



ANNUAL REVIEW 2019-20

Independent Custody Visiting Scotland

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FOREWORD

I am delighted to introduce the Independent Custody Visiting (ICVS) annual review for 2019-20. It provides an opportunity to highlight the work of the visitors and staff, their achievements and how the Scottish Police Authority are working to improve Police Scotland custody facilities.

The COVID19 pandemic has presented many challenges to the ICVS, dependent as its work is on personal visits and face to face contact. We have had to suspend visiting for the time being, with the ICVS team and Independent Custody Visitors (ICVs) having to find new ways of working. Remote monitoring has had to replace physical visits. The team and the visitors have adapted exceptionally well to these challenges and have found new ways of meeting their fundamentally important responsibilities. They are skilled and dedicated people and I am delighted we have them.

I am pleased to report that the relationship with custody staff and officers has been extremely positive this year, and ICVs have acknowledged friendly and accommodating staff and officers when carrying out their visits. The ICVS team has also helped train new custody staff, further developing this strong relationship.

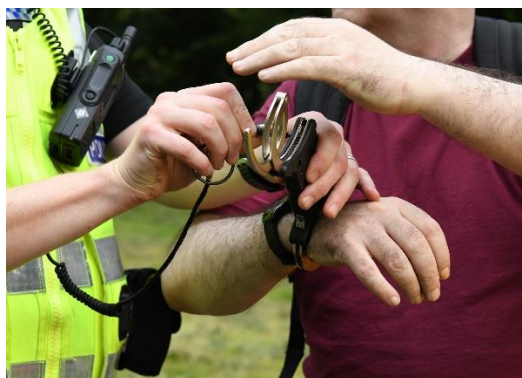
The development of accurate and detailed reporting has been a key area of improvement for the scheme. Transparent reporting and data collection enables evidence-based improvements to custody standards and services for detainees. It has helped us to better identify specific areas for change and ensure that detainees are safe, respected, provided with adequate food and water and treated with dignity.

I would like to thank all our custody volunteers, experienced and newly appointed, for their continued hard work, for their dedication, for visiting police custody suites in all weathers at all times of the day and night, and for adapting so readily to the new ways of working currently required.



David Crichton

Chair, Scottish Police Authority



INTRODUCTION

Police custody is a high risk area within policing and, as such, has been subject to considerable scrutiny by HMICS. The main priority for custody officers and staff is to keep people detained in custody fit and well by assessing and providing the most appropriate care and welfare and maintaining the rights of every individual that arrives in custody.

The Police and Fire Reform (Scotland) Act 2012, **Chapter 16**, sets out the SPA's responsibility for organising and overseeing the delivery of independent custody visiting. The purpose being to provide independent oversight of Police Scotland custody to ensure that detainees are being treated fairly and in accordance with the United Nations Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). It aims to prevent ill-treatment through establishing a system of regular visits to places of detention. OPCAT requires that the state designates a 'National Preventive Mechanism' (NPM) to carry out visits.

The UK NPM was established in 2009 to deliver the UK's obligations under OPCAT. It is made up of 21 independent public bodies that have a role to monitor places of detention across Scotland, England, Wales and Northern Ireland. This includes police custody, prison, court custody, immigration and military detention, secure children's homes and places where people are detained under mental health legislation. NPM members have the power to enter places of detention and speak to detainees and staff in private. Judith Robertson, Chair of the Scottish Human Rights Commission, also chairs the NPM's Scottish Sub group.

Preventing the ill treatment of people who are detained in police custody constitutes a significant part of the NPM's work. In Scotland, both ICVS and HMICS have played important roles, through their visits to and inspections of police custody, in building assurance and confidence that detainees are held in appropriate conditions and that our international obligations to respect detainee's human rights are maintained.

The work of ICVS and HMICS shares a common purpose – the frequent visits by ICVS complement the more in-depth, but less frequent, inspections by HMICS to help deliver the OPCAT mandate. A Memorandum of Understanding (MoU) was signed on 21 August 2019 between both organisations to set out how HMICS

and the SPA ICVS intend to work together to fulfil their common purpose of monitoring in Scotland.

