



HMIPS
HM Inspectorate of Prisons for Scotland
INSPECTING AND MONITORING

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

27 August 2018



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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.prisoninspectorscotland.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

Kirkcaldy Sheriff Court sits within the Sheriffdom of Tayside, Central and Fife, one of six Sheriffdoms in Scotland.

The Court Custody Unit (CCU) was inspected on a busy Monday morning by two members of staff from HM Inspectorate of Prisons for Scotland (HMIPS), Jim Farish, and Graeme Neill. At that time, 21 people were in custody, each having arrived from either Police Scotland custody cells or Scottish Prison Service (SPS) establishments.

HMIPS found the CCU to be a well-run facility with staff that were clearly well-motivated, well-led and working well as a team. It was evident that individual team members supported each other, and were operating with a clear vision of what they wanted to achieve. It was also encouraging to hear the manager state they had:

“a good and close relationship with partner agencies, and felt valued”

This reflected positively on the attitude and approach of the G4S staff and that of the Scottish Courts and Tribunal Service (SCTS) staff, Police Scotland and the other partner agencies.

Good order within CCUs was largely a product of good relationships with the prisoners, and a respect for the staff working within them. HMIPS were particularly impressed by one situation that could have easily escalated, but was dealt with well by staff. It involved a prisoner who had become increasingly agitated being moved from the CCU to the courtroom. The two G4S staff maintained their professionalism and did not respond to the prisoner's provocations. In order to mitigate their assessed increased risk, once secured in the holding area adjacent to the courtroom, the two staff agreed they would double cuff the prisoner when they were required to move the prisoner again. Additionally, the Police Scotland officer on duty, having heard the commotion, and without prompting, offered his support. In the end, the prisoner attended court and returned to the CCU without further issue. This was a good example of a collaborative, respectful and professional working relationship between G4S and Police Scotland.

Whilst the CCU was clean and orderly, it would benefit from some decoration and maintenance. There was graffiti, some of which appeared to have been in place for quite some time, and areas of the flooring was reaching the end of its useful life. SCTS should review the area, redecorate and replace as necessary.

Additionally, we would ask that the privacy arrangements for those utilising the toileting facilities be reviewed to ensure that they are adequate and appropriate, to maintain personal dignity whilst providing the necessary level of security.

The disabled access and toilet facilities within the Court gave cause for some concern and should be reviewed and updated with some urgency. It is concerning that a disabled prisoner would need to access a public area close to the main front entrance, significantly affecting the safety and security for all concerned. It also

exposes the prisoner to a degree of public access that is inappropriate. This situation should be addressed as soon as possible.

Prisoners should know and understand their rights, and they should be able to access them when necessary. An important aspect of this obligation is that some prisoners will require support and assistance to do so. To address this, all parties should review their arrangements to ensure that staff at all levels are able, and empowered, to access the support they deem necessary or appropriate. An example of this would be someone who has poor literacy skills. In such cases, CCU staff should feel empowered to access services to support them to understand and access their rights. This requires the necessary arrangements to be in place and fully understood by all.

Finally, and more generally, inspectors became increasingly aware that a significant number of individuals spend long periods of time secured in the CCU. CCUs are in effect waiting rooms for the courts, and it is easy to see why individuals could become bored and potentially disruptive. The lengthy periods are, in large part, a product of the requirements of the escorting contract. HMIPS questions why it is a requirement to have all prisoners arrive at the CCUs by 09:30, when it is known that many individuals will not be required in court until the afternoon. This situation means that CCUs are busier, more disruptive, and potentially pose a higher risk than is necessary.

The terms of the contract should be reviewed to ensure they meet the needs of the courts, the SPS, Police Scotland, and the prisoners in a more equitable manner. To illustrate an example of this; an individual prisoner could be placed in a G4S vehicle at 07:30, then spend until 15:00 or later in a holding cell, and potentially not return to prison until 20:00.

HMIPS would like to see a better utilisation of resources and time. e.g. wider use of video-conferencing facilities, and a smarter approach to prisoner transportation

Wendy Sinclair-Gieben
HM Chief Inspector of Prisons for Scotland

21 November 2018

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 is properly classified and allocated to cells appropriately. The provider cooperates fully with agencies which have powers to investigate matters in the custody areas.

