



Agenda Item 5.3

Meeting	Policing Performance Committee
Date	9 December 2025
Location	Video Conference
Title of Paper	Independent Custody Visiting Scotland (ICVS) Bi-annual Report - April – October 2025
Presented By	Scott Ross, Head of Change and Operational Scrutiny, SPA
Recommendation to Members	For Discussion
Appendix Attached	No

PURPOSE

The paper provides the Committee with insights and highlights from the Independent Custody Visiting scheme from April – October 2025.

1 BACKGROUND

1.1 Chapter 16 of the 2012 Police and Fire Reform Act (Scotland) sets out the Authority's requirement for the provision of an independent custody visiting service in order that visitors may:

- Visit detainees.
- Access information relevant to the treatment of detainees and conditions in which they are detained.
- Monitor the treatment of detainees and the conditions in which they are detained.

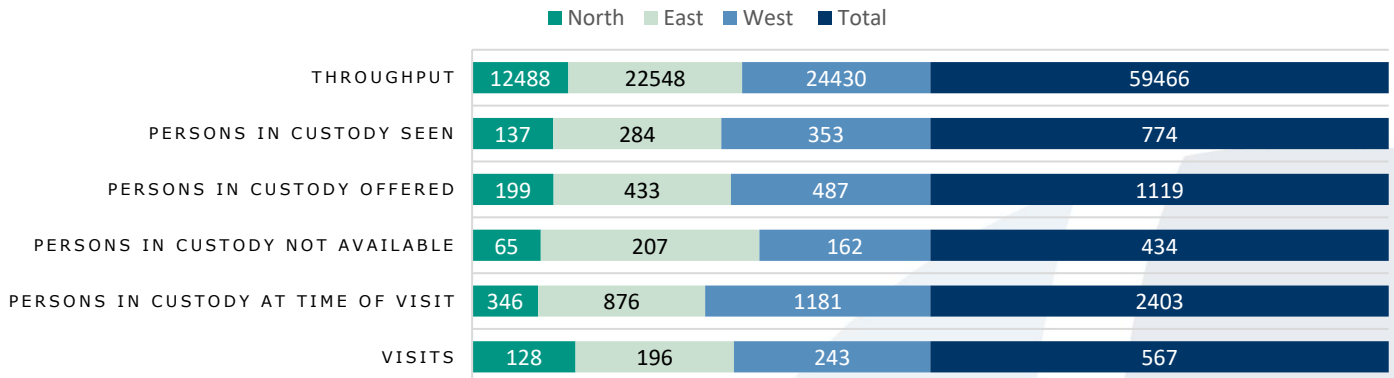
1.2 The act also states that the Authority's arrangements may ...

- Provide appointment arrangements for suitable persons to become a visitor.
- Authorise Independent Custody Visitors to do anything which the Authority considers necessary to enable them to visit and monitor treatment of detainees and the conditions in which they are held.
- Provide for reporting on each visit.
- Keep the arrangements under review and revise them as it thinks fit; and
- Prepare and publish such reports on independent custody visiting as the Scottish Ministers may reasonably require.

2 ICVS ACTIVITY

OVERALL ACTIVITY

2.1 During the reporting period of April – October 2025, a total of 567 visits were made to the custody centres. 543 (96%) were conducted in person, with 24 (4%) conducted via telephone monitoring. Police Scotland Custody centre throughput during this reporting period was 59,466.



* Lanarkshire data is included in the East data as it is managed by the East ICVS Regional Coordinator

OPTIONAL PROTOCOL TO THE CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (OPCAT)

2.2 During custody visits, there were no OPCAT issues recorded by Independent Custody Visitors (ICVs) relating to torture inhumane or degrading treatment.

MAIN OBSERVATIONS

2.3 The majority of our reports relating to successful visits contain positive comments with regards to custody staff and officers from ICVs. The scheme continues to record where ICVs are treated positively as part of their independent visiting duties by staff and officers in custody.

2.4 Positive comments from detainees is an observation that ICVs continue to make every year. In the period April – October 2025 ICVs recorded positive comments from detainees on how they had been treated by police custody officers and staff. These included comments such as 'custody staff were very good', 'treated well by staff', 'the staff are great here' and '[I] have been well looked after'.

