



<b>Meeting</b>	<b>Policing Performance Committee</b>
<b>Date</b>	<b>10 June 2025</b>
<b>Location</b>	<b>Video Conference</b>
<b>Title of Paper</b>	<b>Independent Custody Visiting Scotland (ICVS) Annual Report 2024/25</b>
<b>Presented By</b>	<b>Scott Ross, Head of Change and Operational Scrutiny</b>
<b>Recommendation to Members</b>	<b>For Discussion</b>
<b>Appendix Attached</b>	<b>Yes Appendix A – ICVS Annual Report 2024/25</b>

## PURPOSE

The purpose of this paper is to provide the SPA Policing Performance Committee with an update and opportunity to comment on the Independent Custody Visiting Scotland Annual Report 2024/25.

## **1. BACKGROUND**

- 1.1 The Police and Fire Reform (Scotland) Act 2012 ('the Act') places a statutory duty on the Scottish Police Authority to maintain and manage the Independent Custody Visiting Scotland (ICVS) Scheme to monitor the welfare of people detained in police custody facilities throughout Scotland.
- 1.2 Chapter 16 of the Act states that ICVS is to provide independent monitoring of Police Scotland custody to ensure that detainees are being treated fairly, with dignity and respect and in accordance with the United Nations Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). OPCAT recognises that people who have been detained are particularly vulnerable and requires nation states to set up a national body that can support efforts to prevent ill-treatment in custody settings.
- 1.3 The 2024/25 Annual Report is attached in Appendix A. The Report highlights the activities, insights and independent assurance provided by ICVS. The scheme consists of 81 active Independent Custody Visitors (ICVs) supported by a National Manager and three Regional Coordinators.

## **2. FURTHER DETAIL ON THE REPORT**

- 2.1. During the 2024/25 reporting period, ICVs carried out 1,035 visits to custody centres across Scotland and spoke to 1,427 people in custody.
- 2.2. This Annual Report highlights to the Authority, the Scottish Justice System, the public and the United Nations that during 2024-25 ICVs raised no OPCAT concerns.
- 2.3. It should be noted that for all data presented in the report, that data labelled as 'issues' can be raised by a detainee and be found to have already been addressed by Police Scotland. In total, ICVs raised 1,336 detainee requests with custody staff in the 2024/25 period. Of these, 1,185 (89%) were resolved at the time of the visit. This reflects the mature partnership approach between ICVs and custody staff, by ensuring that in most instances any issues that are observed to be impacting detainees are resolved promptly.
- 2.4. The Annual Report discusses thematic findings that have been identified as areas for improvement. The majority of these areas for

improvement will be the responsibility of Police Scotland to address. However, a small number of findings will require input from other public sector partners or investment from Police Scotland to be resolved.

- 2.5. The areas for improvement outlined in the Annual Report are as follows:

**Finding 1** Mental Health Vulnerability – A growing demand

**Finding 2** Children in Custody

**Finding 3** Staffing resources

**Finding 4** Complaints Process

**Finding 5** Requests relating to rights and entitlements:

Letter of Rights

Wash/shower

Solicitor

Named Person

**Finding 6** Medical

**Finding 7** Police custody estate

- 2.6. ICVs continue to report on the provision of custody services and the custody estate. These observations highlight that improvements are required to help custody staff and officers ensure the care and welfare for those held in police custody. In particular, the Annual Report discusses that the Police Scotland custody estate remains in need of modernisation. This has been a long-standing area for improvement noted by Police Scotland, the Authority and ICVS.
- 2.7. ICVs have raised dignity issues as an area of concern during this reporting period. This includes one instance whereby an individual's underwear was found outside of a cell. ICVs have also reported significant challenges with regards to persons in custody not routinely being offered a wash or shower when they are in custody less than 24 hours. ICVS continues to advocate for policy changes to address this.
- 2.8. Mental health remains the most frequently self-declared vulnerability for those coming into police custody. In 2024/25, 42% of individuals in custody had self-declared mental health vulnerabilities, remaining consistent from 43% in 2023/24. The Annual Report includes a case study to exemplify challenges that can be faced by custody staff in ensuring the safety and wellbeing of everyone held in Police Scotland custody.
- 2.9. The Annual Report notes that ICVs regularly praise custody officers and staff in their observations, noting the positive actions taken by

individuals and team to keep those in custody safe and that their needs are met. It also summarises areas where ICVS has effected change and the achievements of the Scheme in the last reporting period.

- 2.10. In the majority of cases issues raised by visitors are resolved immediately by Police Scotland and there should be assurance taken from the fact that no OPCAT issues have been observed.

### **3. FINANCIAL IMPLICATIONS**

- 3.1. There are no direct financial implications in this report.

### **4. PERSONNEL IMPLICATIONS**

- 4.1. There are no direct personnel implications in this report.

### **5. LEGAL IMPLICATIONS**

- 5.1. There are no direct legal implications in this report.

### **6. REPUTATIONAL IMPLICATIONS**

- 6.1. There are potential reputational implications associated with this paper.
- 6.2. There are potential reputational implications associated with this paper given the nature of reporting. However, in the majority of cases issues raised by custody visitors are resolved immediately by Police Scotland and there should be assurance taken from the fact that no OPCAT issues have been observed and identified.

### **7. SOCIAL IMPLICATIONS**

- 7.1. There are no direct social implications in this report.

### **8. COMMUNITY IMPACT**

- 8.1. There are no direct community implications in this report.

### **9. EQUALITIES IMPLICATIONS**

- 9.1. There are no direct equality implications in this report.

## **10. ENVIRONMENT IMPLICATIONS**

10.1. There are no direct environmental implications in this report.

## **RECOMMENDATIONS**

Members are requested to: discuss, comment and note the ICVS Annual Report.

Subject to any changes discussed at the Committee, the document will be designed for publication on the SPA website by end of July 2025.



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**AUTHORITY**  
ÙGHDARRAS POILIS NA H-ALBA



**INDEPENDENT  
CUSTODY  
VISITING  
SCOTLAND**

TADHAL  
NEO-EISIMEILEACH  
AIR DAOINE ANN  
AN GRÈIM ALBA

# ICVS Annual Review 2024-25

Independent Custody Visiting Scotland

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**OUR VISION** – Ensure every person held in police custody in Scotland is treated fairly, with dignity, and free from ill-treatment.

**OUR MISSION** – Promote and support our independent custody visitors in providing public reassurance on whether police custody in Scotland is meeting the highest international standards, is safe, and complies with all relevant Human Rights obligations.



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## 1. Foreword

I am delighted to present our Annual Report for Independent Custody Visiting Scotland (ICVS).

The report covers the period of 1 April 2024 to 31 March 2025 and provides a summary of the work undertaken by and the achievements of the ICVS team and the Independent Custody Visitors (ICVs).

The management of the scheme is a statutory function for the Scottish Police Authority ('the Authority') and is in place to help raise public awareness of the rights, entitlements, care, welfare and dignity of persons held in police custody. The scheme also provides oversight on the facilities in which people are held and helps identify the needs and concerns of custody staff and officers to enable them to provide the right care and welfare.