Inspection Findings

On arrival at the CCU, prisoners were asked to stand in front of the officer at the reception desk who established their identity by asking for their name and date of birth. This was then checked against the Prisoner Escort Record (PER) and the information held on the G4S database, which was used to record all relevant information. In addition, their photograph was taken and saved onto the same database.

In addition to the information contained on the PER, staff also asked prisoners a series of set questions, which included their views on equality and diversity matters. This information was utilised to help identify any risk factors that may be relevant and to mitigate any risks of interpersonal conflict, prior to making a final decision on which holding area to locate them in. This initial identification and risk evaluation process was undertaken appropriately and with sufficient privacy to encourage open and honest responses.

The cell sharing assessment process was thorough and undertaken with care and consideration.

Inspectors were informed that two particularly vulnerable prisoners had remained in the nearby Kirkcaldy Police Station cells until closer to their court appearance time, as they were settled and calm and to move them early in the morning might have proved problematic. This was assessed as excellent collaborative work between G4S and the Police, where the care of the individual was given primacy.

Inspectors observed good interaction between prisoners and the CCU staff. They shared information in a clear and concise way, disseminating any issues identified by prisoners. CCU staff were clear in identifying new prisoners and relayed any information on negative attitudes and behaviours observed during travel to the court.

Inspectors witnessed the arrival of all the individuals, and the CCU staff adapted their style and approach when necessary, being friendly and open but when appropriate, demonstrated calm authority and control.

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.

Inspection findings

The CCU was sufficiently equipped but felt quite cramped. It was also in need of some general maintenance such as painting and the replacement of worn and uneven flooring. Whilst staff were aware that some maintenance had been carried out in the past, they were unsure if a planned maintenance programme was in place. In addition, some of the graffiti on the walls and ceilings of the holding cells appeared to have been there for quite some time. Despite the physical condition of some of the building, it was maintained to a clean and hygienic standard.

Recommendation 1: SCTS should review their maintenance programme to ensure that the CCU is maintained appropriately and put in place a process to ensure that once identified, graffiti is removed as quickly as possible.

It was concerning to note that there were blind spots in a number of the holding areas located near the court rooms, when viewed through the small observation window. In addition, there was no CCTV coverage, meaning individuals could hide from CCU staffs' view if they so wished.

Recommendation 2: the blind spots in the holding areas located near the court should be reviewed and addressed with some urgency.

Whilst there was, no natural light within the facility the lighting was adequate in most areas.

The movement of prisoners from the CCU to each of the four courtrooms involved the use of a semi secure lift, with each prisoner being handcuffed and accompanied by two members of staff. The lift took them to the relevant floor, and the prisoner was then taken through public areas to reach a small holding cell outside the courtroom, where they would wait until they were called. Inspectors accompanied a prisoner on this journey and noted that they passed a number of people in different parts of the public corridor, and a lone witness waiting in the court waiting room. Whilst the prisoner was being held he became unruly and started to shout and swear and bang on the cell doors. This could be heard by all in the area and could have

been highly intimidating for the witness waiting next door. The construction of the Sheriff Court building was not conducive to ensuring the separation of prisoners and members of the public, and as such, this may affect the security and safety of CCU staff, the prisoners and the public. However, CCU staff managed this well and were observed to handle this particularly difficult situation professionally and efficiently. **This was a point of observed good practice.**

G4S had biohazard processes in place to reduce the spread of infection, particularly where they had to deal with a body fluid spillage. All equipment to deal with such situations was available and utilised when required. Cleaning staff from the court could be called upon to clean any area that had been subjected to a biohazard, and CCU staff were aware of the process to isolate a contaminated area.

The holding cells did not have internal toilet facilities. Therefore prisoners wishing to use the toilet were observed asking a member of CCU staff, who took them from their holding cell to a toilet situated outside the holding cells. One toilet was allocated for males and one for females. The facilities were clean with toilet paper and hand towels being provided to prisoners on request. The toilets themselves were clean.

Recommendation 3: whilst it is necessary to have viewing panels within toilet doors, these should be reviewed to ensure that the individuals using them are afforded sufficient privacy and decency whilst using the facilities.

