



HMIPS

**HM Inspectorate of Prisons for Scotland
INSPECTING AND MONITORING**



**Unannounced Inspection of the
Court Custody Provision,
Dumfries Sheriff Court**

23 January 2020

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Introduction and Background

In accordance with section 7 of the Prisons (Scotland) Act 1989 and the subsequent Public Services Reform (inspection and Monitoring of Prisons) (Scotland) Order 2015, HM Inspectorate of Prisons for Scotland (HMIPS) undertakes a programme of inspections of prisons and Court Custody Units (CCUs) across Scotland. These inspections contribute to the UK's response to its international obligations under the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). OPCAT requires that all places of detention are visited regularly by independent bodies – known as the National Preventive Mechanism (NPM) – which monitor the treatment of and conditions for detention. HMIPS is one of several bodies making up the NPM in the UK.

The inspections of CCUs are informed by a set of Standards as set out in our document 'Standards for Inspecting Court Custody Provision in Scotland', published March 2017 which can be found at

<https://www.prisonsspectoratescotland.gov.uk/news/standards-inspecting-court-custody-provision-scotland>

The Standards contribute positively to the effective scrutiny of court custody provision in Scotland, and encourage continuous improvement in the quality of care and custody of people held in court cells.

The Standards grounded in human rights principles, provide assurance to Ministers and the public that inspections are conducted in line with a framework that is consistent, appropriate and that assessments are made against agreed criteria. This report is set out to reflect the performance of the individual CCU against these Standards.

HMIPS assimilates information resulting in evidence-based findings utilising a number of different techniques. These include:

- obtaining information and documents from the Scottish Courts and Tribunals Service and the CCU inspected;
- shadowing and observing staff as they perform their duties within the CCU;
- interviewing prisoners and staff on a one-to-one basis;
- inspecting a wide range of facilities impacting on both prisoners and staff; and
- reviewing policies, procedures and performance reports

The information gathered facilitates the compilation of a complete analysis of the CCU against the Standards used. A written record of the evidence gathered is produced by those undertaking the inspection. This consists of a detailed narrative against each of the Standards inspected.

The COVID-19 Pandemic

The findings and recommendations contained in this report relate to the circumstances HMIPS observed and encountered at the time of the inspection. We are acutely aware, however, that the organisations involved in the running of CCUs have been forced to adjust how they operate in response to the unprecedented challenges posed by COVID-19.

HMIPS fully recognises that some of the issues identified in this report have therefore been overtaken, or in some cases exacerbated, by the actions that have been taken in response to the COVID-19 crisis and that, as a result, the organisations involved will not be in a position to respond immediately to every recommendation we make. HMIPS nevertheless hope that relevant organisations will reflect on where action might be possible now in response to our recommendations and that, in the fullness of time, when the court system is able to return to a more normal operating regime, all recommendations can be fully considered and addressed.

HMIPS recognise and commend the staff at every level for their commitment and professionalism in keeping our courts running in these most challenging of times.

Due to COVID-19, HMIPS has had to temporarily suspend its programme of full inspections of Court Custody Units. HMIPS has therefore introduced a system of half day inspection liaison visits to provide assurance on the conditions and treatment of prisoners. Reports of our liaison visits will be published on our website.



www.nhsinform.scot/coronavirus

Overview by HM Chief Inspector of Prisons for Scotland

Dumfries Sheriff Court is situated in the town centre of the market town of Dumfries, within the Dumfries and Galloway council area.

The Sheriff and Justice of the Peace Court is an imposing building, constructed in Scottish Baronial Style. Originally on the site of a town hall, it was built as an independent place of worship and sold on to the county authorities. The building was enlarged, adapted and opened as a Court House in April 1866.

The inspection took place on a Thursday and there were three males in custody. One had come from nearby HMP Dumfries and two from Police Scotland's Dumfries Police Station.

Dumfries CCU had five cells in total, including one classified as an observation cell.

The GEOAme staff on duty at the time of the inspection consisted of one supervisor and three male staff members. There were no female staff members present and none permanently stationed at Dumfries Sheriff Court. However, it is understood that female staff could be provided at very short notice by redeployments from other areas.

Staff were found to be professional and friendly, and sought to develop good relationships with those brought into their custody. This created a good atmosphere that undoubtedly contributed to the safety within the Unit and was considered by the Inspectorate as a strength.