ICVs continue to report on the good work of custody staff and officers and where custody centres are well run. However, there is still work required to ensure police custody can adapt to meet the needs of people in custody.

The Police Scotland custody estate remains an area of focus, with a considerable amount of ongoing work to reduce the number of persons brought into the custody across the service. The Authority fully supports the prioritisation of improving the custody estate and initiatives to reduce the number of persons brought into police custody where proportionate.

We are grateful to all ICVs for their continued support and willingness to cover custody centres throughout Scotland. This ensures that the Authority is fulfilling its statutory obligation and that every custody centre in Scotland is being visited. The ongoing feedback from ICVs and their detailed reports is invaluable in helping to make improvements to custody provision.

The annual report highlights some fantastic achievements the team and ICVs have received, recognising the dedication to ICVS and driving improvement of custody provision in Scotland.

I would like to thank our ICVs for your continued support and commitment to assuring the care and welfare of those in Police Scotland custody.

*[After presentation to PPC this foreword will be proposed for the Chair of The Authority]*  
Scottish Police Authority



## 2. Introduction

### The Scottish Police Authority

The Authority consists of a Board of up to 15 members, including a Chair and Vice Chair. Members are selected through an impartial public appointments process and appointed by Scottish Ministers.

Through Board and Committee meetings, the Authority provides oversight to ensure that major decisions about the policing of Scotland are made transparently and appropriately.

The Authority's Policing Performance Committee (PPC) provides oversight of continuous improvement in policing through reviewing policing performance against agreed strategies, plans and statutory requirements. ICVS provides updates to the PPC twice per year. Further details on the committee and ICVS performance review can be found [here](#).

### What is Police Custody?

If somebody is detained in police custody, they are held in a secure location, typically at a Police Station, and are under the supervision of police officers or staff.

The care and welfare of individuals in police custody is paramount. Within police custody facilities, police officers and staff have the responsibility of care, as well as detention, of persons in custody. Many may be vulnerable or have additional needs, which should be considered and accommodated, whilst carrying out these responsibilities. Custody staff and officers deal with a range of diverse conditions, needs and vulnerabilities that include mental health and physical health conditions, substance misuse, intoxication, learning disabilities and gender-specific needs, all of which can be intensified by being held in police custody. Police Scotland has a responsibility to ensure that people are kept safe and that their needs, human and legal rights are adhered to and accommodated.

Police custody facilities are a necessary part of law enforcement and serve to protect both society and the individual. The decisions and actions that lead to someone being detained can be influenced by a broader set of factors than the crime itself – such as alcohol or substance misuse or mental ill-health. To take away the liberty of a human being, even for a short period of time, is one of the most significant responsibilities carried out by police officers.

Police Scotland utilise three types of custody centres:

**Primary Custody Centre** – a centre which is open to receive persons in custody on a full-time basis.

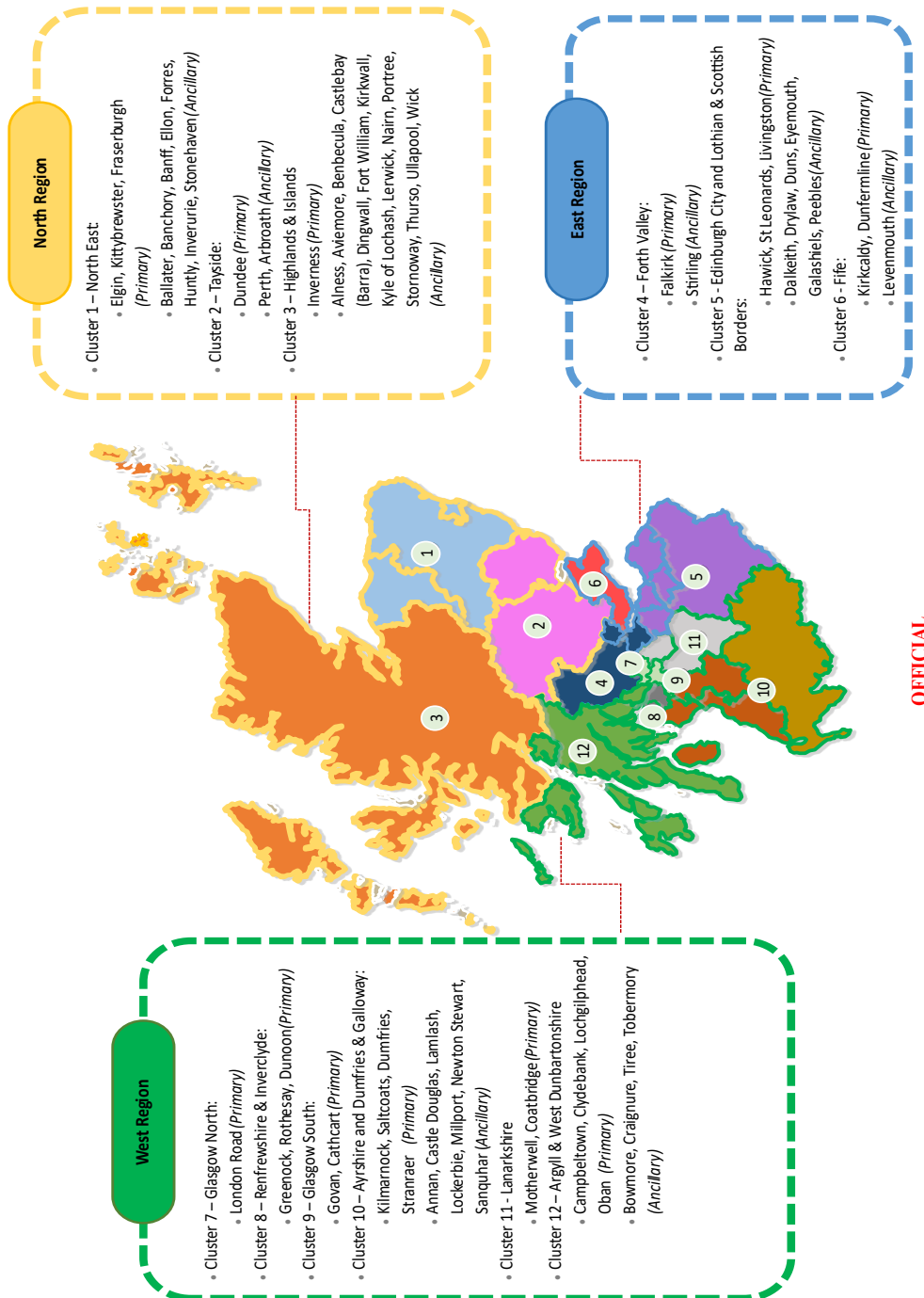
**Weekend Opening Facility** – a centre which is routinely used at peak weekend times.

**Ancillary Custody Centre** – a centre which may be opened due to demand or to meet the needs of a specific location.

During the reporting period there were a total of 71 custody centres open throughout Scotland and accepting detainees.