A food pack containing sandwiches, biscuits, crisps and water was delivered and made available for those held in the CCU over lunch time and was stored in a refrigerator until needed. Hot food was available to those likely to be held in custody after 16:00, which was a Pot Noodle or similar meal. Although not observed during the inspection, the manager of the CCU explained that those with special dietary, religious or cultural needs had alternative meals provided. This was achieved by a member of staff using petty cash to attend a local shop to purchase an appropriate meal. The staff also provided those in custody with access to drinking water on a regular basis.

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.

Inspection findings

CCU staff were aware of the SPS Talk to Me Strategy and dealt with those arriving from prison establishments in the appropriate way. Prisoners arriving from Police Scotland who were documented as a risk of self-harm were also dealt with appropriately. Any concerns CCU staff had about a prisoner would prompt them to contact Police Scotland or the appropriate prison for clarification, before making any decisions on that prisoner's welfare.

There was no safer cell in the Kirkcaldy CCU. When vulnerable prisoners were identified, staff utilised a single holding cell that was closely monitored. Whilst the cell was not ideal, it was the only facility that could provide a safer environment should someone vulnerable require additional supervision or care.

Health and safety appeared to be well managed. The area was well controlled with a two members of staff per door policy, and only one prisoner being let out of a holding cell at any one time.

Inspectors were shown the appropriate processes and records that were deployed to ensure the necessary health and safety legislation was adhered to, and that any issues or risks arising were addressed appropriately.

On reviewing Personal Emergency Evacuation Plans (PEEPS), it was established that there was only one evacuation chair for use on stairs within the Kirkcaldy Sheriff Court building. This was situated on the top floor of the building at the opposite end of the stairs from the CCU. The location of this chair would render it useless for someone within the CCU, should it be required in an emergency.

Recommendation 4: a review should be carried out urgently and consideration given to the positioning of an additional evacuation chair in the CCU, to allow the emergency evacuation of wheelchair users or other prisoners with limited mobility.

As found in other CCUs, G4S had a comprehensive list of Operating Instructions (OPIs) and appropriate safe systems of work. However, the online OPIs were not in an accessible or user-friendly format as it was difficult to find specific instructions or directions within one large document.

Recommendation 5: G4S management should review the format of the OPIs to make them more accessible.

In addition to the OPIs, local management had access to a range of contingency plans and worked closely with the SCTS to ensure that they were developed collaboratively, and jointly tested at appropriate intervals.

Staff appeared to have a good relationship with those in custody. They used their interpersonal skills to reduce the risks of aggression and violence. Where risks were identified, staff reacted quickly to resolve any issues. If staff assessed that where prisoners had been located may increase aggression and/or violence, they were moved to more appropriate surroundings where they could be cared for more appropriately. When checking PERs there was clear and accurate recording of observations of all prisoners by CCU staff.

CCU staff had a clear process for dealing with any complaints or allegations made by those held in custody. In addition, all such complaints were reviewed by the SPS contracts team to ensure fairness of treatment, and that appropriate remedies were identified and implemented when required. The manager within the CCU informed inspectors that when any allegation relating to a potential crime was made, it would be referred immediately to Police Scotland.

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.

Inspection findings

It was reassuring to find that all staff on duty within the CCU were fully trained in first aid and in competency. Training records were kept centrally, and individuals were notified when they were due refresher training. Any CCU staff out of competency were removed from working with prisoners until such times as they had successfully completed refresher training.

CCU staff could access medical services through a recognised provider, Scot Nurse. The contract provided for an appropriate response within one hour. Inspectors were told that a response was generally achieved within the one-hour requirement. However, on occasion, it could be over the hour. In the past, when a nurse had been required to attend, they had travelled from Falkirk or Glasgow. Local management must ensure that the best possible response times are achieved on all occasions.

One aspect that requires immediate clarification relates to the provision of relevant information within the PERs. On inspecting PERs, from different Police Stations, it was noted that some contained more detailed, informative and useful information, this was most notable in respect of individuals medical needs and/or treatment since being held in custody. This variance in detail could impact on CCU staffs' ability to accurately assess the appropriate level of care or supervision required by each individual.

