



HMIPS

HM Inspectorate of Prisons for Scotland
INSPECTING AND MONITORING

**Inspection of Court Custody Provision,
Paisley Sheriff Court**

4 March 2019

Contents

	Page
Introduction and background	1
Overview by HM Chief Inspector of Prisons for Scotland	2
Standards, commentary and quality indicators	3
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	16
Annex B Summary of good practice	17
Annex C Inspection Team	18
Annex D Acronyms	19

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

On the day that Paisley Sheriff Court Custody Unit (CCU) was inspected there were 26 people in custody. Seventeen had arrived from Police Scotland custody cells and nine from Scottish Prison Service (SPS) establishments.

Paisley CCU had nine cells in total, including one observation cell, all of which were accessed by a staircase. To assist those with restricted mobility, the Scottish Courts and Tribunal Service (SCTS) had agreed with the service provider that a witness room located beside each of the custody courts could be utilised as a holding area when required.

Inspectors found the CCU to be an efficient and effective facility with staff that were clearly motivated, well led and working well as a team. Staff/prisoner relationships were professional, compassionate and respectful, resulting in a range of good practice including careful and appropriate cell allocation. The CCU staff had also developed good working relationships with key partners in the building.

Staff maintained good levels of supervision and maintained a thorough and compassionate approach to the risk of self-harm, distress or suicide. The staff were highly visible and approachable; and took account of the varied needs of those they were responsible for. Prisoners with distinct vulnerabilities could be located in an observation cell with a glass front, which allowed staff to safely monitor the prisoner from a discreet area, hidden from the gaze of the main corridor. Prisoners where English was not their first language could readily access translation services.

Movement was well controlled, safe and secure.

A small number of the Personal Escort Records (PERs) from Police Scotland did not have the age of the prisoner recorded or the appropriate box selected for identified risk, when there was risk clearly documented elsewhere on the record. In addition, two domestic abuse prisoners whose PERs were recorded as 'keep separate' had been transported by GEOAmev in the same van.

Although the CCU lacked natural light, it was well lit and clean. Despite the clean and freshly refurbished cells, there was unfortunately offensive graffiti on the doors, seating and ceilings. In addition, deactivated urinals within the cells and the lack of sanitary bins caused a potential biohazard. Since the inspection, inspectors have been advised that sanitary bins have been installed.

Finally, increasing the use of video-conferencing capability between the prison and the court would, in addition to financial savings, have significant benefits; reducing the transport and custody risk, the numbers of prisoners attending for short procedural court appearances, and the inconvenience suffered by the prisoner from long hours of travel or detention for a very brief court appearance.

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

Statutory procedures were compliant. CCU staff were observed asking prisoners to identify themselves when disembarking from the escort van. On arrival at the CCU reception desk they were again asked to confirm their name and date of birth, which was compared against their PER and computer record. When staff were satisfied that their identity had been confirmed, a photograph was taken of the prisoner and added to the computer system before the prisoner was placed in a cell.

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

Inspectors checked the PERs for every prisoner, and they all adequately documented the prisoner’s classification, any vulnerabilities, medical issues, dependencies and the cell sharing risk assessment (CSRA).

However, it was noted that a small number of PERs completed by CCU staff documented handcuff risk assessments (HRA) that were carried out, but there was no time or date recorded against it. This was brought to the attention of the CCU manager who immediately had this rectified.

It was also noted that a small number of the PERs from Police Scotland did not have the age of the prisoner recorded or the appropriate box selected for identified risk, when there was risk clearly documented elsewhere on the record.

It is essential that every prisoner who arrives at a CCU is risk assessed by staff, and that the assessment is accurately documented, irrespective of the outcome. Inspectors noted that the CCU staff intentionally did not complete the appropriate free text section in the assessment form if the risk box at the top of the page had not been selected. This left staff exposed to the suggestion that no assessment had been made or even considered, and as such left them vulnerable should an issue arise in the future.

QUALITY INDICATOR	RECOMMENDATION	RELEVANT AGENCY
1.2	When Handcuff Risk Assessments are undertaken, the time and date should be recorded on the PER form	GEOAmey
1.2	Where the PER form states 'no risk is known' the appropriate section of the form should be completed to say that it has been considered and what decision was taken	GEOAmey
1.2	All sections of the PER form should be completed, including age and if there is any identified 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 Sheriff Court, staff escorted prisoners from the escort vehicles to CCU reception. Inspectors followed prisoners on this journey and observed staff exercising calm authority and control throughout, adapting their approach when necessary.