Custody centres across Scotland are organised into 12 geographical clusters, each led by an officer of Police Inspector rank, known as the 'Cluster Inspector'. These clusters are also grouped and overseen by Chief Inspectors who report into Superintendents.

Figure 1- Map of custody clusters and regions



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## How does an individual find themselves in custody?

Police officers have the power to arrest an individual if they have reasonable grounds for suspecting that a crime has been committed or is in the process of being committed by them. Upon arrest, the individual must provide the police officer with their name, date of birth, address and nationality.

The police officer will explain to the individual why they are being arrested and then escort the individual to a police custody centre. Typically, this will be the closest centre to the site of arrest, however, occasionally an alternative custody centre will be used if the closest facility centre is unavailable, has a queue for processing people in custody or another centre is better equipped to meet the needs the person.

Once at a custody centre, the custody officer will provide the individual with an explanation of their rights. The custody officer will then complete a series of vulnerability-based questions to establish any risks or concerns and determine whether the individual is fit to be detained. Police custody is an inherently high-risk area for policing. Custody is often a point where individuals with complex needs, compounded by societal issues, are under the care and welfare of Police Scotland.

If the individual being detained is suspected of a crime but has not yet been charged, Police Scotland has the power to hold them for up to 12 hours before they have to formally charge them with a crime or release them. This can be extended to a maximum of 24 hours, but only if authorised by a senior officer. Police Scotland only uses this power in rare cases and when absolutely necessary. Police Scotland can also release the individual whilst investigations continue.

In addition to ensuring the welfare of individuals whilst in police custody, Police Scotland also has a duty of care to ensure that those who are being released from custody are fit, able and prepared to look after themselves, and that any identified threats or vulnerabilities are managed. This is done via a pre-release risk assessment, which carried out for every person in custody prior to release or transfer to court.

All officers and staff within custody, irrespective of rank, are responsible for the care and welfare of people in custody. There are various roles that allow for the efficient and effective delivery of custody in Scotland:

The role of **Cluster Inspector** is central to the delivery of efficient and effective custody management, balancing a range of operational priorities. Cluster Inspectors may oversee multiple custody centres in their area.

The **Custody Sergeant** is responsible for local criminal justice decision making and the day-to-day running of the custody centre. Custody Sergeants also

provide information and guidance to staff. They are there to ensure the safety and welfare of staff, officers and persons in custody and to ensure that custody supervisors are sufficiently trained and supervised whilst undertaking their responsibilities.

A **Custody Review Inspector (CRI)** is on duty 24/7 and provides advice, guidance and support to Custody Supervisors nationally.

**Criminal Justice Team Leaders** lead a multi-disciplinary team within Criminal Justice Services Division to ensure the efficient and effective operation of the function. Similar to a Custody Sergeant, the Team Leader has responsibility for decisions relating to the care and welfare of persons in custody. This is a critical role and allows Custody Sergeants to focus on criminal justice decision-making whilst ensuring that the welfare of persons in custody remains a priority.

**Criminal Justice Police Custody and Security Officers (CJ PCSOs)** are police staff who work within custody, managing and maintaining the safe custody, care and welfare of persons in custody.

### What is the Independent Custody Visiting Scheme?

Chapter 16 of the Police and Fire Reform (Scotland) Act 2012, sets out the Authority's responsibility for making arrangements in order that ICVs may:

- Visit persons in custody.
- Access information relevant to the treatment of persons in custody and conditions in which they are detained.
- Monitor the treatment of persons in custody and the conditions in which they are detained. The Act also states that the Authority's arrangements must:
- Provide appointment arrangements for suitable persons to become a visitor.
- Authorise ICVs to do anything which the Authority consider necessary to enable them to visit and monitor treatment of persons in custody and the conditions in which they are held.
- Provide for reporting on each visit.
- Be kept under review and revised as the Authority sees fit.
- Prepare and publish such reports on independent custody visiting as the Scottish Ministers may reasonably require.

Independent Custody Visiting Scotland (ICVS) has an essential role to ensure that the dignity and human rights of any individual in custody are respected and upheld. Through the ICVs' observations and reports, the scheme provides the Authority with assurance and identifies areas where improvement could be considered, thus supporting the Authority to maintain and improve policing in Scotland.



ICVS is led by a National Manager and three Regional Coordinators, covering the East, North and West of Scotland. ICVS provides the information and observations that allow the Authority to draw together thematic areas and identify trends emerging from visits to help support Police Scotland to continuously improve.

ICVs are volunteers from the community who make unannounced visits in pairs to police custody centres to check the treatment of persons in custody and assess the conditions in which they are held. They also have a role in ensuring their dignity, health and wellbeing are being appropriately protected and cared for. They do this by monitoring facilities, speaking to persons in custody, checking custody records and generally observing custody centres.

ICVs are trained to make observations and ask a series of questions to identify an individual's specific needs and requests and that these have been met. ICVs report directly to the Regional Coordinators detailing any issues that arise from a visit or requiring further action. Recommendations made by ICVs lead to improvements for the welfare and dignity of detainees and help make improvements for custody officers and staff.

Any issues requiring immediate action are escalated to the Custody Sergeant at the time of the visit. Consequently, ICVs play a valuable role in maintaining public confidence in policing.

In addition to standard custody centers, ICVS also monitors:

**Legalised Police Cells**, these are police cells that have been 'legalised' and as such are used to hold individuals awaiting trial locally, or who have been returned from prison for sentencing, or following conviction, pending transfer to prison. There are four designated police stations which may be used as legalised cells. These are Lerwick, Kirkwall, Stornoway and Hawick.

When this takes place, the cells used to house custodies are known as 'Legalised Police Cells' (LPCs) in terms of the Prisons Act 1989 and different legal rules apply to the provision of certain elements of custody care. The applicable rules are the [Prison & Young Offender Institution \(Scotland\) Rules 2011](#) as amended.

**Terrorism Act (TACT) and National Security Act (NSA)** is used for those who have been arrested on suspicion of being persons who are, or have been, concerned in the commission, preparation or instigation of acts of terrorism, or who have been arrested for statutory offences as detailed in the Terrorism Act (for example fundraising or directing terrorism). This centre is visited by specially trained ICVs.

ICVS is a member of the TACT Network and meets to discuss matters arising and receive updates from the Independent Reviewer of Terrorism Legislation (IRTL) and National Security Act.

During the reporting period, there was **one** TACT activation, and **four visits** carried out with no issues recorded.



**Border Force** is not a statutory requirement for ICVS. However, for reasons of public confidence and transparency, arrangements have been made to visit these facilities by ICVs in line with the rest of the UK. During the reporting year there was no activation required to Border Force facilities. Visits do take place to ensure these facilities are fit for purpose.

## Escalation process for ICVs raising concerns

ICVs will raise any concerns directly with the on-duty custody officers and staff. For any issues that are not able to be resolved immediately, ICVS Regional Coordinators will follow up with the Cluster Inspector or checking custody records.