Overall lead for the scheme is a National Manager supported by three Regional Coordinators for the North, East and West. Recruitment for visitors is based on clear role descriptions, as well as person specifications, which set out the qualities ICVs require to carry out their role effectively as set out in the Code of Practice.

POLICE CUSTODY IN SCOTLAND

Police custody is a place in which trained officers and staff keep a highly vulnerable population safe, dealing with variety of needs including mental and physical health conditions, addiction and intoxication, learning disabilities and gender-specific needs, all of which can be exacerbated by being held in police custody.

Custody Estate

Custody centres across Police Scotland remain as 12 clusters and these have not changed since the last reporting period.

There are now **76** custody centres across the clusters. Custody centres are classified as Primary Centres, Weekend Only Centres and Ancillary Centres. Primary Centres are open 24/7 and staffed by Criminal Justice Services Division (CJSD) staff and officers. Weekend Only Centres are open at the weekend in response to local demand and are staffed by CJSD staff and officers. Ancillary Centres are opened as and when required and are generally staffed by officers from Local Policing Division, who have received the necessary training. They tend to be located in rural locations.

At the start of the reporting period, the **76** custody centres comprise **32** Primary Centres, **one** Weekend Only Centre and **43** Ancillary Centres.

During 2019-20 there were no permanent closures, however, London Road in Glasgow closed for refurbishment. There were temporary closures of custody suites during the start of Coronavirus pandemic.

There are **four** designated police stations which may be used as Legalised Police Cells (LPC) and these are unique to certain parts of Scotland. These police cells have been 'legalised' so are used to hold prisoners waiting trial locally; or who have been returned from prison for sentencing or following conviction pending transfer to prison.

There is **one** Scottish Terrorist Detention Centre (STDC) which holds detainees 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 have been arrested for statutory offences as detailed in the Terrorism Act.

Throughput Figures

Total number of detainees through custody in 2019-20 was **115,126**. This is a drop compared to last year's figures of **118,418**.

This is broken down into region:

TABLE 2: Throughput figures per region	
North	25,971
East	31,816
West	57,339

Some of the decline can be attributed to Police Scotland's approach to divert people away from custody centres and addressing reoffending by tackling the underlying causes of health and wellbeing, welfare, housing and employability through their partnership approach in police custody.

Detainee Demographics

18% were female and **81%** were male. The majority of detainees fell into the age bracket of 26-35 year old. The majority of those through custody (including under 18s) in 2019-20 described themselves as white Scottish, closely followed by white British.

TABLE 3: Age range of detainees in custody	
U16	1,534
16-25	28,839
26-35	37,381
36-45	27,122
46-60	17,135
Over 60	3,115

Three key vulnerabilities are mental health followed by drug dependency and alcohol dependency.

TABLE 4: Vulnerability of detainees	
Mental health issues	46,064
Drug addiction	20,106
Alcohol	12,376
Veterans	5,735
Foreign nationals	9,272

Children in Custody

Children in custody are determined as under the age of 18. During this reporting period **5,359** children went through custody (5% of the throughput) same as last year. **15%** were female and **84%** were male.

TABLE 5: Age range	
Age	Number of detainees
10	1
11	7
12	37
13	159
14	420
15	908
16	1,744
17	2,083

Border Force

The SPA received correspondence from Border Force, dated 3 June 2019, to request the services of ICVS and negotiate agreements to have their facilities visited.

Although independent visiting is not a statutory requirement for Border Force, the organisation has decided that for reasons of public confidence and transparency, arrangements should be made for Border Force custody facilities to be visited by ICVS visitors in line with the rest of the UK.

The facility is used for holding detainees that are suspected of committing customs offences and where a passenger is suspected of having an internal concealment. **Five** ICVs attended a training session to receive in-depth understanding of the new visiting process and an understanding of Border Force powers. These individuals are fully trained and now visit this facility. There has been three visits carried out to date which is in line with the throughput figures.

