HMICS HM INSPECTORATE OF
CONSTABULARY FOR SCOTLAND

Thematic Inspection
Custody Facilities

March 2008

SUMMARY OF RECOMMENDATIONS

The design of police custody facilities is influenced by legislation and a number of key documents. It is informed by the Human Rights Act 1998 and its references to the European Convention on Human Rights, and also by the Health and Safety at Work etc Act 1974. Basic standards and criteria for facilities are outlined in the Home Office Police Custody Buildings Design Guide and its associated best practice document. The information provided by these resources does not, however, encompass all aspects of custody design. Additionally, not all aspects of the guidance are prescriptive, so there are areas where forces must determine what approach is most suitable for them. This inspection found scope for improvement in both how forces determined the best approach to take and how they shared best practice.

Recommendation 1: that forces combine to develop a clear strategy for custody management that will direct future design and development of custody facilities, taking account of all available information on police custody practice.

Recommendation 2: that forces develop a robust and sustainable common model to help calculate cell requirements and to inform business cases for refurbishing or building new custody facilities. To support such a model, forces will also need to establish clear policies on cell sharing.

Recommendation 3: that forces review their custody facilities with regard to prisoners' welfare and rights, and consult appropriate bodies to determine what facilities should be provided.

Recommendation 4: that forces review their custody facilities with reference to prisoner privacy, taking account of staff and prisoner safety, to determine how custody suite functions, including cells and charge desks, should be designed.

Recommendation 5: that forces consider staff welfare requirements in the design of custody facilities, and take all steps to ensure that these are not compromised by future custody planning.

Whilst these recommendations are directed at all forces individually, the police service will better withstand scrutiny at any legal proceedings arising from an incident in custody if all forces operate to the same general principles. Forces may therefore wish to work together under the aegis of the Association of Chief Police Officers in Scotland (ACPOS) to discharge these recommendations and spread the good practice described in Annex A as well as to follow through some of the suggestions there for seeking expert advice. HMICS will, however, continue to review the arrangements of individual forces.

Introduction

1.   The safety and welfare of people who come into police custody is a significant responsibility. It is a challenging area for the Service that presents risks for both staff and prisoners. These risks must be mitigated by high standards within custody suites and robust operating procedures. This inspection found that higher standards of facilities, in terms of design, construction and use of technology, have reduced the need to rely on procedures and processes, though these are still necessary to minimise the remaining risks. The Service will therefore benefit if best practice can be identified and incorporated into the design of new or refurbished custody facilities.

2.   The 'Home Office Police Custody Buildings Design Guide' details the basic standards and criteria for custody facilities. This Guide comes in two volumes, the first being a policy document and the second a best practice document. These were developed by the Home Office in conjunction with the Police Property Service Management Group, which principally comprises representatives from police forces in England and Wales. Some aspects of the guidance consequently reflect practice south of the border, although there is a Scottish representative on the group who can influence the content. Given the significance of people coming to harm in police custody, and the impact that custody suite design has on safety, the Scottish role in this group is important.

3.   The Guide and its accompanying best practice document are intended to help police forces to develop briefs when building new custody suites or refurbishing existing facilities. The document is not overly prescriptive and recognises that alternative approaches can be successfully incorporated into custody design; it is for forces to decide which design features best suit their needs. Some further advice can also be found in a guidance document produced by the Association of Chief Police Officers (ACPO) on 'The Safer Detention and Handling of Persons in Police Custody'. A Scottish version of this document is currently being produced by ACPOS.

4.   Against this backdrop, it is not surprising that this thematic inspection found that the design of force custody suites differed across Scotland. There were various reasons for this, including the limitations of sites and the varying ages of custody facilities. And while some units evidently reflected changing views of good practice over time, a variety of design was apparent across even the more modern facilities.

5.   The inspection has identified good practice in the design of various aspects of police custody facilities, and builds on the guidance referred to earlier. We also discovered some areas where we believe that the risks associated with keeping people in custody could be further reduced. This will only be achieved if the police service in Scotland adopts a more consistent, common approach to research, review and implementation. These key points are reflected in the recommendations of this report. Other examples of good practice and points for consideration are explored in more detail in Annex A. In addition to our specific recommendations, forces will wish to consider the content of Annex A when planning new building projects or other refinements to custody facilities.

6. This thematic focused on the design and development of the custody facilities, and as such did not explore alternatives to police management of custody. However, before embarking on projects that involve new units, forces should look to the future and consider such alternatives. So too should the Scottish Government. In some parts of England, for example, custody provision is privatised. Certainly as an efficiency measure, centralising provision within and across forces merits consideration (with or without privatisation), as does the possible role of the Scottish Police Services Authority in managing or procuring this. There is currently a requirement for police officer involvement in the process of accepting prisoners into custody. HMICS would simply offer the Scottish Government and forces the professional view that beyond this role there is no compelling operational reason for the custody and care of people arrested or detained by police to remain within the day-to-day management of police forces.

Development of Custody Practice

7. Police custody practices have evolved over time, with the last 20 years seeing a marked improvement in standards of care. There have been many drivers for these changes, including the increasing focus on human rights. In terms of process, the Police and Criminal Evidence Acts in England and Wales too have had a significant effect on the way prisoners are dealt with and cared for. Although these pieces of legislation have never been applied in Scotland, many aspects relating to prisoner management have come to be assimilated into practice north of the border.

8. Developments in approaches to designing custody facilities, as seen elsewhere in the UK and reflected in the Home Office Guide, have also gradually appeared in Scotland as units have been upgraded. Some of these developments are increasingly being recognised as good practice. Scottish forces have also developed aspects of custody suite design independently. However in some cases these were more likely to reflect previous force arrangements than the latest best practice.

9. The ACPOS Criminal Justice Business Area set up a group to oversee the introduction of privatised prisoner escorting in 2004. This group evolved into the National Custody Forum in 2006, with a focus on creating a common, computerised, custody management system. The group went on to take a wider interest in custody as a consequence of bringing together experts from each force. On the other hand, the Estate Management Forum, which reports to the ACPOS Financial Management business area, is made up of those police staff responsible for overseeing the construction and maintenance of police buildings. This Forum gives members the opportunity to highlight and exchange best practice on the physical aspects of custody facilities.