There appeared to be a good working relationship between the CCU staff and Police Scotland. HMIPS would like to see further training for GEOAme staff on the SPS Talk to Me Strategy and food hygiene.

In common with many other CCUs, the facility suffered from the intense need for refurbishment, from graffiti to essential repairs. The poor maintenance inhibited good practice and compromised security, safety and decency. The repairs should be addressed with some urgency.

In addition, HMIPS was concerned at the lack of physical security for both access and egress to the CCU. This should be addressed.

Wendy Sinclair-Gieben
HM Chief Inspector of prisons for Scotland

Standard 1: Lawful and transparent use of custody

The custody service provider (“the provider”) complies with administrative and procedural requirements of the law and takes appropriate action in response to the findings and recommendations of official bodies that exercise supervisory jurisdiction over it.

Commentary

The provider ensures that all prisoners are lawfully detained. Each prisoner’s time in custody is accurately calculated; they are properly classified and allocated to cells appropriately. The provider cooperates fully with agencies which have powers to investigate matters in the custody areas.

Quality indicators

1.1 Procedures for identifying those in custody are fully complied with, and staff are proactive in assessing their understanding, needs and whether they require further support in order to understand basic information.

Inspectors observed that custodies were first formally identified in the CCU reception by the CCU supervisor, who was carrying out the role of the desk officer.

The supervisor asked the custodies to confirm their name and date of birth for comparison against their Personal Escort Record (PER) and computer record. Also if they had or wished for a solicitor to be informed of their attendance.

When identification had been confirmed, a photograph was taken of the custody and added to the computer system before they were placed in a cell.

One custody that arrived from Police Scotland had not been to a CCU before, and was not initially heard to be given advice or information on what to expect. However, inspectors observed a member of staff maintaining good dialogue with them during the morning, providing reassurance and necessary information.

1.2 Personal Escort Record (PER) forms are accurately populated and all relevant sections are completed.

The PER forms belonging to the three custodies were examined by Inspectors. All were found to have been completed correctly and accurately documenting the custodies classification, vulnerabilities, medical issues, dependencies and the cell sharing risk assessment (CSRA).

Handcuff risk assessments (HRA) were also recorded on the PER form and the time of arrival at the CCU.

All further information pertaining to the custody, generated whilst within the CCU, was recorded electronically on the GEOAme IT system rather than the PER. Inspectors examined this system and found it to be very comprehensive and accurately documenting the required information.

Inspectors were informed that the information held on this system was subsequently printed off and attached to the PER document for forward transmission to prisons.

1.3 A CSRA is carried out on arrival, taking account of individual characteristic (including gender, vulnerability, security risk, state of mental health or personal medical condition) and individuals are then allocated to an appropriate cell.

On arrival at the CCU, inspectors followed the custodies and staff on their short journey from the Court Custody Vehicle (CCV) to the CCU reception desk.

Staff were observed to be friendly and encouraged dialogue with the custodies by asking them questions to assess their welfare and about how they were feeling generally. This was carried out in a relaxed, calm and controlled manner, allowing the Prisoner Custody Officer to update the desk officer of any potential issues.

It was observed by Inspectors that on arrival at the CCU no custodies were asked the series of set questions to determine any medical, mental health issues, dependencies or their diversity and equality views. This should be clarified together with intelligence on index offences, risk, known enemies, gender, age and PER markers. When challenged, the supervisor reported that it was not deemed necessary as each custody was being allocated a cell of their own therefore any such risk was mitigated. It was established that the cell allocations had already been identified prior to arrival, based on the information they held from the GEOAmeY IT system and information received from both Police Scotland and the Scottish Prison Service (SPS). (See 3.4 below)

All CSRAs were seen to be completed using information obtained prior to placing a prisoner in a cell. Information to determine a CSRA within the CCU was held on the PER completed by the relevant prison or Police Station, and any changes to this whilst the prisoner was held in the CCU was added to the GEOAmeY computer system for the information of the receiving prison.

CCU staff informed inspectors that they phone the prison before the prisoner departs if there are serious issues i.e. threat to life, self-harm or possible suicide; however, this could not be verified by inspectors as it was not observed in practice.

Recommendation: Custodies arriving at the CCU should be asked the usual set of questions that determine any medical or mental health issues, dependencies or diversity and equality views on every occasion.

