



HMIPS

HM Inspectorate of Prisons for Scotland
INSPECTING AND MONITORING

**Inspection of the Court Custody Provision,
Livingston Sheriff Court**

26 June 2019

Contents

	Page
Introduction and background	2
Overview by HM Chief Inspector of Prisons for Scotland	3
Standards, commentary and quality indicators	4
Standard 1: Lawful and transparent use of custody	
Standard 2: Decency, dignity, respect and equality	
Standard 3: Personal safety	
Standard 4: Health, wellbeing and medical treatment	
Standard 5: Effective, courteous and humane exercise of authority	
Standard 6: Respect, autonomy and protection against mistreatment	
Annex A Summary of recommendations	18
Annex B Summary of good practice	19
Annex C Inspection team	20
Annex D Acronyms	21

Introduction and Background

This report is part of the programme of inspections of Court Custody Units (CCUs) carried out by HM Inspectorate of Prisons for Scotland (HMIPS). 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.prisonsofscotland.gov.uk/news/standards-inspecting-court-custody-provision-scotland>

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

The Standards provide assurance to Ministers and the public that inspections are conducted in line with a framework that is consistent, and that assessments are made against appropriate criteria. This report is set out to reflect the performance 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 court 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 Standard inspected.

Overview by HM Chief Inspector of Prisons for Scotland

Livingston Sheriff Court and the Justice of the Peace Court form part of the West Lothian Civic Centre. Opened in 2009, the Centre houses not only the courts, but also the Crown Office and Procurator Fiscal Service, West Lothian Council, West Lothian Social Work Department and Police Scotland Livingston Area Police Station.

The Custody Court Unit (CCU) is a modern purpose built facility with light and airy decor and layout. There was a thankful visible lack of graffiti, which often characterises other CCU inspections. I recognise the benefits of having a new purpose built unit and this CCU is considered by HMIPS to be one of the best we have inspected and will be the benchmark for future inspections.

The majority of custodies arrived from Livingston Police Station, however custodies who are required to appear at Livingston Sheriff Court can be held in Police stations throughout the country including Greenock, Kirkcaldy and Glasgow. For example, on the weekend prior to the inspection, prisoners were moved to Falkirk Police station and subsequently travelled to Livingston CCU on the Monday morning.

On the day of inspection, 10 custodies appeared from police custody, nine males and one female. Eleven prisoners attended the CCU, nine from HMPs Edinburgh, Greenock, Addiewell, and two from HMP YOI Polmont.

The CCU has seven cells in total including one observation cell.

GEOAmey replaced G4S as the contractor for escorting and court services in January 2019. Inspectors have already seen some changes in the service provision since then, with language line being introduced and increased monitoring of its usage. Technology has also replaced the previous process of recording attendance on the back of the personal escort record form (PER).

Wendy Sinclair-Gieben
HM Chief Inspector of Prisons for Scotland

STANDARDS, COMMENTARY AND QUALITY INDICATORS

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 Statutory procedures for identification of prisoners are fully complied with.

Prisoners were initially identified by name whilst being escorted from the escort van to the CCU reception where a desk officer formally identified them.

The desk officer asked the prisoner to confirm their name and date of birth for comparison against their Personal Escort Record (PER) and computer record.

Once their identification had been confirmed their photograph was taken and added to the computer system before being placed in a cell.

1.2 All prisoners are classified and this is recorded on the Personal Escort Record (PER) form.

A sample of PERs were checked and adequately documented the prisoner’s classification, vulnerabilities, medical issues, dependencies and the cell sharing risk assessment (CSRA). Handcuff risk assessments (HRA) were also recorded on the PER form as well as the time of arrival.

Any further information relating to the prisoner whilst in custody was recorded electronically on the GEOamey IT system, rather than recorded on the back of the PER. This was a new process introduced following a change in service provider. HMIPS were informed that this information was printed off and attached to the PER document for forward transmission to prison establishments.