10. As part of our inspection we attended a meeting of the National Custody Forum and liaised with members of the Estate Management Forum. Neither group appeared ideally placed to address all the points identified in this thematic inspection. To help forces address these and future developments on related matters, ACPOS may consider it appropriate to review the remit and constitution of these groups, or to create a new group that could co-ordinate all necessary activities.

KEY ISSUES

Development of a Custody Strategy

11.   A view commonly expressed during this inspection was that the design of a custody suite should reflect the requirements of the custody process. Though in keeping with the Home Office Guide, in reality the age of many facilities or the available site space meant that this was not always possible. Forces have had to make the best of units that were sometimes badly designed at the outset and with essential functions in the wrong place, such as outside the secure custody area.

12.   A clear custody management strategy is essential to developing a design that can support the logical flow from prisoner arrival, through processing, to release. We found that most police custody professionals would prefer the person in charge of the custody suite to have a high degree of control and oversight over what happens in the custody area. This was evident from the desire of some forces to implement a radial design, where corridors to cells and ancillary rooms lead from the charge desk. Using this approach, all access and movement into, through and out of the suite would be not just managed and controlled by custody staff but subject to their direct oversight.

13.   However not everyone shared this view. Others felt that custody processing should be kept separate from the prisoner holding and other ancillary functions. This, they believed, would allow uninterrupted prisoner processing, while the necessary supervisory overview could be achieved by other means.

14.   Effective custody management relies on having sufficient numbers of staff. The need will be more acute if processing and custody are separated. We were inclined to favour custody design that heightened physical control over options that depended more on technology such as CCTV. It is for individual forces, however, to identify the most appropriate way of creating a secure environment for the custody of prisoners – one that is as safe and comfortable as it can reasonably be for both prisoners and staff. The solution may be influenced by both the constraints of existing building stock and the need to take account of prisoner privacy, highlighted later in this report.

15.   This strategic approach to custody design should extend to deciding where ancillary functions, such as interview, medical support and fingerprinting, sit within this. Their proximity to the charge bar and any relationships between these functions should also be considered, as should the matter of access control and how this should be achieved both physically and through the use of technology. Only when forces have recognised all the issues that custody suites will deal with, will they be able to ascertain the optimum design for achieving this.

HMICS recommends that forces combine to develop a clear strategy for custody management that will direct future design and development of custody facilities, taking account of all available information on police custody practice.

Cell Capacity

16.   All forces had problems meeting demand for cells at peak times. This invariably entailed prisoners being taken to other holding centres or sharing cells. All forces also referred to recent, ongoing or future custody building projects, but across forces there was no clear and consistent rationale for accurately identifying the number of cells required.

17.   Neither is there a common means of measuring actual throughput. This inspection was focused on the physical facilities for custody and has therefore not concentrated on decision-making about people retained in custody for appearance at court. However, it is worth pointing out that, without comparison of this custody usage across Scotland, chief officers, police authorities and the Scottish Government are unable to begin to understand whether individual forces are keeping more people than necessary, or indeed too few people, in custody prior to first appearance in court. If it is the case that throughput can legitimately and safely be reduced there would clearly be potential savings in terms of space and usage and consequent implications for future build. HMICS suggests that this is something which all three parts of the tripartite governance of policing ought to know, not least because any inconsistencies are also likely to have a bearing on fairness, human rights and costs. The Senior Strategic Steering Group (a multi-agency group chaired by the Scottish Government), which brings these three interests together in terms of managing police performance, could usefully consider, perhaps in consultation with the National Criminal Justice Board, introduction of a performance indicator for custody throughput, for instance *percentage of arrested people retained in custody for court*.

18.   For looking at levels of volume the most developed process we found was that used by Strathclyde Police. As part of an ongoing project to rationalise custody provision, the force had examined previous throughput of prisoners in its cells to identify the maximum number of prisoners in custody at any one time. From this it then derived an estimate of the number of cells necessary to allow single cell occupancy for each prisoner.

19.   The issue of cell sharing is central to decisions on cell capacity. Our preference would be to allocate one prisoner to each cell. This is consistent with the fact that almost all police cells were designed for single occupancy. It also allows for individual privacy and recognises that, given the nature of many people who enter police custody, even the most robust risk assessment may still leave some at risk of assault or other abuse. We acknowledge, however, that the number of cells available does not always allow forces to maintain single occupancy.

20.   An interesting divergence in practice amongst forces was apparent on occasions of peak demand when they were obliged to consider placing prisoners in the same cell. In some, no more than two prisoners were placed together. Others, in contrast, preferred to put three people together. This they did in the hope both of reducing the likelihood of conflict and raising the prospect of independent evidence should any altercation nevertheless arise.

21.   To determine how many cells are required, forces should have a clear policy on cell sharing. We also believe that for the policy to be sustainable and defensible, it should be based on research evidence and applied consistently across Scotland.

22.   We were impressed with the way that Strathclyde Police had approached achieving its own standard of single cell occupancy for no less than 99% of the time. For Strathclyde Police to achieve a higher rate with the approach adopted at present would have required more cells, but these would have been used for only a few hours each year. Though too early in this project's development to gauge success, we welcome the fact that clear policy had a direct bearing on design. We also believe that some thought should be given to the use of larger cells, which some forces have and which are designed to accommodate five or more prisoners. Whatever the outcome, it is vital that all forces recognise the effect that changes to policy may have on the demands and risks facing those working in custody areas, and reassess their staffing levels accordingly.

23.   When calculating throughput, year-on-year changes in custody numbers, both in overall terms and in relation to female custodies (as reflected in national criminality statistics), should be taken into account. This information can be used to predict future throughput in the short-, medium- and longer-term.

24.   In considering future custody throughput, forces will also wish to consider how they plan to meet custody need in terms of the number of holding centres. While we came across some examples of centralised holding centres during this inspection, we also found that, in a bid to reduce operational abstractions, some smaller holding centres had been re-opened. Before embarking on custody building projects, forces must weigh up all competing priorities in order to identify the optimum approach for them.

