied with the way he had been treated.

3.12 RCS staff were also present during the inspection – one Lerwick Supervisor and two Custody Officers who had brought the prisoner from the mainland to the cells. They felt that relationships with the police were very good and that the police were helpful. RCS try to keep prisoners in the vans for as short a time as possible and plan flights as far in advance as possible to avoid prisoners being held in the cells for more than one night. Prisoners leave on the first available plane.

3.13 The last inspection of the legalised cells at Lerwick reported an “absence of useful involvement on the part of the Visiting Committee”. This is no longer the case. The VC now try to visit once a month. Their Annual Report notes that they visited the cells on nine occasions in 2007. The Committee also meet on a quarterly basis. Police officers now contact the VC when a prisoner is being held and the VC try to see that prisoner – although the prisoner sometimes refuses. The VC book shows that a number of prisoners have now been seen – one at midnight. The VC indicated to the Inspectorate that relations with the police were very good and that the police were very good at facilitating visits. They had never received a complaint from a prisoner and considered the conditions in which prisoners were held to be good.

3.14 Overall, the condition of the Legalised Police Cells at Lerwick is good. Arrangements for food, bedding and medical care are also good. However, there are some matters of concern:

- The absence of any cell furniture.
- Open, unscreened, toilets in cells.
- The absence of any opportunity to exercise in the open air.
- Badly stained toilet bowls.

- No notices describing how to access the Visiting Committee or the Prisons Complaints Commissioner.
- A copy of the Koran and a Prayer Mat were not available.

Kirkwall – 18 March 2008

3.15 The Legalised Police Cells at Kirkwall were last inspected on 27 July 2004. No major issues were raised at that time.

3.16 The Inspectorate was accompanied on this inspection by Acting Inspector Graham. Councillor Drever, Councillor Heddle and Marie Love from the Visiting Committee were present throughout.

3.17 Cell occupancy since the last inspection was as follows:

	Male	Female	Held Overnight
2004-05	6	1	5
2005-06	7	0	6
2006-07	18	0	13
2007-08	25	1	21
2008 (to date)	1	0	1

3.18 Although no prisoners were being held at the time of the inspection the figures above indicate that the use of the LPCs is increasing. All admissions are recorded electronically. This is a good system.

3.19 The Police Station continues to provide very good facilities, and remains in good condition. There are six legalised cells, four for male prisoners and two for females. The cell areas for males and females are separated by a grille gate. Three of the cells have CCTV. All cells were clean. There is an unscreened toilet in each cell. There is no furniture in any of the cells and prisoners eat their meals on their lap. The bed is a concrete plinth with a mattress. Each section has a shower room, both of which were in good condition. Prisoners are offered the opportunity to have a shower before a court appearance. All cells have an alarm button relayed to the main administrative area where a uniformed police officer should always be present. The cell button tested was in working order. Panic strips are installed in all other areas where there is contact with prisoners.

3.20 There is a good sized kitchen with a fridge, microwave oven and washing machine. This was very clean and tidy. An interview room was also very clean and tidy.

3.21 A good supply of clean bed linen is available. Prisoners wear their own clothes, although additional clothing can be obtained if the prisoner's own is unsuitable for a court appearance. Prisoners' personal belongings are stored in individual, locked cabinets adjacent to the charge desk.

3.22 A small selection of books is available, located in a store cupboard. Bibles were available but a copy of the Koran and a Prayer Mat could not be located. It appears that these are shared with the local hospital. Toothbrushes, razors and other toiletries are available. There are also hygiene packs for females.

3.23 Meals are provided by the local hospital and is of the same standard as that offered to patients. Reliance Custodial Services (RCS) also provide microwave meals, stored in the kitchen.

3.24 There is a good range of information posted on the inside door of each cell. This includes information about the Visiting Committee. A copy of the Prison Rules could not be located.

3.25 Family visits can take place, sometimes in a prisoner's cell with an officer present, depending on the assessed level of risk. Legal visits take place in the interview room.