Issues which the ICVs consider to be more serious are escalated to the ICVS Regional Coordinators and National Manager immediately following a visit. There are three levels of escalation for feedback from ICVs:

1. Raised directly with custody officers and staff at the time of visit, e.g. immediate areas for improvement.
2. Escalation to Regional Coordinators or the ICVS National Manager who then contacts Police Scotland for a response/update; Escalation at this stage can also occur between the ICVS National Manager and the Head of Change and Operational Scrutiny for direct liaison with the Divisional Commander of Criminal Justice Services Division (CJSD). Escalation at level 2 also involves a High-Level Tracker between Police Scotland CJSD Continuous Improvement Unit (CIU) and the Authority; and
3. Escalation through the Policing Performance Committee and/or Authority Board, if necessary.

ICVs attend cluster meetings on a quarterly basis which allow for further discussion on any observations made by ICVs. These meetings are chaired by the Regional Coordinators and at each meeting the Cluster Inspector for that region is present to provide updates and to address any issues brought to their attention by the ICVs.

## Frameworks and Partner Organisations

### United Nations Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)

Chapter 16 of the Police and Fire Reform (Scotland) Act 2012 states that the ICVS is to provide independent monitoring of Police Scotland custody to ensure that persons in custody are being treated fairly and in accordance with OPCAT. OPCAT recognises that people who have been detained are particularly vulnerable and requires nation states to set up a national body that can support efforts to prevent ill-treatment in custody settings. This national body is called the 'National Preventive Mechanism' (NPM).

Police Scotland has specific obligations in pursuance of OPCAT. Police Scotland's Code of Ethics, to which every officer and staff member must adhere, is an essential mechanism that underpins the rights of persons in custody and ensures that these are upheld to the highest standard.

The Police Scotland Code of Ethics sets out the standards expected of all those who contribute to policing in Scotland. The code provides a practical set of measures that are reflective of the Police Service of Scotland. The code recognises that all staff and officers are responsible for delivering a professional policing service to all people across the country. This includes individuals in custody. The code sets out four key areas: integrity, fairness, respect and human rights. The code has some key statements which set clear standards for Policing in Scotland in pursuance of OPCAT:

- I will show respect for all people and their beliefs, values, cultures and individual needs.
- I will have respect for all human dignity as I understand that my attitude and the way I behave contribute to the consent communities have for policing.
- I shall treat all people, including detained people, in a humane and dignified manner.
- I will not encourage, instigate or tolerate any act of torture or inhuman or degrading treatment under any circumstance nor will I stand by and allow others to do the same.
- I understand that the humane treatment of prisoners is an essential element of policing and that the dignity of all those I am trusted to care for remains my responsibility. (Article 3)
- I understand that people have an equal right to liberty and security. Accordingly, I will not deprive any person of that liberty, except in accordance with the law (Article 5).

## National Preventive Mechanism (NPM)

The NPM was established in March 2009 after the UK ratified the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) in December 2003. It is made up of 21 statutory bodies that independently monitor places of detention across the UK. More details can be found [here](#).

NPM Scottish Subgroup was established on 6 October 2014. It represents the interests of Scottish members of the UK NPM and aims to:

- Share information on the work of the NPM bodies in Scotland
- Identify common issues and interests
- Coordinate NPM activities in Scotland
- Explore possibilities for joint activity
- Raise the profile of the work of the NPM
- Improve liaison with the Scottish Government
- Provide support to the NPM members in Scotland
- Make use of self-assessment and peer evaluation tools as a method of measuring continued improvement

The Subgroup meets quarterly and is coordinated by the UK NPM Secretariat.

## Independent Custody Visiting Association (ICVA)

ICVA provides leadership to Independent Custody Visiting schemes in the UK, helping them to define their aims and ensuring that schemes remain up to date in policing reforms. Their activities include responding to the increase in terrorism-related arrests in the UK, developing and delivering the Quality Assurance Framework for schemes to be recognised for their work, and working with schemes to develop data collection standards and corresponding documentation. The ICVS National Manager is currently a board member of ICVA and provides input to business plans, budget and matters arising and represents the Scotland scheme. ICVA website can be found [here](#).

### 3. Annual Activity Data of the ICVS 2024-25

#### Custody Throughput

Between 1st April 2024 – 31st March 2025, **102,085** individuals were detained by Police Scotland. This represents a slight decrease from 1st April 2023 to 31st March 2024. **Table 1** below details Police Scotland's official custody throughput figures from 2020-21 to 2024-25:

Table 1: Annual Custody Throughput Figures					
	2020-21	201-22	2022-23	2023-24	2024-25
<b>Custody Throughput</b>	101,203	96,170	98,960	102,716	102,085

**Table 2** provides a breakdown of people in custody by age and gender. Males continue remain higher to be held in custody than females and the 26-45 age category had the highest number of people in custody. Approximately 1% of those that experienced custody in the 2024-25 reporting period were under the age of 16.

Table 2: Age Range of Persons in custody in Custody			
2024-25	Female	Male	Unassigned*
<b>U16</b>	202	875	99
<b>16-25</b>	2979	16380	1361
<b>26-35</b>	5342	23575	1261
<b>36-45</b>	5992	21926	1178
<b>46-60</b>	3040	13560	722
<b>Over 60</b>	531	2943	119

When an individual is brought into police custody, custody officers and staff will speak with the individual and undertake a vulnerability assessment. **Table 3** provides a summary of the vulnerabilities or specific characteristics that were declared by people when they came into police custody. The data show the percentage of people that came into police custody who self-declared as having

a mental health vulnerability and the percentage of those who disclosed having a drug or alcohol dependency.

**Table 3: Self-Declared Vulnerability / Specific Characteristics**

<b>2024-25</b>	<b>U16</b>	<b>16-25</b>	<b>26-35</b>	<b>36-45</b>	<b>46-60</b>	<b>Over 60</b>	<b>% of total Persons in Custody with characteristic</b>
<b>Alcohol Dependent</b>	10	1557	4037	4739	2872	392	13%
<b>Drug Dependent</b>	27	2376	5105	5575	2545	68	15%
<b>Mental Health</b>	221	6899	13446	13616	7604	960	42%
<b>Foreign Nationals</b>	81	2075	3306	2951	1441	157	10%

## ICVS Key Figures

As of 1 April 2025, there were 81 active ICVs participating in the scheme across the country. They visit custody suites unannounced and at any time of the day of the week and are completely independent from Police Scotland and The Authority.

Six of these ICVs are fully qualified and trained for specific visits to those arrested under the Terrorism Act. **Table 4** shows the breakdown of ICVs across geographic areas and by gender during this reporting period.