HMICS recommends that forces develop a robust and sustainable common model to help calculate cell requirements and to inform business cases for refurbishing or building new custody facilities. To support such a model, forces will also need to establish clear policies on cell sharing.

Prisoner Welfare

25.   The inspection found that the design of the most recently built/refurbished police custody facilities reflected increased awareness of prisoners' rights and welfare needs. One example was the inclusion of hand washing amenities in cells, which helps to raise hygiene levels. Additionally, the general reluctance to have prisoners sharing cells was due in part to concerns about privacy, particularly in respect of toilet use.

26.   These human rights considerations should affect the design of several aspects of custody facilities. Before defining good practice and setting out what should be achieved in future, forces must fully consider all aspects of prisoners' rights and be clear on what standards of accommodation are required.

27.   For the purpose of hygiene, cells potentially could provide drinking water, hand washing units with warm running water, hand dryers and soap. We believe that new facilities should offer some method of hand washing. However forces will wish to balance the extent and benefits of doing so against any potential damage or injury that could occur.

28.   The question of privacy is also allied to the increasing use of CCTV monitoring of cells, where prisoners' safety must be balanced against their rights to privacy. While technology can allow toilet areas to be shielded from view, it is possible to remove this shielding without prisoners being aware. Clear policies on the use of CCTV in cells should also direct future design.

29.   If forces feel that cell sharing is acceptable at least some of the time, they will need to decide whether cell size or design should change to accommodate this. They must also consider whether prisoners should be entitled to some form of exercise away from their cells, particularly if they are to be held in custody for a number of days when, for example, the courts are closed for public holidays. Offering prisoners the option of exercise would not only have staffing implications but would also need to be taken into account in the design of new facilities.

30.   Privacy is also factor when it comes to prisoner processing. To reduce the time spent by officers in police stations dealing with prisoner processing, forces have increasingly introduced charge desks that allow a number of prisoners to be processed simultaneously. At the many charge desks we visited during our fieldwork, we noted various levels of separation between processing points. One location had two separate rooms, most had some form of barrier between the processing points, but none provided a level of separation that could prevent prisoners being able to hear what was being said at an adjacent processing point.

31.   The majority of police staff we spoke to did not feel privacy to be a major problem. On occasions where one prisoner overhearing information from another being processed would cause concern, custody staff, we were told, were able to manage this. Custody staff themselves tended to confirm this view. Even those who reported at times being distracted by incidents at neighbouring processing points, claimed to have no difficulty working this way. One officer would stress to prisoners that if they did not wish to answer any questions they were at liberty to ask to be processed in private. Other staff, in contrast, never processed more than one prisoner at a time as they were anxious about the lack of privacy, despite their sites being designed for this purpose.

32.   It is essential that forces consider what is needed in relation to prisoner privacy at each stage of the custody process. The findings should then feed into the force's custody policy, which should in turn be communicated to all staff and used to inform any new construction or refurbishment work.

33.   Our inspection revealed processes in place to cater not just for routine custodies but also for those requiring additional consideration because of religion, gender or disability in particular. Accommodating these needs should not rely purely on process, but as far as possible should be addressed by design. For disability, the welfare needs of prisoners centre not only on aspects such as access or lighting, but also include, for example, the selection of colour schemes to minimise any negative impact on people with impaired sight or mental illness. There are many further examples that could be offered here, but the key issue is that the Service recognise its responsibilities arising from what is an important and growing agenda.

34.   The most fundamental human right is the right to life. Clearly this must take precedence over any lesser policing priority. For instance, in developing an understanding of duty of care, forces will wish to consider the suitability of installing trap cells to capture items flushed down the toilet, as opposed to treating prisoners suspected of carrying controlled drugs in their body as a medical emergency and taking them to hospital. Forces may also want to establish a consistent position on the use of life signs monitoring equipment to identify when a prisoner stops breathing.

HMICS recommends that forces review their custody facilities with regard to prisoners' welfare and rights, and consult appropriate bodies to determine what facilities should be provided.

HMICS recommends that forces review their custody facilities with reference to prisoner privacy, taking account of staff and prisoner safety, to determine how custody suite functions, including cells and charge desks, should be designed.

Staff Welfare

35. Two major aspects of custody design must be the needs of prisoners and the efficiency of the custody process. However, the needs of the police staff who work in these areas must not be ignored. Older facilities in particular tended to focus on the function of custody and offered no office accommodation or space for staff to take refreshment breaks. Even some of the more contemporary designs similarly failed to take account of the needs of staff.

36. In many places CCTV monitoring had expanded to cover the complete cell complex. Without separate office space, this meant that staff must spend their whole time under the scrutiny of cameras. We understand that camera systems are in place to protect both staff and prisoners, but believe that staff should be allowed some respite from constant surveillance. Custody suites should therefore include some office space away from the charge desk but in a position where appropriate supervision can be maintained.

37. A further reality of working in custody is that, with few exceptions, staff routinely had difficulty enjoying a full refreshment break during their shift. The unpredictable nature of their role – prisoners may arrive or be released at any time – coupled with the need to monitor the prisoners in their care continually, meant that staff frequently took their breaks in the custody suite. Without prejudicing the rights of staff to take a break away from their working environment and ideally outwith the custody suite, some facility in which staff could take their breaks that was situated within the suite but away from the charge desk or office, would significantly improve their welfare. This should be considered in any future design or refurbishment projects.

38. In designing facilities for staff, forces should make sure that any accommodation earmarked for staff use is not subsequently reallocated in future planning.

HMICS recommends that forces consider staff welfare requirements in the design of custody facilities and take all steps to ensure that these are not compromised by future custody planning.

Annex A

GENERAL FINDINGS AND COMMENTS ON GOOD PRACTICE IN THE DESIGN OF POLICE CUSTODY FACILITIES

This Annex revisits a number of areas covered in the main report in order to provide further information for those directly involved in the design or refurbishment of police custody facilities.

