



HM INSPECTORATE OF CONSTABULARY IN SCOTLAND

Local Policing+ Inspection Programme

Inspection of custody centres located in Tayside Division

January 2018



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HM Inspectorate of Constabulary in Scotland

HM Inspectorate for Constabulary in Scotland (HMICS) is established under the Police and Fire Reform (Scotland) Act 2012 and has wide ranging powers to look into the 'state, effectiveness and efficiency' of both the Police Service of Scotland (Police Scotland) and the Scottish Police Authority (SPA).¹

We have a statutory duty to inquire into the arrangements made by the Chief Constable and the SPA to meet their obligations in terms of best value and continuous improvement. If necessary, we can be directed by Scottish Ministers to look into anything relating to the SPA or Police Scotland as they consider appropriate. We also have an established role in providing professional advice and guidance on policing in Scotland.

- Our powers allow us to do anything we consider necessary or expedient for the purposes of, or in connection with, the carrying out of our functions.
- The SPA and the Chief Constable must provide us with such assistance and co-operation as we may require to enable us to carry out our functions.
- When we publish a report, the SPA and the Chief Constable must also consider what we have found and take such measures, if any, as they think fit.
- Where our report identifies that the SPA or Police Scotland is not efficient or effective (or best value not secured), or will, unless remedial measures are taken, cease to be efficient or effective, Scottish Ministers may direct the SPA to take such measures as may be required. The SPA must comply with any direction given.
- Where we make recommendations, we will follow them up and report publicly on progress.
- We will identify good practice that can be applied across Scotland.
- We work with other inspectorates and agencies across the public sector and co-ordinate our activities to reduce the burden of inspection and avoid unnecessary duplication.
- We aim to add value and strengthen public confidence in Scottish policing and will do this through independent scrutiny and objective, evidence-led reporting about what we find.

Our approach is to support Police Scotland and the SPA to deliver services that are high quality, continually improving, effective and responsive to local needs.

This review was undertaken by HMICS in terms of Section 74(2)(a) of the Police and Fire Reform (Scotland) Act 2012 and is laid before the Scottish Parliament in terms of Section 79(3) of the Act.

¹ Chapter 11, Police and Fire Reform (Scotland) Act 2012.



Contents

	Page
Our inspection	3
Key findings	5
Recommendations	6
Context	7
Outcomes	8
Resources	15



Our inspection

The aim of this inspection was to assess the treatment of and conditions for those detained in police custody centres located in Tayside Division. The division is served by three primary centres at Arbroath, Dundee and Perth. The inspection was linked to our review of local policing in Tayside Division, published in November 2017.²

Since our thematic inspection of Police Scotland's custody arrangements in 2014, HMICS has made regular inspections of custody centres across Scotland. This is our fifth report on custody since our thematic report. A long-term vision and plan for the delivery of a custody service in Scotland still remains to be developed. While some progress has been made in implementing our recommendations and improvement actions, we are disappointed that we continue to find some of the same issues and areas for improvement. While this report contains only one new recommendation, our findings reinforce the need for previous recommendations and improvement actions to be taken forward by Criminal Justice Services Division. Many of our comments in relation to the custody centres in Tayside will be equally applicable to other custody centres across Scotland and should be taken into account in improvement planning across the division. The future of custody, particularly its resourcing, continues to be one of the most commented on issues when HMICS speaks with officers and staff across the country. In light of the above, HMICS will look to have a more sustained focus on custody via another thematic inspection in the near future.

This custody inspection is part of an on-going programme of custody inspections which contribute to the United Kingdom's response to its international obligations under the Optional Protocol to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). OPCAT requires that all places of detention are visited regularly by a National Preventive Mechanism (NPM), an independent body or group of bodies which monitor the treatment of and conditions for detainees. HMICS is one of several bodies making up the NPM in the UK.³

Our inspections are based on an inspection framework which ensures a consistent and objective approach to our work. The framework consists of six themes:

- Outcomes
- Leadership and governance
- Planning and process
- People
- Resources
- Partnerships

Each theme is supplemented by a range of indicators setting out what we expect to find during our inspection. In relation to custody, the 'outcomes' theme features additional indicators specific to custody. These focus on the treatment of and conditions for detainees. Our custody inspections which take place during our Local Policing+ Inspection Programme will predominantly be focused on these custody-specific outcomes, but we will also comment on other themes from our framework where appropriate.