INDEPENDENT CUSTODY VISITING IN SCOTLAND

ICVs have been focusing on five key areas:

- Detention
- Characteristics
- Special/Diverse needs
- General appearance
- Overall experience

With these key areas in mind, there are three main sets of findings that stand out which are linked to dignity, decency and legality. The first two of these concepts are heavily affected by the material conditions of the custody estate throughout Scotland, for instance: brightness, space, lighting and access to wash/shower facilities and the simple access to toilet paper and sanitary products on request.

“Being an Independent custody visitor allows me to have an understanding of how Police Scotland custody operates”

East visitor

“I volunteer as a custody visitor because I have an interest in the care and welfare of people in the community”

North visitor

“You feel you are making a difference to people who are in a vulnerable situation”

West visitor

ICVS Volunteers

In 2019-20, there were a total of 123 visitors in Scotland:

TABLE 6: Custody Visitors (ICV's)						
Region	Number of current ICVs	Male	Female	ICVs reappointed	Leavers	ICVs joined
North	30	11	19	10	4	9
East	37	17	20	7	11	1
West	56	27	29	11	5	4
Total	123	55	68	28	20	14

A total of 20 have left during the reporting period, mainly due to changes in individual circumstances and/or health reasons. However we have been able to reappoint the numbers back plus 8 additional volunteers to make up the numbers.

Demographics of Volunteers

The scheme represents the communities in Scotland; taking account of different ethnic backgrounds, gender and age ranges. When new members are appointed to the scheme, consideration is given to enhancing this representation.

Currently the scheme has a complemented blend of experienced and newly recruited ICVs, allowing experienced ICVs to mentor newly appointed colleagues.

We have a vast number of ICVs who are long standing volunteers and have continued from legacy days. This is only made possible by the dedication and passion invested in the scheme by the ICVS team and of course our volunteers who give up their free time to carry out this crucial function.

Frequency of Visits

Throughput figures at each custody centre helps determine the frequency of visit by considering the throughput in each cluster and splitting them into weekly, fortnightly, monthly, quarterly, bi-annually and annually. The figures for 2019-20 are broken down into the following days, with Wednesday, Thursday and Friday having the highest number of visits:

TABLE 7: Visits carried out - days of the week							
	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
North	23	52	53	61	48	52	55
East	28	54	43	50	44	58	28
West	42	98	89	114	131	109	77
Total	93	204	185	225	223	219	160

Regional coordinators chair the meetings held between ICVs and cluster inspectors. These meetings provide an opportunity for ICVs and senior officers to discuss any issues and concerns and follow up on any outstanding actions. It also allows the coordinators to update their team of volunteers on any changes to policy and procedures.



CUSTODY VISITING 2019-20

During the reporting period of 1 April 2019 to 31 March 2020, all custody suites in the Police Scotland estate were visited.

In 2019-20, the SPA invested £243,978 in managing the scheme in Scotland. This includes salaries, recruitment campaigns, visitor expenses, training events and materials, conference, cluster meetings and induction days.

The SPA is pleased to report that, in over **1,309** unannounced visits, there were no significant issues raised regarding the care or ill treatment of detainees, either by detainees or ICVs.

The vast majority of issues that were raised were resolved immediately by the custody officers at the time of the visit. **212** detainees were observed either through the cell hatch or by observation within the custody area.

There are a number of reasons why detained persons are not visited. For example, Police Scotland may advise against it for health and safety reasons. During the reporting period, **236** detainees were refused access i.e. for personal safety, violent, intoxication reasons.

There were a total of **29** Legalised Police Cell (LPC) activations during 2019-20 and ICVs were able to attend **eight**. This was due to ICVs availability and the time at which ICVS were notified of the activation. The team have worked to help develop the communication between Police Scotland and the courts to ensure that notification is provided as early as possible in future.

During the reporting period there was **one** Scottish Detention Centre (STDC) activation. Between November 2019 and February 2020, seven ICVs attended the centre for training.

