



Improving  
Policing  
Across  
Scotland



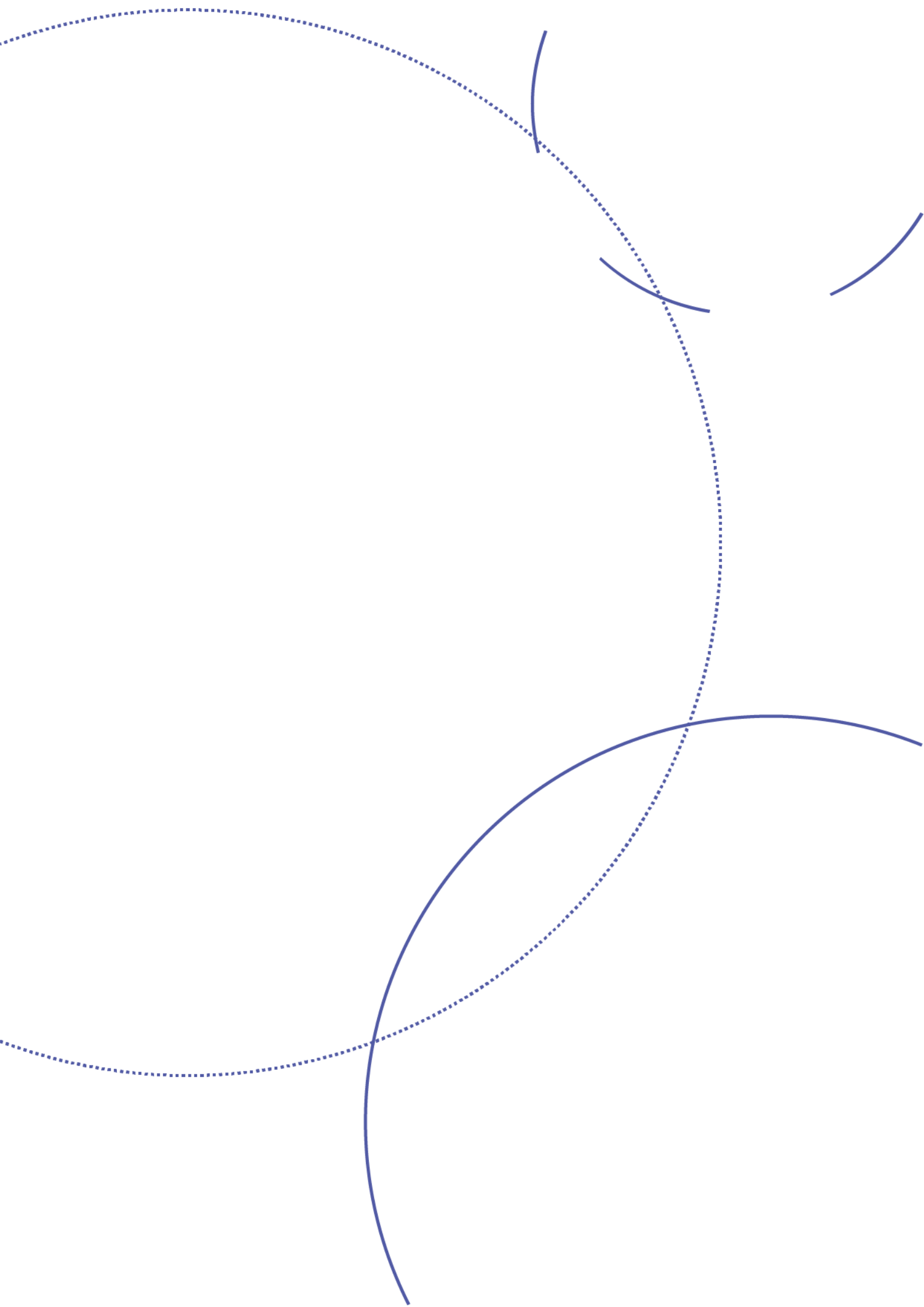
HM Inspectorate of Constabulary in Scotland

# Custody inspection framework

---

March 2025







# HMICS Custody inspection framework

---

His Majesty's Inspectorate of Constabulary in Scotland (HMICS) has a statutory role to look into the state, efficiency and effectiveness of both Police Scotland and the Scottish Police Authority (SPA). HMICS also has a statutory duty to inquire into how both the Chief Constable and the SPA meet their obligations in terms of best value and continuous improvement, and has a well-established role in providing professional advice and guidance on policing in Scotland.