3.26 There is a medical room in the cells area and again this was in excellent condition. Medical care is provided under contract by Medacs. If a prisoner requires medical help, a doctor should be in attendance within one hour.

3.27 There is no opportunity for exercise in the open air.

3.28 The duty sergeant risk assesses prisoners for the possibility of self-harm. If there is an immediate risk, Medacs is called and the prisoner is put on full time observation. Arrangements appear to be satisfactory. It was reported that between 70% and 80% of prisoners admitted are under the influence of alcohol or drugs.

3.29 The Visiting Committee is active and well aware of the processes and procedures of the LPCs. They were satisfied that they had good access to the cells and had never been refused entry. They make four announced visits each year, as well as monthly unannounced visits. If there are any problems such as torn mattresses these are fixed immediately. If a cell is damaged in any way it is discontinued until fixed. The Committee was satisfied with how prisoners were treated and had never received any complaints. They had spoken to two prisoners during the course of their visits. No concerns were raised.

3.30 No issues were raised in regard to the escorting arrangements for prisoners – except the fact that they might spend longer in a van than in a cell. Indeed, the contracting out of escorts had freed up police officers' time.

3.31 Overall, the Legalised Police Cells at Kirkwall were clean, tidy and in excellent condition. Relationships between uniformed police officers and the Visiting Committee were good, and the escorting arrangements appeared to be working well. Arrangements for food, clothing, bedding and medical care appeared to be working well. However, some areas of concern were raised:

- Toilets in cells are not screened.
- A copy of the Koran and a Prayer Mat could not be located.
- A copy of the Prison Rules was not available.
- There is no opportunity for exercise in the open air.

Thurso - 25 July 2007

3.32 The Legalised Police Cells at Thurso were last inspected on 28th July 2004. No major issues were raised at that time.

3.33 The Inspectorate was accompanied on this inspection by Sergeant Rayburn. Councillor Rosie, a member of the Visiting Committee was present throughout. No prisoners were being held.

3.34 No prisoners have been held since the escorting of prisoners was contracted out. Fifteen male prisoners and no females had been held overnight between the last inspection and the new contract arrangements.

3.35 During the last inspection there were 10 cells, two for females and eight for males. Three of the cells have since been converted into stores. The cells are well maintained, clean, fresh smelling and ready for occupation.

3.36 The bed consists of a mattress on a raised wooden plinth. There is a stainless steel WC in each of the cells but no hand washing facilities. The toilets are not screened from the rest of the cell. No cell furniture is available. There is no Electric Power in Cell. There is a helpful notice behind each cell door. This provides information about food; how to contact relatives or legal adviser; and medical arrangements. However there is no information about how to contact the Visiting Committee or the Prisons Complaints Commissioner. This should be addressed. All bedding is the safe canvas variety but no sheets or pillows were available. An additional canvas blanket is provided for use as a pillow. The canvas bedding is sent to another police station for laundering after each use. Sheets and pillows should be available. The most recent version of the Prison Rules should also be available.

3.37 The cell call bell system is effective. There is a buzzer plus a light at the cell door. The system is relayed to the staff workstation and an operations room. When the cells are occupied the area is staffed by police officers.

3.38 A shower room is located in both the male and female sections. Adjacent to each shower room is a wash hand basin. Each shower is screened and is clean and fresh. The hand washing area is also clean.

3.39 At the time of the inspection a project to install CCTV into two cells had started. These will then be designated as observation cells. There is CCTV coverage of the main communal areas.

3.40 An exercise area is accessed from the main cells corridor. The exercise yard is enclosed on all sides but has no physical barrier to prevent access to the roofs. The area is rundown and overgrown, indicating a lack of use.

3.41 A risk assessment for suicide and self-harm is carried out on everyone admitted. Staff have a good knowledge of what constitutes risk and how it should be managed. The CCTV cameras are used to help monitor those considered most at risk.

3.42 Prisoners' property and cash is securely contained in individual lockable cabinets.

3.43 Ample cleaning materials are available. There is also a prayer mat, Koran and Bible. A small selection of books and magazines is also available.