Recommendation 6: G4S and Police Scotland supported by the SPS must review the guidance provided to their staff, in relation to what should be included on the PER form, to ensure that custody staff have all the information necessary in order that they can make informed decision about those in their care whilst within the CCU.

As previously reported, inspectors found that there was only one disabled toilet in the Kirkcaldy Sheriff Court building, situated at the front public entrance for use by both member of the public and prisoners. Any prisoner who was wheelchair bound or had limited mobility would need to take the lift from the CCU to the public entrance to use the toilet. This would be in full view of the public and court staff and would have both security and dignity issues.

Recommendation 7: this situation should be reviewed immediately to provide more appropriate disabled toilet access.

It was established, after speaking to the local manager, that CCU managers do not undergo additional Health and Safety training to that of their staff.

Recommendation 8: G4S should review the current level and detail of Health and Safety training provided to CCU managers to ensure that they are appropriately trained for their level of responsibility.

However, it was helpful to know that a full check of the CCU was carried out at the start and the end of each working day, and any faults or issues were immediately reported to the Sheriff Clerk. CCU staff felt that they had an excellent working relationship with all their partners within the court building and were a member of the “Standard Advisory Committee”.

5. EFFECTIVE, COURTEOUS AND HUMANE EXERCISE OF AUTHORITY

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

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.

Inspection findings

During the inspection, it was observed that CCU staff discharged their duties courteously and in a respectful manner, whilst maintaining an acceptable level of authority. It was evident that the CCU staff worked as a team, and each member was confident and competent in their given role.

Good communication and mutual understanding of the roles and responsibilities was observed, which helped to establish the sense of order and control whilst maintaining a decent and humane environment.

The transfer from the G4S vehicles and the movement of prisoners within the CCU was carried out in a safe and controlled manner. The distance from the escort vehicles to the CCU was short and required the negotiation of a small flight of stairs. There was no public access to any of these areas.

CCU staff were observed carrying out dynamic risk assessments in order to manage those at risk, or likely to be detrimental to the good running of the CCU. A good example of this was witnessed by inspectors, in relation to the management of female prisoners who were placed in their own holding cells, away from other prisoners, due to their vulnerability and age. Another two vulnerable prisoners were due to attend the CCU, but after assessing the risk involved and their known erratic behaviour, the CCU manager reached an agreement with Police Scotland for them to be held at the local Police Station until they were ready to start proceedings thereby reducing the risk to themselves and others within the CCU. **This was an example of good practice, demonstrating caring collaborative work between Police Scotland and G4S.**

CCU staff advised that a vehicle was always situated at the main door to the CCU and could be utilised to hold prisoners should the need arise.

Secure access for disabled prisoners was very limited. Prisoners who were wheelchair bound or had restricted mobility would be required to enter the CCU by lift from the main public entrance to the building. Given that this was a busy area used by court staff and the general public it gave significant safety and security risk.

Recommendation 9: this situation was far from ideal and should be reviewed to ensure that access and egress for those with limited or no personal mobility are provided with appropriate secure arrangements away from public gaze.

Good relationships were observed between the CCU staff and prisoners' legal representatives. Although there were only three secure interview rooms, they were managed well and there appeared to be an effective system in place to allow interviews to take place between the client and their representative.

There was CCTV throughout the CCU and in every holding cell. Whilst it was not actively monitored, it was well positioned to be seen by staff and was equipped with a playback provision and the ability to save recordings to disc.

All searching that was observed was thorough and undertaken in a consistent and professional manner. Rub Down searches were undertaken at the front desk on arrival, and appropriate facilities were available should a more detailed body search be required or assessed as necessary.

Prisoners' personal belongings were held securely in a locked room and clearly recorded. Valuables were locked in a secure cabinet with high value items being held in the Sheriff Clerks safe. All property bags were sealed with a unique reference number, and a process was in place should there be a requirement to open any bag.

The use of physical restraints was limited to ensuring security and safety for staff, other people in custody and the public. There was no evidence that they were misused or applied without due cause. Inspectors did not witness the deployment of any physical force during the inspection. They witnessed staff using good interpersonal skills to calm potentially difficult situations and maintain an orderly atmosphere. Should physical force be required, there was a process of review undertaken to ensure that techniques were appropriately applied and de-escalated at the earliest opportunity.