The Police and Fire Reform (Scotland) Act 2012 provides HMICS the powers to do anything necessary or expedient for the purposes of, or in connection with, the carrying out of its functions. The SPA and the Chief Constable must provide HMICS with any assistance and co-operation required to carry out its functions and must comply with any reasonable request made. When HMICS publish a report, the SPA and the Chief Constable must consider what has been found and take such measures, if any, as they see fit.

HMICS aim to add value and strengthen public confidence in Scottish policing through independent scrutiny and objective, evidence-led reporting about what it finds. Where relevant, HMICS will make recommendations to Police Scotland and the SPA to improve policing. HMICS also aims to identify examples of good practice that can be shared more widely across Police Scotland.

To enhance its approach to the inspection of police custody centres, HMICS collaborated with Healthcare Improvement Scotland (HIS) on the [National baseline review of the provision of healthcare services within custody centres in Scotland](#) which was published in January 2023, outlining their findings and recommendations. Learning from the review enabled the scrutiny partners to develop and publish in January 2024, the [Framework to inspect healthcare provision within police custody centres](#), which should be referred to alongside this framework. Our baseline review has also supported the development of a joint custody inspection programme, which commenced in 2023. We will publish a joint report on each individual custody inspection that we undertake outlining our key findings, areas for improvement, and recommendations where necessary.



HMICS inspections of police custody also contribute to meeting our obligations as a member of the United Kingdom's [National Preventive Mechanism](#) (NPM). The NPM is an independent body which monitors the treatment and conditions of people deprived of their liberty in all places of detention under the UK's jurisdiction and control. The NPM was established to deliver upon the UK's international obligations under the [Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment \(OPCAT\)](#).

This revised framework sets out what we expect to find when we inspect Police Scotland's custody services, and will be the basis for our inspection programme. It reflects Police Scotland's current policies and guidance in respect of custody service delivery, as well as international human rights standards as they apply to police custody.

**Craig Naylor**

HM Chief Inspector of Constabulary in Scotland

March 2025



# Custody quality indicators

---

We will assess custody centre operations against the following quality indicators.

## 1. Arrival in custody

### 1.1. The arrival of detainees in custody is safely managed.

- Detainees are taken to the custody centre at the earliest opportunity.
- Consideration is given to diverting vulnerable people from custody and using alternatives to custody.
- Vehicles used for conveying detainees to custody and vehicle docking areas are safe and secure.
- On arrival, detainees are booked into the custody centre without unreasonable delay, giving due consideration to risks and vulnerabilities.
- Relevant information, including rationales for decisions made, are recorded accurately on a detainee's custody record throughout their period of detention.

## 2. Respect

### 2.1. Detainees are treated with respect.

- People are detained in cells and custody facilities that are in good condition and fit-for-purpose.
- Detainees are treated fairly and equitably as individuals with specific and diverse needs.
- Staff interactions with detainees are positive and courteous.
- The individual care and welfare needs of all detainees, including vulnerable individuals and those with protected characteristics, are identified, considered and managed effectively.
- When making decisions regarding a child or young person under 18 years of age, the need to safeguard the wellbeing of the child will be treated as a primary consideration.



### 3. Use of force

3.1. Any force used will be the minimum amount necessary to accomplish the lawful objective.

- For force to be reasonable it must be proportionate, legal, accountable, absolutely necessary and ethical in the circumstances.
- Any use of force will be recorded on the detainee's custody record (with the exception of compliant use of handcuffs and come along holds).
- Following use of force, consideration should be given to having the detainee examined by a healthcare professional.