<b>Table 4: Number of current ICVs</b>	<b>Male</b>	<b>Female</b>	<b>Leavers</b>
<b>North</b>	6	14	3
<b>East</b>	13	14	5
<b>West</b>	16	18	4
<b>Total</b>	35	46	12

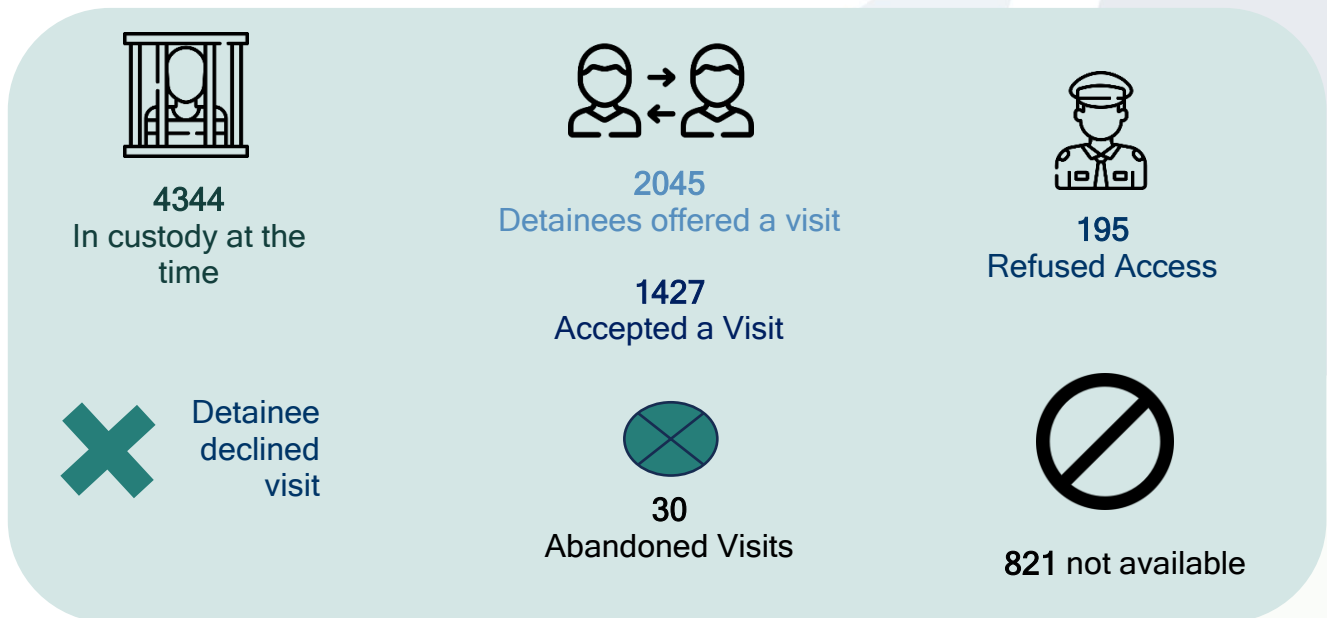
The total financial cost to the Authority for supporting ICVS was **£240,641**, which has decreased from 2023-24. The ICVS team continue to look at ways to provide cost effective support to custody visitors via online meetings/training and regularly monitor custody visit rotas aligns with throughput figures.

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In 2024-25, **1035** visits were carried out to police stations across Scotland with **4344** detainees in custody at the time of visit. ICVs spoke with **1427** persons in custody and observed 46. There were **30** abandoned visits, a slight increase from previous year of 27, however overall ICVs advised they were satisfied with **1031 (99%)** of visits. **4** visits were reported as unsatisfactory as ICVs were advised that staff resources were limited and unavailable to accommodate the visit.

A visit categorised as 'unavailable' is when the person in custody is currently not in the cell or is otherwise occupied. Example include:

1. having fingerprints taken;
2. forensic tests;
3. out of cell for questioning, or with a solicitor; or
4. receiving a medical assessment.



From the figures above relating to detainee visits refused and not available, a person can be included one or more categories.

There are also instances where Police Scotland will refuse access under ministerially determined grounds for refusal. These are specific reasons for which access to a person in custody can be refused:

1. denying a visit is necessary for an independent custody visitor's safety;
2. such access could seriously interfere with the process of justice;
3. there are urgent and compelling grounds of public safety;
4. there is serious disorder in the place to be visited that temporarily prevents the carrying out of such a visit;
5. there is a period of emergency, either national or more local, for example a health pandemic;
6. there is natural disaster.

Throughout the reporting period, ICVs continued to undertake unannounced visits to custody facilities on weekdays and at weekends. **Table 5** shows on which days of the week visits were conducted during 2024-25:

Table 5: Days of the Week Visits Occur	
Day	Number of Visits
Sunday	50
Monday	149
Tuesday	207
Wednesday	206
Thursday	201
Friday	140
Saturday	82



#### 4. Key Thematic Findings

This report highlights to the Authority, the Scottish Justice System, the public, and the United Nations that during 2024-25 ICVs have raised no OPCAT concerns relating to ill treatment or torture.

However there remains significant challenges with regards to not offering and providing persons in custody with a wash/shower when they are in custody less than 24 hours, and this is an ongoing issue raised by ICVS.

ICV findings have again raised dignity issues as a concern, whereby another individual's underwear was found outside of cell. In addition, another was reported at a different custody centre where clothing was placed on cell handles and subsequently found on the floor. This centre was temporary closed in October 2024 and has since reopened March 2025 with no further issues reported at time of this report.

ICVs have commented on the positive actions carried out by custody officers and staff and recorded persons in custody advising them that they have been treated well. One report advised that a male had commented on the difference in the way he had been treated whilst being arrested compared to the calmness of the custody environment.

ICVs continue to make observations on how custody can be improved and where there are instances of concern.

ICVs key observations are grouped into seven thematic areas. These are:

- |           |  |
|-----------|--|
| Finding 1 | Mental Health Vulnerability – A growing demand                             |
| Finding 2 | Children in Custody  |
| Finding 3 | Staffing   |
| Finding 4 | Complaints Process   |
| Finding 5 | Requests:<br>Letter of Rights<br>Wash/ shower<br>Solicitor<br>Named Person |
| Finding 6 | Medical  |
| Finding 7 | Police custody estate  |



## Finding 1: Mental Health Vulnerability – A growing demand

Mental health remains the most frequently declared vulnerability for those coming into police custody. In 2024-25, 42% of individuals in custody self-declared mental health vulnerabilities, remaining consistent from 43% in 2023-24. ICVs continue to note the increased demand of mental health vulnerabilities on the provision of police custody services. In Scotland, the Mental Health (Care and Treatment) (Scotland) Act 2003 and the Mental Health (Scotland) Act 2015 provide frameworks for managing individuals with mental health needs within police custody, with the aim of ensuring appropriate support and treatment.

There is currently collaboration between Police Scotland and NHS 24 to provide mental health support to detainees where required. Police Scotland also have various partnership approaches embedded in custody to ensure individuals receive the support and help they need.

In response to His Majesty's Inspectorate of Constabulary in Scotland (HMICS) thematic review of policing Mental Health in Scotland, published in October 2023. Police Scotland [presented a paper](#) to the Authority Policing and Performance Committee (PPC) in December 2024. This detailed ongoing work within the Mental Health Taskforce (MHTF) in respect of their approach to mental health distress.