Custody Suite Location

1. The location of most police custody facilities tended to have a historical basis. Unsurprisingly, they were often located in police stations in the main population centres, their size typically a function of the size of the town or city. In general this is largely appropriate, as this is where most people are taken into police custody. However, as standards for the proper care of prisoners have changed with developments in human rights and other relevant legislation, forces have found it difficult to provide the necessary standard of care at every custody suite. The main stumbling blocks have been the need for both more staff and the provision of facilities to the required standard in buildings where space is invariably restricted.

2. Some forces have rationalised their custody provision and in some areas thought was being given to the idea of centralising this function. During our fieldwork, the possibility of shared custody provision across forces was also mooted. Fewer, but bigger shared holding centres could be places where those who are to remain in custody are taken and subject to the highest standards of care before transfer to court. We acknowledge that problems might arise if police officers were required to transport prisoners to such central locations. There is a justified desire to reduce the time taken to process prisoners, in order to return officers to their duties as quickly as possible, so further abstractions would be unacceptable, but a contract already exists for the transport of people in police custody from custody to court, and it is not beyond reason to see that contract expanded for this. In any case, as a precursor to replacing existing custody facilities, we believe that forces should consider whether centralising or privatising the custody function would offer benefit. The Scottish Government should also consider if this is a responsibility that should and could transfer to the Scottish Police Services Authority.

3. This inspection team found no consistent rationale or formula for calculating the future provision or location of holding centres across the Service. Forces clearly took various factors into account when assessing their options. However it was not clear whether the priority should be to have custody close to where most arrests occur, in the same premises as the majority of police officers, near to public transport or in proximity to transport links across the force area. Whilst in reality the locations chosen for new builds tended to be the places where land was available, discussion across forces on priority setting and site selection processes would undoubtedly benefit the Service as a whole.

4. Selecting sites for police premises, including custody facilities, is an important matter for police authorities. In presenting their case for new facilities, forces will recognise that not only must the police authority be persuaded of the value of any proposals, but that authorities in turn may have to present convincing applications for funding and planning permission. Forces must therefore ensure that all relevant factors, including those outlined here, are given due consideration. And, in developing their proposals, they should clearly identify their priorities.

Cell Capacity

5. Given the historical development of custody facilities, it is no surprise that few places could demonstrate a clear correlation between cell capacity and demand. This inspection also examined how cell capacity would be determined for future regeneration or new build projects. In principle, forces agreed that capacity should reflect the throughput of prisoners. More specifically, it should relate to the maximum number of prisoners who would be held in custody at one time, rather than the total volume through the year. As discussed earlier in this report, it is important for police boards and chief officers to have comparable data from other Scottish forces on throughput of people retained in custody for appearance at court since there may well be opportunities to re-assess policy on what kind of arrested people need to be so retained, and so promote closer compliance with human rights and create efficiency savings. It is also important for forces to have good quality data to support any assessment of demand and a clear policy on whether prisoners should share cells.

6. Wider research consistently suggests that one prisoner per cell is the ideal solution. This is a view that we fully support. It was frequently the case, however, that demand at peak times exceeded the capacity of most custody suites. As a result, forces had either to take prisoners to other holding centres, or place two or three prisoners in a cell designed for one. Across Scotland there were a variety of policies in place that encapsulated each of these options. In particular, there were divergent views on the suitability of two or three prisoners being allowed to share a cell.

7. To calculate what their cell capacity must be, forces must first be clear about their policy on cell sharing. If they elect to avoid cell sharing, they must decide whether cell capacity should exceed potential demand or exceed demand for only a certain percentage of the time. This was the case with Strathclyde Police which, as part of a custody project, examined its previous prisoner throughput statistics and determined how many cells it should have to meet demand 99% of the time.

8. We would encourage forces to follow this example and would stress the need to consider throughput over a number of recent years to help calculate future need (after first benchmarking current throughput against all other Scottish forces to identify any apparent inconsistency in detention practice).

9. Some forces have a limited number of cells designed to hold five or more prisoners. These are typically used for short periods when maximum capacity is reached. Forces should consider whether such cells are suitable and, if so, whether they should become a standard feature. If cell sharing is to be accepted, forces should also consider whether some cells should be larger than the Home Office Guide minimum size, the better to accommodate two or three prisoners. Forces will also need to recognise the potential impact on staffing requirements as a result of the demands and risks of cell sharing.

10. Forces must also have clear policies concerning separate cells for male and female prisoners. Custody facilities have traditionally had separate blocks for male and female prisoners. Increases in the number of women entering police custody make this a challenging issue to manage. Whilst routinely separating male and female cell areas is good practice, future design must build in some flexibility in this regard.

Overall Design

11.   Research on best practice elsewhere in the UK found a general preference for a custody suite whose charge desk was at the hub, with all cells and other ancillary functions running off this location likes the spokes on a wheel. This *radial* design approach had been adopted by a number of facilities in England that had received positive comment in the form of incorporation into the Home Office Design Guide. In contrast, older custody facilities tended to separate the prisoner process function from the cell complex, insofar as the cells were around corners and out of sight of the charge desk. This did not always appear to be a conscious choice in terms of good practice, but instead reflected best use of limited site space.

12.   The rationale behind the radial approach is the potential control it gives custody staff, particularly the person in charge. By providing an overview of all activity in the facility it helps staff to ensure the safety of all prisoners and police staff. A slight variation on this approach was being considered by Strathclyde Police, where cell blocks would be in parallel corridors. This would make better use of limited site space while still conferring most of the advantages of the radial design.

13.   Nevertheless, it is important to note that not everyone we spoke with supported this kind of approach. Some staff preferred to separate the prisoner processing and prisoner holding areas, given the considerable noise that can be generated from a cell block, particularly at peak times when volatile prisoners can cause some disruption.

14.   A possible area of challenge to the radial approach may be the prisoner privacy issues covered in paragraph 37; a drawback to the separation approach is the need for sufficient numbers of custody staff to be able to manage the charge desk and the cells separately. We are inclined to favour the safety and control aspect of the radial approach, but recognise the problem of noise and the limitation of site space.

15.   In developing a custody facility, a key guiding principle must be that the design reflects the custody process. The stages that a prisoner goes through, from arrival, waiting to be processed, being processed, then being placed in a cell, should be accommodated in a logical design flow that helps staff to maintain control.