It was noted that some PERs were not fully completed by Police Scotland, relating to the age of the prisoner and rationale for warning markers. This was disappointing, as it has been mentioned in previous inspection reports.

QUALITY INDICATOR	RECOMMENDATION	RELEVANT AGENCY
1.2	All sections of the PER form should be completed, including age and if there is any known risk.	Police Scotland

1.3 All prisoners are allocated to a custody location dependent on their classification, gender, vulnerability, security risk, state of mental health or personal medical condition.

On arrival at the CCU, inspectors followed prisoners and staff on their short journey from the Court Custody Vehicle to the CCU reception desk. Staff were observed to be friendly, and encouraged dialogue with prisoners by asking them a number of questions to assess their welfare and establish generally how they were feeling. This was done in a relaxed, calm and controlled manner, allowing the escorting officer to update the desk officer of any potential issues.

Inspectors arrived at the CCU prior to the first prisoners being received and observed that the expected prisoners had already been allocated specific cells.

In discussion with the CCU manager, it was established that cell allocations were identified prior to prisoners' arrival, based on information from the GEOAmev IT system and information received from Police Scotland and the Scottish Prison Service (SPS). Inspectors observed CCU staff asking prisoners a series of set questions to determine who their solicitor was, any medical or mental health issues, dependencies and their diversity and equality views. Along with intelligence on index offences, risk, known enemies, gender, and age and PER markers, a final decision was then made on the appropriate holding area for that individual. Inspectors witnessed a change of allocation, where a booking had indicated that a prisoner was marked as a sex offender. After checking his warrant and previous history, he was moved to a more appropriate area.

1.4 A cell sharing risk assessment is carried out prior to each individual prisoner's allocation to a cell.

CSRAs were observed to be completed using all information available prior to placing a prisoner in a cell. Information used to determine a CSRA was held on the PER completed by the relevant prison or Police Station. Any changes to this, whilst the prisoner was held in the CCU, were added to the PER form to inform the receiving prison.

CCU staff informed inspectors that they phoned the prison before the prisoner departed if there were serious issues i.e. threat to life, self-harm or possible suicide. However, this could not be verified, as it was not witnessed at the time of the inspection.

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 at Livingston Sheriff Court was a modern facility built in 2009. It was built to meet the needs of all those attending court, regardless of their age, gender or mobility. The CCU and the cells were well lit by artificial lighting and maintained to a good working order.

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

Cell doors all opened outwards and all locks and viewing hatches were found to be in good working order. All seven cells within the CCU had CCTV coverage that was recorded onto a hard drive and held by The Scottish Courts and Tribunal Service (SCTS). The observation cell had a large glass observation panel that could be set to view one way. This helped minimise any stress to individuals from being constantly observed and preventing any disturbances caused by conventional viewing hatches being frequently opened.

Good practice was observed by the fitting of a mirror system high on the wall of each cell, which allowed staff to quickly observe every corner of the cell from the viewing hatch, negating the need to enter the cell.

Each cell was allocated a maximum number of eight occupants. Inspectors noted staff tried to minimise the amount of people in each cell by taking into account the CSRAs.

QUALITY INDICATOR	GOOD PRACTICE	RELEVANT AGENCY
2.1	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 clean the walls before being charged by Police Scotland.	GEOAmey
2.1	The fitting of a mirror system high on the wall of each cell allowed staff to observe every corner of the cell	GEOAmey

	from the viewing hatch, negating the need to enter the cell.	
--	--	--

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 of the CCU was of a high standard. There was evidence of good processes in place to deal with body fluid spillages and other biohazard incidents. There were spill kits available to staff who had been trained in their use. However, in the first instance, the cleaning team from SCTS would be contacted to deal with any spillages. A contract was in place if there was a requirement to deploy specialist cleaning. There were clear instructions to staff on how to isolate the area and who to contact for assistance.

The CCU was decorated to a high standard and it was particularly pleasing to note that there was no graffiti in any of the cells walls or ceilings. Cells were checked on a daily basis and conditions recorded. Prisoners were made aware of the required standard to be met in each cell, and where damage or graffiti was caused during the prisoners stay, the police were contacted. The CCU manager offers the prisoner a choice of cleaning the graffiti or involving the police.

