



HM Inspectorate of Constabulary in Scotland

Improving Policing across Scotland

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PRESS RELEASE

HMICS Publish Thematic Inspection of Police Custody Arrangements in Scotland, 2014

Custody provision within Scotland's new single police service is operating effectively, although remains a high risk area.

The HMICS report Thematic Inspection of Police Custody Arrangements in Scotland says detainees are generally well cared for and treated with respect and dignity with staff demonstrating professionalism and genuine desire to look after those in their care.

The report also notes there are an increasing number of detainees at police custody centres who are vulnerable due to complex medical, mental health and alcohol and drug dependencies. The report acknowledges the new custody healthcare arrangements being rolled out across Scotland by local NHS Boards, with increased opportunities to improve the health and wellbeing of those in police custody.

The report states that custody conditions across Scotland vary widely, with many custody centres requiring significant investment to maintain or improve detainee and staff security and health and safety.

The effective leadership of Police Scotland's Custody Division is highlighted, but the report identifies constraints in future planning due to the lack of detail about budgets and staffing. There is a genuine focus on improvement and organisational learning within the division, but it has more to do to achieve consistency of practice at local level.

HM Inspector of Constabulary in Scotland, Derek Penman, said: "Following our scrutiny work it is our assessment that Police Scotland inherited a disparate landscape of custody facilities, staffing models and procedures from the eight legacy forces and has done well to introduce consistent policy and procedures across Scotland."

Commenting on the rising number of vulnerable detainees in police custody centres, Mr Penman said, “Fundamentally, rather than providing an interim custodial service, Police Scotland is increasingly caring for highly vulnerable individuals with complex healthcare needs.”

“New opportunities to work with partners in the NHS, social care and voluntary service through local community planning partnerships should be explored to ensure that people in our communities are cared for in the most appropriate setting and their vulnerability is suitably managed while within police custody and beyond.”

“However, as a matter of urgency, Police Scotland should finalise the Custody Estate Strategy and work in partnership with the Scottish Police Authority and Scottish Government to prioritise investment in the custody estate.”

The report also looked at previous inspections into custody arrangements, with Mr Penman adding:

“HMICS is satisfied that relevant learning from our previous custody thematic inspections has been taken forward by Police Scotland.”

This inspection is part of an on-going programme of custody inspections which contribute to the UK’s response to its international obligations under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

NOTES TO EDITORS

The HMICS Thematic Inspection of Custody reviewed progress on recommendations made in previous HMICS Custody inspection reports – April 2008 (Children), October 2008 (Medical services) and January 2013 (Facilities). The HMICS inspection also assessed the state, effectiveness and efficiency of the new single division.

The HMICS Thematic Inspection of Custody 2014 is available to download at the HMICS website www.hmics.org

To arrange an interview with HM Inspector of Constabulary Scotland, Mr Derek Penman QPM, or to request a photograph, please contact:

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KEY FINDINGS

- Our overall assessment of the objectives of police reform in relation to custody is that the function has improved significantly through an increased specialism and consistency of practice compared to legacy forces. The new single division has also strengthened its connection with partners.
- The new Custody Division inherited a disparate landscape of eight legacy force functions and faced challenges in bringing these together at a time of significant wider change in order to ensure consistency and manage risk.
- Custody remains a high risk environment. The increasing proportion of detainees with complex needs is changing a short-term custodial setting into a care environment for highly vulnerable individuals.
- Detainees are well cared for and treated with respect and dignity.
- Custody staff demonstrate patience, professionalism and a genuine desire to care for those in custody.
- Custody conditions across Scotland vary widely, with many custody centres requiring significant investment to maintain or improve detainee and staff security and health and safety.
- The goal of single cell occupancy is welcome, but is currently creating capacity and resourcing issues that are unlikely to be resolved until there is significant investment in the custody estate and a new model informed by improved management information is in place.
- The transfer of health care responsibility from Police Scotland to the NHS on 1 April 2014 was a major undertaking that followed on closely from the formation of Police Scotland and the parallel establishment of the national Custody Division on 1 April 2013.
- Arrangements for referral and diversion from police custody are often ad hoc and dependent on local relationships. Access to mental health referral schemes is limited. A review of the scope of current referral and diversion schemes is required to address any gaps in provision.
- While we welcome the division's strong focus on risk management, their approach is sometimes disproportionately risk averse. Effective risk management is essential and while a risk adverse approach is understandable, the universal application of policies and the removal of discretion from staff may adversely affect some detainees.
- The new Custody Division is operating effectively with strong leadership and a genuine focus on improvement and organisational learning, but still has much to do to achieve consistency of practice at local level.

- Custody Division currently has no comprehensive plan in place for its workforce and relies strongly on local policing resources. A consistent and comprehensive approach to training needs to be addressed as a matter of priority.
- There is limited management information available on resourcing or custody delivery. A lack of baseline financial data is preventing effective identification and understanding of custody costs and efficiencies.
- National partners were positive about their interactions with Custody Division. They welcomed the single point of contact that a national service provided and thought this led to greater consistency and clearer lines of communication.
- Custody Division needs to consult and engage with staff more effectively as well as its key partners and stakeholders when planning and developing policy, and specifically when developing the strategic proposal for the future of custody.
- We are satisfied that the new division is effective and efficient and is embracing continuous improvement.
- We are satisfied that all outstanding recommendations from HMICS thematic inspections of custody conducted since 2008 have now been closed. All relevant improvement activity has been captured and will be taken forward by Police Scotland.

The Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) is an international human rights treaty which seeks to establish a system of independent and regular visits to all places of detention, recognising that people deprived of their liberty are particularly vulnerable to ill-treatment. OPCAT requires that States designate a 'National Preventive Mechanism' (NPM) to carry out visits to places of detention and monitor the treatment of and conditions for detainees. In the United Kingdom, the NPM is made up of several independent bodies, including HMICS. Further information about the UK's NPM is available at:

<http://www.justiceinspectorates.gov.uk/hmiprison/national-preventative-mechanism/>