### 4. Risk assessment and care planning

4.1. Detainees are to be held safely. Any risk they pose to themselves, or others is assessed and kept under review.

- An effective risk assessment and care planning system should be in place and utilised.
- All available information regarding a detainee should be used to inform both the risk assessment and care plan.
- Care plans are proportionate to identified risk and vulnerability and centre around the four main elements: level of search, the removal of detainees' clothing, observation and visit regimes, and referral to NHS services.
- Risk assessments and care plans should be reviewed regularly and revised as required.
- Detainees should be able to disclose confidential or sensitive information in private where safe to do so in accordance with the risk assessment.
- Should detainees be required to share a cell, this should only take place following an appropriate risk assessment, a rationale for which is recorded on the national custody system.



## 5. Searches

### 5.1. Detainees should be searched in a respectful and proportionate manner.

- Before conducting a search, staff must explain their intended actions to the detainee.
- Searches are carried out in a manner that takes cognisance of the detainee's gender, age, culture and religion and any disability they may have.
- Strip searching is only carried out when necessary. It should be authorised by an officer of appropriate rank (sergeant or above) and the reason for the strip search is recorded. Strip searches should be carried out in private and by two members of staff.
- Searches and strip searches are conducted by staff of the same sex as the detainee whenever possible. If a person is known or believed to be transgender or intersex prior to a search being carried out, they should be searched according to the gender they present and live as.
- Strip searching should be carried out in stages. Detainees should not be required to remove all clothing at once.
- Intimate search should only take place with the detainee's voluntary consent or under the authority of a Sheriff's warrant. Such searches are carried out by healthcare professionals in a hospital.
- Staff should receive appropriate training in undertaking searches.

## 6. Individual rights

### 6.1. Detention is appropriate, authorised and lasts no longer than is necessary.

- Detainees are informed of the reasons for their arrest and the nature of any charges against them.
- Appropriate grounds for detention should be established and alternatives to detention are considered, when appropriate.
- Detention is reviewed regularly. Extensions to detention are appropriately authorised and recorded.
- Detainees are released timeously, and without unnecessary delay, following the decision for release being made.



6.2. Detainees should be able to understand their legal rights and exercise them whilst in custody.

- Detainees are informed of their legal rights in a manner they understand.
- Where appropriate, detainees are given written information about their legal rights (a Letter of Rights).
- Interpretation and translation services should be considered and if appropriate obtained for detainees whose first language is not English.

6.3. Detainees are able to have intimation sent to a solicitor around their detention and be able to consult with a solicitor.

- Intimation should be sent to the solicitors as soon as reasonably practicable.
- Any delays in solicitor intimation or consultations should be justified, appropriately authorised and recorded.
- Legal visits and telephone consultations with solicitors should take place in private.

6.4. Detainees are able to notify a reasonably named person of their detention in custody.

- The person is notified without delay except in exceptional circumstances, which must be recorded. Notification delays should be no longer than necessary.
- For detainees under the age of 18, guidelines regarding notification of a third party such as a parent, guardian, other reasonably named person or the local authority should be adhered to.





6.5. Detainees should be fit for investigative interviews.

- When a detainee is to be interviewed, custody supervisors should assess their fitness to be interviewed.
- Where there is any doubt, the detainee should be assessed by a healthcare professional.
- Detainees should understand they have a right to have a solicitor present during interview. Rules about interviewing detainees without a solicitor present are adhered to.

6.6. Detainees under the age of 18 and vulnerable detainees have access to appropriate support while in custody.

- Detainees under the age of 16, and 16/17 year olds subject to a compulsory supervision order (CSO), should have contact with a parent, guardian or other appropriate person while in custody.
- Detainees aged 16 and 17 years, and not subject to a CSO, can have contact with a parent, guardian or other appropriate person, if the young person agrees to this.
- Appropriate adult services are available to those that require them.
- Consideration is given to offering visits to those detainees who are vulnerable or who are held for prolonged period.