Inspectors observed CCU staff adhering to good hygiene standards by wearing protective gloves when handling food and refreshments.

2.3 All prisoners have access to toileting facilities on request.

There was good access to toileting facilities. The CCU had separate male, female and disabled toilets, each containing a toilet bowl and a sink to wash their hands. The disabled toilet contained the appropriate equipment to assist those with restricted movement. Toilet doors were of solid construction from floor to ceiling, preventing CCU staff from observing the conduct of prisoners whilst in the toilet. All prisoners were observed being searched before and after using the toilet. However, the balance between privacy and security may be compromised, as it was not possible for CCU staff to observe prisoners whilst using the toilet. The toilet rolls, soap dispenser and paper hand towels were situated out with the toilet area by the door, but were readily available. All facilities were of a good standard and evidently cleaned on a daily basis.

Inspectors enquired as to the process for female prisoners requesting sanitary products, and were advised that they were provided immediately to prisoners on request. There appeared to be ample female staff available on every shift who could be approached by women prisoners who required these products. It was pleasing to see that there were clearly displayed information signs on how to access these products. There were sanitary bins within the disabled toilet, which were used when women prisoners required to use sanitary products.

2.4 The meals provided to prisoners are nutritious, varied, served at the appropriate temperature and well presented.

The lunch observed on the day of the inspection consisted of a suitable choice of fresh sandwiches, crisps and a cold drink. Coffee and tea were also offered to prisoners throughout the day.

2.5 Where an individual remains in custody beyond 17:30 they should be provided with a nutritious evening meal.

Hot food was made available for prisoners remaining in the CCU past 1600 hrs. Inspectors observed varied types of microwave meals and dry noodles being stored within the unit.

2.6 The meals provided to each prisoner conform to any specific dietary or medical requirements and their cultural or religious needs.

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

3: PERSONAL SAFETY

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

Commentary: All appropriate steps are taken to minimise the levels of harm to which prisoners are exposed. Appropriate steps are taken to protect prisoners 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.

All CCU staff interviewed by inspectors were aware of the SPS Talk to Me Strategy and able to explain the process. The observation cell was the closest cell to the main desk to allow staff to monitor more easily and frequently. During the inspection, CCU staff were observed enquiring as to prisoners' wellbeing periodically throughout their stay, ensuring a continual awareness of risk and any changes required to levels of care and welfare.

However, if CCU staff identify a concern regarding the welfare of a prisoner in their care who is not returning to a prison establishment or Police Scotland, there is no clear process for which agency they should share these concerns with before releasing the prisoner.

QUALITY INDICATOR	RECOMMENDATION	RELEVANT AGENCY
3.1	Where GEOAmev 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.	GEOAmev

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

The manager of the CCU was previously a Health and Safety (H&S) Manager for GEOamev. A full check of all aspects of H&S and cleanliness was carried out prior to prisoners arriving each day and were repeated after the last prisoner left. There were comprehensive records of H&S activities and a robust process in place when items required to be fixed. Good relationships between the CCU and the SCTS enabled a quick fix when required.

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 the SCTS to develop and maintain them.

Inspectors observed that the escorting of prisoners to the toilet area and the courtrooms was carried out using the appropriate number of staff, based on risk.

The CCU manager had implemented “Court Induction Sheets”. These sheets required all members of staff to complete and document that they were aware of the H&S process and the geography of the building, including emergency exits and fire procedures. This provided staff with the confidence to operate in a safe and knowledgeable way within the CCU.

QUALITY INDICATOR	GOOD PRACTICE	RELEVANT AGENCY
3.3	The implementation of “Court Induction Sheets” provided staff with the confidence to operate in a safe and knowledgeable way.	GEOAmev

3.4 The attitude, behaviour and approach of staff contributes to the lowering of the risks of aggression and violence.

The attitude, behaviour and approach of staff observed during the inspection contributed to a well-run CCU. Staff were found to be professional and friendly and looked to develop good relationships with those brought into their custody.