Disability Issues

16.   It was clear that forces had responded to the requirements of the Disability Discrimination Act, and that some custody staff had considerable knowledge of the relevant issues. That said, we found only limited evidence of specific action taken to design the physical environment of custody facilities to support people with a disability. As part of the inspection we arranged for a representative of the Scottish Disability Equality Forum (SDEF) to visit a custody suite. As a result, we were able to pinpoint a variety of aspects where people with a disability could be disadvantaged.

17.   Corridor sizes and door openings must be able to accommodate wheelchair users. Such prisoners may also have difficulty using standard cell toilets and cells with low beds, or reaching cell call buttons if located away from the bed. The needs of people who use a wheelchair or have other mobility problems could be accommodated if forces introduced beds with a height of approximately 600mm to at least some cells. These cells should also include toilets at the raised height of about 470mm, with accessible call buttons near to the toilet and bed.

18.   Not having a hearing loop system could also cause problems for those with a hearing impairment. This is relevant not only for initial processing, but also for later interviewing or processing under drink driving legislation. Some fixed systems could allow another person with a hearing aid to overhear conversations, but portable equipment available with a short range can address potential problems of privacy.

19.   Choices of colour and the colour contrast between the floor and office furniture might further present difficulties for both the visually impaired and people suffering from certain mental illnesses. Some bright colours can trigger an emotional response from people who suffer from some mental illnesses. Police officers oblivious to such a condition might assess it as aggression and unnecessarily raise the level of force used. Thus, removing such colours might prevent confrontational situations.

20.   These are just a few examples of the many disability issues that police forces must consider. On the basis of the information obtained during this single visit we were able to discern some room for improvement in all forces.

21.   We would strongly encourage forces to seek advice on this specialist area, not only when completing refurbishment or new build works but also when reviewing current provision and improving the awareness of custody staff. Potential sources of specialist advice are the various Access Panels that have been set up across Scotland. The SDEF would be happy to facilitate contact.

Secure Vehicle Dock

22.   The consensus of views from forces was that prisoners arriving at holding centres by vehicle should enter the custody facility via a secure vehicle dock. The preferred option was for an *airlock* mechanism on the gates, so that the gate to the vehicle dock could not open unless the door to the custody suite was closed, and vice versa. This helps to reduce the opportunity for escape. Though new building work on custody facilities tended to recognise the need for a vehicle dock, available site space was often the main restriction.

23.   In terms of design, there was also support for a vehicle dock in which vehicles would enter through one gate, deliver the prisoners, and then drive out through another gate. While supporting this approach, we recognise the competing factors of cost and space, and consider the greater priority to be a vehicle dock of sufficient size, or with sufficient space on the approach, to allow vehicles to manoeuvre safely and without causing damage. The vehicle dock should also be large enough to accommodate more than one vehicle. This is not to allow multiple prisoners to enter simultaneously, but to maintain access to the dock while other officers are processing their prisoner.

24.   If the vehicle dock is to be used for exercise or fire escape, or if adjacent buildings are able to oversee the area, then some roof cover, at least in part, should be considered.

CS Decontamination

25. There are well established decontamination procedures for staff to follow if CS spray has been discharged. These require a prisoner or affected staff to spend time in the open air to remove the CS particles. At the scene of an arrest this is not always possible and vehicles can become contaminated. The inspection team found that Central Scotland Police had fitted industrial sized fans in its vehicle docks. These were used to accelerate the removal of CS particles from prisoners before they entered the custody suite, and also to blow the particles out of vehicles. They found this solution to be effective and commented on the calming effect on prisoners when they were able to reverse the police vehicle up to the fan and decontaminate the prisoner before removing him or her. We commend this approach as good practice.

Decontamination Room

26. The full search of prisoners should normally take place at the charge desk. The exception would be where a separate search area is available as part of a decontamination facility. These facilities are necessary for decontaminating an infested prisoner or one who is in such a soiled or dirty state that using the charge desk area and access routes for searching and processing would require immediate cleaning, placing the custody suite out of commission. It was noted that this type of facility was being planned for some new build projects. The best approach would appear to be a unit, accessed directly from the vehicle dock and consisting of both a room for strip and search of the prisoner and a deluge shower, following which the prisoner could be placed in a paper suit for processing. Before continuing with such an option, forces are encouraged to seek appropriate medical guidance to clarify the situations for which this approach would be appropriate.

Prisoner Holding Area

27. During periods of peak demand, it is common for a number of prisoners to wait to be processed in queues at custody suites. In facilities with no designated holding area prisoners may be forced to queue with their escorting officers in corridors, with the attendant risks that this incurs, or alternatively to wait in police vehicles. While our inspection found a number of custody suites with holding areas, it was suggested that the ideal solution was to have two holding areas located between the vehicle dock and the charge desk. Having two areas allows potentially conflicting factions to be safely separated. Whether there are two such areas or just one, it was considered good practice in helping to control prisoners for the room to have benched seating with dividers to form booths. A good idea was to have a traffic light system to indicate when the next prisoner could be brought for processing and/or an intercom system.

28. One solution that was apparent in some custody facilities in England, and which was due to be introduced at one location in Scotland, was to have holding areas that faced onto the charge desk area with glass observation windows. The idea was to improve the awareness of custody staff of what was happening with prisoners, allowing them to react swiftly to any disorder and helping to inform decisions regarding who would be processed at what stage.

29. While this was consistent with the philosophy of custody staff controlling the custody suite, we were concerned that prisoners waiting to be processed would be able to see what was happening at the charge desk, which may not be appropriate. It may be better just to ensure that the holding area is covered by CCTV and monitored at the charge bar. Forces will wish to weigh up the competing benefits of these approaches.

30.   In some forces we noted that holding areas displayed a variety of information, for both prisoners and escorting officers. Forces may wish to consider using stencilling as a more durable alternative to more temporary signage. Such signage should include basic information about custody processes, which will be of particular assistance to people who have not been arrested before. In preparing such notices, their location, the size of lettering, font style and the variety of languages in which they are available should be carefully assessed to make sure that they meet the reasonable needs of all prisoners.