Inspectors observed a board within the CCU, used by staff to show the proposed allocation of prisoners in each holding area. This board had been populated with prisoners names before the majority of the prisoners had arrived. Inspectors were informed that this was done based on information held on the CCU computer system, and if any further information was obtained that influenced that assessment of risk, changes would be made.

With this in mind, inspectors observed that on arrival at CCU reception, prisoners were asked a series of set questions that determined their solicitor, any medical or mental health issues, any dependencies and their diversity and equality views. This information was documented on the CCU computer system and, in union with their PER, identified any risk to the prisoner, themselves or to others. On completion of this process, a decision was then made on the appropriate holding area for that individual, if it differed from the initial allocation.

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

See QI 1.3

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 Paisley Sheriff Court formed part of a building that was built in 1885. As such, it was not reasonable to expect a fully inclusive environment that could be accessed and used by everyone, irrespective of their age, ability or gender.

Any prisoner attending Paisley Sheriff Court in a wheelchair or with restricted mobility could not be accommodated in the CCU, as access was via stairs. However, staff in the CCU and the SCTS had identified this as an issue and had put in place a process for such prisoners to be accommodated. It had been agreed with SCTS that a witness room located beside each of the custody courts could be utilised as a holding area when required.

There was no natural light within the CCU; however, artificial lighting was adequate throughout the facility.

There were nine cells within the CCU. The walls of all the cells appeared to have been painted relatively recently and were of a satisfactory appearance. The ceilings of the cells however were not. They were very badly damaged through graffiti caused by burning the paint with lighters or matches. The doors and seating were also badly damaged with graffiti, some of which was offensive.

All cell doors opened outwards, and all locks and viewing windows were found to be in good working order. Locking gates were present in all the corridors leading from an external door. Any solicitors or other agencies requiring access had to first pass through these gates once identified by staff (see QI 5.3 below).

Inspectors spent time interviewing some prisoners, including a male remand prisoner who had attended the CCU from prison custody. He had left the prison at 0630 arriving at the CCU around 0900. After a brief consultation with his solicitor, he spent no more than 10 minutes in the court before his remand was continued. He would not leave the CCU until around 1430, arriving back in the prison late afternoon. This prisoner reported that the last time he appeared at court the whole process took 12 hours. Inspectors discussed this with his solicitor who confirmed the sequence of events and timings.

The use of video-conferencing between the prison and the court has significant benefits; reducing the transport and custody risk, the numbers of prisoners attending and subsequently being processed by the CCU for short procedural court appearances and the inconvenience suffered by the prisoner from long hours of travel or detention for a very brief appearance. It would also, create financial savings.

QUALITY INDICATOR	RECOMMENDATION	RELEVANT AGENCY
2.1	A process should be put in place to remove the graffiti from the ceilings, cells doors and seating as quickly as possible after it is identified	SCTS
2.1	The use of video-conferencing should be explored under efficiency and decency grounds.	SCTS/ SPS/ Police Scotland

QUALITY INDICATOR	GOOD PRACTICE	RELEVANT AGENCY
2.1	The construction of the CCU is such that access by wheelchair or by persons of restricted mobility is not possible. The process put in place by the CCU staff in collaboration with SCTS to accommodate such prisoners at locations in another part of the building was effective and appropriate given the circumstances	GEOAmey/ SCTS

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.

Staff informed inspectors that in the event of a spillage of body fluids or other biohazard incidents they would not deploy spill kits or try to clean the area. They are instructed to isolate the affected area and request the attendance of cleaners with appropriate cleaning equipment. A biohazard incident occurred during the inspection confirming that this process was followed.

The CCU had a male and female toilet area, each containing two toilet bowls separated by a privacy wall. A door allowed adequate privacy for the user whilst being observed by CCU staff. It was encouraging to see that both had cleaning facilities with a soap dispenser, paper hand towels and two sinks. The toilet areas were clean and in good order, however one of the sinks was not working and had a sign above it informing any potential user. The sign appeared to have been there for some time. In addition, the buttons used to flush the toilets were of poor construction and not easy to use, they were stiff and required a degree of force to activate.