It was clear to inspectors that CCU staff had built up good relationships with the more regular attendees to the court and there appeared to be a mutual respect amongst most of the prisoners. 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 All reasonable steps are taken to minimise situations that are known to increase the risk of aggressive or violent behaviour. Where such situations are unavoidable, appropriate levels of supervision are maintained.

During the inspection, there was an incident where the use of force (UOF) was applied. Inspectors did not witness this, but they later assessed that staff had tried their upmost to de-escalate the incident and avoid placing hands on the prisoner, but were left with no choice. All paperwork was completed as soon as possible after the incident. Other UOF forms were viewed and found to be well documented and stored appropriately. A recent incident was closely scrutinised and found to contain the appropriate paperwork, with comprehensive and quality detail found in each statement.

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

Staff were aware of the assessment of risk around each prisoner and what was required of them to keep them safe. This included observation times and cell allocation. When there was no identified risk to self-harm or suicide the observation

cell was used primarily for women prisoners. This cell was an appropriate holding area for those in need of additional supervision and care.

3.7 The management and supervision of prisoners, held in custody, takes into account the nature of any identified risks.

Following a review of the PER forms for arrivals from police custody, it was disappointing to note that similar to the Paisley CCU inspection, there was evidence that a male and female prisoner involved in the same domestic abuse case had travelled together from the police station.

It was evident that they had been kept apart over the weekend, but had travelled in the same escort vehicle to the court. It is crucial that when this situation occurs, both people involved are kept separate to avoid the potential for further abuse.

On interviewing the female prisoner involved in the case, she reported to inspectors that she felt anxious when she saw the male prisoners name on the board beside his cell and that he could possibly know where she was.

There is little point in keeping those involved in domestic abuse cases apart during their time in police custody only to bring them together for the journey in the custody vehicle to the CCU.

QUALITY INDICATOR	RECOMMENDATION	RELEVANT AGENCY
3.7	When the requirement to keep prisoners apart has been identified and implemented at a police station or prison, careful consideration should be given as to how they are transported to the CCU. They should not be placed in the same escort vehicle.	Police Scotland GEOAmey

3.8 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.

When interviewed CCU staff, they were able to describe a clear process for dealing with any complaints or allegations made by those held in custody. These complaints were reviewed regularly by the SPS contracts team to ensure that the process had been followed correctly, and where actions were identified, they were implemented. The CCU manager informed inspectors that when an allegation relating to a potential crime was made, it was referred immediately to Police Scotland. There appeared to be a good working relationship between the CCU staff and Police Scotland, which was enhanced by them being located in the same building.

3.9 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 entrances to the CCU from the secure holding area for the custody vans. These exit routes were deemed as appropriate by inspectors. In case of fire evacuation, there was an area identified for prisoners within the secure

car park away from those working in the civic centre. If an escort van was available, it would be utilised to hold prisoners during the incident. Fire drills were the responsibility of the SCTS and a full evacuation test was carried out annually.

All staff were fully trained on the evacuation process and all were fully qualified fire marshals. The evacuation routes were clearly displayed on the walls of the CCU. The Fire Evacuation Plan was viewed and found to be in order.

4: HEALTH, WELLBEING AND MEDICAL TREATMENT

All reasonable steps are taken to ensure the health and wellbeing of prisoners while in the custody areas and that appropriate and timeous medical treatment is available when required.

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

Quality indicators

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

The CCU staff had access to medical services through a recognised service provider called Scot Nurse. During the inspection, this process was observed when a prisoner complained of a sore hand following a road traffic accident. Scot Nurse arrived within an hour to attend to the prisoner and agreed a monitoring process with the CCU staff. Staff reported that attendance by Scot Nurse was usually within one hour.

Where prisoners were on prescribed medication, CCU staff provided it to them. If there was any doubt regarding frequency, appropriate checks were made with the police or relevant prison.