### CASE STUDY 1

#### Mental health

In December 2024, ICVs visited a female detained in a custody centre in the East region. When asked if she had her letter of rights, she advised she could not read. The ICVs asked if she would like it explained, however she declined this offer. The female informed the ICVs that she requires medication and needed to see doctor.

She expressed to the ICVs that she had suicidal thoughts. Whilst the ICVs were present the female had been offered food and water but had refused and during the visit she had thrown water across the cell into the toilet. The ICVs terminated the visit due to the detainee's behaviour and the potential risk to their safety.

On follow up by the East Regional Coordinator, it was clarified that the female was assessed by the doctor and noted as fit to be detained. The detainee settled in her cell. A mental health fitness assessment was conducted by the doctor, and she was deemed fit for court.

This case study shows an example of the vulnerabilities officers and staff deal with and the challenges they face dealing with individual needs.

## Finding 2: Children in Custody

ICVs continue to focus on children and young people. Both the Authority and Police Scotland have been clear that they do not consider police custody to be a suitable place of safety for a child and Police Scotland continue to take steps to minimise the number of children that are held in police custody.

The Criminal Justice (Scotland) Act 2016 currently contains provisions which provides differing rights for children (aged under 16 years), those aged 16 or 17 who are subject to supervision and those aged 16 or 17 who are not under supervision whilst they are in police custody. These provisions of the 2016 Act are to be amended because of the passing of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 to ensure that all persons under 18 years of age are treated as children whilst they are in police custody. Appropriate amendments to the 2016 Act were contained in the Children (Care and Justice) (Scotland) Act 2024 -. however, these amendments are not yet in force.

Full details for the definition of a child, as per the relevant legislation can be found [here](#).

There was a total of **4056** children held in custody from 1st April 2024– 31st March 2025. This is a slight decrease in comparison with **4083** children in custody in 2023-24 and **4261** in 2022-21.

**Table 6** below provides a breakdown of the number of children that experienced police custody in 2024-25 by age.

Table 6: Age of Children in Custody	
Age	Number of persons in custody
<b>12</b>	35
<b>13</b>	143
<b>14</b>	424
<b>15</b>	573
<b>16</b>	1306
<b>17</b>	1575

**Table 7** provides details of the custody classification for each child.

Table 7: Custody classification for those under 18						
2024-25	12	13	14	15	16	17
Not Officially Accused	18	40	106	116	237	271
Officially Accused	17	102	316	449	1030	1203
Other	0	1	1	0	5	16
Transit	0	0	0	2	3	6
S.23 Detention	0	0	0	5	12	30
Warrant	0	0	0	0	15	47
Voluntary Attendant	0	0	1	1	4	2
Total	35	143	424	573	1306	1575

During the reporting period 77 children were in custody at the time of the visit, of which 45 agreed to be seen (24 rejected the offer of a visit and 8 were unavailable due to interview, processing or at hospital). On all occasions, ICVs noted that children were being appropriately cared for, and that custody staff were aware of the additional welfare needs that are required for any individual under the age of 18 when in police custody.

### Finding 3: Staffing

Police Scotland's custody officers and staff work shifts that may include early, late and night shifts. Shift patterns are reflective of the throughput and occupancy for each custody centre, which varies depending on location. The current model is based on a staff to custody ratio, for example:

- Two members of staff can accommodate a maximum of 10 detainees
- Three members of staff can accommodate 20 detainees
- Thereafter it is 10 detainees per additional staff member

This is the maximum number allowed and should not be breached. However, if there are challenging detainees in custody then this ratio may be reduced.

Police Scotland also operate on an operational base level (OBL) which relates to the minimum desirable level for resourcing at custody suites and local-policing shifts. Resources teams are required to continually ensure staffing levels are at or above OBL to ensure appropriate delivery of service and reduce any risk caused by under-resourcing.

ICVs have reported on lack of resources per shift to accommodate detainee needs and facilitate ICVS visits and where weekend staff resources appear

limited. ICVs have also observed instances where staff on modified duties have been unable to support detainees. Observations have also included the requirement of local policing officers to backfill as an emerging theme nationally.

ICVs have also commented about staff morale and the impact it has on custody welfare when anticipated standard resourcing levels fall below what would normally be expected in a custody centre. This appears to be an issue particularly at larger centres which have unique features such as layout, catchment area or specialist facilities within the police station. These centres often have a larger staffing complement and there is a concern that this complement includes officers/staff who are not fully deployable and could impact on the business capability and capacity available.

Staffing levels can be flexed by nominally adjusting capacity up and down, however, this does not address the additional pressure placed on custody centres with unique features and the added pressure where staff absence has been reported at short notice.

This has been raised nationally with the CJS D CIU and highlighted to the Policing Performance Committee. HM Inspectorate of Constabulary in Scotland recent inspection report for Greater Glasgow, carried out in March 2025 also highlighted in their key findings that staff at all three custody centres within greater Glasgow universally cited staff shortages as their primary concern. It was reported that these centres are regularly operated under the operational base levels (OBL) for custody and described the situation as very challenging. The full report can be viewed [here](#).

ICVs continue to monitor this area of concern and report on their findings. Police Scotland have advised Custody 2030 project currently being developed will help target and consider the standard operating model for custody resources, further information on this will also be presented at the Policing Performance Committee during 2025.

#### Finding 4: Complaints Process

A complaint is a statement (whether, oral, written or electronic) expressing dissatisfaction about an act or omission and can be made by any relevant person, at any time and to any Police Officer or Member of Police Staff.

If the complaint is low level and non-serious then efforts should be made to resolve by early resolution. Those not resolved at this stage are passed to investigation team.

Criminal and serious/complex complaints are passed directly to investigation team or as required by Police Investigations and Review Commissioner (PIRC)

All operational officers and custody staff are responsible for ensuring a complaint is dealt with appropriately and raised with the supervisor immediately.

During the reporting period ICVs recorded 7 incidents where detainees had raised a complaint to ICVs whilst carrying out their visits. Four of these complaints were against the arresting officers and three were relating to custody.

One was forwarded to Professional Standards Department (PSD) for progressing. As the detainee had made a complaint against NHS staff for providing incorrect and inappropriate medication whilst they were held in police custody.

Two complaints raised to ICVs were placed on high level tracker for further investigation by senior staff and resulted in officers visiting the detainees, to follow up on allegations made. It was noted that custody staff within CJSD had not identified, recorded or progressed these complaints raised by the detainees at the time of them being held in custody.

These were immediately escalated to senior level and followed up by the Authority and Police Scotland senior staff to ensure custody staff and officers were fully committed to adhering to their responsibilities. Both complaints were not progressed by the detainees after being followed up by Police Scotland. Further correspondence was circulated by CJSD to ensure all staff and officers are fully aware of the complaint's procedure. This remains a focus for ICVS and is currently being closely monitored.