Standard 2: Decency, Dignity, Respect and Equality

The custody areas should meet the basic requirements of decency and all prisoners within custody areas are treated with dignity and respect, irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

Commentary

All custody areas should be of adequate size for the number of persons they are used to detain, well maintained, clean and hygienic and have adequate lighting. Each prisoner should have access to toilets, be provided with necessary toiletries, and offered a nutritious meal. These needs should be met in ways that promote each prisoner's sense of personal and cultural identity and self-respect.

Quality indicators

2.1 The custody areas should be appropriately equipped and constructed for their intended use and be maintained to an appropriate standard.

The CCU forms part of the Court House opened in April 1866 and as such, its location and facilities were not in line with current building requirements, and this was reflected in the general construction of the cell area. Whilst there was no natural light within the facility, the cells were well lit by artificial lighting and maintained in good working order.

There was also good access to the courtrooms using stairs and a lift was available if required. The corridors were wide enough to facilitate wheel chairs and were free from obstruction.

All cell doors operated adequately and all locks and viewing hatches were found to be in good working order. All cells, with the exception of cell number one, were fitted with emergency call buttons that operated effectively. However, all cell doors were seen to be badly vandalised with graffiti, some of which was offensive.

The walls in all of the cells were badly vandalised and the paint was stained and peeling off in places. Cell three was particularly bad in one corner, where it appeared that coffee or tea had been repeatedly spilled on the walls and not cleaned off.

All cells were fitted with light fittings that were not recessed and could be removed or damaged by custodies.

Cell one was found to have a blocked air vent preventing the movement of fresh air and this was also found in other cells. Inspectors were informed that a request had been made to SCTS for repairs to be carried out.

Cell five was the observation cell as it had a viewing window from the staff area. This cell was found by Inspectors to have had a repair made recently to the emergency call button that required re-plastering around the area and a replacement of the call button itself. The opinion of Inspectors is that the current state of the call button would allow a custody to pull it from the wall relatively easily, exposing electrical

wiring and providing a metal edge for use as a weapon or for self-harming. In addition, a large area of the plasterwork in this cell has been removed and required repair. Graffiti and stained paintwork was found to be present on the walls and door.

Within the CCU, there was CCTV coverage that recorded onto a hard drive held by The Scottish Courts and Tribunal Service (SCTS). There were no CCTV cameras found in any of the cells, but there was good coverage in the cell passage area and the corridors leading to the CCU and to the courtrooms. The CCTV was found to be subjected to daily checks and was in good working order.

Recommendation: The walls and doors of all the cells are in poor condition due to graffiti, general staining and peeling paint, and as such requires painting and plaster repairs in places.

Recommendation: Air vents were blocked in some cells due to paint and dust, which prevented fresh air from entering the cells. All air vents should be repaired as a matter of priority.

Recommendation: Light fittings in the cells were not recessed or designed to be tamper proof and could therefore be easily damaged or removed. All light fittings should be tamper proof.

Recommendation: Cell five requires immediate attention to repair the plasterwork and the emergency switch to remove the risk of further damage or harm to the user or staff member.

2.2 Good levels of cleanliness and hygiene are observed throughout the custody areas ensuring procedures for the prevention and control of infection are followed.

Cleanliness in all areas within the CCU was observed to be adequate and inspectors were informed that an SCTS cleaner attended the CCU every evening. However, there was no record of cleaning or maintenance kept and held within the CCU.

There was evidence of good processes in place to deal with body fluid spillages and other biohazard incidents. In the event of such incidents, CCU staff were aware that in the first instance the cleaning team from SCTS would be contacted to deal with them. A contract was in place if there was a requirement to deploy specialist cleaning, where e.g. a dirty campaign had taken place. There were clear instructions for staff on how to isolate the area and who to contact for assistance.

For general additional cleaning duties, CCU staff had access to the SCTS cleaning staff's cupboard to utilise their equipment.

Cells were checked on a daily basis and conditions recorded. Custodies were made aware of the required standard to be met in each cell, and where damage or graffiti was caused during the custody's stay, the police were contacted. The CCU manager would offer the custody a choice of cleaning the graffiti or involving the police. If any damage is caused by a custody from a prison, a report is prepared by the CCU manager to accompany that custody back to prison for consideration of a disciplinary report.

When asked about handling food and refreshments, inspectors were informed that CCU staff adhered to good hygiene standards and wore protective gloves when required. Staff confirmed that they were not trained in food hygiene.

Good practice: All cells are checked for damage and graffiti on a daily basis. If damage or graffiti occurs, the perpetrator will be offered a chance to rectify before being reported to Police Scotland.