2.5 Although no OPCAT issues were recorded, there are still two areas of concern raised in this reporting period.

- 2.6 ICVs and the ICVS corporate team have recorded incidents over the last year where custody centres have been closed (both planned and unplanned) because of a lack of custody staff, custody estate issues and/or a general lack of maintenance. There is potentially an overarching risk that due to the unexpected closure of custody suites, the poor state of repair and/or staffing and resourcing issues that the treatment of detainees could fall below what is expected. There is no current evidence to show the welfare of detainees is reduced due to unplanned closures, however this is an area that ICVs will monitor closely.
- 2.7 There is evidence of planned closures within the CJSD operational plan driven by estate modernisation, rationalisation and capacity re-design. Across the West and East Regions, this totalled 484 planned closure days over 12 custody centres.
- 2.8 There is also evidence of unplanned closures caused by maintenance issues and aging infrastructure, with the majority relating to operational and resourcing pressures.
- 2.9 Across the West and East Regions, this totalled 53 unplanned closure days related to maintenance and/or health and safety and 212 unplanned closure days relating to Resourcing/Staffing. In addition, there were 57 days recorded that were due to a combination of planned maintenance and unplanned staffing and resourcing issues.
- 2.10 Custody staff and officers are regularly advising ICVs of staffing issues and their concerns. The ICVS understand that Police Scotland are choosing to close custody centres in order to meet demand with the resources available and to ensure that the treatment of detainees remains dignified and that their welfare is the first priority.
- 2.11 The Authority is aware that Police Scotland currently have a consultancy reviewing the staffing profile of custody and this will report to Police Scotland in due course.
- 2.12 There were two dignity concerns raised where ICVs identified detainees' underwear outside of cells. The ICVs raised the issues with staff and this was rectified immediately. Assurance was provided by the Cluster Inspector that on both occasions there were specific circumstances relating to the care and welfare needs of the detainees involved.

2.13 There is further dignity concern recorded nationally relating to stock of toothbrushes and small and medium anti-ligature suits. These issues are ongoing. ICVS will continue to monitor all concerns closely.

SUMMARY OF VISITS

2.14 A total of 2,403 detainees were in custody at the time ICVs attended custody centres.

2.15 Of the 567 visits there were 21 (4%) occasions when ICVs were unsuccessful in gaining access to the custody centre, for reasons such as waiting time for access, resourcing issues, emergency situations, closures without notification and not updating relevant contact numbers.

OBSERVATIONS RELATING TO DETAINEES

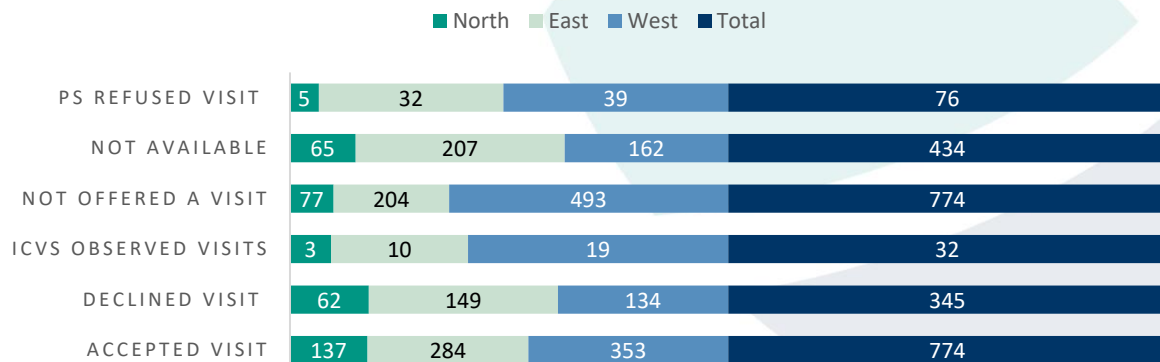
2.16 Out of 2,403 detainees 1119 (46%) detainees were offered a visit. Of these detainees, 774 (69%) accepted a visit and 345 (30%) declined a visit.