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.

Inspection findings

It was clear that there was a good relationship between CCU staff and prisoners. CCU staff clearly knew some prisoners from previous occasions and the dialogue between them reflected this. This carried forward to those less familiar to CCU staff, who were also shown the same consistently positive attitude.

The layout of the CCU did little to encourage interaction between staff and prisoners, when prisoners were secured in the holding cells. The doors of the holding cells were solid and had a hatch that remained in the closed position, unless opened by staff to communicate. The area was noisy, but CCU staff were always on hand to talk to, and when necessary, challenge prisoners and deal with their needs when recognised.

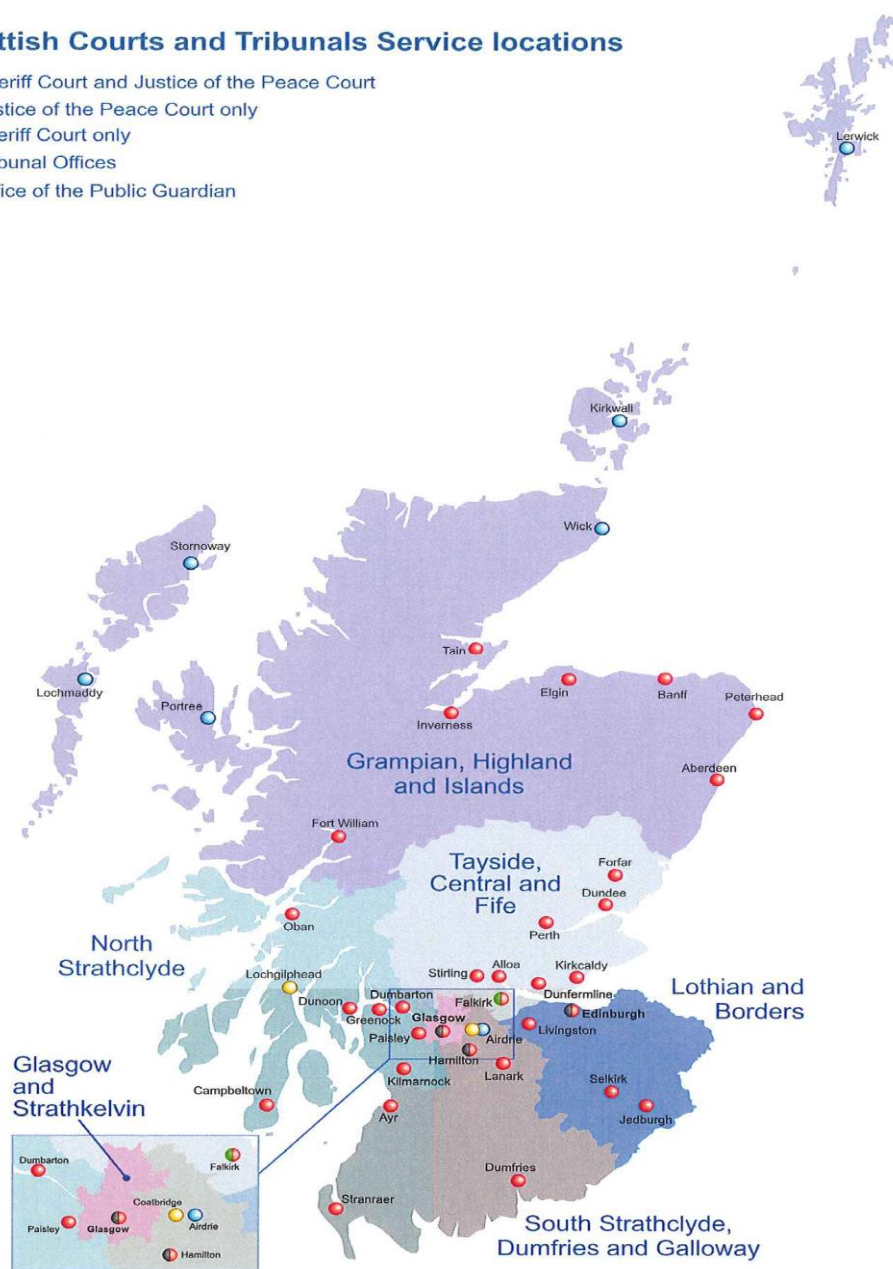
Inspectors were shown five sheets of paper clipped together containing a series of questions, including equality and diversity questions, in five different languages, Arabic, Latvian, Polish, Romanian and Slovakian. When enquiries were made regarding the use of Language Line, inspectors were advised that should it be required CCU staff would contact Police Scotland and ask for assistance. Accessing their rights requires an individual to know and understand them, and if English is not their first language, this becomes challenging.

