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## Via Email

Eric McQueen, Chief Executive,  
Scottish Courts and Tribunals Service (SCTS)

Jim Munro, GEOAmey

10 June 2021

Dear Colleague,

### **Edinburgh Court Custody Unit (CCU) Unannounced Visit by HMIPS – Wednesday, 28 April 2021**

In these challenging times, as HM Chief Inspector of Prisons for Scotland (HMIPS), I acknowledge that there will be a need for amendments to the daily routines and regimes in Scotland's CCUs in order to keep people safe. I have made it clear, however, that "protective measures must never result in inhuman or degrading treatment of persons deprived of their liberty", and I will continue to report to the Cabinet Secretary for Justice on the treatment and conditions in which custodies are held.

During the completion of COVID-19 Pandemic Emergency CCU Liaison Visits (May-October 2020), contact was maintained with the GEOAmey Team Managers at every CCU on a weekly basis. This confirmed numbers attending, with a focus on understanding the CCU response to COVID-19. A log of these calls was maintained and where the combined intelligence suggested it, HMIPS conducted a one-day Liaison Visit, announced or unannounced, to any of the operating CCUs. The first round of 17 Liaison Visits is now complete but we continue to gather intelligence on the number of custodies arriving at CCUs each day and undertake a reduced number of visits.

On 28 April 2021, HMIPS Inspectors carried out an unannounced visit to Edinburgh CCU in response to the steadily increasing high numbers of custodies, and to ensure COVID-19 safety rules were still being adhered to, the treatment and conditions that custodies were held in were in accordance with human rights.

Edinburgh CCU had 32 cells in operation and all were single occupancy. The Scottish Prison Service (SPS) acknowledge 32 cells in their daily court moves document.

On arrival at the CCU, Inspectors found that there were 29 custodies present with one more retained by Police Scotland. Of the 30 custodies due into the CCU that day, 12 were from prisons and 18 were from police custody.

It was disappointing to learn that only one custody was appearing virtually from St Leonards Police Station. No custodies were appearing virtually from a prison, despite six of them attending court for the short process of having their sentence deferred.

During the [COVID-19 Liaison Visit](#) to Edinburgh CCU by Inspectors in June 2020, recommendations were made in respect of staff wearing full Personal Protective Equipment (PPE) to protect themselves and custodies during searches. Staff should be wearing a minimum of gloves and a mask when handcuffed to custodies and interview rooms should be wiped down between use. It was noted that all of these recommendations had now been addressed.

It was good to see that cells continued to be cleaned by a dedicated SCTS cleaner between occupants and they remained part of an additional daily CCU cleaning rota.

Physical distancing markings were also seen to be clearly displayed on the floor of the CCU, and staff were working hard to maintain a safe distance from each other whilst carrying out their duties.

Inspectors noted that the urinals located in each of the cells were still present and periodically used by custodies, despite recommendations in the [last inspection reports](#) for them to be removed. HMIPS still maintain that they should be removed from all cells.

Inspectors were informed that a recommendation made in previous inspection reports for consideration in providing a medical room that is fit-for-purpose, had not been addressed. It appears that a custody is currently either seen by medical staff in their cell or taken to a solicitor's interview room. Neither of those options are suitable for privacy nor infection control cleanliness, should treatment be required. The original medical room that was converted to a toilet is rarely used by staff or custodies and should be considered for reinstatement.

In summary, Inspectors found that Edinburgh CCU was very well managed with a good motivated team. The [COVID-19 Liaison Visit](#) to Edinburgh in June 2020 was one of the first carried out by HMIPS during the early stages of the COVID-19 restrictions, and understandably GEOAmev were still finding their feet in respect of implementing a process to make the CCU "COVID safe". Many of the recommendations made at that time have not only been addressed in Edinburgh CCU but in most other CCUs, now forming standard practice throughout the country.



There were many examples of good practice found during previous visits and HMIPS are happy to report that this was still the case. We would like to encourage greater use of virtual court appearances to reduce the volume of custodies moving through Edinburgh CCU, and for the urinals in the cells and the provision of a suitable medical room to be addressed.

Yours sincerely,

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