2.3 All custodies have access to suitable toileting facilities on request.

There was access to toileting facilities for custodies. The CCU had one unisex toilet that was also utilised as a disabled toilet. The door opened outwards and was wide enough to accommodate wheelchair access, but it was noted that there were no handrails or other aids fitted. A public disabled toilet situated near the main entrance could be used if required.

The toilet rolls, sink, soap dispenser and paper hand towels were situated within the toilet and were readily available. All facilities were of a good standard and clearly cleaned on a daily basis.

Inspectors enquired as to the process for female custodies requesting sanitary products and were advised that they are provided on request, without delay. In addition, there was a poster on the wall of the toilet informing that sanitary products were available. A sanitary bin was located within the toilet.

2.4 All meals provided to custodies are well presented, nutritious, varied, conform to dietary, religious, cultural or medical requirements and are served at the appropriate temperature.

Lunches were not served on the day of the inspection as the custodies were released before mealtime. Staff informed inspectors that lunch consisted of a suitable choice of fresh sandwiches, crisps and a cold drink. Coffee and tea were seen to be offered to prisoners throughout the day.

Hot food is made available for custodies who are likely to be in transit during the afternoon and are considered likely to return to prison after 1700hrs. Inspectors observed varied types of microwave meals and dry noodles stored within the Unit.

Dietary and medical requirements are catered for on request and water was seen to be provided to custodies during the inspection.

When questioned, staff responsible for handling food informed inspectors that they had not received any training or awareness on current environmental health legislation and associated food preparation, handling and hygiene regulations.

Recommendation: Staff should be able to evidence that they are competent in food handling skills, in accordance with current Environmental Health Legislation

Standard 3: Personal safety

All reasonable steps are taken to ensure the safety of custodies while in the custody areas.

Commentary

All appropriate steps are taken to minimise the levels of harm to which custodies are exposed. Appropriate steps are taken to protect custodies from harm from others or themselves. Where violence or accidents do occur, the circumstances are thoroughly investigated and appropriate management action taken.

Quality indicators

3.1 The provider has in place thorough and compassionate practices to identify and care for those at risk of suicide or self-harm.

When interviewed by inspectors, the CCU supervisor was not aware of the SPS Talk to Me Strategy but was clear that he understood what was required of staff in respect of custodies identified as being at risk of self-harm.

During the inspection, CCU staff were observed enquiring as to custodies wellbeing periodically throughout their stay, ensuring a continual awareness of risk and any changes required to levels of care and welfare.

As with previous inspections, inspectors discovered that if staff in the CCU identified a risk or concern regarding the welfare of a custody in their care who was not returning to SPS or Police Scotland, they had no clear process for which agency they should share these concerns with before the custody is released.

Recommendation: The CCU supervisor was not aware of the SPS Talk to Me Strategy. Consideration should be given to developing the knowledge of staff within the CCU of this important process and how it links in with the CCU process and procedures.

Recommendation: Where GEOAmey identify a concern for a prisoner who is about to be released from their care, there needs to be a clear process in place for staff to share their concerns with the appropriate agency prior to release.

3.2 The requirements of Health and Safety legislation are observed throughout the custody areas.

A full check of all aspects of health and safety and cleanliness was carried out prior to custodies arriving and were repeated again after the last custody left the CCU. They were known as “Alpha” checks. Any issues that required repair or attention were reported to SCTS for action.

3.3 All activities take place according to recorded safe systems of work which are based on appropriately completed risk assessments.

The CCU staff had a comprehensive online list of operating instructions and appropriate safe systems of work. Staff had access to a range of contingency plans

and informed inspectors that they worked closely with SCTS to develop and maintain them.

Inspectors observed that the escorting of custodies to the toilet area and to the court rooms was carried out using the appropriate number of staff required, based on risk.

3.4 The attitude, behaviour and approach of staff contributes to the lowering of risk of aggression and violence, and reasonable steps are taken to minimise situations that are known to increase such behaviour. Where such situations are unavoidable, appropriate levels of supervision are maintained.

Staff were found to be professional and friendly, and looked to develop good relationships with those brought into their custody. This created a good atmosphere that undoubtedly contributed to the safety of all within the Unit. Inspectors did not observe any aggressive or violent incidents during the inspection.

3.5 Particular care is taken of any custody whose appearance, behaviour, background or circumstances leave them at heightened risk of harm or abuse from others.