TABLE 8: ICVS Visit Breakdown

Detainee type	Number of detainees	Detainees unavailable	Refused access to detainee	Detainees observed	Detainees offered a visit/ interview	Detainees declined a visit/ interview	Detainees seen
ADULT (F)	902	105	31	40	589	172	417
ADULT (M)	4,817	510	204	165	2,392	653	1,739
JUVENILE (F)	8	2	0	3	3	0	3
JUVENILE (M)	113	14	1	4	87	16	71
Total	5,840	631	236	212	3,071	841	2,230

Governance

ICVs are encouraged to resolve as many issues as possible during the course of their visit with custody staff and officers. These include issues such as organising food and drink or requesting shower/wash on behalf of a detainee. Issues that cannot be resolved at the time are reported immediately to the regional coordinator. These include detainees not receiving their rights and entitlements, for example, detainee not being given access to an appropriate adult or being offered legal advice.

All issues, resolved and unresolved, are reported to the regional coordinators who raise with the custody inspector. Issues are also formally discussed with ICVs and the custody inspector at ICV cluster meetings. Unresolved serious matters are escalated to the national manager who then raises to senior criminal justice services division Chief Superintendent and/or the Chief Executive of SPA. Findings are also discussed on a regular basis with the National Preventive Mechanism under OPCAT.

ICVS findings

Last year we reported on issues regarding Police Scotland custody staff and officers being negative and unhelpful towards visitors when they turn up unannounced. These were escalated to local cluster inspectors for further investigation and discussions with individual members of staff and I am pleased to report that there has been a vast improvement and visitors are now commenting on the friendly and helpful approach of staff and officers.

Regular checks are carried out in the custody centres by ICVs and these include:

- Detainee is aware of detention, lawyer/named person informed
- Ensuring cells are clean, up to standard and hazard free
- Detainees have been offered or received medical assistance if required
- Ensuring reading materials, sanitary protection, food and drink is available for detainees
- Checking detainee meals and preparation area
- Checking items such as anti-harm blankets, pillows and mattresses are sufficient
- Ensuring shower areas and wash areas are clean and detainees have been offered a chance to wash
- Detainee requests have been met where possible
- The general appearance of a detainee is considered i.e. suitable clothing, clothing for court, any injuries, medical attention
- The characteristics i.e. mental health, foreign national, disability, immigrant
- The specific/diverse needs of the detainee have been met where possible
- The overall experience including detainee's view on staff/officers and being searched/restrained have been recorded.

Key issues raised by our visitors have been split into the following: new issues, re occurring, ongoing/unresolved issues and issues resolved during the reporting period.

New issues:

1. Detainee records

We are noticing that not all details are being recorded accurately and in the correct areas within the national custody system, and manual cell sheets are in use for recording information which is not always being duplicated onto the system.

Ongoing/ reoccurring issues:

1. Transferring of detainees

Towards the end of the reporting period, the national contract for transferring detainees has been highlighted as a concern with regards to time spent in vehicles and longer distances travelled. This is down to a number of factors relating to GeoAmey staffing numbers and the depots in use at the time of the transfer request. This has become more of an issues with the new measures in place under Covid and limited resources.

2. National stock

Lack of consistency and the disparity of stock and supplies such as blankets and anti-harm suits across custody suites was originally raised in 2015-16 and, despite a new supply contract, remains an issue.

3. National repairs and maintenance

The contract to deal with repairs to the fabric of custody estate continues to be reported, as well as the length of time it takes for work to be commissioned and completed.

4. Detainee meals

The consistency of the national contract for supplying detainee meals continues to be raised regarding the selection of items available, standard of meals supplied and nutritional value.

5. Shower/wash

The restricted access to showers/washing facilities and exercise are fundamental human rights areas which remain unaddressed. These can be somewhat attributed to staffing constraints and physical conditions, however the custody centres with washing facilities are not using them consistently and detainees are simply not being offered a basic wash. Not all cells have in cell washing facilities.