3.44 There is a medical room within the cells area. GP services are available through a contract with Medacs. Support is also available through NHS 24. Only medication prescribed by the doctor is issued, in single, sealed, doses to prisoners.

3.45 Meals are provided by a local hotel.

3.46 Prisoners do not have access to a telephone, but staff will pass on relevant messages. Family visits can take place within the cell at the discretion of the duty officer. These visits are supervised by a member of staff. If necessary, legal advisors can also meet with the prisoner in the cells area.

3.47 Overall, the facilities are maintained to a high standard and there is a very good audit trail of cell checks and fault and damage recording. There is also a very good electronic

policy document available entitled “Care and Custody of Prisoners”. Staff spoke knowledgeably about their role in managing prisoners safely and with dignity.

3.48 The following matters of concern were raised:

- Information was not available on how to contact the Visiting Committee and the Prisons Complaints Commissioner.
- Sheets and pillows were not available.
- The most recent version of the Prison Rules was not available.

Stornoway - 19 March 2008

3.49 The Legalised Police Cells at Stornoway were last inspected on 23 July 2004. One matter of concern was raised at that time: the station should obtain a copy of the Prison Rules. The copy available on this inspection was not the most up-to-date version.

3.50 The Inspectorate was accompanied on this inspection by Sergeant Alec Macdonald and Councillor Charlie Nicolson, a member of the Visiting Committee.

3.51 The record keeping was not detailed enough to determine which individuals held over the past three years were police custodies and which were prisoners. It was also not possible to determine if any prisoners were held overnight.

3.52 There are three legalised cells (two for male prisoners and one for females). All cells were clean and in reasonable decorative order. There was some graffiti on the walls. There was no furniture in any of the cells except for a mattress on a fixed wooden bed. No integral sanitation is available in any of the cells. If prisoners need to use the toilet they are unlocked, day or night.

3.53 Male prisoners have access to a shower, toilet and wash hand basin. Women have their own separate toilet, bath and wash hand basin. Bedding is the tear-proof canvas variety and an adequate supply of clean bedding was available. Bedding is laundered at a local hospital.

3.54 When admitted, prisoners are brought to an admission desk where the documentation process is completed. This process also helps assessment of risk for cell sharing and for self-harm. Several notices are displayed in this area including an SPS notice on searching, and information about "Families Outside". There is also an information pack which includes induction information for HMP Inverness and a copy of the "Prisoners Information Pack". A notice on visiting arrangements at Inverness was also available. There are no notices in foreign languages available, although it was confirmed that there is an adequate number of interpreters available on the island.

3.55 Fire instructions are posted on the wall. There is no record of fire drills although inspectors were assured that they do take place. Evacuation drills do not include prisoners. A record of fire drills should be maintained.

3.56 Any prisoners under the age of 21 are kept separate from adults.

3.57 There is a guidance booklet on the duties of VC members. The last recorded visit by the VC was in March 2003.

3.58 Property and cash is removed from prisoners and locked in steel cabinets which are numbered to correspond with the cell the prisoner is being held in. Once a prisoner has been admitted no further cash or property is accepted in the cells area.

3.59 Very good medical support is provided by a group of local GPs on a rotational basis. There is a medical room within the cells area where consultations take place. If prisoners require medication this is administered by the GP.

3.60 Cell call bells were all in working order. Cell indicator lights are located outside each cell door and also relayed to the admission bar and to the front office which is always staffed. Supervision of prisoners is carried out by police officers and custody supervision forms part of their training. A Custody and Care document, outlining the policy for the management of prisoners, is also available.

3.61 An observation cell is covered by CCTV, which is relayed to a screen in the sergeant's office. There is flush toilet in the observation cell and prisoners assessed as being at risk of self-harm or suicide would be located there.

3.62 Family and friends can visit prisoners at the cell door. They conduct a conversation through an open hatch in the door. Legal representatives can see their client in the detention room if a risk assessment permits this. Alternatively the visit will be subject to the same conditions as that applying to family and friends.