Cell two was found to be adequate for use as the “safer cell”, as it was located nearest to and in view of the staff area. It had a solid door and the hatch remained open to allow staff to safely monitor a custody. When not utilised as a safer cell, it is used as the female holding cell when required. This was found to be an appropriate holding area for those at heightened risk of harm or abuse from others.

Linked to QI 1.3, custodies were found not to have been asked the series of set questions to determine any medical, mental health issues, dependencies, diversity and equality views, risk or known enemies. Not gathering this information could increase the risk to staff, as they are not then fully aware of any risk associated with the custody in their care. This could have consequences when exposing custodies to each other when moving them to and from court, or result in prejudice towards staff depending on their gender identities, race or religion.

A custody from HMP Dumfries was observed attending the CCU for his court appearance wearing an HMP Dumfries t-shirt and fleece that clearly identifying him as a serving prisoner. Inspectors found this to be inappropriate as people should not be identified either when attending court or in public view as a prisoner. Inspectors asked the custody why he was in prison attire and explained why he should be in civilian clothing; to protect him from prejudice if identified as a serving prisoner. He informed inspectors that he had been offered alternative clothing at the prison reception as his clothing was at the prison laundry because he was due to be released from custody the following day, and he did not wish to wear the clothing he was offered. This was confirmed by HMP Dumfries management and inspectors were advised that this situation was unusual. Inspectors were informed that in most cases the prisoner would accept alternative, appropriate clothing offered by the prison.

3.6 All allegations or incidents of mistreatment, intimidation, hate, bullying, harassment or violence must be recorded and investigated by a person of sufficient independence with any findings being acted upon by management.

Inspectors did not observe any aggressive or violent incidents during the inspection.

When interviewed CCU staff were able to describe a clear process for dealing with any complaints or allegations made by those held in custody. These complaints are reviewed regularly by the SPS contracts team to ensure that the process has been followed correctly, and where actions are identified, they are implemented. The CCU supervisor informed inspectors that when an allegation relating to a potential crime is made it is referred immediately to Police Scotland.

There appeared to be a good working relationship between the CCU staff and Police Scotland, which was enhanced by both being located in the same building. Police Scotland staff were interviewed by inspectors who confirmed this relationship.

Inspectors viewed a GEOAmev document headed "A day in the life". It was dated 09.10.19 and documented an incident involving a female custody who attempted suicide. It was found to have been completed fully, with adequate levels of detail in the pro-forma sections, accompanied by good quality written statements from the staff involved.

3.7 There is an appropriate set of readily available contingency plans for managing emergencies and unpredictable events and staff are adequately trained in the roles they adopt in implementing the plans.

Personal Emergency Evacuation Plans showed that the main exit from the CCU during an emergency was via the entrance to the CCU into the holding area for the Court Custody Vehicles. This exit route was deemed appropriate by inspectors. A Court Custody Vehicle remained outside the CCU during operating times and this would be utilised to hold prisoners during an incident. An additional exit was available via the front entrance to the court.

Fire drills were the responsibility of SCTS and a full evacuation test is carried out annually. Evacuation chairs were seen to be present on stairwells.

All staff were fully trained on the evacuation process and all were fully qualified Fire Wardens. The evacuation routes were clearly displayed on the walls of the CCU.

The Fire Evacuation Plan was viewed and found to be in order.

Standard 4: Effective, courteous and humane exercise of authority

The implementation of security and supervisory duties is balanced by courteous and humane treatment of custodies in the CCU.

Commentary

Procedures relating to perimeter, entry and exit security, and the personal safety, searching, supervision and escorting of custodies are implemented effectively. The level of security and supervision is proportionate to the risks presented at any given time.

Quality indicators

4.1 Court custody staff discharge supervisory and security duties courteously and in doing so respect the individuals given circumstances.

Inspectors observed the CCU staff to carry out their duties courteously and in a respectful manner, whilst maintaining an acceptable level of authority. Staff were seen to work well as a team and individually were clear on how to carry out their given roles and responsibilities.

4.2 The systems and procedures for the movement, transfer and release of custodies are implemented effectively and courteously.

When custodies are required to attend court, attend interviews with their legal representatives or to go to the toilet, this was done in a controlled fashion, with only one custody being allowed out at any one time.

Inspectors witnessed the release of a custody from the CCU. The custody was released within one hour of receiving their paperwork and the court decision was recorded on the PER and GEOAme computer system. The release conditions were confirmed before the custody was released. The custody was released adequately clothed and fit to travel, and they were in possession of their property and sufficient funds to travel if required.