Charge Desk Design

31.   A fundamental feature of custody suite design is the charge desk where prisoners undergo a process which involves them and their arresting/detaining officers being examined and providing information for recording and care purposes. As with other aspects of the custody process, we found disparity in the approaches taken and for future developments we believe the Service should consider some of the principles that underpin this process.

32.   The first of these is whether custody staff should stand or sit whilst processing. This is particularly pertinent in busy locations where there can be an almost constant stream of prisoners to be processed in this way. Our fieldwork uncovered a variety of views on this, but it was apparent that in many cases staff preferences were influenced by the design of the charge desk to which they were accustomed.

33.   Most locations were designed for custody officers to be standing, though in some suites staff were able to sit on a high stool if they wished. And just one had a charge desk constructed to allow staff to sit as they would at a standard desk, albeit at eye level with the prisoner.

34.   We suggest that forces seek an appropriate medical or health and safety assessment of the prisoner processing function to determine whether standing or seating is most appropriate. The outcome of such an assessment would then inform the design of the counter and all storage and equipment behind it.

35.   Some charge bars had a raised platform on the custody officer side. This allowed a better view and consequently better control of prisoners being processed. It also made it more difficult for a prisoner to assault custody staff. A contrary view was that the raised position could antagonise some prisoners, but we are inclined to support a raised platform. Furthermore, this is essential if a seated position for processing prisoners is to be the standard.

36.   Different approaches have been taken to the design of the charge desk counter itself. The introduction of electronic custody recording several years ago led to computers being placed on the old style charge counter with a protective screen, often made of glass, built around them. The screen protected the computer and also afforded some protection to staff from behaviour such as spitting. The model typically used by Strathclyde Police was a broad counter with the computer situated below it under a glass screen. This ensured that the desktop at which staff work remained clear. The third design employed a split-level arrangement. Here, the counter on the prisoner side was raised to afford protection to custody staff, while the desktop on the custody officer side was lower to protect the equipment. Each design had its own advantages and disadvantages. However, the one that seemed to present greatest benefit, giving the most appropriate work surface while still offering a safe environment, was the open counter favoured by Strathclyde Police. One detracting factor that had already been highlighted was the position of lighting at the charge bar, where this could cause glare on the glass screen. Another possible drawback may be its potential to cause neck strain.

37.   A further key consideration in charge bar design is whether there should be multiple prisoner processing points. Such points are becoming increasingly common, due to the number of people coming into police custody and the time taken to complete the process. Again we received a variety of responses from forces. The design or layout of some suites, for example, made no attempt to separate prisoners being processed, while the dividing screen used by those that did nevertheless afforded little privacy for conversations between prisoners and staff. Another had separate rooms for prisoners, facing onto a common charge desk. In our opinion, multiple processing points are not just desirable, they are essential if the volume of people coming into custody remains the same. However, the need for privacy when information is being exchanged between prisoners and custody staff is also important.

38.   Clearly having some form of separation is an improvement on previous arrangements, if not always sufficient to withstand legal scrutiny. Speaking to custody staff who worked at a multiple processing charge bar, we learned that some would not process more than one prisoner at a time because of their concerns about the lack of privacy. This is particularly relevant when vulnerability assessments are being conducted, during which personal and private information is sought from the prisoner.

39.   We were fortunate to be accompanied on one custody suite visit by a representative of HM Inspectorate of Prisons (HMIP). Having observed multiple prisoner processing at first hand, the representative expressed concern that police practice did not necessarily reflect good practice in respect of privacy and the confidentiality of medical information that could be disclosed. Prison practice had already been revised to allow similar processing procedures to be conducted in private.

40.   There are many situations where a large number of prisoners have to be processed in as short a period of time as possible, and any suggestion that multiple charge desks should be removed would present considerable logistical difficulties for the police service. However, before progressing further with the renovation and construction of holding centres, forces should seek and act on advice on the legality of multiple processing procedures, recording any decisions that are taken. All custody staff should then receive sufficient information to give them confidence in the processes to be followed.

41. The inspection found that some charge desks or offices for custody staff had boards on the wall that displayed prisoner names and some information about them, such as HIV status. Whilst this may be attractive for easy reference, forces should consider whether any boards which can be seen by other prisoners contain information which infringes prisoners' rights to privacy. Whilst display of the information can be motivated by a desire to highlight risks and promote staff safety, it is good practice to recognise that all prisoners present a risk of infection.

Prisoner Search

42. The option to include specific facilities for the private search (e.g. strip searches) of prisoners away from the charge bar was raised during the inspection. Searching of prisoners at the charge bar, under the scrutiny of video and audio recording, was the preferred approach of Scottish forces for routine searches. In our opinion, deviation from this should be avoided (except when decontamination is required as outlined earlier). In the case of a strip search, this should take place after a routine search and can be carried out in any cell not covered by CCTV in order to maintain privacy. For some of the busiest custody suites it may be possible to demonstrate the need for a specific search facility, particularly for those people brought into custody solely for the purpose of a full search who therefore may well be released immediately thereafter. In general, however, we would question the value of such a room when cells or lockable detention or holding rooms are available and are therefore inclined to discourage creating additional search facilities.

Prisoners' Property

43. Loss or damage to prisoner property is another area of responsibility and risk for custody staff. It is therefore important that prisoners' personal items are carefully recorded and stored safely so that they can be returned intact and undamaged. Good practice advocates that prisoners' property be stored at the rear of the charge desk. This should be in an area limited to custody staff, so as to maintain control. A number of custody facilities used a secure locker or, where they anticipated multiple cell occupancy, a number of lockers, for each cell. A better solution may be to have a secure room, containing individual receptacles. This would remove the need for individual lockers and the problems of having to rely on individual or master lock keys. Having a secure room could also overcome the difficulties encountered by trying to store bulky items. To maintain the integrity of property storage it is good practice to install CCTV in the store room. In this way, any further handling of prisoners' property, between the moment they are searched to the time of their release, is recorded.