3.63 The following areas of concern were raised:

- A current version of the Prison Rules was not available.
- The record keeping is not detailed enough to determine which individuals being held were police custodies and which were prisoners, or if any prisoners had been held overnight.
- There is no record of fire drills being carried out.
- There appears to be a lack of involvement of the Visiting Committee.

Lochmaddy - 18 March 2008

3.64 The Legalised Police Cells at Lochmaddy were last inspected on 23rd July 2004. One matter of concern was raised at that time: the station did not have a copy of the Prison Rules. During this inspection an up-to-date copy of the Prison Rules was available.

3.65 The Inspectorate was accompanied on this inspection by Sergeant Erskine. The cells were unoccupied at the time of inspection. There were no members of the Visiting Committee present.

3.66 Cell occupancy since the last inspection was as follows :

2004	3
2005	6
2006	6
2007	7
2008 (to date)	1

3.67 Of the 23 prisoners held since the last inspection 12 were held overnight. This was due mainly to bad weather and associated transport difficulties. The remaining prisoners were held for a few hours during an appearance at the nearby court. The records provided were not able to distinguish how many, if any, of the prisoners were female.

3.68 There are three legalised cells within the facility. Two cells for male prisoners are separated from the main corridor by a grille gate. One cell for women is separated from the male cells and is also off the main corridor behind a grille gate. The female cell and one of the male cells are covered by CCTV which is relayed to a screen in a nearby muster room/office. There is a shower and wash hand basin within an enclosed area for both the male and female cells.

3.69 All cells were clean and in good decorative order. The cells have flush toilets but no wash hand basin. Prisoners are required to exit the cells to wash their hands following toilet use. The toilets are not enclosed despite prisoners eating in this area. There is no furniture in any of the cells. Prisoners sleep on a mattress on a raised concrete plinth. All cell call bells were in working order and had an indicator light at the cell door. These are relayed to the

muster room/office. The call can only be fully cancelled at the cell door. An enclosed exercise yard is available. The area was clean and all use is supervised.

3.70 There was an adequate supply of clean bedding which is the standard canvas tear proof design used for prisoners at risk of suicide. All prisoners retain their own clothing unless considered to be a suicide risk. After use the bedding is sent to a contract cleaning firm in Benbecula.

3.71 Prisoners are accepted at an admissions desk. There is a range of documentation to be completed. This forms part of a risk assessment for self-harm, cell sharing and diet. An SPS notice providing information about searching is displayed behind the admissions desk. There were no notices in foreign languages displayed and no information about how to contact the Visiting Committee or how to make a complaint. There was an up-to-date copy of the Prison Rules available. A Visiting Committee visit register had recently been started but there were no entries. It was not possible to determine when the last visit by the Visiting Committee had taken place.

3.72 Cash and property removed from prisoners on admission is secured in a lockable steel cabinet behind the admission desk. There is one cabinet for each cell. Staff confirmed that due to the distance between the cells and HMP Inverness they would accept property and cash on behalf of the prison prior to transfer there.

3.73 An SPS notice to visitors is posted on the wall of the cells corridor. In each cell there is also a notice informing prisoners how they can contact a solicitor, their family or a doctor. The notice also outlines the procedure for dining and accessing drinking water.

3.74 Meals are of the pre-packed micro-wave variety and provide for most dietary needs. Disposable cutlery is provided along with a hot or cold drink in a disposable cup.

3.75 There is good medical support provided by a local GP co-operative. Any medication required for a prisoner is administered by the GP. There is no medical room and consultations take place in the cell. Fire evacuation notices are displayed in the prisoner admission area and staff confirmed that fire evacuation drills were carried out, but not when prisoners are present. There is no record of the fire drills being carried out.

3.76 Visits with family members or friends take place through the open hatch in the cell door. Depending on a risk assessment, visits by legal representatives will take place in the cell or through the hatch.