There were urinals in each of the holding cells. During the inspection, they had been deactivated and emanated an odour of stale urine. CCU staff advised that prisoners were instructed not to use the urinals and to ask to be taken from the holding cell to the toilet. However, this was frequently ignored and prisoners use the urinals. As they had been deactivated, they could not be flushed and a request had to be made for cleaners to attend and dispose of the urine.

Inspectors asked about the process for female prisoners requesting sanitary products, and were advised that they were provided immediately on request. When enquiring as to the safe disposal of such products, inspectors were informed that a small bag was provided by CCU staff for placing the products in, which was then left by the prisoner in the open corner of the female toilet area to be collected by a cleaner at the end of the day. Inspectors found this to be unacceptable as not only was it undignified for the prisoner, but it creates an unnecessary biohazard and potential weapon for other prisoners to use. This was reported immediately to the SCTS manager at Paisley Sheriff Court for action. Inspectors have been advised that since the inspection sanitary bins have been installed.

QUALITY INDICATOR	RECOMMENDATION	RELEVANT AGENCY
2.2	Buttons to flush the toilets should be refurbished as they are very stiff and difficult to activate	SCTS
2.2	The urinals within the cells should be removed or covered to prevent use	SCTS
2.2	Appropriate bins should be provided for the safe disposal of feminine hygiene products, and the practice of leaving such products in the corner of the toilet for later disposal should cease immediately. Inspectors have been advised that since the inspection sanitary bins have been installed.	SCTS

2.3 All prisoners have access to toileting facilities on request.

See QI 2.1 and 2.2 above regarding the management of prisoners within the CCU requiring to use toilet facilities. Prisoners with mobility issues located in holding areas within the witness rooms beside custody courts had full access to disabled toilet facilities within the court building.

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

Prisoner’s meals were supplied by the kitchen within the Sheriff Court building. They consisted of a suitable choice of fresh sandwiches, crisps and a cold drink. Coffee and tea was offered to prisoners during 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 within the CCU past 1600 hrs. Inspectors observed varied types of microwave meals and dry noodles 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 were catered for on request and water was seen to be provided to prisoners on request.

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.

The CCU staff were aware of the SPS Talk To Me Strategy and dealt with those arriving from prison establishments in the appropriate way. Inspectors observed staff enquiring as to prisoner's wellbeing throughout their stay, ensuring a continual awareness of risk and any changes required to levels of care.

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

See QI 5.6 below.

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.

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

Inspectors observed the staff within the CCU to be friendly, professional and keen 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 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.

Use of force forms were viewed by inspectors and found to be well-documented and stored appropriately. The most recent incident on 05.02.19 was scrutinised. It had been fully completed, with adequate levels of detail in the proforma sections, accompanied by good quality written statements from the staff involved.

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.

The CCU had a designated safer cell. It was constructed with a glass front, which allowed staff to safely monitor a prisoner from a discreet area, hidden from the gaze of the main corridor. This was found to be an appropriate holding area for those in need of additional supervision and care. There was no CCTV fitted to this area, therefore prisoners identified as vulnerable were closely monitored on a 10-minute rotation or constant observation if required.

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

Inspectors viewed the PERs of male and female prisoners who arrived at the CCU from police custody. They were both marked as requiring to be kept apart. Further scrutiny found that they were partners, and both were accused and victims in a domestic violence incident. It was documented that they had been separated in police custody over the weekend, and this was replicated whilst in the CCU. The inspectors interviewed the female prisoner as part of the inspection. It was established that she had been kept apart from her partner whilst in police custody but they had been placed in the same escort vehicle on route to the CCU. During this journey, he had been shouting at her, instructing her not to converse with other prisoners during the journey. Whilst he had not threatened her or tried to influence her conduct when appearing in court, his presence was threatening and intimidated her. There was little point in keeping them apart during their time in police and CCU custody, only to bring them together for the journey to the court.

QUALITY INDICATOR	RECOMMENDATION	RELEVANT AGENCY
3.7	When the requirement to keep prisoners apart has been identified, careful consideration should be given as to how they are transported to the CCU	Police Scotland/ GEOAmev

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.

CCU staff had a clear process for dealing with any complaints or allegations made by those held in custody. All such complaints were reviewed by the SPS contracts team to ensure fairness of treatment, and to ensure that appropriate remedies were identified and implemented when required. The CCU manager informed inspectors that when an allegation relating to a potential crime was made, it was referred immediately to Police Scotland. Police Scotland officers were located in the same area as the CCU and there were good working relationships.