44. In many sites, the historical approach to storing prisoners' jackets and shoes was to leave these outside the cells. Most forces had since recognised the risks that this entailed and had implemented various alternative procedures. To be sure that all property removed from a prisoner is fully logged and accounted for, it is best that this takes place during processing at the charge bar and includes any jackets or footwear. We consequently suggest that adequate storage space be allocated for these items in a property store room close to the charge desk, and that those forces that do not already supply disposable footwear, consider doing so.

Bedding Provision

45. The provision of clean bedding to prisoners has greatly improved over recent years. Prisoners were routinely supplied with a mattress and, depending on likely time in custody, a blanket. To simplify the process for custody staff, it is sensible to locate an adequate storage area for these items on the route that prisoners will take from the charge bar to the cell. A side benefit of this approach, identified by one force, was that giving a blanket to prisoners to hold while walking to their cell reduced their capacity to attack an escorting officer.

46. In terms of the type of bedding used, most forces made only occasional use of what are known as 'suicide' blankets, designed to minimise the risk of self harm. However, in other areas this was the only type of bedding provided. A barrier to this approach is the cost, though there is an option to hire both anti-suicide blankets and suits. In the interests of prisoner safety this is something that all forces should consider.

Cells

47. The more modern cells we visited tended to reflect Home Office Guide advice on features such as door styles. For other aspects of cell construction the Guide's recommendations are less definitive and instead forces are faced with a range of options and must make their own decisions.

48. One example of this is the debate around cell sharing, as discussed earlier. Standard practice in new complexes is to design cells to the Home Office minimum size specification. If forces decide to allow cell sharing, even if only at times of peak demand, it follows that the cells used for this should be built to a larger size. This could mean building a small proportion of the total number of cells to a larger size designed to hold five or more prisoners, as some city centre stations have, or simply increasing each cell by a few square metres so that up to three prisoners could be comfortably accommodated.

49. A further example is the construction of cell beds. In some locations, all beds were of concrete construction and raised about 30cm from the cell floor. In other, traditionally older, complexes the majority of cells contained higher beds. The benefit of lower beds is that they minimise the risk to prisoners falling out of bed, for example whilst drunk. The high bed, however, is easier to use for some people with disabilities and, if prisoners are in custody for a few days, provides greater comfort when used as a seat. Our fieldwork revealed general support for a mixed approach, even though this could mean having to move prisoners between cells as demands changed. We share this view, and understand that forces will wish to consider what the optimum balance of bed style should be.

50. More generally, forces must be clear about the standard of cell facilities they wish to provide. Some new builds had incorporated hand-washing facilities and for reasons of hygiene this is recommended. However further options are available. It is also possible, for instance, to include hand-drying equipment and soap, or even to supply drinking water. This final option would reduce staff time spent providing water to prisoners, but would be of no use in forces who do not allow prisoners to be left with any type of cup because of the risk of personal injury or damage. Decisions on functionality must reflect best practice in respect of custody procedures, but the different approaches cannot reflect disparate local needs and so it would be helpful to have procedural consistency.

51.   A standard cell includes a toilet, of construction that will withstand physical abuse. Forces adopt a mixed approach to the toilet flush mechanism. Some are operated by a button within the cell, while others must be flushed from outside the cell by custody staff. The latter approach is most popular as it stops a prisoner blocking the toilet and flooding the cell. It does, however, raise issues of hygiene and dignity which gave concern to HMIP. Whilst giving the prisoner the ability to flush the toilet will lead to occasions where they flood the cell, forces should review whether this inconvenience justifies routinely preventing prisoners from flushing the toilet. Such a review may also consider whether toilet paper should be left in cells. This presents similar hygiene and dignity issues and a mixed approach was observed during the inspection.

52.   Forces must also consider what advantage there may be in retaining cells with no toilet. Such *dry cells* have been found to be beneficial for the initial detention of prisoners arrested on serious charges to remove any opportunity for evidence to be destroyed or lost. They are also more suitable for prayer than a standard cell. Traditional detention cells have tended to provide this option, albeit perhaps by default.

53.   Most cells had call buttons that prisoners could use to summon assistance. These tended to be situated next to the cell doors. However, to accommodate people with certain disabilities and any prisoners who become unwell while in a cell, forces should consider affixing these at a reasonable height next to cell beds. Some locations have also introduced intercom systems, allowing staff to respond to basic requests without having to visit cells. Again, there were conflicting opinions on these matters. For some the cell call button was for emergencies only and not to be used for trivial inquiries to staff. There was also a fear that having an intercom could lead to staff becoming over-reliant on it and neglecting their responsibility to check on the wellbeing of prisoners in person. We are inclined to support the introduction of intercom systems, but recognise that forces will wish to consider all factors before deciding on which approach to adopt.

54.   In some cells we saw good use of stencilling to provide information, such as Crimestoppers details, for prisoners. This good practice could be extended to provide further useful information on, for example, substance abuse support. Less successful had been efforts to provide information on prisoners' rights. In many cases these had simply been glued to cell doors or walls and then picked off by prisoners. A good alternative might be to fix a larger document to the ceiling, but the suitability of this approach would depend on the height of the ceiling.

55.   Some cells had no natural light. For prisoners held in custody for a number of days this could cause some disorientation. To overcome this, one location had installed sun pipes, which are metal pipes that allow light to be 'piped' into cells at the centre of a building. We believe this to be an acceptable method of tackling this problem. It would be preferable if the resulting levels of natural light were equivalent to a standard Home Office cell window, and the ideal solution would be to have a *window-like* fitting, rather than a ceiling-fitted globe.

Observation Cells

56.   All forces had dedicated cells for prisoners whose physical or mental condition meant that they required a higher level of supervision. Most had viewing windows, either in the wall or door, to allow observation from outside. It was noticeable that window sizes and construction differed, in some places in response to damage caused previously. Discussion between forces on specifications and the operational suitability of different approaches should help to inform future design.

57. At the time of our inspection it was standard practice for forces to have some cells covered by CCTV. But that was as far as the commonality of approach went. In some places CCTV was used in this way purely as a means of achieving constant supervision. This effectively superseded the viewing window, the major difference being that by using a split screen monitor, up to four prisoners could be viewed by one member of staff. In terms of constant supervision, we assess this as good practice provided the staff member concerned is not distracted by other tasks.