2.17 32 (1%) detainees were observed (i.e. ICVs looked through the hatch or observed through other means).

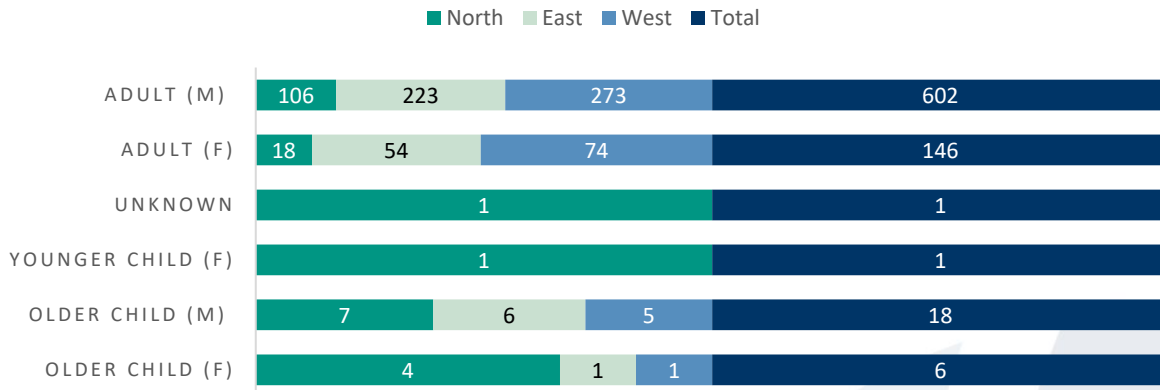
2.18 774 (32%) detainees were not offered a visit by ICVs.

2.19 434 (18%) detainees were not available at the time of visit. A visit categorised as not available is when the detainee is not in the cell e.g. having fingerprints taken, at an interview, with a solicitor, or receiving a medical assessment.

2.20 76 (3%) detainees were refused access to ICVs on the grounds determined by the Scottish Ministers - Independent Custody Visiting (Grounds for Refusal of Access) Determination 2013 e.g. visitor safety.



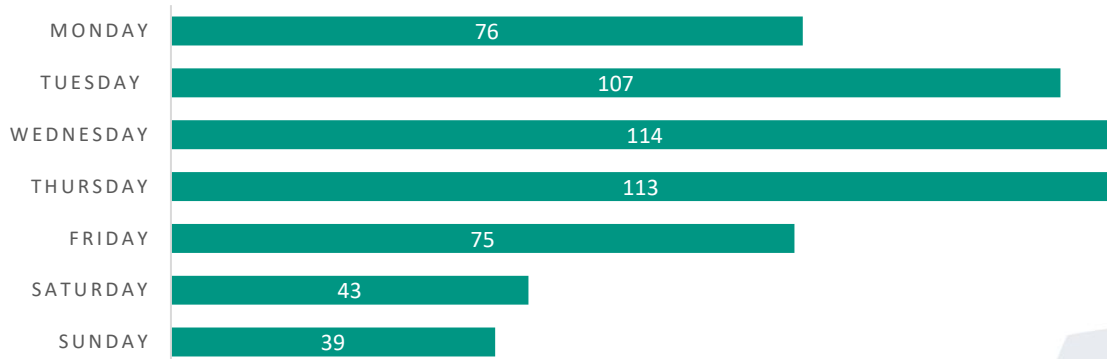
2.21 Of those spoken to, 602 were adult males, 146 were adult females, 1 person was unknown sex, 1 was a female younger child, 18 were recorded as male older children and 6 were recorded as female older children.



OVERALL VISIT ANALYSIS

- 2.22 The average wait time for a visit to start was 5 Minutes and 14 seconds.
- 2.23 On 14 occasions, ICVs waited more than 30 minutes at the front desk to gain access to the custody centre.
- 2.24 The longest wait for a visit to start was 40 minutes, due to a challenging detainee. ICVs were kept informed during the wait time.
- 2.25 After being granted access to the custody centre, there was one occasion where ICVs were delayed more than 30 minutes before the visit could commence
- 2.26 The longest wait when ICVs were unsuccessful in gaining access was 65 minutes. The wait was due to detainees being processed which had not been completed with no ongoing update provided.
- 2.27 Two visits were recorded as unsatisfactory. One was due to staff shortages restricting access to showering and the other was a telephone monitoring visit where, following the upgrade to the police station telephone system, the new telephone numbers had not been provided to ICVS.