6. Lack of exercise

An on-going issue, especially for those detained over the weekend and during public holidays. Not all custody centres have these facilities however, in the small number that do, they are not being used. A recent report ¹ from the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) found that the material conditions in all police facilities visited in Scotland were generally of reasonable standard for short stays (i.e. up to 24 hours). However, most facilities also held detained persons for longer stays (i.e. from Friday evening until Monday morning when courts re-opened).

7. Police Scotland custody estate

The quality of the fabric of the custody estate, inherited from the legacy police forces, still varies throughout.

Perceptions of staffing levels and the pressures impacting on officers and staff dealing with individuals being processed through custody has an impact on the effective and efficient management of detainees.

8. Remote supervision

There have been a number of issues raised by Police Scotland staff regarding the remote supervision model and concerns that it could lead to delays in processing detainees. ICVs and staff have been advised that a further risk assessment would be carried out and in some centres additional sergeants would operate to provide oversight.

Issues resolved during reporting period

1. Powdered milk

At a meeting in July 2019 visitors expressed concerns with regard to the recent introduction of powdered milk in custody and that it wouldn't automatically cool down hot drinks. Police Scotland looked at alternative ways to ensure hot drinks were suitable for consumption and this action was closed.

Challenges for ICVS

Stornoway remains a challenge due to the difficulty in recruiting of ICVs on the island. At present visits are done quarterly by ICVs from the mainland or surrounding islands and, although this accommodated the throughput figures, having visitors in Stornoway would help support the legalised cell activations.

¹ <https://rm.coe.int/1680982a3e>

Good practice

Staff have looked at resolving the issue of using powdered milk and in some areas they are now making up small amounts of powdered milk and storing it in the fridge.

Custody volunteers raised issues regarding the Letter of Rights given to people in police custody. Since these concerns were raised, improvements have been made whereby the visitors are asking the detainees if they have received their Letter of Rights and ensuring that they do understand it and if there anything they are unsure about.

NORTH REGION

Food Parcels

There has been a massive success with Police Scotland custody staff offering food parcels to vulnerable detainees on their release from custody.

Music

Is being played in some of the custody centres' corridor area, which detainees can hear from inside the cells.

Blood Spot Testing

NHS staff, employed by Police Scotland, ask detainees who are drugs users if they want their blood tested for blood borne viruses. If the detainee agrees to blood testing, the results are sent to the detainee's GP and The Cairn Project (a charity in Dundee dealing with blood borne viruses). The Cairn Project offers support, advice and counselling on treatment and prevention etc.

Link Workers

Received lottery funding for three years for three full time link workers to be based at Inverness. These individuals are a mix of male and female and they will deal with housing issues, alcohol, drug, gambling, etc. They will also work with custody staff and NHS nurses and arrange appointments with detainees and follow up to ensure the individuals are attending.

WEST REGION

Period Poverty

As part of the Scottish Government initiative to address the issue of period poverty, two clusters within the west have taken possession of stock and will be offering these items to females leaving custody.

EAST REGION

First Aid Info

A suggestion has been made in the East to look at first aid publication as reading material as many detainees could find this useful for life beyond cells. This is still work in progress as Police Scotland will be approaching British Red Cross and SAS, NHS.

NATIONAL

Veteran Initiative

Rolled out nationally, each custody centre has a SPOC who has been fully trained. Trained specialists offer information, advice and casework support. They will work with a wide range of organisations to put together a support package to suit the individual's circumstances.



AREAS OF FOCUS

Engagement with Police Scotland

Positive working relationships between ICVs and custody staff/officers are integral to the success of the scheme. Communication and training is undertaken to ensure both parties understand the roles and responsibilities to strengthen the effectiveness of the overall monitoring and evaluation process. This has enabled us to make regular recommendations for protected groups, as well as ensuring key challenges are highlighted through regular reporting.

We regularly receive feedback from ICVs advising where staff have been accommodating and helpful, which is a reflection that the continued training and communication has had a positive impact.

In any case where custody staff do not respond well to ICVs or their visit, ICVs are able to report this in confidence to the Regional Coordinators for investigation.