3.77 There were bibles available but no Koran or Prayer Mat.

3.78 The following matters of concern were raised:

- The record keeping is not detailed enough to determine if any prisoners being held were females.
- Prisoners have to leave their cells to wash their hands after using the toilet.
- There were no notices available in foreign languages.
- There was no information available on how to contact the Visiting Committee or how to make a complaint.
- It was not possible to determine when the Visiting Committee had last visited.
- There is no record of fire drills being carried out.
- A copy of the Koran and a Prayer Mat were not available.

Strathclyde Police

Oban - 13 February 2008

3.79 The Legalised Police Cells at Oban were last inspected on the 26th July 2004. On that occasion two recommendations were made. One was regarding the shower curtains for both cubicles, this has now been rectified. The other was that a practice fire evacuation should be carried out at least once a year. Whilst the fire alarm had gone off in the last year this had not been as part of an evacuation exercise and prisoners in the cells were not evacuated. This still requires to be addressed.

3.80 This inspection took place on 13 February 2008. The Inspectorate met with Inspector Wallace and Chief Inspector Hall prior to the inspection. During the inspection the Inspectorate was accompanied by Mrs Soudan, Mr McIntyre and Sergeant Davidson.

3.81 Cell occupancy since the last inspection was as follows:

2004-05	0
2005-06	0
2006-07	0
2007-08	0

3.82 No prisoners have been held overnight since 2004.

3.83 There are eight cells on two levels: seven for men and one for women. The male and female areas are separated by a grille gate. The cells are spacious and were clean when inspected. Each cell has a concrete plinth and mattress and a toilet which is not enclosed. The toilet is flushed outside the cell. There is no provision within cells for prisoners to wash their hands after using the toilet. There is no furniture in the cells. One of the cells showed clear signs of water leakage on the ceiling. There was also evidence that plaster and paintwork is flaking around window areas in some of the cell areas. On the day of the inspection a light was broken in one of the toilet areas.

3.84 Prisoners who are identified as being at risk of harming themselves are located on the ground floor in an observation cell. Observation is through a glass panel into the finger print room. This area is screened when used for finger printing.

3.85 Each floor has a shower area. The downstairs shower room has two wash hand basins. There is also a small storage room which holds linen and toiletries. On the first floor there is one shower and wash hand basin. Both shower areas were clean and shower curtains were in place. Hygiene packs were available for female prisoners. At the end of the cell corridor on the first floor there is also a small area which contains a wash hand basin. This basin was stained with paint and was dirty. This wash hand basin should be kept clean particularly if it is used for drinking water.

3.86 There is no prisoner exercise area.

3.87 The cell alarm system was in working order, with each alarm relayed to a central area.

3.88 Prisoner information notices are attached to each cell door. These are also available in different languages. A translator service is also available. No copy of the Koran is available although there is a prayer mat, compass and basin.

3.89 A copy of the Prison Rules is available, but not displayed. A Health & Safety Policy and Notices for visitors are positioned where prisoners can see them. Some books were available for reading.

3.90 There was no notice displayed which highlights the role of the Visiting Committee and its members. This could prevent prisoners accessing the visiting committee complaints process. This should be addressed.

3.91 A converted cell on the ground floor is now used as a solicitor's cell. It can also be used for visitors. It contains a table and two chairs, all secured to the floor. It is also used for storing mattresses.

3.92 There appear to be no issues in terms of medical cover. If a Doctor is required, a call is made to the local Health Centre (Monday to Friday 9am – 5pm). Outwith these times the

Police will access NHS 24. Medication would only be given if there is a prescription available from the Doctor.

3.93 Food is provided by a local hotel and the meals were reported to be of a high standard.

3.94 The four Visiting Committee Members have met as a group on four occasions in the last year. In 2007 they visited the cells on nine occasions, producing a written report at the end of each visit. No major concerns were raised by the members during this current inspection.

3.95 Oban has not had cause to use the LPC's for some considerable time. Staff spoke of the fact that since the introduction of the Reliance Custodial Services Contract no convicted prisoners have been held in the station. Should this be the case in the future then they would have to refresh their memory regarding the standard of care for sentenced prisoners. The Inspectorate was reassured that adequate information and procedures were in place to allow them to do that.