² HMICS, [Local Policing+ Inspection Programme: Inspection of Tayside Division](#) (2017).

³ For more information about the UK NPM, visit <https://www.nationalpreventivemechanism.org.uk/>.



Our inspections of all three custody centres located in Tayside Division were unannounced and took place in September 2017. During our visits, we assessed the physical environment, interviewed detainees, custody staff and other professionals working in the custody centre (such as nurses), observed key processes and reviewed a sample of custody records. We also took into account the views and experiences of officers and staff working in Tayside Division. Unannounced visits can limit what we see during our visits to custody as we may only observe what we find at the time of our visit. We revisited Dundee custody centre in November 2017.

HMICS wishes to thank the officers and staff of Criminal Justice Services Division for their assistance during our visits to the custody centres. The inspections were carried out by Laura Paton and Tina Yule, Lead Inspectors at HMICS, and Annie Crowley, Associate Inspector. On our first visit to the custody centre at Dundee, our inspectors were shadowed by two inspectors from Healthcare Improvement Scotland, Cath Haley and Jacqueline Jowett.

Derek Penman QPM

HM Chief Inspector of Constabulary
January 2017



Key findings

- Staff working at the custody centres in Arbroath, Dundee and Perth were professional and respectful, and the detainees we spoke to were generally satisfied with how they were treated.
- There has been an improvement in the accuracy of information included on Person Escort Records since our last inspection of police custody.
- The vulnerability questionnaire used when booking a person into custody has been revised and extended. New questions elicit additional information which might not previously have been disclosed and which assists in the development of care plans for each detainee.
- A national custody IT system has been rolled out, providing an opportunity for more consistent custody practice across Scotland as well as the easier collation of data which can inform the design and delivery of the custody service.
- It was not always clear why a detainee had been assessed as low or high risk, nor was the rationale for the subsequent care plans always apparent. This is a recurring theme in our inspections of police custody.
- There is evidence that risk assessments are being reviewed appropriately, with detainees being reassessed in light of new information or their changing demeanour or health while in custody.
- There were effective handovers between shifts, with good briefing of incoming teams on the history and needs of individual detainees.
- The toilet areas of cells monitored by CCTV were not pixelated on the monitoring screens, compromising detainee privacy.
- We had significant concerns about cleanliness and hygiene at Dundee custody centre. While Police Scotland took immediate action in response our concerns, there remains scope for further improvement.
- There were potential ligature points in cells at Arbroath and Perth.
- Detainees in Tayside benefit from 24-hour nurse-led healthcare provision based at Dundee custody centre. The nurse also travels to Arbroath and Perth when required.
- The resourcing of custody continues to be a concern, although Police Scotland has taken steps to address this issue pending the development of a long-term vision and plan for the delivery of its custody service.



Recommendations

Recommendation 1

Police Scotland should ensure that the toilet areas of cells monitored by CCTV are pixelated to preserve detainee privacy.

Context

1. Custody is delivered throughout Scotland by the Criminal Justice Services Division. This division is one of several national divisions which sit alongside and support the 13 local policing divisions. A single, national division was established to promote consistency in working practices across custody centres in Scotland. The division is led by a Chief Superintendent, who reports to an Assistant Chief Constable⁴ and, in turn, to the Deputy Chief Constable for local policing. Custody is delivered in accordance with the custody standard operating procedure (the 'custody policy').⁵
2. Custody centres in Scotland are organised into clusters, each led by an Inspector. The custody centres at Arbroath, Dundee and Perth are within the same cluster. The centres in Dundee and Perth are permanently staffed and open to receiving detainees at any time. At the time of our inspection, the centre at Arbroath was piloting weekend-only opening hours.