ICVs find the regional cluster meetings useful for resolving outstanding issues and for training purposes. Having direct access to senior custody officers allows them to formally discuss their concerns with Police Scotland and share positive experiences.

Overall Police Scotland were responsive and took action to resolve any matters promptly. There has been vast improvements with many of the issues raised within this report for 2019-20 and Police Scotland have engaged with many partners now embedded within custody to help deter those from repeat offending. More information will be provided in the 2020-21 annual review.

Children and Vulnerable Adults

Where ICVs have spoken with children, there has been no concerns recorded with regards to their care and welfare. However, concerns have been raised regarding to the Letter of Rights not being provided and child detainees not being informed of a lawyer/named person and this has been a key area for ICVs when conducting their visits and observations. The team have been focusing on ensuring that children, vulnerable adults, etc. fully understand their rights and entitlements by following up checks on the National Custody System.

Detainee dignity

Everyone in police custody should be treated with dignity and respect and this has been the key focus for ICVS in 2019-20. Dignity is important because it allows individuals and groups to feel respected, valued and connected with others around them. Dignity and respect are considered basic human rights.

ICVS national conference

ICVS hosted its annual conference on Saturday 11 May 2019 at the Glasgow Hilton. Attendees heard from a diverse range of speakers.

Diego Quiroz from the Scottish Human Rights Commission detailed the work and remit of the United Kingdom's National Preventive Mechanism.

Superintendent Barry Blair provided an overview of Custody Division's plan to imbed a partnership approach within custody that will try to use a person's time in custody as an opportunity to address and resolve other issues that may be present in their lives with the support of suitable partner agencies.

During the afternoon session we heard from the late founder of the re attachment programme who discussed the impact of adverse childhood experiences on child development. **Gamal "G" Turawa** gave an inspiring and thought provoking insight into his own life experiences which asked listeners to consider their own stories and the stories of those they encounter.

The National

The National Newspaper approached ICVS asking if one of our existing visitors might be interested in contributing to a series to help promote ICVS. A visitor from Cluster 1 was put forward and supplied an excellent article, which was approved by the ICVS Manager, and published on Saturday 13 July 2019. In Susan's own words "Visiting people in custody is a win-win for everyone". The full article can be read here:

<https://www.thenational.scot/news/17768039.volunteer-visiting-people-custody-win-win-everyone/>

QAF Peer Assessment accreditation

ICVS was delighted to be presented with a Silver Award at the inaugural ICVS Quality Assurance Framework Awards on Wednesday 15 May 2019.

The event was hosted by ICVA at the House of Lords with scheme managers from across the United Kingdom in attendance. Speakers included representatives from the Home Office as well as the new Independent Reviewer of Terrorist Legislation, Jonathan Hall QC.

The Quality Assurance Framework is ICVA's tool to outline what quality independent custody visiting schemes should look like with a range of levels from Code Compliant to Silver, Gold and then Platinum. Participating schemes will be assessed on a biannual basis. With a Silver award, ICVS was recognised as the highest scoring large scale scheme in the UK.

More information on ICVA's Quality Assurance Framework can be found via the following link: <https://icva.org.uk/quality-custody/>



National Custody Forum (NPCC) 19 November 2019

The national manager attended the national custody forum held in Woking along with representatives from NPM and ICVA. The forum was really useful and highlighted good practice as well as looking at changes in the future, for instance dealing with incidents of concealing items/inadequate search and detainees falling unwell in cells, outlining use of CT scanners which can determine the item and where the package is stuck.

The forum also raised awareness of Autism in Custody and Avon and Somerset are doing some research with the University of Bath to see if using a different cell colour or smell etc. could improve the situation for those with Autism.

