



HMIPS
HM Inspectorate of Prisons for Scotland
INSPECTING AND MONITORING

NEWS RELEASE
INSPECTION OF COURT CUSTODY PROVISION, FALKIRK SHERIFF COURT
ON 18 MAY 2020

This report is part of a programme of liaison visits to Court Custody Units (CCUs) carried out by HM Inspectorate of Prisons for Scotland (HMIPS) during the COVID-19 pandemic emergency. This visit was conducted under HMIPS' new, albeit temporary, [Liaison Visits Framework - Prison and Court Custody Units](#) published in April 2020. These liaison visit reports provide assurance to Ministers and the wider public that scrutiny of the treatment and conditions in which prisoners are held has been continued during the pandemic.

Falkirk Sheriff Court was the second CCU to be visited following the start of the COVID-19 pandemic emergency. HMIPS have been very impressed with GEOAmey's prompt responses to our recommendations for improvement. Inspectors found that as they continued through their visits programme, many of the early recommendations, such as those highlighted in this and the Paisley CCU report, had been implemented throughout Scotland's CCUs.

Custodies were offered hand sanitiser on arrival at the CCU and were asked two questions in respect of COVID-19. These questions covered general health and safety and ensured awareness of the government's physical distancing rules. Where the custody was not aware they were advised accordingly.

Single occupancy cells were being maintained whenever possible.

At the time of the visit, Falkirk CCU were accepting additional custodies from Stirling, Alloa, Kirkcaldy and Dunfermline Sheriff Courts, following their temporary closure.

The CCU had a very effective process in place between themselves and Police Scotland, the Crown Office Procurator Fiscal Service and the Sheriff Clerk in respect of the release of custodies from the police stations to the CCU.

Good communication between the agencies allowed the custody numbers to be staggered, ensuring better management of cell allocation within the CCU and as such maintain physical distancing. The Procurator Fiscal was marking custody papers in batches and advising the Sheriff Clerk and the CCU in advance of the papers arriving, so that custodies could be requested from the police station they were being held at to appear at the court. This was excellent and should be seen as an example of best practice.

It was noted that there were no markings on the floor or benches within the cells used for sharing that clearly displayed a two metre distance. There were also no two metre markings in the corridors of the CCU to encourage physical distancing.

Staff were generally seen not to be physically distancing from each other. They should be constantly encouraged to do so by the CCU Manager and marking should be put down to assist with this.

HMIPS was pleased to note that since the start of the pandemic, additional cleaning was being carried out in the main court building during the day and this included areas of the CCU.

On arrival at the CCU, custodies were seen to be handcuffed to staff who were generally only wearing gloves. This inconsistency meant that physical distancing rules of being at least two metres apart were not being adhered to when handcuffed to custodies. However, custodies who were being taken from the CCU to appear in court were not handcuffed and were escorted by two members of staff wearing gloves and masks to and from the court, clearly a good effort to maintain social distancing. As part of the daily staff briefing, the CCU Manager reminded staff to wear masks and gloves as a minimum when working in the CCU, and was proactive in reminding them of this throughout the day.

NOTES TO EDITORS

1. HM Chief Inspector of Prisons for Scotland, Wendy Sinclair-Gieben, was appointed in July 2018.
2. On publication the report can be found at www.prisonssinspectoratescotland.gov.uk
3. For further information please contact Kerry Love, Business Manager, at Kerry.Love@gov.scot or on 07939 980452.