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 secure holding area for the escort vehicles. This

was viewed by inspectors and found to be appropriate, presuming that prisoners in wheelchairs or of limited mobility were accommodated as described in QI 2.1 above. All staff were fully trained on the evacuation process and evacuation routes were clearly displayed on the walls of the CCU. Periodic evacuation drills were held for both the CCU and the remainder of the court. 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 could access medical services through a recognised service provider called Scot Nurse. The contract provided for an appropriate response within one-hour, and staff reported that attendance was usually well within that time.

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

If any control or restraint procedures were carried out, staff notified Scot Nurse as a matter of course and documented 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. Inspectors found that all staff 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.

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.

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

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

The movement of prisoners from the CCU to the courtrooms did not require the prisoner to pass through public areas, as steps led from the CCU directly into the courtroom. This was a good process that reduces the risk to both the public and CCU staff, by keeping the movement of prisoners within the court building to a minimum.

There was a sound procedure for moving prisoners within the CCU cell area, with only one prisoner being permitted out of the holding area at any one time.

Inspectors reviewed the process for prisoners being released from the CCU. It was found that all legal paperwork, including warrants, was checked thoroughly, and on every occasion contact was made with the originating prison to confirm release. Prisoners were checked against the court list, their PER and photograph before returning their property, which was signed for by the prisoner to acknowledge receipt. Prisoners were released through a side door, not into the public areas.

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

A secure entry system with intercom and CCTV, allowed access to the CCU through a secure door from a public corridor into a sterile area. Legal representatives and agency workers would wait in the sterile area before gaining final access. However, it was observed that legal representatives were required to shout the name of the prisoner that they represented to CCU staff through a locked steel gate. This was deemed by inspectors to be inappropriate as it breached confidentiality, but more importantly, announcing the presence of a particular prisoner to other prisoners within the CCU could potentially identify enemies or those prisoners at high risk.

Inspectors observed good working relationships between CCU staff, legal representatives and other agency workers.

QUALITY INDICATOR	RECOMMENDATION	RELEVANT AGENCY
5.3	The name of the prisoners that legal representatives wish to see should be obtained in a manner that does not involve shouting loudly from a perimeter gate	GEOAmev

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

There was CCTV coverage of all the corridors within the CCU but not of the cells. The CCTV system is on a continual loop and downloads could be obtained, if required, from the main Sheriff Court building. Cells were observed being allocated to vulnerable prisoners, such as females, those on protection and those aged under 21, to keep them safe.

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

Inspectors found the searching of prisoners on arrival at the CCU to be both thorough and methodical. Rub down searches were carried out before any prisoner was returned to their cell after visiting the toilet or to see legal representatives. Appropriate facilities were available should a more detailed body search be required.

5.6 All security checks are carried out regularly and thoroughly.

A senior member of staff carried out checks of the CCU in the morning before the arrival of any prisoners and at the end of the day before terminating duty. These checks were called “Alpha” checks and ensured that all toilets, doors, locks and security systems were in good working order. In addition, any health and safety issues that were identified were reported immediately. Inspectors were shown an accurate record of these daily checks, which were signed and dated appropriately. It was noted that on 18.02.19 controlled drugs were found hidden in the toilet and reported to Police Scotland, which was good evidence that the checks are necessary and effective.

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.

Inspectors did not observe the use of physical force or restraint by staff during the inspection. On inspecting the relevant documents and discussing it with staff on duty, there was evidence that the historical use of such force was well documented and appropriate. Staff were knowledgeable of the guidance and appeared satisfied that they had received sufficient training to utilise them confidently and operate within the law.

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.

See QI 5.7.

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

Prisoner's property was received at the CCU in sealed bags with a corresponding numbered tag. This was checked against the PER and stored in a wooden box against the cell number that the prisoner was allocated to. Valuable items were stored in a locking cabinet and the CCU manager held the key.

6. RESPECT, AUTONOMY AND PROTECTION AGAINST MISTREATMENT

Staffs 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 clear that there was a good relationship between staff and prisoners. As with the majority of CCUs, staff clearly knew some prisoners from previous occasions and the dialogue between them encouraged a degree of mutual respect. Inspectors observed a specific incident where staff interacted well with a young female prisoner who was unaware of the process or procedures. They provided reassurance and worked hard to keep her informed of the progress of her case. Inspectors later interviewed this prisoner as part of a selected group, and she confirmed their observations regarding her positive interaction with staff.