ICVA Scheme Managers Conference 2019

The North and East Coordinators represented ICVS at the ICVA Scheme Managers Conference in Sheffield on 6 November. The conference was themed around 'detainee dignity' and those that attended watched a bespoke performance of 'I am Human' - a play which explores dignity and decency in police custody over a 24 hr period. The story was based around two detainees and how the arrest can have an impact outside and inside police custody. You can find out more information at: <http://ihuman.group.shef.ac.uk/>

Churchill Fellowship Report

The National Manager met with Andreea Lachsyz to discuss how the OPCAT obligation to designate a NPM could be met in the Australian Northern Territory (NT). The fellowship investigated overseas best practices in terms of not only OPCAT compliance, but of culturally appropriate oversight, focusing on indigenous detainees.

The report presents a proposal that the NTG could consider when formulating the necessary measures to achieve OPCAT compliance. The full report can be found here:

https://www.churchilltrust.com.au/media/fellows/Lachsyz_A_2018_To_investigate_overseas_practices_of_monitoring_places_of_detention.pdf

NPM meeting

The meeting focused on the recent SPT visit and their initial conclusions, including implications for NPM and its members.

The SPT recognised the work of NPM and its members as an important system of oversight, with excellent and comprehensive monitoring of places where people are detained. They advise that legislation for NPM is necessary and that this should set out NPMS' functions, powers, resources, privileges and immunities. The final report is still to be viewed which will provide NPM with recommendations.

Her Majesty's Inspectorate of Constabulary in Scotland (HMICS)

On 6 June 2019 HMICS published its inspection into the **Strategic Arrangements for the Delivery of Police Custody**. The report considered leadership, governance, planning, people and partnership working. In its report, HMICS encourages more transparency and recommends that data about custody is published, particularly around deaths in custody. The full report can be accessed by clicking the following link:

<https://www.hmics.scot/publications/inspection-strategic-arrangements-delivery-police-custody>

On 12 June 2019 HMICS published its inspection of custody centres in **Greater Glasgow Division**. The inspection considered four primary centres at Aikenhead Road, Govan, London Road and Stewart Street, alongside an ancillary centre at Baird Street. You can access the report and subsequent recommendations by following this link: <https://www.hmics.scot/publications/inspection-custody-centres-greater-glasgow-division>

Training day

On 8 June 2019 a training day was held at the Scottish Police College, Jackton, for prospective ICVs (shown in table 6). Participants have now already joined clusters across the country and carrying out visits to custody centres.

Memorandum of Understanding (MoU)

The roles of monitoring between HM Inspectorate of Constabulary in Scotland (HMICS) and ICVS are separate and independent of one another. However, both are complementary.

To help strengthen and formalise a joined up approach with the common purpose of monitoring treatment and conditions in Scotland, we can now confirm that both organisations have formalised the sharing of information that already takes place by signing of a MOU in order to strengthen public confidence and work collaboratively.

The ICVS National Manager and Regional Coordinators would like to thank all for contributing to HMICS inspections and making this happen.

Police Scotland ICVS Single Point of Contact (SPOC) pilot

As a result of the ICVS annual review over the last few years, Police Scotland identified the need for an ICVS point of contact to improve the relationship and decrease the number of abandoned visits being reported each year.

A pilot ran in two custody centres in the west to help increase awareness on how ICVS preventive monitoring is in pursuit of OPCAT. A single point of contact (SPOC) was identified to alleviate the pressure on the custody sergeant to escort the ICVs during the visit. The SPOC would inform the custody supervisor of the ICVs attendance and thereafter escort the ICVs visit from start to finish. The custody supervisor will still make themselves available to ICVs at each visit if required.

The feedback has been very positive from the ICVs and has reduced the number of delays and abandoned visits in Cathcart and Govan.

NPM Visit

Jade Glenister, the UK's National Preventive Mechanism Assistant Coordinator, visited Edinburgh in September and spent some of her time shadowing ICVs at the St Leonards custody centre.

Subcommittee on the Prevention of Torture (SPT) visit to Scotland

The Subcommittee on the Prevention of Torture (SPT) met with the UK National Preventive Mechanism Scottish Sub-Group, of which ICVS is a member, on Friday 13 September 2019 to discuss the effectiveness of the group, practical challenges in implementing the NPM role and provide updates on current concerns highlighted by Scottish members:

- investigation into deaths in places of detention
- vulnerable woman and girls having to share space with males (CPT raised these concerns in 2018)
- gaps in data
- use of restraint
- use of Taser.