All legal paperwork including PERs and warrants were seen to be checked, and staff informed inspectors that contact was always made with the originating prison to confirm there are no outstanding warrants on the system prior to release.

Custodies were seen by inspectors to be checked against the court list, PER form and photograph before confirming property, which was signed for by the prisoner acknowledging receipt.

4.3 The systems and procedures for access and egress of visitors to the CCU are implemented effectively and courteously. There is adequate accommodation to facilitate such visitors.

There were two agency interview rooms in the CCU and both were deemed inadequate. They were situated behind a locked grille gate beside the cells. The seating plan in the first room was not conducive to safe working with the table fixed to the floor against the wall and both seats fixed side by side facing the table. The room

was very small with little room for manoeuvre, there was a solid door that failed to provide privacy for a closed visit option and as such places the agency visitor at risk. The second room had a standard set up with fixed chairs facing each other over a fixed table, but was still inadequate due to its size and having a solid door.

Inspectors interviewed a solicitor operating within the court who confirmed that the rooms were not appropriate for use, and further commented that they felt it was dangerous when speaking to a custody alone within the rooms.

4.4 Systems and procedures for monitoring the movement and activities of individuals inside the CCU are implemented effectively, and accurately recorded on the appropriate system.

Inspectors were able to walk uninterrupted directly from the front public door to the supervisor's desk in the CCU. This desk was situated right next to the lockable grille gate leading directly into the cells. There were no entry systems or locked doors to pass through before reaching the CCU staff and the cell area. This vulnerability exposes staff to unnecessary risk and the general security of the CCU.

The area to the rear of the CCU that the Court Custody Vehicles used to drop off and pick up custodies was not secure. Access could be gained by the public to the vehicle itself and the rear door leading into the CCU. Again, this was a vulnerability and exposed staff to unnecessary risk and the general security of the CCU.

Recommendation: There were no entry systems or other locked doors to pass through before reaching the CCU staff and the immediate cell area.

This is a vulnerability and exposes staff to unnecessary risk and the general security of the CCU and should be addressed.

Recommendation: The area to the rear of the CCU that the Court Custody Vehicles used to drop off and pick up custodies was not secure. Access could be gained by the public to the vehicle itself and the rear door leading in to the CCU. This is a vulnerability and exposes staff to unnecessary risk and the general security of the CCU and as such should be addressed.

4.5 The law concerning the searching of a custody and their property in the custody areas is implemented thoroughly.

As with all other inspections, custodies property was received at the CCU in sealed bags with a corresponding numbered tag. As per process, the number was checked against the PER document and stored.

Inspectors observed custodies arriving at the CCU being searched by CCU staff. The rub down searches were carried out adequately by staff of the same gender, with due regard to the individuals privacy and dignity and. It was noted however, that the hand held metal detector was not used on any of the custodies arriving in the CCU.

4.6 Physical force and restraints are only used when necessary, and strictly in accordance with the law and the service provider's' control and restraint guidance.

Inspectors did not observe the use of physical force or restraint by staff during the inspection.

Handcuff risk assessments were documented appropriately on the PERs. Custodies were seen only to be handcuffed when they left the CCU to go to court or to and from transport vehicles.

Inspectors discussed with staff the process to follow when carrying out the planned removal of a custody. Inspectors were informed that the camera and Personal Protection Equipment required to carry out this task were stored at the GEOAmev area office in Dumfries, and would be requested to be delivered when required. In addition, it was found that the camera and equipment was shared with Stranraer CCU. If it was in use at Stranraer it cannot be used in Dumfries, it is a one-hour and forty minute drive between these locations. This is not deemed appropriate should there be an urgent need for a planned removal of a custody at either location.

Recommendation: There was only one set of equipment to allow a planned removal, which was shared between Dumfries and Stranraer CCUs and was stored at the local GEOAmev office in Dumfries. The distance between these locations is too great should the equipment be required at both court locations. Two sets of PPE should be held at both Dumfries and Stranraer CCUs.

4.7 Any custody's personal property, valuables and cash are recorded, stored and released appropriately.

The storage area for custodies property was a recess located in the corridor leading from the CCU to the courts and public areas. There were small lockable cabinets for valuable items with the keys being held by the supervisor, but no lockable storage for larger items. Larger items were left lying on the floor underneath the small cabinets. The corridor to the front of the recess was covered by CCTV but there was no direct CCTV coverage of the storage area itself. As mentioned in QI 4.4, the public would have uninterrupted access from the front door to the prisoners property lying unsecured on the ground.