Custody centre	Type	Number of cells	Throughput in 2016-17
Arbroath	Primary	13	1,701
Dundee	Primary	40	6,368
Perth	Primary	18	2,353

PIRC investigations

3. The Police and Investigation Review Commissioner (PIRC) is an independent, statutory body whose role includes investigating the most serious incidents involving the police. Recommendations directed to Police Scotland by PIRC (and HMICS) are collated in an improvement plan which is overseen internally by the service's Senior Leadership Board and reported to the Scottish Police Authority. HMICS also has a role in following up on recommendations made by PIRC during the course of our own inspections.⁶
4. In the year prior to our inspection, there were no incidents at the custody centres in Tayside Division which required investigation by PIRC.

Independent custody visitors

5. Under the Police and Fire Reform (Scotland) Act 2012, the Scottish Police Authority is required to make arrangements for independent custody visitors to monitor the welfare of people detained in police custody.⁷ Regular visits to custody centres are carried out by volunteers from the local community. Like HMICS, the independent custody visitors in Scotland are members of the UK's NPM. Prior to our inspection of custody centres in Tayside, we engaged with the custody visiting scheme regarding any recent issues that had been identified by visitors to Arbroath, Dundee and Perth. This information was used to inform our inspection.

⁴ The custody portfolio is currently held by the Assistant Chief Constable (Local Policing East).

⁵ Police Scotland, *Care and welfare of persons in police custody – standard operating procedure* (2017).

⁶ See *Memorandum of Understanding between the Police Investigation and Review Commissioner and HM Inspector of Constabulary in Scotland* (2014).

⁷ Chapter 16, Police and Fire Reform (Scotland) Act 2012.



Outcomes

Treatment and conditions

6. The custody centres at Arbroath and Perth are medium-sized centres which, while somewhat dated, are generally maintained to an appropriate standard. The custody centre at Dundee is a large, busy facility located in the city centre. It is around 40 years old and was less well maintained than the other centres at the time of our visit. We had significant concerns about cleanliness and hygiene at Dundee, which prompted us to ask Police Scotland to take immediate action (see from paragraph 23). We visited all three centres in September 2017, and revisited Dundee in November 2017 to assess what progress had been made in relation to our initial findings.

Arrival in and release from custody

7. Staff manage the arrival and departure of detainees as safely and securely as possible given some challenges posed by the physical environment. At Arbroath, and at Perth when it is not possible to use the small, secure docking area, the yards and corridors through which detainees enter and exit the custody centres are less secure requiring staff to remain vigilant and ensure that detainees are escorted safely. At Dundee, the secure arrival and departure of detainees is made easier by the centre having a large, secure vehicle docking area, although staff must ensure that the docking area is clear of hazards and items that may aid escape. On the day of our first visit to Dundee, one such item was removed from the docking area at the request of HMICS inspectors.
8. On arrival, detainees remain in holding areas pending checks being carried out to identify if there are any warning markers that may indicate, for example, a history of violence or self-harm. The holding areas at all three custody centres were satisfactory and could be monitored via CCTV. Arresting officers in Tayside were less likely than those in other areas whose custody centres we have inspected to complain about queues forming at busy periods, suggesting the arrival and booking in process is being managed relatively efficiently. We observed effective booking in processes at Dundee and Arbroath (no detainees were booked into custody during our visit to Perth).
9. The booking in process is carried out or overseen by the custody sergeant. While there are three booking in desks at Dundee, we were told only two are operated simultaneously to safeguard the privacy of detainees. There was good awareness among sergeants and the custody staff we interviewed of the need for privacy during the booking in process when detainees are often required to disclose sensitive information. While the layout of the booking in desk itself ensures privacy at Perth, we were concerned that the office used by those working in custody is located at the police station's public counter. There is a risk that when discussing the needs of detainees, custody staff may be overheard by members of the public. We welcome plans by Police Scotland to change the layout of the public counter and custody office to reduce this risk.