3.96 The following matters of concern were raised:

- A practice fire evacuation is not carried out at least once a year.
- The wash hand basin on the first floor was not clean.
- A copy of the Koran was not available.
- A notice highlighting the role of the Visiting Committee was not displayed.

Dunoon - 27 July 2007

3.97 The Legalised Police Cells at Dunoon were last inspected on 1st July 2004. On that occasion two formal recommendations were made. One was regarding the position of the cell call alarm indicator screen which is now rectified. The other referred to the lack of a modesty screen in the female shower. A shower curtain is now present.

3.98 The Inspectorate was accompanied by Inspector Baillie and Mrs Soudan and Mr McPherson from the Visiting Committee.

3.99 Cell occupancy since the last inspection was as follows:

2003-04	42
2004-05	13
2005-06	0
2006-07 (to July)	0

3.100 No prisoners were located in the cells overnight.

3.101 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 is used to store firearms and is locked differently from other cells with the key accessible only to senior staff. At the time of the inspection another male cell was being used as a temporary store but could easily have been restored to a habitable state if the numbers dictated the need.

3.102 All cells were inspected and found to be clean. There was some graffiti on the floor in two cells and on the inside of one door. Each cell has a small concrete plinth and a porcelain WC. There is no electric power in cell, hand washing facilities or cell furniture. If drinking water is required this is obtained via a request to staff.

3.103 The cell call alarm system is relayed to a panel in the duty room and on the wall at the opposite end of the cells corridor. There is an audible buzzer and the panel indicates which cell has buzzed. There is no indicator light outside the cell doors and the call is cancelled at one of the small display panels. This means that the call can be cancelled without checking

on the prisoner. An auditable system to ensure that the prisoner is contacted before the cell alarm bell is cancelled should be implemented.

3.104 There is a shower room with a wash hand basin in the male and female sections. The shower room in the female section has a sliding door and the shower has a curtain. In the male section the shower has a curtain but there is no door and this means that a prisoner dressing and undressing in the area is in full view of anyone in the cells area. Steps should be taken to ensure that prisoners dressing and undressing in the shower area are not in full view of others.

3.105 All admissions are supplied with a mattress, clean bedding and a pillow. There is an ample supply of clean bedding which is in good condition. A prayer mat, compass and Bibles are available but no Koran. A copy of the Koran should be obtained. There is also a small selection of books and magazines.

3.106 Helpful notices are posted on the inside of the cell doors providing information about routines etc. Close to the prisoner entry to the cells area there is a range of prisoner specific notices including one which provides information about making a complaint to the Visiting Committee about welfare and medical problems. There was no copy of the Prison Rules available although it was suggested that there was an electronic copy - which it was not possible to access at the time of inspection. A copy of the Prison Rules should be available.

3.107 A Visiting Committee folder held within the area indicates that a member visits on a regular basis to check the facilities. Copies of the check sheets and comments are also in the folder. Complaint interview proformas are available within this folder.

3.108 There is a small but functional exercise area which is accessible from the female section. It appears to be used infrequently.

3.109 At the time of the inspection there was some concern expressed about the availability of medical cover. It was reported that a doctor, if required, had to be called from as far afield as Dumbarton or Greenock. When staff have concerns they sometimes take a prisoner to the Accident and Emergency Department at the local hospital. Sometimes the case does not

constitute an “emergency” and this can cause friction with hospital staff. NHS 24 is also used for advice. Medication is only given following a prescription from a doctor.

3.110 Police officers are responsible for the care of prisoners within the cells area. A number of staff have received training in the care of prisoners, including the identification and care of those who may be suicidal.

3.111 Prisoners who are identified as being at risk of suicide are located in a detention room next to the duty room and charge bar. This room has a large window through which the prisoner can be easily observed. There is no integral sanitation in this cell. Staff unlock the prisoner if he/she needs to use the toilet. This means that if staff are busy a prisoner may have to wait a significant time to be unlocked to use the toilet. Contingencies for such situations should be developed. Canvas clothing is available if considered appropriate but there is no canvas bedding.