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

4.2 There should be at least one court custody staff trained in emergency first aid on shift 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 prisoner facing duties. The CCU manager confirmed to inspectors that all staff on duty were qualified and within their competency dates.

5: EFFECTIVE, COURTEOUS AND HUMANE EXERCISE OF AUTHORITY

The implementation of security and supervisory duties is balanced by courteous and humane treatment of prisoners in custody.

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

Quality indicators

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

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

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

When prisoners required to attend court/interviews with their legal representatives or to go to the toilet, it was done in a controlled fashion with only one prisoner being allowed out their cell at any one time. Unfortunately, two out of the six courts rooms required prisoners to pass through public areas. However, these courts were generally used as Justice of the Peace courts and not widely used by the CCU.

Although the release of a prisoner was not observed, inspectors reviewed the process and found it to be appropriate. All legal paperwork including PERs and warrants were checked thoroughly, and on every occasion, contact was made with the originating prison to confirm there were no outstanding warrants prior to release.

Prisoners were checked against the court list, PER form and photograph before confirming property, which was signed for by the prisoner to acknowledge receipt.

5.3 The systems and procedures for access and egress of all other people are implemented effectively and courteously.

The systems and procedures for access and egress to the CCU were secure and effective. There was a telephone connected to the main desk so that legal and agency representatives could request to see their clients, ensuring an appropriate level of confidentiality. There appeared to be a good working relationship between CCU staff, legal representatives and other agency workers.

5.4 The systems and procedures for monitoring and supervising movements and activities of prisoners inside the custody areas are implemented effectively.

There was comprehensive CCTV coverage throughout the CCU, including all cells. Live feeds could be viewed in the control room ensuring confidentiality, and any

required footage could be downloaded to support any incidents i.e. assaults, damage or graffiti.

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

Inspectors observed the searching of prisoners on arrival at the CCU. The standard of searching was inconsistent, with some rubdowns less methodical than others. Handheld wands were available but only used on those arriving from police custody, as staff considered anyone arriving from a prisons would have been searched thoroughly prior to arrival. This practice is an unnecessary risk, and all prisoners should undergo the same level of search. As found during other inspections, rub down searches were being carried out before and after prisoners visited the toilet or when met their legal representatives. Appropriate facilities were available should a more detailed body search be required.

QUALITY INDICATOR	RECOMMENDATION	RELEVANT AGENCY
5.5	All prisoners should be subject to a methodical search as per searching guidelines, regardless of whether they arrive from police or prison custody.	GEOAmeY

5.6 All security checks are carried out regularly and thoroughly.

“Alpha” checks were carried out prior to the arrival of prisoners in the morning and before the CCU closed for the night. A senior member of staff carried out these checks, and all records had been completed to a good standard and were available for scrutiny. These checks were designed to ensure that all toilets, doors, locks and security systems were in good working order. When any issues were identified, they were reported to the SCTS and were generally fixed immediately. If required the area was placed out of use until the problem was fixed. Inspectors saw an accurate record of the daily checks, which were signed and dated appropriately.

5.7 Physical force is used only when necessary and strictly in accordance with ‘the provider’s’ control and restraint training guidance and the law.

Although inspectors did not observe the use of physical force or restraint by staff during the inspection, as previously reported one incident did take place. Inspectors were able to listen to the exchanges between staff and the prisoner and deemed the removal of the prisoner under restraint as appropriate. A declaration was used to inform the prisoner of the impending removal so that they were aware of the situation, and at that point, they were given a final opportunity to adhere to instructions. Other control and restraint documentation was found to be completed to a high standard and appeared appropriate.

5.8 Physical restraints are only used when necessary in accordance with any associated risk information provided on the PER and, in any case, strictly in accordance with the law.

HRAs were documented appropriately on the PERs. Prisoners were only handcuffed when they left the CCU to go to court or onto transport.