10. Each morning, a private contractor (G4S) attends the custody centre to collect and escort those detainees who are due at court. While we did not observe the handover process on our visits to the custody centres in Tayside, we did review several Person Escort Records at each centre. A Person Escort Record (PER) providing information about the detainee and any risk factors is prepared by custody staff and given to escorting staff to help ensure that the detainee continues to be managed and cared for safely. All except one of the PERs we reviewed had been completed with all relevant risk factors. On one PER, custody staff failed to note that the detainee had suffered a concussion shortly before coming into police custody. While this was a potentially significant omission, the standard of information included on PERs generally appears to have improved since we recommended in 2015 that Police Scotland should ensure PERs are completed with all relevant risk factors and that reviewing PERs should form part of a custody quality assurance process.⁸

Risk assessment

11. During the booking in process, a risk assessment is carried out for every individual who comes into police custody. Effective risk assessment is vital so that detainees can be managed and cared for appropriately. A key element of the assessment is the vulnerability questionnaire, when custody staff ask the detainee questions relating to drug or alcohol use, medical history etc. The custody centres were not busy at the time of our visits and we were only able to observe the vulnerability questionnaire being delivered in a few cases. However, we were able to review additional risk assessments via a sample of custody records at each centre (we reviewed 35 custody records in total).⁹
12. We noted that the vulnerability questionnaire had been revised and extended since our last inspection of police custody. We welcome additional questions such as asking detainees whether they have experienced any knocks to the head in the past 48 hours, whether they have difficulty reading or writing, and whether they have recently used new psychoactive substances (also known as legal highs). We observed these questions eliciting additional information which might otherwise not have been disclosed and which informed the care plans developed for each detainee.
13. The initial risk assessment process concludes with custody staff determining a care plan for detainees. This involves determining whether the individual is high or low risk, and what level of observation they should receive. Under the current custody policy, observations can be either constant, or at 15, 30 or 60-minute intervals. All detainees are subject to at least 60-minute checks.
14. The responses to the vulnerability questionnaire and the subsequent care plan are recorded on a national custody IT system. This system was previously used in the legacy force area of Dumfries and Galloway and was rolled out nationally in early 2017. The national system represents a significant step forward for Police Scotland and provides an opportunity for more consistent custody practice across Scotland, as well as the easier collation of data which can inform the design and delivery of the custody service. It also allows custody records to be accessed across Scotland, meaning that if a person detained in Dundee had previously been detained in Glasgow, staff in Dundee could review their previous record for information about risk and vulnerability.

⁸ HMICS, [Local Policing+ Inspection Programme: Inspection of Edinburgh Division](#) (2015), Recommendation 5.

⁹ Four of the records we reviewed at Arbroath related to detainees who had been transferred from custody centres in Levenmouth and Dunfermline due to capacity issues. The transfer time for those detainees ranged from around 85 minutes (from Levenmouth) to around 140 minutes (from Dunfermline).