6.7. Detainees know how to make a complaint and are enabled to do so.

- Detainees are told how to complain and there are effective systems in place to facilitate complaints.



## 7. Healthcare

- 7.1. As noted above, detailed inspection indicators are outlined within the HIS police custody inspection framework, which should be referred to alongside this framework.
- 7.2. Police Scotland should work with partners to ensure that detainees are able to access appropriately trained and skilled healthcare professionals and receive the appropriate treatment when required.
- 7.3. Detainees should be able to ask to see a health care professional for both physical and mental health needs at any time whilst in custody.
- 7.4. Police Scotland should work effectively with partners to establish harm reduction/arrest referral schemes for detainees.

## 8. Detainee care

- 8.1. Detainees are able to be clean and comfortable when in custody.
  - Detainees are provided with a mattress. Detainees will be provided with blanket(s) when appropriate. Sufficient blankets should be provided according to the temperature of the cell, time of day/year and weather conditions and likely length of time in custody.
  - Hygiene products for women are available and are discreetly offered and provided on request.
  - Detainees are able to use a toilet in privacy, if requested. Toilet paper and hand washing facilities are provided.
  - Detainees who request a shower must, where appropriate, be offered the opportunity to do so.
  - Detainees whose clothing is seized are provided with appropriate alternatives as soon as reasonably practicable.
  - Changes of clothing are facilitated.



## 8.2. Detainees are offered sufficient food and drink.

- Detainees are offered food and drink at recognised mealtimes and at other times taking into account when the detainee last had a meal.
- Reasonable requests, such as for water or a hot drink, should be met.
- The food available meets dietary and religious requirements.
- Food and drink are of adequate nutritional value.
- The provision of food and drink should be recorded on the national custody system in accordance with guidance.

## 8.3. Detainees can be offered reading materials.

# 9. Physical conditions

## 9.1. Detainees are held in a custody centre that is clean and in a good state of repair.

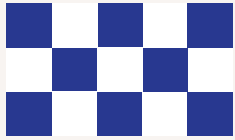
- Cells should be inspected daily to ensure they are safe and free from ligature points. Any other risks should be appropriately assessed and managed.
- Cells should be inspected once a detainee has vacated a cell to assess their condition. Any hazards or risks should be assessed and managed appropriately.
- Cells which are equipped with call buttons should be pointed out to detainees on arrival.
- Cells are of a reasonable size and there are effective maintenance and cleaning arrangements in place. These include arrangements for daily cleaning, regular deep cleaning and the removal of biological hazards.
- Cells are well ventilated and have natural light wherever possible.
- Staff are able to safely evacuate detainees from the custody facility in the event of an emergency.



## 10. Release and transfer from custody

10.1. The release and transfer of detainees from custody is managed safely.

- Pre-release risk assessments are carried out for all detainees. These should set out the actions to be taken to address any risks and vulnerabilities identified.
- Particular attention is given to safely managing the release of those under the age of 18 and other vulnerable detainees, including those who may be vulnerable due to their alleged offence.
- Any relevant information about risk and vulnerability is communicated to relevant agencies.
- Where appropriate, detainees are provided with information about relevant support agencies, and referrals are made to partner agencies and services.
- Detainees who are being transferred to another custody centre or court are escorted safely. Person Escort Records are completed with all relevant information, including known risks. Detainees' property is transferred at the same time as detainees.
- Detainees appear at court promptly either in person or via video link. They are not held in custody for longer than is necessary as a result of court processes.



**HMICS** HM INSPECTORATE OF  
CONSTABULARY IN SCOTLAND

HM Inspectorate of Constabulary in Scotland  
1st Floor, St Andrew's House  
Regent Road  
Edinburgh EH1 3DG

Tel: 0131 244 5614

Email: [hmic@hmic.gov.scot](mailto:hmic@hmic.gov.scot)

Web: [www.hmics.scot](http://www.hmics.scot)

### **About His Majesty's Inspectorate of Constabulary in Scotland**

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

© Crown copyright 2025

HMICS/2025/05