3.112 Hot food is provided by a local hotel. At meal times prisoners are provided with a plastic plate and/or plastic bowl, plastic cutlery and plastic cup. The dishes are returned after each meal and washed by a member of staff. Cutlery and dishes were all clean.

3.113 Family visits can be arranged if necessary, and take place either in the cell or in the interview room depending on the outcome of a risk assessment.

3.114 Dunoon has not had any prisoners in the LPCs for some considerable time but procedures are in place to ensure that prisoners would be cared for safely and with dignity.

3.115 The following matters of concern were raised:

- An auditable system to ensure that the prisoner is contacted before the cell alarm bell is cancelled was not in place.
- Prisoners dressing and undressing in the shower area should not be in full view of others.
- A copy of the Koran was not available.

- A copy of the Prison Rules was not available.
- Prisoners are not able to access the toilet within a reasonable period of time, particularly when staff are busy.

Campbeltown - 9 July 2007

3.116 The Legalised Police Cells at Campbeltown were last inspected on 27 July 2004. Two issues were raised then: about the fitting of a curtain or modesty screen for undressing in the shower area, and about an annual practice fire evacuation when prisoners were present. There is no curtain, but regular fire drills have been introduced.

3.117 The Inspectorate was accompanied on this inspection by Inspector Lavery. Mr Milligan, Mrs Gardiner and Mrs Soudan (Secretary) from the Visiting Committee were present throughout.

3.118 Cell occupancy since the last inspection was as follows:

	Male	Female	Total
2004-05	39	5	44
2005-06	26	2	28
2006-07	13	0	13

3.119 The reduction from 44 to 13 in two years is considerable. Even more significant are the numbers held overnight:

	Male	Female	Total
2004-05	24	4	28
2005-06	10	1	11
2006-07	0	0	0

3.120 In 2006 the escorting of prisoners became the responsibility of Reliance Custodial Services (RCS). Since that date no prisoner has been held overnight in the LPCs in Campbeltown. The reason for this change is to be found in the interpretation of the contract between the Scottish Prison Service and RCS, a contract to which the Police are not a party. As a result prisoners can spend four or five hours in a van at the beginning of a day in court and four or five hours in a van at the end of a day in court, with the prospect of the same pattern the next day, and the next (See HMIP Report: "The Conditions and Treatment of Prisoners Under Escort", 2007).

3.121 Under these circumstances the LPCs at Campbeltown no longer function in the way they were intended to in the “Prisons (Scotland) Act 1989”; and no longer meet the needs of prisoners and the courts in the way they were intended to.

3.122 None of the 13 prisoners held in 2006-07 was held for more than a few hours.

3.123 The lack of use of the Campbeltown LPCs, and the long hours of travel in a van to and from court each day for prisoners from prisons in other parts of Scotland, indicate that a review of the purpose and function of these Legalised Police Cells is due.

3.124 The conditions in the cells are exactly as they were at the time of the last inspection. The cells are bleak and unfurnished, but clean. No new concerns were raised during the inspection.

3.125 The Visiting Committee meets four times per year. They recorded their appreciation of the cooperation they received from the police. They expressed some frustration as they recognise that the change of use of Legalised Police Cells in the last two years makes it difficult for them to fulfil a useful role. They never meet a prisoner.

3.126 The following matter of concern was raised:

- There is no modesty screen for undressing in the shower area.

Lothian and Borders Police

Hawick - 23 July 2007

3.127 The Legalised Police Cells at Hawick were last inspected on 2nd July 2004. At that time no recommendations were made and the report noted that the cells were very well managed.

3.128 The Inspectorate was accompanied on this inspection by Sergeant Cunningham and Mr Turnbull from the Visiting Committee. Discussions were also held with Chief Superintendent Common.