15. In our review of custody records, we found that it was not always clear to us from the information recorded why a detainee had been assessed as high or low risk, or why a particular level of observation had been chosen. This was true of records reviewed at all three custody centres in Tayside. For example, the following detainees were all assessed as low risk and each placed on 60-minute observations:
- a detainee who had attempted suicide in custody a few months previously
 - a detainee who had suffered a concussion shortly before coming into custody
 - a detainee who appeared under the influence of drugs while being booked in
 - a detainee who had warning markers for suicide, self-harm, depression and claustrophobia.
16. In each of these cases, the information available suggested the detainee was high risk and a more frequent level of observations may have been appropriate. In each case, it is possible that staff had good reason for their assessment, but simply did not record their rationale appropriately and dispel the inference that the detainees should be higher risk. For example, in relation to the last case, it is possible these warning markers were historic, and that the detainee provided assurance during the booking in process that their mental health was good and they had no concerns about being placed in a cell. Such information may have justified the assessment, but was nonetheless not recorded.
17. We also found inconsistencies in how the vulnerability assessments and observation levels linked with other actions taken to manage risks that detainees may pose. For example, one detainee was assessed as low risk and placed on 60-minute observations, but also had their clothing removed and replaced with a self-harm suit. In this case, consideration could have been given to whether it would have been more appropriate and proportionate, and less invasive, to allow the detainee to retain their clothing but be placed on a more frequent level of observation. There may be a need for further clarity around the 'scale' of interventions and safeguards used in custody to manage risk. This could be addressed through the custody policy, training for staff and quality assurance of records to monitor practice.
18. Fifteen-minute observations were not used in any of the custody records we reviewed, and almost all staff told us they were not used in custody centres in Tayside (one sergeant said 15-minute observations would be used 'rarely'). This is at odds with practice elsewhere in Scotland. In our inspection of the custody centres at Aikenhead Road and London Road in Glasgow in 2016, we noted that those centres were not using 15 or 30-minute observations, in contrast to other centres we had inspected. We recommended that Police Scotland should explore why this was the case and provide further guidance and training to staff where necessary.¹⁰ This recommendation remains outstanding in view of our findings at the custody centres in Tayside, and Police Scotland should consider whether the availability of resources to carry out more frequent observations is a factor in them not being used.
19. Our finding that risk assessments are either not being conducted or recorded appropriately echoes similar findings in previous inspections of other custody centres.¹¹ While risk assessment is not an exact science, and much reliance is placed on the skill and experience of custody staff to interpret the information available to them, this recurring finding suggests that Police Scotland must do more to ensure effective vulnerability assessments and care plans in custody.

¹⁰ HMICS, [Inspection of custody centres at Aikenhead Road and London Road, Glasgow](#) (2016), Recommendation 1.

¹¹ See, for example, HMICS, [Inspection of custody centres at Aikenhead Road and London Road, Glasgow](#) (2016) paragraph 18; HMICS, [Local Policing+ Inspection Programme: Inspection of Edinburgh Division](#) (2015), paragraph 245; HMICS, [Inspection of custody centre located in Aberdeen City Division](#) (2015), paragraphs 16 and 17.



20. More positively, our review of custody records showed that risk assessments were being reviewed appropriately, with detainees being reassessed in light of new information or changing demeanour or health while in custody. We saw several good examples of this. While changing levels of risk and observations were evident, there was a tendency among custody staff not to record other information about what actions had been taken as a result. For example, where a detainee's clothing (including underwear) has been removed and replaced with a self-harm suit, there is often no indication on the record that the detainee's clothing has been returned, even if their level of risk has changed from high to low, and their observations have been reduced. This may suggest that detainees' clothing is only being returned to them when they are being released from custody. While this may be appropriate in some cases, custody staff should be reminded that any interference with a detainee's right to privacy, such as the removal of their clothing, should be proportionate, and only for the shortest period of time necessary.
21. We observed effective shift handovers at all three custody centres. The sergeant or custody supervisor going off shift briefed the incoming supervisor about each detainee held, discussing any vulnerabilities and risks, the care plans for each, and any other information (at Arbroath, for example, this included the relationship between two detainees and the need to keep them segregated during their time in custody).

Custody environment

22. The cells at all three custody centres were of a good size, and all had natural light with the exception of one corridor of cells at Arbroath. Each centre had a mix of cells with high or low benches, thereby increasing accessibility for those detainees with mobility difficulties. However, no cells had call buttons within reach of the benches and there were no accessible toilets at any of the three centres. Each centre had two (Perth and Arbroath) or three (Dundee) cells that could be monitored via CCTV, however there was no pixelation on monitoring screens of the toilet areas which would preserve detainee privacy. Some staff told us they would attempt to afford some privacy to detainees using the toilet by covering that area of the screen with a post-it note.

Recommendation 1

Police Scotland should ensure that the toilet areas of cells monitored by CCTV are pixelated to preserve detainee privacy.