When asked about this, staff informed inspectors that there were always staff positioned in this area of the CCU and any unauthorised access by persons unknown would be addressed. Inspectors noted that this may not always be achievable, as due to staffing levels all four staff could easily be involved in dealing with an emergency or indiscipline.

Although CCTV covered the area, inspectors felt it was a risk that property might go missing and cabinets to store larger items should be installed as soon as possible.

Inspectors observed property being returned to custodies by staff on release. This was done in a methodical way and the property was signed for by the custody. Staff were able to inform inspectors of the process to follow should property be alleged to have gone missing or a complaint was to be made.

Recommendation: All prisoner property and valuables should be held in a lock fast room or lockable cabinet.

Standard 5: Respect, autonomy and protection against mistreatment

Staff treat all custodies respectfully. A custody's right to statutory protections and the complaints processes are also respected.

Commentary

Staff engage with custodies respectfully, positively and constructively. Custodies are kept informed about the progress of their court case and are treated humanely and with understanding.

Quality indicators

5.1 Relationships between staff and custodies are respectful. The use of disrespectful language or behaviour is not tolerated from staff or those in custody.

CCU staff discharged all of their supervisory and security duties courteously and respectfully, and in a professional manner. Inspectors observed the CCU staff engaging with custodies in a supportive manner taking into account individual circumstances. The CCU staff worked well as a team and supported each other when carrying out their duties, and were well aware of what was expected of them as custody officers.

5.2 Staff ensure all custodies rights to confidentiality are in place.

When required to speak to a custody regarding a private matter, CCU staff ensured this was carried out in a confidential manner. Custodies were able to speak to their legal and agency representatives within dedicated rooms, although they were deemed by inspectors not to be appropriate. (See QI 4.3)

There were notices at the admission desk, covering the most common languages spoken by custodies, which explained protected characteristics and the risk of sharing cells. Inspectors enquired as to how CCU staff communicated with custodies who had little or no English, and were informed that GEOAmey had subscribed to a language line that every CCU now had full access to.

5.3 Staff ensure all custodies rights to statutory protection are in place.

Inspectors found no circumstances where statutory protection was required or the need for any of the custodies to be separated in the CCU or during transit.

5.4 Those in custody are kept well informed about the progress of their court case.

Inspectors observed the CCU staff engaging well with custodies in a supportive manner, taking into account the personal circumstances of each of them. The custodies were kept informed by staff of the court process and any questions they had were seen to be answered.

5.5 The complaints processes works well.

Inspectors did not observe the complaints process being used during the inspection. However, they noted posters on the walls throughout the CCU explaining how to complain should a custody wish to do so, and complaint forms were available on request. In addition, staff were able to evidence the knowledge required to handle complaints.

Standard 6: Health, wellbeing and medical treatment

All reasonable steps are taken to ensure the health and wellbeing of custodies while in the CCU, and appropriate and timeous medical treatment is available when required.

Commentary

Where it is necessary to do so, custodies should receive treatment that takes account of all relevant NHS standards, guidelines and evidence-based treatments.

Quality indicators

6.1 Any treatment provided in custody must be undertaken by an appropriately qualified professional and meet accepted standards and timescales.

If any control or restraint procedures are carried out, staff informed inspectors that they would notify Scot Nurse as a matter of course and document it appropriately.

The CCU staff could access medical services through a recognised service provider called Scot Nurse. There was no requirement to use this service whilst inspectors were present, however staff did report that attendance by Scot Nurse was usually well over the agreed one-hour attendance period and rarely under an hour. In view of this, inspectors examined records of incidents requiring Scot Nurse attendance and found the last requirement was on 09.10.19 and it took three hours and ten minutes for them to attend.

Staff do not expect attendance within an hour but are aware that if a significant delay the custody is placed on 15 observations until arrival, if necessary an ambulance should be called or arrangements made to attend Accident and Emergency.

Recommendation: There was no evidence to show that Scot Nurse are able to attend the CCU within the agreed timescale of one hour and staff do not expect it. Consideration should be given to an alternative service if the location of this CCU cannot be serviced adequately by Scot Nurse.

6.2 There should be at least one staff member trained in emergency first aid on duty in the CCU at any given time.

All CCU staff were required to complete a three-day first aid training course. This was managed centrally and if any staff member fell out of competency they were removed from custody facing duties. The CCU manager confirmed to inspectors that all staff on duty were qualified and within their competency dates.