5.9 Prisoners’ personal property and cash are recorded and, where appropriate, stored.

As with all other inspections, prisoners’ property was received at the CCU in sealed bags with a corresponding numbered tag. The number was checked against the PER document and stored behind the admission desk. However, property should be stored in a lock fast room or lockable cabinet, but a number of these cabinets had broken locks. Although CCTV covered the area, there was a risk that property may go missing and therefore the cabinets should be fixed as soon as possible.

QUALITY INDICATOR	RECOMMENDATION	RELEVANT AGENCY
5.9	All prisoner property and valuables should be held in a lock fast room or lockable cabinet to reduce the risk of property going missing.	GEOAmey

6: RESPECT, AUTONOMY AND PROTECTION AGAINST MISTREATMENT

Staff treat all prisoners in custody respectfully. Prisoners' rights to statutory protections and complaints processes are also respected.

Commentary: Staff engage with prisoners respectfully, positively and constructively. Prisoners are kept informed about the progress of their court case and are treated humanely and with understanding.

Quality Indicators

6.1 Relationships between staff and prisoners are respectful. The use of disrespectful language or behaviour is not tolerated.

It was pleasing to observe that the staff had a good relationship with prisoners. It was clear that staff knew a number of prisoners from previous court appearances, but they also looked to build relationships with first time prisoners. The way in which staff approached those for whom they were responsible was positive and respectful, which encouraged good dialogue and therefore reduced risk. Staff worked hard to encourage prisoners to engage positively and, where this was not successful, they gave people every opportunity to calm down. Inspectors interviewed male and female prisoners, which included a foreign national, and they all confirmed that they had been treated well.

6.2 Staff respect prisoners' rights to confidentiality in their dealings with them.

When required to speak to a prisoner regarding a private matter, CCU staff ensured this was carried out in a confidential manner. Prisoners were able to speak to their legal and agency representatives within soundproof booths.

There were notices at the admission desk covering the most common languages spoken by prisoners, which explained protected characteristics and the risk of sharing cells.

Inspectors enquired as to how CCU staff communicated with prisoners who had little or no English. Inspectors were informed that GEOamey had recently subscribed to a language line that every CCU now had access to.

Summary of recommendations:

QUALITY INDICATOR	RECOMMENDATION	RELEVANT AGENCY
1.2	All sections of the PER form should be completed, including age and if there is any known risk.	Police Scotland
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
3.7	When the requirement to keep prisoners apart has been identified and implemented at a police station or prison, careful consideration should be given as to how they are transported to the CCU. They should not be placed in the same escort vehicle.	Police Scotland GEOAmey
5.5	All prisoners should be subject to a methodical search as per searching guidelines, regardless of whether they arrive from police or prison custody.	GEOAmey
5.9	All prisoner property and valuables should be held in a lock fast room or lockable cabinet to reduce the risk of property going missing.	GEOAmey

Summary of good practice:

QUALITY INDICATOR	GOOD PRACTICE	RELEVANT AGENCY
2.1	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 clean the walls before being charged by Police Scotland.	GEOAmey
2.1	The fitting of a mirror system high on the wall of each cell allowed staff to observe every corner of the cell from the viewing hatch, negating the need to enter the cell.	GEOAmey
3.3	The implementation of “Court Induction Sheets” provided staff with the confidence to operate in a safe and knowledgeable way.	GEOAmey

Inspection Team

Calum McCarthy, HMIPS
Graeme Neill, HMIPS

Acronyms

CCU	Court Custody Unit
CSRA	Cell Sharing Risk Assessment
H&S	Health and Safety
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
UOF	Use of Force



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.

<http://www.nationalpreventivemechanism.org.uk/>

© Crown copyright 2019

You may re-use this information (excluding logos and images) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/> or e-mail: **psi@nationalarchives.gsi.gov.uk**.

This document is available on the HMIPS website

<https://www.prisonsscotland.gov.uk/>

First published by HMIPS, October 2019

HM Inspectorate of Prisons for Scotland
Room Y.1.4
Saughton House
Broomhouse Drive
Edinburgh
EH11 3XD
0131-244-8482