23. We had significant concerns about cleanliness and hygiene at Dundee custody centre. Many cells were not clean. Cell door hatches, walls, benches and toilets were contaminated with food and drink and bodily fluids. Cell corridors were messy, and the sink and shower areas were dirty and slip hazards had not been removed. Many of the mattresses and pillows were in a poor state. We also had concerns about the cleanliness of the kitchen which is used to prepare detainee meals as well by custody staff for storing and preparing their own meals.
24. We were concerned that the cleaning arrangements and protocols for the centre were inadequate. The centre had its own cleaner, but their working hours seemed insufficient for such a large custody centre and they did not work at the weekend. At the time of our inspection, the cleaner was on leave and there was no replacement. In the cleaner's absence at weekends and while on leave, custody staff were expected to fill in. However, the staff told us they were not trained and had insufficient awareness of cleaning protocols. While cleaning materials were available, there was no instructions for staff as to which tools were used for which purpose.



25. During the course of our visit to Dundee custody centre in September 2017, we immediately informed Police Scotland of our concerns about cleanliness and hygiene. We recommended that:

A deep clean of the cells, shower and sink areas and kitchen at Dundee custody centre is urgently required. Thereafter, the day-to-day cleaning arrangements for the custody centre should be reviewed to ensure they are adequate, including during periods when the cleaner is on leave. When the cleaner is not available, an appropriate alternative should be found. The cleaning duties for custody staff should be clear, and guidance and training provided where necessary.

26. Police Scotland responded promptly to our concerns. A senior officer in Criminal Justice Services Division attended the centre before the end of our visit and closed some cells. Further action was taken in the following weeks and months in response to our recommendation. We revisited Dundee custody centre in November 2017 to assess what progress had been made. We found that a deep clean of the centre had been carried out, the cleaning schedule had been revised to better suit the needs of the centre, new cleaning protocols were in place and clearer instructions provided to custody staff, a number of mattresses and blankets had been replaced with stock from other custody centres, all pillows had been disposed of (but not replaced), and the kitchen was much cleaner than before. We have also been advised that Police Scotland will now ensure that all cells in Scotland are deep cleaned twice each year, and that Police Scotland has entered into a new contract with a cleaning provider which will begin in April 2018.
27. While we welcome the action taken by Police Scotland, we remain concerned that our inspection was the catalyst for improvement. Although Criminal Justice Services Division has since introduced regular hygiene inspections in all custody centres and developed a hygiene improvement plan, we urge the division to consider why, in light of their acknowledgement that the custody centre was not clean, custody staff in Dundee either did not raise concerns about their working environment or insufficient action was taken in response to any concerns raised.
28. While we consider our recommendation to be discharged, we urge Police Scotland to monitor the condition of its custody estate and note that there remains scope for further improvement in Dundee. For example, the cleaning protocols could be developed further (including to address the cleaning of 'sporks')¹² and some improvements appear to be the result of some individuals, including sergeants, taking responsibility for cleaning, rather than tasks being clearly allocated to staff across different shifts. We also noted that there could be delays in addressing problems with cells. For example, at the time of our visit in November, three cells had been out of use since July because of defects with the call button, the toilet or the fire alarm. One cell with faecal contamination had been out of use for five days and was awaiting specialist cleaning. The cell area at Dundee would also benefit from general maintenance and repainting.
29. The custody environment, including cell accommodation, at Arbroath and Perth was generally acceptable, although there was scope for more thorough cleaning of cell ceilings and upper walls. Many cells in Arbroath would benefit from repainting. Both centres had cells with potential ligature points – in Perth, these tended to be around the windows and ventilation panels, and in Arbroath around the ventilation panels. There were also several ligature points in the female shower area in Perth requiring staff to be particularly vigilant when detainees are showering. The mattresses at both centres were thin and some required replacing. There was an unpleasant smell in some cells in Perth indicating a drainage problem.