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

Inspectors enquired about communicating with prisoners who had little or no English. They were informed that CCU staff were able to utilise information cards that were obtained from the service user's computer system, which included equality and diversity questions in five different languages.

Inspectors were informed that the service provider had newly subscribed to Big Word. This was a telephone interpreting service enabling the user to access translation, interpreting and language technology services.

This service is in the process of being rolled out to all of Scotland's CCUs. This would allow each CCU to take ownership of communicating with prisoners, thus removing dependency on partner agencies. Each CCU will have its own PIN number to access the service and request the language they require. This will allow the gathering of statistics in respect of the frequency of requests and what languages are required in specific parts of the country. This could help to improve the overall service provided. At the time of the inspection, this service was not yet in use, but its implementation will be monitored in future CCU visits.

QUALITY INDICATOR	GOOD PRACTICE	RELEVANT AGENCY
6.2	Subscribing to Big Word and allowing all CCUs access to this service will ensure foreign nationals, and possibly other vulnerable groups, have a better understanding of the court process and in turn support them to access their rights	GEOAmey

Summary of recommendations:

QUALITY INDICATOR	RECOMMENDATION	RELEVANT AGENCY
1.2	When Handcuff Risk Assessments are made the time and date is accurately documented on the PER form	GEOAmev
1.2	Even when the PER form shows no risk is known the appropriate section of the form should be completed to say that it has been considered and what decision has been made	GEOAmev
1.2	All sections of the PER form should be completed including age and if there is any risk	Police Scotland
2.1	The ceilings of every cell within the CCU are badly vandalised and some contain offensive text and images. A process should be put in place to rectify this as quickly as possible after it is identified or the ceilings are painted in such a way to prevent such vandalism	SCTS
2.1	The use of Video Conferencing should be explored as a way of reducing the numbers of prisoners having to attend CCU. This would reduce risk, create financial savings and can be considered for use by some disabled prisoners who would have difficulties attending the CCU from either prison or the Police Station they are appearing from	SCTS SPS Police Scotland
2.2	Buttons to flush the toilets are very stiff and difficult to activate and some may find it almost impossible to use. The broken sink should be repaired	SCTS
2.2	The urinals within the cells should be removed or covered to prevent use	SCTS
2.2	Appropriate bins should be provided for the disposal of feminine hygiene products and the practice of leaving such products in the corner of the toilet for later disposal should cease immediately. Inspectors have been advised that since the inspection sanitary bins have been installed	SCTS
3.7	When the requirement to keep custodies apart has been identified and implemented at a police station or prison and further required on arrival at the CCU, careful consideration should be given as to how they are transported to the CCU. They should not be placed together a short distance apart in the same vehicle for the journey	Police Scotland GEOAmev
5.3	The name of the prisoner that any legal representative wants to see should be obtained in a manner that does not involve shouting loudly from a perimeter gate	GEOAmev

Summary of good practice:

QUALITY INDICATOR	GOOD PRACTICE	RELEVANT AGENCY
2.1	The construction of the CCU is such that access by wheelchair or by persons of restricted mobility is not possible. The process put in place by the CCU staff in collaboration with SCTS to accommodate such prisoners at locations in another part of the building is effective and appropriate given the circumstances	GEOAmeey SCTS
6.2	By subscribing to Language Line and allowing all CCU's access to this service will ensure foreign nationals and possibly other vulnerable groups, have a better understanding of the court process and in turn increase their access to human rights	GEOAmeey

Inspection Team

Calum McCarthy, HMIPS

Graeme Neil, HMIPS

Acronyms

CCTV	Closed Circuit Television
CCU	Court Custody Unit
CSRA	Cell Sharing Risk Assessment
HMIPS	HM Inspectorate of Prisons for Scotland
HRA	Handcuff Risk Assessment
PER	Personal Escort Record
SCTS	The Scottish Courts and Tribunal Service
SPS	The Scottish Prison Service



HM Inspectorate of Prisons for Scotland is a member of the UK's National Preventive Mechanism, a group of organisations which 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.prisoninspectorscotland.gov.uk/>

First published by HMIPS, 15 May 2019

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