They also met with HMICS and two of our ICVs at St Leonards custody centre, where discussions took place on how ICVs perform NPM role and any challenges in this respect.

The subcommittee also wanted to know how NPM members work together and the relationships with government and detention authorities. ICVS have already been in discussion with HMICS to raise with the SPT joint working/collaboration and the MoU, and how both organisations are raising similar issues with regards to police custody.

Overall the SPT were very impressed with the Scottish system of monitoring places of detention and how we go about monitoring police custody in Scotland.

Transfer or Release

HM Inspectorate of Prisons for Scotland (HMIPS) Report – **Inspection of Court Custody Provision, Edinburgh Sheriff Court** was published in 2018. The report recommended that Police Scotland ensure that those arriving from police custody are appropriately dressed for the journey and their subsequent court appearance.

The ICVS team highlighted the importance when observing the transfer or release of detainees and asked the ICVs to look out for the appropriateness of the clothing and, if necessary, discuss with custody staff and record on the visit report form any issues/concerns/positive comments raised.

FUTURE PLANS

ICVS will continue to raise awareness about the benefits of the scheme and the essential work that ICVs carry out. The team will continue to provide the SPA with reassurance that detainees are treated with dignity whilst in custody and recommendations arising from HMICS will be monitored and information fed back to SPA and HMICS.

Work is still ongoing with Police Scotland to strengthen the effectiveness of the overall monitoring and evaluation process. Making regular recommendations for protected groups as well as ensuring key challenges are highlighted through regular reporting to the SPA and to partners.

Where can we develop further partnerships and collaboration?

Development of the ICVS database will enable the SPA to capture detailed custody visiting information and this remains a work in progress, meaning that information will be easily accessible and can be shared amongst NPM, ICVA and the wider monitoring community. We will be able to record detailed information including how many custody records ICVs have asked to view and more detailed reporting on detainee care and welfare.

How can we strengthen the impact of the visitors' voice?

- During 2019-20 we have been encouraging our ICVs to follow up with the checking of custody records for clarification and to provide reassurance/clarity for the ICVs, Police Scotland and the ICVS team.
- We have made improvements to the aide memoire – which provides the ICVs with key areas to consider and helps ICVs in completing a more detailed report. Focusing on the key areas of detention, general appearance, characteristics, specific/diverse needs and overall experience.
- We are looking into the use of hand held devices within custody that will allow the visitors to record live information and provide a more secure reporting tool.

Detainees

The profile of those entering custody reflects a changing world. And that has an impact on how we approach future visits and therefore there will be more focus on:

- Foreign nationals and the use of the interpreter service.
- Mental health, in particular the needs and concerns of individuals.
- Checking of detainees' custody records for further reassurance/clarity.

Development of the custody training platform

We mentioned last year that development was underway for a new training platform. This has been put on hold due to lack of resources. We hope to move this on once things have settled and business resumes as usual.

Focus on ICVS viewing custody records

The custody record is a detailed electronic log of everything that happens to a detainee during their detention. During an interview with a detained person, ICVs can request to check the custody record for clarity and reassurance and this will form part of the process when carrying out visits.

Detainee Dignity

ICVS promoted and provided inputs on the ICVA bitesize module on Dignity and Custody Visiting which outlines detainee dignity and what ICVs should look for in terms of good practice and areas of concerns when carrying out their visits.



FURTHER INFORMATION

If you are interested in becoming an Independent Custody Visitor, please contact:

ICVS
Scottish Police Authority
1 Pacific Quay
Glasgow
G51 1DZ
Email: icvs@spa.pnn.police.uk

For more information on the role of ICVS, please visit www.spa.police.uk

Do you have any friends/family who live in Stornoway or Aberdeen?

Please let them know about Custody Visiting. We are actively looking for volunteers in these areas.