¹² 'Sporks' are the plastic eating utensil used by detainees which are thought to be safer than traditional cutlery. They are a combination of a fork and a spoon.

Detainee care

30. We found custody staff working at Arbroath, Dundee and Perth to be professional and respectful, and the detainees we spoke to were generally satisfied with how they were treated. In Arbroath, we observed effective 'lodging in cell' procedures – when detainees were first taken to their cells, custody staff explained how they would be looked after and how staff could be summoned using the call bell. This procedure is supported by the addition of a list of prompts to the Prisoner Contact Record.¹³ This helps to address an improvement action previously identified by HMICS in 2014 in which we suggested that a checklist be developed for custody staff to use at the point of cell entry.¹⁴
31. Exercise was not available at any of the three centres, although some staff at Dundee said they would allow cooperative detainees a brief visit to the secure vehicle docking area for fresh air if they had been detained for a prolonged period (for example, over a bank holiday weekend).
32. We have generally found that washing facilities and showers are not regularly offered at many custody centres. There were no hand washing facilities in any of the cells in Tayside, and detainees are not routinely offered (nor do they ask for) the opportunity to wash their hands after using the toilet or before eating. At all three custody centres, showers were generally offered at weekends only, although we noted from our review of custody records that women who were menstruating were more likely to be offered hand washing facilities and the opportunity to shower regardless of the time of day or day of the week. We also observed staff in Dundee allowing a detainee to shower on a week day shortly in advance of his release given that he faced a bus journey of several hours to return home. We have previously recommended that Police Scotland review the availability of showers for detainees.¹⁵ Custody staff in Tayside told us that a lack of resources was a factor in showers not being offered more routinely.
33. Staff were generally aware of the need to identify and cater for the diverse needs of detainees, including religious needs. Religious texts and prayer mats were available, as were meals to suit a range of diets. While there was a good stock of reading material for detainees, there was no foreign language material in Arbroath.
34. We heard about inconsistent approaches to gender separation across the three centres. Staff we met at Arbroath and Perth told us they would seek to keep male and female detainees in separate areas of the cell accommodation where possible (in keeping with custody policy and a previous HMICS recommendation)¹⁶ whereas staff we met at Dundee said they would not.
35. Supplies of items required for detainee care and the general running of the custody centres were variable at the time of our initial visits. While there was a good stock of some items, the lack of effective stock control across all items could pose problems particularly if the centre became busy. For example, there was a very low stock of sanitary towels at Dundee. When we revisited Dundee custody centre to assess progress in relation to cleanliness, we noted that stocks of some items (including food) had been significantly depleted and that stock control appeared to have become increasingly problematic. We were told that Criminal Justice Services Division had only just introduced a new centralised approach to stock control. The effectiveness of this new approach should be closely monitored by the division, and feedback sought from custody staff as to how well it is operating. While effective stock control is desirable, stocks should not be reduced to a level that compromises the ability of staff to meet the needs of detainees.

¹³ The Prisoner Contact Record, also known as the 'cell sheets', is a hard copy log of contact with each detainee kept outside their cell.

¹⁴ HMICS, [Thematic inspection of police custody arrangements in Scotland](#) (2014), Improvement Action 5.

¹⁵ HMICS, [Thematic inspection of police custody arrangements in Scotland](#) (2014), Recommendation 8.

¹⁶ HMICS, [Inspection of custody centres at Aikenhead Road and London Road, Glasgow](#) (2015), Recommendation 3.



Individual rights

36. Appropriate grounds for detention existed for the detainees in custody at the time of our inspection, and the detainees were held for no longer than was required. In Perth, one detainee being held for court was held at the custody centre for longer than usual because it was felt the police were in a better position to provide the necessary care than if the detainee was looked after in court custody. All detainees appeared to have been provided with a Letter of Rights (a booklet setting out their rights), although this was not always recorded on their custody record. Appropriate adults were not used for any detainees during our inspection, but we noted their use in some of the custody records we reviewed.