Recommendation 10: clear guidelines need to be established in relation to ensuring that prisoners arriving at court know and understand why they are there, and they must fully understand the outcome of their court appearance.

Prisoners with little to no English or who have limited communication skills must have access to translation services/additional support before they arrive at court, and if necessary whilst in the CCU. It was not clear where responsibility for this lay. The G4S must agree a joint protocol with Police Scotland and SCTS that clearly sets out roles and responsibilities in this regard. This applies not only to foreign nationals but also to other vulnerable groups who may have issues with understanding and comprehension.

Scottish Courts and Tribunals Service locations

- Sheriff Court and Justice of the Peace Court
- Justice of the Peace Court only
- Sheriff Court only
- Tribunal Offices
- Office of the Public Guardian



The tables below provide the details of the Quality Indicators (QIs) assessed against and compliance adherence for each of our Standards as set out in our document “Standards for Inspecting Court Custody Provision in Scotland”, published in March 2017 - <https://www.prisoninspectoratescotland.gov.uk/news/standards-inspecting-court-custody-provision-scotland>

STANDARD 1: LAWFUL AND TRANSPARENT USE OF CUSTODY		
QI	Description	Inspected
1.1	Statutory procedures for identification of prisoners are fully complied with.	✓
1.2	All prisoners are classified, and this is recorded on the Personal Escort Record (PER) form.	✓
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	✓
1.4	A cell sharing risk assessment is carried out prior to each individual prisoner’s allocation to a cell.	✓

STANDARD 2: DECENCY, DIGNITY, RESPECT AND EQUALITY		
QI	Description	Inspected
2.1	The custody areas should be appropriately equipped and constructed for their intended use and be maintained to an appropriate standard.	✓
2.2	Good levels of cleanliness and hygiene are observed throughout the custody areas ensuring procedures for the prevention and control of infection is followed.	✓
2.3	All prisoners have access to toileting facilities on request.	✓
2.4	The meals provided to prisoners are nutritious, varied, served at the appropriate temperature and well presented.	✓
2.5	Where an individual remains in custody beyond 17:30 they should be provided with a nutritious evening meal.	✓
2.6	The meals provided to each prisoner conform to any specific dietary or medical requirements and their cultural or religious needs.	✓

STANDARD 3: PERSONAL SAFETY		
QI	Description	Inspected
3.1	The provider has in place thorough and compassionate practices to identify and care for those at risk of suicide or self-harm.	✓
3.2	The requirements of Health and Safety legislation are observed throughout the custody areas.	✓
3.3	All activities take place according to recorded safe systems of work which are based on appropriately completed risk assessments.	✓
3.4	The attitude, behaviour and approach of staff contribute to the lowering of the risks of aggression and violence.	✓
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.	✓
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.	✓
3.7	The management and supervision of prisoners, held in custody, takes into account the nature of any identified risks	✓
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.	✓
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.	✓

STANDARD 4: HEALTH, WELLBEING AND MEDICAL TREATMENT		
QI	Description	Inspected
4.1	Any treatment provided in custody must be undertaken by an appropriately qualified professional and meet accepted standards	✓
4.2	There should be at least one court custody staff trained in emergency first aid on shift at any given time.	✓