## Finding 5: Requests

In Scotland detainees have rights and entitlements when they are in police custody. This includes access to food, medical care, washing facilities, legal advice and any other reasonable requests to help meet their needs.

Detainees are provided with a Letter of Rights explaining what these are and what they are entitled to during the booking in process when they first arrive at police custody. If the detainee has not fully read or is unable to read the written information provided, they may not be aware of the full range of entitlements, or that they may need to actively request their entitlements from custody staff. It is possible that even when staff give a verbal overview when booking a detainee into custody that detainees are not subsequently able to fully recall all entitlements and how to access them.

When ICVs visit detainees, they ask various questions to establish a detainee's needs and concerns and, on many occasions, they find not all detainees have fully understood all things to which they are entitled in custody.



In most cases issues brought to the attention of ICVs are resolved during the custody visit directly with the custody staff or are resolved immediately afterwards. Such issues will include the detainee requesting additional drink or/and food, additional blankets, needing medication or wishing to contact family members and/or solicitor.

A total of 1336 concerns were recorded relating to detainee requests or where detainees were not aware they had to ask. 1185 were reported as being resolved at the time of the visit (89%) with 151 unresolved. Table 8 shows a breakdown of detainee concerns, 124 of these concerns related to other, such as temperature, lighting and detainees not aware that they could ask for toilet paper.

The most common request made by detainees in 2024-25 was reading material. The purpose of these materials is to help support the detainee's well-being and to help provide distraction from being held in a cell for a period of time.

<b>Table 8 – Detainee concerns</b>		
<b>2024-25</b>	<b>Issue raised</b>	<b>Resolution Rate</b>
<b>Reading</b>	173	89%
<b>Letter or Rights</b>	167	88%
<b>Solicitor</b>	165	90%
<b>Named Person</b>	150	86%
<b>Medical</b>	126	88%
<b>Food/drink</b>	101	95%
<b>Other</b>	96	93%
<b>Wash/Shower</b>	89	84%
<b>Bedding/blanket</b>	86	89%
<b>Reason for detention</b>	71	84%
<b>Clothing</b>	38	79%
<b>Terminated *</b>	29	100%
<b>Comfort</b>	13	84%
<b>Complaints</b>	10	88%
<b>Toilet Facilities</b>	9	88%
<b>Religious</b>	4	100%
<b>Cleanliness</b>	3	33%
<b>Sanitary protection</b>	3	100%
<b>Transfers</b>	2	100%
<b>Use of Force</b>	1	100%
<b>Total</b>	1336	Overall 88%

\* Terminated refers to where the custody visitors have had to terminate the individual visit/chat with a detainee because of detainee not engaging or where the detainee is too intoxicated to carry out a conversation.

### Letter of Rights (LoR)

ICVs continue to raise awareness of the Letter of Rights in instances where people in custody have advised they did not have, or did not understand or request that parts of the Letter of Rights be further explained.

ICVs note there are also occasions when individuals have refused the Letter of Rights when arriving at the custody facility or where they have been intoxicated on arrival. In such cases, ICVs will request that further attempts are made to issue or appropriately communicate the Letter of Rights to the detainee.

### Wash/Shower

Out of 89 issues raised relating to a wash/shower 14 remain outstanding as to whether officers and staff were able to accommodate.

One case was highlighted where ICVs had noted an individual with obvious body odour and where a wash/shower was not offered or facilitated.

Another noted a male who had been detained overnight and advised the next day he would be offered a wash/shower if staff became available.

On another occasion, a male had been offered a shower along with other detainees in the centre. However, several hours later he had still not been afforded the opportunity to have a shower and was shortly due to leave the centre for a court appearance.

ICVS continue to raise this and the need for a change to policy. The Custody Care and Welfare of Persons in Police Custody Standard Operating Procedure (SOP) states that only when a person is detained in custody for more than a full day should they be offered facilities to wash and/or shave at least once per day. The SOP extends to cover that any reasonable requests to wash and /or shave more often than this should be met, where possible, and there are specific provisions made for menstruating persons in custody that washing and showering facilities are available, as and when required.

This does not reflect or meet the needs of persons in police custody and ICVs observations have shown that this process is not followed.

## Solicitor

ICVs have reported 165 occasions where detainees have advised that they are waiting on their solicitor, and or unsure if they have even been contacted, 20 of these remain unresolved as to whether the detainee was updated.

All persons in Police custody irrespective of age or vulnerability and regardless of whether they are to be interviewed by police, have the right to consultation with a solicitor at any time. The consultation can only be delayed by the Custody Sergeant in exceptional circumstances, which means delaying an update on solicitor outcome will often be in breach of the rights of the detainee. Police Scotland should therefore consider updating policy to reflect the importance of providing updates within a reasonable time.

There are occasions where intimation has been sent to their solicitor, but the detainee has not been informed of this. Whilst this may not breach their right to have a solicitor informed, it may leave the detainee under the impression their rights are not being provided and ICVS recommend that detainees are informed promptly when contact has been made and, if possible, that it be done in their presence, potentially during processing.

## Reasonably named person

Detainees can choose for a reasonably named person, for example a relative or friend, to be contacted. ICVs raised 150 concerns relating to a named person where detainees had requested intimation but were not made aware as to whether this person had been contacted. 21 of these were left unresolved as to the outcome.

One report related to a person in custody who provided a telephone number for a reasonably named person. There was an attempt made to contact the number but failed to connect due to being an international number.

Police Scotland currently have no guidance on how many attempts (and by what means) are to be made to contact a named person.

## Finding 6: Medical

The provision of healthcare in custody centres remains an area of challenge. Persons in custody should have access to medical advice or help and this should be available as and when required under their rights and entitlements.

Responsibility for the provision of healthcare in custody lies with NHS Health Boards and Health and Social Care Partnerships (HSCP). Not all custody facilities have medical provision on site and where they are onsite there are differences in the services provided. This can include access to mental health trained nurses and how medicines are managed across different custody centres. For example,



there have been recurring instances in the northeast where detainees are not provided access to prescriptions they require.

A visitor from the North said *"We have real concerns over inconsistencies in policy and practice in the administration of prescribed methadone in the bigger custody suites across Scotland. We see cases in the Northeast where detainees do not receive their GP-prescribed methadone, or where they are given a substitute medication, which can cause significant discomfort and anxiety especially if the detainee is in custody for longer duration"*.

ICVs continue to record instances where those that are on regular prescribed medicine and may require to see a doctor or nurse are not being issued with medication whilst in custody. In some cases, detainees are not informed of how long it may be before a doctor or nurse is able to attend.

### Finding 7: Police custody estate

The Police Scotland custody estate remains in need of modernisation, and this has been a long-standing area for improvement noted by Police Scotland, the Authority and ICVS.

724 estate issues were noted during 2024-25 with 46% relating to cells that were out of use due to broken toilets, leaks and damaged plaster.

ICVs regularly report ongoing issues with regards to estate repairs and a lack of supplies such as anti-ligature clothing available in various sizes throughout the estate.