2.28 The days of the week on which the highest proportion of visits were made were Tuesday (18%), Wednesday (20%) and Thursday (20%). ICVs are encouraged to visit at weekends and evenings where possible.



LEGALISED POLICE CELL VISITS

2.29 The ICVs carried out five legalised cell visits during the period. Two each at Kirkwall and Stornoway were carried out by telephone. The other visit, which was at Kirkwall, was carried out in person.

TACT VISITS

2.30 There was one Terrorism Act 2000 (TACT) activation during the reporting period.

BORDER FORCE VISITS

2.31 There were no Border Force activations during the reporting period.

RIGHTS/WELLBEING OF DETAINEES

2.32 ICVs raised 735 issues regarding detainee rights/wellbeing during the reporting period. Of these, 680 (92%) were resolved at the time of the visit and 55 (8%) were unresolved during the visit.

2.33 The five most frequent rights/wellbeing issues raised by the detainees were:

- Communication regarding contact with Solicitor - requiring a solicitor intimated and/or updated on outcome. 94 of 102 (92%) were recorded as resolved.
- Reading Material – not informed or aware that reading material was available. 88 of 93 (95%) were record as resolved.

- Letter of Rights – not informed or aware of the Letter of Rights. 77 of 82 (93%) were recorded as resolved.
- Medical – requiring medical attention. 76 of 77 (99%) were recorded as resolved. ICVS are aware that healthcare arrangements in the North have changed over the last quarter. ICVs will continue to ask detainees if their healthcare needs are being met.
- Communication regarding contact with a Named person - requiring a named person informed and/or updated on outcome. 66 of 73 (90%) were recorded as resolved.

ICVS TEAM ACTIVITY

2.34 The ICVS team have delivered six new ICV information and training events. Eighteen people have progressed their interest with seven now active in the scheme. The other 11 are at various stages of the recruitment process.

2.35 ICVS held their annual conference in Edinburgh on 6 September. The conference this year saw attendees learn more about trauma, its impact on individuals in police custody and what ICVs can do to make their contact more person centred and trauma informed.

The conference was also an opportunity to celebrate the dedication and commitment of all ICVs. This year was the first time an ICV received a recognition award having achieved 1000 visits.

2.36 ICVS are working towards retaining the gold level of Independent Custody Visiting Association (ICVA) Quality Assurance Framework (QAF). The QAF is designed to help UK custody visiting schemes to benchmark, advocate for resourcing and strive for excellence.

2.37 ICVS, Criminal Justice Services Division (CJSD) and the Scottish Police Muslim Association worked together to develop guidance for the storage and handling of religious items within custody. The guidance was circulated nationally to CJSD in October 2025.

3 FINANCIAL IMPLICATIONS

3.1 There are no financial implications in this report.

4 PERSONNEL IMPLICATIONS

4.1 There are no personnel implications in this report.

5 LEGAL IMPLICATIONS

- 5.1 There are legal implications in this report.
- 5.2 Under the Police and Fire Reform (Scotland) Act 2012, the Authority has a statutory obligation to provide an independent custody visiting service. This report details the fulfilment of this obligation.

6 REPUTATIONAL IMPLICATIONS

- 6.1 There are reputational implications in this report.
- 6.2 As the Authority is responsible for an independent custody visiting service, the activity and oversight detailed in this paper may have a positive impact on the reputation of the Authority.

7 SOCIAL IMPLICATIONS

- 7.1 There are no social implications in this report.

8 COMMUNITY IMPACT

- 8.1 There are no community implications in this report.

9 EQUALITIES IMPLICATIONS

- 9.1 There are equality implications in this report.
- 9.2 This report details the wellbeing of those detained in Police Scotland custody as recorded by Independent Custody Visitors.

10 ENVIRONMENT IMPLICATIONS

- 10.1 There are no environmental implications in this report.

RECOMMENDATIONS

Members are invited to discuss this report.