STANDARD 5: EFFECTIVE, COURTEOUS AND HUMANE EXERCISE OF AUTHORITY

QI	Description	Inspected
5.1	Court custody staff discharge all supervisory and security duties courteously and in doing so respect the individuals given circumstances	✓
5.2	The systems and procedures for the movement, transfer and release of prisoners are implemented effectively and courteously	✓
5.3	The systems and procedures for access and egress of all other people are implemented effectively and courteously	✓
5.4	The systems and procedures for monitoring and supervising movements and activities of prisoners inside the custody areas are implemented effectively	✓
5.5	The law concerning the searching of prisoners and their property in the custody areas is implemented thoroughly	✓
5.6	All security checks are carried out regularly and thoroughly	✓
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.	✓
5.8	Physical restraints are only used when necessary in accordance with any associated risk information provided on the Personal Escort Record and, in any case, strictly in accordance with the law.	✓
5.9	Prisoners' personal property and cash are recorded and, where appropriate, stored	✓

STANDARD 6: RESPECT, AUTONOMY AND PROTECTION AGAINST MISTREATMENT

QI	Description	Inspected
6.1	Relationships between staff and prisoners are respectful. The use of disrespectful language or behaviour is not tolerated	✓
6.2	Staff respect prisoners' rights to confidentiality in their dealings with them	✓
6.3	International human rights as asserted in law are respected	✓

RECOMMENDATIONS

Recommendation 1

SCTS should review their maintenance programme to ensure that the CCU is maintained appropriately and put in place a process to ensure that once identified, graffiti is removed as quickly as possible.

(Standard 2: Decency, Dignity, Respect and Equality)

Recommendation 2

The blind spots in the holding areas located near the court should be reviewed and addressed with some urgency.

(Standard 2: Decency, Dignity, Respect and Equality)

Recommendation 3

Whilst it is necessary to have viewing panels within toilet doors, these should be reviewed to ensure that the individuals using them are afforded sufficient privacy and decency whilst using the facilities.

(Standard 2: Decency, Dignity, Respect and Equality)

Recommendation 4

A review should be carried out urgently and consideration given to the positioning of an additional evacuation chair in the CCU, to allow the emergency evacuation of wheelchair users or other prisoners with limited mobility.

(Standard 3: Personal Safety)

Recommendation 5

G4S management should review the format of the OPIs to make them more accessible.

(Standard 3: Personal Safety)

Recommendation 6

G4S and Police Scotland supported by the SPS must review the guidance provided to their staff, in relation to what should be included on the PER form, to ensure that custody staff have all the information necessary in order that they can make informed decision about those in their care whilst within the CCU.

(Standard 4: Health, Wellbeing, and Medical Treatment)

Recommendation 7

This situation should be reviewed immediately to provide more appropriate disabled toilet access.

(Standard 4: Health, Wellbeing, and Medical Treatment)

Recommendation 8

G4S should review the current level and detail of Health and Safety training provided to CCU managers to ensure that they are appropriately trained for their level of responsibility

(Standard 4: Health, Wellbeing, and Medical Treatment)

Recommendation 9

This situation was far from ideal and should be reviewed to ensure that access and egress for those with limited or no personal mobility are provided with appropriate secure arrangements.

(Standard 5: Effective, Courteous and Humane Exercise of Authority)

Recommendation 10

Clear guidelines need to be established in relation to ensuring that prisoners arriving at court know and understand why they are there, and they must fully understand the outcome of their court appearance.

(Standard 6: Respective, Autonomy and Protection Against Mistreatment)

GOOD PRACTICE

1. Inspectors were impressed by the close working relationships that had developed between G4S, Police Scotland and SCTS staff. This relationship appeared to have the best interests of those being brought to and held in in the CCU at the core of how they worked together.

(Standard 2: Decency, Dignity and Respect for Equality)

2. Two vulnerable prisoners were due to attend the CCU, but after assessing the risk involved and their known erratic behaviour, the CCU manager reached an agreement with Police Scotland for them to be held at the local Police Station until they were ready to start proceedings thereby reducing the risk to themselves and others within the CCU. This was an example of good practice demonstrating caring collaborative work between Police Scotland and G4S.

(Standard 5: Effective, Courteous and Humane Exercise of Authority)

INSPECTION TEAM

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Glossary of Terms

CCTV	Closed Circuit Television
CCU	Court Custody Unit
HMIPS	HM Inspectorate of Prisons for Scotland
OPI	Operating Instructions
PEEPS	Personal Emergency Evacuation Plans
PER	Prisoner Escort Record
SCTS	The Scottish Courts and Tribunal Service
SPS	The Scottish Prison Service



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