3.129 There have been no prisoners held within the legalised cells since the escorting of prisoners was contracted out in 2006. The records held within the station were not detailed enough to ascertain how many prisoners had been held there since the last inspection. The cells area is also used to hold custodies who have been arrested and are awaiting a court appearance. There were three such individuals in the cells on the day of inspection.

3.130 There are five cells located in a corridor. All the cells are clean, well maintained and smell fresh. All cells have a concrete plinth on which the mattress is placed. They also have a stainless steel WC. There is no hand washing facility in the cells despite meals being eaten there. Fresh drinking water is not available in the cells but prisoners have access to drinking water through a request to staff. No cell furniture is available. None of the toilets are screened off from the rest of the cell.

3.131 There is no electric power in the cells.

3.132 All cells have information about community addiction services attached to the inside of the door. There are no prisoner specific notices available on how to access a copy of the Prison Rules and the Visiting Committee. There is no information available about how to make a complaint.

3.133 The cell call alarm system is in good order. There is an audible buzzer and a light indicator at each door. The call system is relayed to a panel located in the office in the cells area and also to a panel on the Custody Sergeant's desk. CCTV covers the corridor in the cells area.

3.134 There are two shower rooms, one in each section. The rooms are identical with a large shower area and a wash hand basin. Both areas have a full length door and are clean. There is no shower curtain in either of the shower areas. Shower curtains should be installed.

3.135 A development since the last inspection is that the cells in the area previously set aside for females have been designated as observation cells, and have had CCTV installed. This gives a view of the entire cell including the toilet which, as indicated above, is not screened. A monitor is located in the cells office and at the custody sergeant's desk.

3.136 An exercise area is located at the end of the custody corridor. The yard is clean, of adequate size and is secure.

3.137 There are dedicated Prisoner Custody Assistants who have received training in food handling, IT, officer security and first aid. The Custody Sergeant is responsible for the day-to-day management of the cells.

3.138 Within the area there is a functional medical interview room. Medical support is provided via a telephone link with nurses at St. Leonards or via the force GP contract. In extreme emergencies individuals will be transferred to a hospital in Melrose 25 miles away. Only medication prescribed by the doctor is given to prisoners and then only when it is packed in single doses. If methadone requires to be administered this is done by the GP.

3.139 All staff on duty were knowledgeable about the assessment and management of individuals at risk of self-harm or suicide. Canvas clothing and bedding is available if necessary.

3.140 There is no prisoner access to telephones but contact with relatives or legal representatives can be made on a prisoner's behalf by a member of staff. There is a visits

room within the area. This is only available on a closed visit basis, i.e. with a glass screen between the prisoner and visitor.

3.141 In a well stocked store room within the area there is an adequate supply of clean bedding, clothes, books and magazines. A prayer mat, Koran and Bible are also available.

3.142 Catering arrangements remain the same as at the last inspection with an extensive selection of microwave meals. All cultural and religious needs are catered for. No fresh fruit is available. The food preparation area is very clean and spacious.

3.143 Some prisoner specific notices are on display but no Visiting Committee book is available. A copy of the Prison Rules is available - but is not the most recent version. An updated version was provided by the Inspectorate. For those prisoners who do not speak English as their first language there is a language identification notice and access to "Language Line" for immediate interpretation needs. There is also a list of interpreters available to the force if required.

3.144 Prisoners' property and cash is held in a cupboard within a secure room. There is a compartment for each cell and all cash and property is listed and kept in a transparent sealed package in the cabinet.

3.145 Hawick has not had any prisoners in the LPCs for some significant time and this may be a reason why the documentation is not as up-to-date as was reported in the last inspection. The cells area was however clean and well maintained and procedures were in place to ensure that any prisoner who is admitted will be safe and treated with dignity.

3.146 The following matters of concern were raised:

- Toilets in cells were not screened.
- Notices detailing how to access a copy of the Prison Rules and the Visiting Committee were not available.
- Information on how to make a complaint was not available.

- Showers did not have curtains.
- A Visiting Committee Book was not available.
- An up-to-date version of the Prison Rules was not available.

4. INSPECTION TEAM

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