Table 9: Estate issues		
Issues Raised by ICVS	Facility concern	Resolution rate (Reported as fixed during the reporting year)
332	Cells	2%
205	Other (temperature, lighting, cleanliness, ventilation, gates broken)	9%
101	Stores/supplies	6%
53	CCTV	54%
31	Washing/shower	12%

Police Scotland are working towards the development of a programme of work under the Custody 2030 Programme, which will focus on areas such as estate

improvement, increased use of arrest referrals, greater availability of healthcare professionals particularly in relation to mental health.

The ICVS team continue to engage with CJSD to discuss estate improvements and where closures are proposed that this does not have an impact on the welfare of detainees.



## 5. Areas of Focus for ICVS

### Good practice

Out of 1031 satisfactory visits, ICVs have recorded 999 reports of positive comments from individuals held in custody. This relates to how detainees were cared for, how they were treated and how they felt overall.

Some positive comments include:

- ❖ Male had claustrophobia and advised that staff (including nursing staff) were very good at meeting his needs. This includes his detention in a clear door cell and had provided appropriate distractions (for example reading material).
- ❖ Male advised that he would be homeless when he is released from custody. Officers and staff worked to securing accommodation for him prior to release.
- ❖ Male and female detainees being provided with clean underwear, including socks.
- ❖ Detainees praised staff on how they had been treated and the kindness shown throughout their time in custody.

### Where ICVs effected change

ICVs provided feedback to Scottish Government in December 2024 on the Letter of Rights for consideration and to help inform future development. They provided comments on the text size, and correct use of wording and where colours are to be used that consideration is taken for detainees with dyslexia. ICVS requested that they be consulted during any future development.

At a national level, ICVS identified issues with anti-ligature clothing. ICVS raised these concerns with the CJSD Chief Superintendent and subsequently a change to the current contract was agreed for the provision and supply of anti-ligature suits in varying sizes. The new supply arrangements are now in place however there continues to be concerns relating to availability small and medium sizes. This will continue to be to be closely monitored by ICVs.

ICVs raised the use of reading material available to detainees, and that some may be inaccessible to detainees with dyslexia and or autism. Further work was carried out with ICVS and Police Scotland and proposals established to give arrested persons access to specialist reading material when required. The proposal included sourcing books specifically for reluctant readers or those with dyslexia, these are currently being used and given to detainees on request.

## Criminal Justice Services Division Awards

At the Criminal Justice Service Division Awards in September 2024, the ICVS team were delighted to be awarded Outstanding External Partner of the Year Award. This award recognised the support and the professional challenge that the scheme provides to Police Scotland in order to continuously improve the care and welfare of those in custody.

## Volunteers' week

During Volunteers' Week, ICVS celebrated the contribution volunteers make to communities across Scotland through social media and at the ICVS annual conference. ICVA held a virtual ICV 'Thank You' event which was held on 5 June – over 100 ICVs from across the nation attended and came together to share their story and hear from fellow volunteers.

## ICVS logo

The introduction of a new ICVS logo was implemented in December 2024. This new design focuses on ICVs, the vision and mission, and is Scottish themed. ICVs were encouraged to provide feedback on the proposed design.



## Digitisation Project

The ICVS Digitisation Project was officially launched in the 2023-24 reporting period. The project aims to digitally transform processes underpinning ICVS. This includes equipping independent ICVs with a digital solution to replace paper custody visiting forms where possible and launching a platform to help ICVS Regional Coordinators carry out their role. The project also aims to provide enhanced analysis and reporting capabilities to continue to improve the oversight capabilities of ICVS.

In the last reporting year, the project has continued to engage with suppliers and Policing Performance Committee

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technical team to begin to develop and embed the digital solution. This requires detailed planning and understanding of the requirements of ICVS and that these are properly considered. ICVS continue to engage with the project team in the development of a digital solution and where necessary update the ICVs on any development.

## ICVS Conference 2024

The ICVS team hosted the ICVS Conference in June 2024. This year's theme was 'Uniquely Us' and speakers included the Chief Executive Officer of ICVA. She provided case studies on anti-harm clothing, menopause and what Police and Crime Commissioners in England and Wales are doing to drive improvement in police custody.

Other speakers included the Divisional Commander of CJSD, who provided an update on Police Scotland Estate changes and plans for the future. The day also included input from an individual with lived experience of custody and trauma. He discussed the impact of the trauma and the value of being trauma informed in a custody setting spoke about being trauma informed and trauma impact on neurodevelopment. Conference attendees also heard from the Lilius Centre which spoke about the innovative way it supports women in the justice system.

## Visitor voice

The new Visit Report Form (VRF) went live at the start of April 2023, which required training and learning for staff and ICVs. The report forms are completed by ICVs on each visit to custody and provides detail of what an ICV has observed during a visit.

Visit report forms are providing more in-depth information about the visits and more descriptive detail about what happened. However, there is still work ongoing to ensure that the form represents the ICV voice and that any concerns or issues raised are highlighted immediately to custody officer and staff. The ICVS team are working together with ICVs on a regular basis to drive continuous improvement. This includes discussions at cluster meetings and relevant information features in the ICVS newsletter. The National Manager also conducts regular quality assurance checks and provides feedback to Regional Co-ordinators to cascade to ICVs.

## Areas for improvement

Cue Card - ICVS highlighted the use of the cue card and that this does not cover all languages that may be spoken by those in detained police custody. The cue card is a form of words and used to introduce ICVs to the detainee, and providing the offer to accept or decline the visit. The ICVS cue card currently covers 18 languages, however a further 27 languages identified as being

important for inclusion remain outstanding. Further work is required by the Authority to identify the need for the expansion of this cue card to cover further languages whilst also adhering to best value principles.

ICVA QAF - In 2023 ICVS achieved gold accreditation under ICVA's Quality Assurance Framework (QAF). The framework was designed to bring continuity between schemes and unify the way in which custody visiting is managed. ICVS will be working towards maintaining gold level standard for the framework 2025-26 which will be launched in April 2025.



## **6. Conclusion**

2024-25 has been another constructive year where ICVs have raised no ill treatment or torture found in police detention setting. Many areas of police custody however still require improvements, ensuring staff and officers have the correct tools and facilities to look after people held in custody.

ICVS continues to raise the profile of the hard work and dedication of all custody visitors and will ensure reporting is accurate and reflective of those held in police custody. The voice of ICVs is so important to help continue to drive improvement.

ICVs and the ICVS team have effected real change in police custody across Scotland, whilst maintaining strong relationships with the CJSD team in Police Scotland. This continued collaboration and partnerships results in the continued welfare and safety of those in Police Scotland custody.

# BECOME AN INDEPENDENT CUSTODY VISITOR

Custody visitors are essential in providing independent scrutiny of the treatment of people held in police custody and the conditions in which they are held. We need people from the local community to help, if you or someone you know may be interested, please contact.

ICVS

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For more information, please visit [www.spa.police.uk](http://www.spa.police.uk)