Inspectors were informed that a defibrillator had been placed in the public area of the Sheriff Court approximately six months ago. However, CCU staff were not aware that it was there and available for their use.

Recommendation: CCU staff should be made aware of the location of the nearest defibrillator and consideration should be given to displaying 'your nearest defibrillator is located at' signage.

6.3 Prescribed medication is accurately documented on PER forms and staff are aware of procedures for dispensing.

Where custodies were on prescribed medication, they were provided with their medication by CCU staff. If there was any doubt regarding frequency, appropriate checks were made first with the Police or relevant prison.

Summary of good practice:

QUALITY INDICATOR	GOOD PRACTICE	RELEVANT AGENCY
2.2	All cells are checked for damage and graffiti on a daily basis. If damage or graffiti occurs, the perpetrator will be offered a chance to rectify before being reported to Police Scotland.	GEOAmey

Summary of recommendations:

QUALITY INDICATOR	RECOMMENDATION	RELEVANT AGENCY
1.3/ 3.5	Custodies arriving at the CCU should be asked the series of questions that determine any medical or mental health issues, dependencies or diversity and equality views on every occasion.	GEOAmey
2.1	The walls and doors of all the cells are in poor condition due to graffiti, general staining and peeling paint, and as such requires painting and plaster repairs in places.	SCTS
2.1	Air vents were blocked in some cells due to paint and dust, which prevented fresh air from entering the cells. All air vents should be repaired as a matter of priority.	SCTS
2.1	Light fittings in the cells were not recessed or designed to be tamper proof and could therefore be easily damaged or removed. All light fittings should be tamper proof,	SCTS
2.1	Cell five requires immediate attention to repair the plasterwork and the emergency switch to remove the risk of further damage or harm to the user or staff member.	SCTS
2.4	Staff should be able to evidence that they are competent in food handling skills, in accordance with current Environmental Health Legislation.	GEOAmey
3.1	The CCU supervisor was not aware of the SPS Talk To Me Strategy. Consideration should be given to developing the knowledge of staff within the CCU of this important process and how it links in with the CCU process and procedures.	GEOAmey
3.1	Where GEOAmey identify a concern for a prisoner who is about to be released from their care, there needs to be a clear process in place for staff to share their concerns with the appropriate agency prior to release.	GEOAmey
4.4	There were no entry systems or other locked doors to pass through before reaching the CCU staff and the immediate cell area. This is a vulnerability, exposes staff to unnecessary risk and the general security of the CCU, and should be addressed.	SCTS & GEOAmey
4.4	The area to the rear of the CCU that the Court Custody Vehicles used to drop off and pick up custodies was not secure. Access could be gained by the public to the vehicle itself and the rear door leading in to the CCU. This is a vulnerability, exposes staff to unnecessary risk and the general security of the CCU, and as such should be addressed.	SCTS & GEOAmey

4.6	There was only one set of equipment to allow a planned removal, which was shared between Dumfries and Stranraer CCUs and was stored at the local GEOAmey office in Dumfries. The distance between these locations is too great should the equipment be required at both court locations. Two sets of PPE should be held at both Dumfries and Stranraer CCUs.	GEOAmey
4.7	All prisoner property and valuables should be held in a lock fast room or lockable cabinet.	GEOAmey
6.1	There was no evidence to show that Scot Nurse are able to attend the CCU within the agreed timescale of one hour and staff do not expect it. Consideration should be given to an alternative service if the location of this CCU cannot be serviced adequately by Scot Nurse.	GEOAmey
6.2	CCU staff should be made aware of the location of the nearest defibrillator and consideration should be given to displaying 'your nearest defibrillator is located at' signage.	SCTS & GEOAmey

Inspection Team

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Acronyms

CCTV	Closed circuit television
CCU	Court Custody Unit
CCV	Court Custody Van
CSRA	Cell Sharing Risk Assessment
HMIPS	HM Inspectorate of Prisons for Scotland
HRA	Handcuff Risk Assessment
NPM	National Preventative Mechanism
OPCAT	Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
PER	Prisoner Escort Record
SCTS	Scottish Courts and Tribunal Service
SPS	Scottish Prison Service



HM Inspectorate of Prisons for Scotland is a member of the UK's National Preventive Mechanism, a group of organisations that independently monitor all places of detention to meet the requirements of international human rights law.

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