Health care

37. Healthcare at the custody centres in Arbroath, Dundee and Perth is provided by NHS Tayside. A nurse is permanently based within the Dundee custody centre and may travel to visit detainees at Arbroath and Perth as required. If a person detained at Arbroath or Perth requires on-going care, they may be transferred to Dundee. Medical attention was sought and provided for those detainees who needed it during our inspection.
38. During our initial inspection of Dundee custody centre, HMICS inspectors were shadowed by inspectors from Healthcare Improvement Scotland (HIS). This was in preparation for a planned joint inspection programme between HMICS and HIS of police custody in which healthcare for detainees will be more fully assessed. It is hoped joint inspections may commence in 2018.



Resources

39. The three custody centres in Tayside are each staffed by five teams working shifts. Each team is led by a sergeant but, due to vacancies or absences, both Arbroath and Perth custody centres can be led by a police constable with supervisory oversight being provided by the sergeant based at the other centre (meaning that both centres cannot be led by a constable at the same time). There are several vacancies across the teams and centres at sergeant and constable or PCSO level. These vacancies, as well as absences of custody staff for training, sickness or leave, are covered by officers from the local policing division. This can affect the service provided by the local division to the public. During our local policing inspection of Tayside, officers who provided cover in custody described the negative impact this could have on their enquiries and day-to-day work. For those who were also tutor constables (providing support to probationers), they noted that providing cover in custody limited their ability to effectively supervise and support their probationers.
40. Criminal Justice Services Division has recently sought to minimise the impact of vacancies in custody across Scotland and the need for cover by seeking additional resource for a 12-month period. However, this additional resource will be drawn from local policing divisions (62 officers), as well as some corporate services (40 officers). Some of this resource has been allocated to the custody centres in Tayside and will reduce, but not eliminate, the need for local policing officers to provide cover. The division is also seeking to recruit 45 PCSOs across Scotland, in addition to filling the 27 vacant PCSO posts that have arisen since 1 April 2017 (vacancies arising prior that date were deleted).¹⁷
41. Criminal Justice Services Division has also worked with the local policing division to pilot the weekend only opening of Arbroath custody centre. This has allowed the personnel who staffed Arbroath from Monday to Friday to be redeployed to either Dundee or Perth custody centres. This pilot began in summer 2017 and has continued to date. Both divisions will need to assess the impact of the weekend only opening hours, including whether the benefits outweigh the need for officers who would previously have taken their detainees to Arbroath to travel the additional distance to Dundee. The divisions will also have to take into account the increased throughput and demand on the Dundee custody centre and its staff.
42. The resourcing of Dundee custody centre is complicated by the layout of the centre (over different floors) and the fact that custody staff also service the public counter at Dundee police station.¹⁸ This counter is the only one open to the public across the city 24 hours a day. This means there is always a need for some custody staff to be upstairs monitoring the counter, while others are downstairs caring for detainees. While custody staff are clear that the care and welfare of detainees takes precedence over their counter duties, this additional demand on their time requires to be taken into account when ensuring the custody centre is adequately resourced.
43. The resourcing of custody is one of the most commented on issues when HMICS speaks to police officers and staff across Scotland. It is essential that Police Scotland resolves this issue as soon as possible and develops a vision and plan for the delivery of its custody service. However, the long-term resourcing of custody will not be settled by Police Scotland until the custody provisions of the Criminal Justice (Scotland) Act 2016 (due to come into force in January 2018) have become embedded and their impact on custody throughput known.

¹⁷ Scottish Parliament Official Report, Justice Sub-Committee on Policing, 7 December 2017, column 21.

¹⁸ Custody staff also service the front counter at Perth.



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HMICS operates independently of Police Scotland, the Scottish Police Authority and the Scottish Government. Under the Police and Fire Reform (Scotland) Act 2012, our role is to review the state, effectiveness and efficiency of Police Scotland and the Scottish Police Authority. We support improvement in policing by carrying out inspections, making recommendations and highlighting effective practice.

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