58. Other sites used CCTV to monitor prisoners whose circumstances did not necessitate constant supervision but who were nonetheless felt to present a higher than normal risk. In these situations, CCTV allowed physical checks to be supplemented by frequent casual observation. Once again, we thought this use of technology, in appropriately assessed cases and purely as a supplemental check, to be good practice.

59. Having CCTV in cells also raised the need to balance prisoner care with his or her need for privacy when using the toilet. Situating the camera where it could not cover the toilet area would be one solution, but would defeat the primary purpose of having CCTV in cells. Alternative approaches included physically obscuring the area of the toilet on the camera or, more commonly, electronically pixellating it out. A problem with the latter approach is that staff may be able, for legitimate reasons, to remove the pixellation. Indeed, in one location the pixellation had automatically though unintentionally been removed when the images had been moved to a split screen.

60. While it is easy to say that prisoner care should take precedence over issues of privacy, we were not convinced that this fully justified the approaches adopted. The fact that the area blocked out on the monitor was quite small, in keeping with the purpose of observation, meant that prisoners could still be physically exposed before or after using the toilet. It would be even harder to justify the routine invasion of privacy as a result of installing CCTV in non-observation cells whose occupants are deemed lower risk custodies.

61. Forces must decide whether to restrict CCTV to observation cells or to extend it to standard cells and, if the latter, they should decide on criteria for activation of cameras. They should also examine options to increase the area covered by pixellation, and make sure that the ability to remove the pixellation is properly controlled and authorised by someone at a suitably senior level. To reduce the likelihood of the Service being legally exposed, all decisions should also be appropriately recorded. If the preference is for CCTV in all cells, some consideration must be given to how strip searches will be accommodated while limiting observation of the prisoner to the police personnel conducting the search.

62. In all cases, it must be made perfectly clear to the prisoner that he or she is on camera. Stencilling notices to this effect on cell walls would provide further assurance that prisoners were aware of this.

Detention Rooms

63.   Though most custody suites had detention cells or rooms, we found custody staff to have no clear understanding of the function of these rooms or therefore what facilities they should have. While many of these rooms had no toilet, it was not clear why this was the case or whether they should have one. And while some were identical to other cells with a bed, others had only a bench seat. It may be that the design of these rooms has been influenced by Design Guide requirements for England and Wales where arrest and detention procedures are different. Nevertheless, Scottish forces need to decide whether such separate rooms or cells are required and, if so, what they are to be used for and consequently what facilities they should contain.

64.   In some areas detention rooms rather than cells were preferred when holding juveniles in custody. At the time of writing, HMICS was in the process of conducting a separate thematic inspection on the care of people under the age of 16 years in police custody. The resulting report will consider the procedural steps necessary to safeguard such children when they are in police custody for short periods to record identity and arrange for return to a parent/guardian, and on the very rare occasions when they need to be retained longer than this. In designing custody facilities, forces must decide if accommodation in a traditional detention room with the constant presence of a police officer/staff member or other appropriate adult (for instance a social worker) can meet the first of these requirements. For those children charged with serious crimes, if there are other exceptional circumstances which mean they cannot be held outwith a police station, forces must also decide whether the basic facilities now being included in standard cell design are better suited. Forces will also have to consider whether juveniles should be placed in accommodation close to the charge desk, which is normally the case with detention rooms, or whether this actually makes them more likely to see and hear the other prisoners staff are trying to separate them from. The Inspectorate suggests that, for new-build projects, one option might be to create at least one cell in an area separate from all others so that young people who have to be retained in custody can be isolated from adult prisoners but still adequately supervised/accompanied. This facility might have alternative uses: for vulnerable adults; as an observation cell; or for any prisoner whose presence close to others might be disruptive. Whatever option is favoured forces creating new custody facilities should address the need for appropriate facilities for care of juveniles within the overall concept of control within the custody suite.

Legalised Cells

65.   Legalised cells are a throwback to times when the length of time required to transfer prisoners to prisons could cause significant problems. Based in some of the more remote parts of Scotland, they were designed to hold prisoners for a short period either before trial or after conviction. At the time of this inspection there were legalised cells at nine locations in Scotland. Unlike other police cells, they fall under the provisions of the Prison (Scotland) Rules.

66.   Improved transport links have seen the formal use of legalised cells drop. Indeed the force with arguably the greatest need of such cells, Northern Constabulary, was keen to see them removed. Having to comply with the different requirements for these cells also places what may be considered an unnecessary burden on the police. For these reasons it would be appropriate for the Service, in discussion with its criminal justice partners, to consider the future of legalised cells.

Trap Cell

67. A trap cell is one where the contents of a flushed toilet are captured in a chamber in order to be checked for items such as drugs. A number of forces did not have this facility but intended to include it in new custody developments.

68. The inspection found that the policy in Strathclyde Police was that all prisoners suspected of having concealed drugs internally had to be taken to hospital. This position reflected medical advice which stated that a prisoner in this condition is a medical emergency.

69. We are inclined to support the Strathclyde approach, given the priority of prisoner safety over recovering evidence and assuming that this medical advice would be replicated elsewhere. However, it was not clear at the time of writing what the NHS view of such a policy was. Whether the hospitals would always accept such a prisoner, for how long they would keep them and what the police should do if admission was refused, are questions that need to be answered and which we will address more fully in our forthcoming thematic inspection of medical services for people in police custody.

70. One possible reason to retain legalised cells would be to allow courts to remand prisoners to police custody in order to recover packages consumed or concealed by prisoners. This debate may be helped along by a consensus across the Service on the alternative approaches outlined above.

Interview Rooms

71. As interview procedures evolved through the 1980s and '90s, so new interview rooms were introduced. These tended to be located close to CID offices and were often some distance away from custody facilities. However, it is now recognised that security, prisoner care and supervision requirements are better served if prisoners remain in the custody suite from arrival to release. Consequently, we believe that interview rooms should be situated in custody facilities and that custody staff should oversee all movements to and from interview.

72. The most modern interview rooms had proper soundproofing and were located away from noisy systems such as water pipes in the walls or ventilation fans, the noise of which can become accentuated on recorded interviews. An increasing number of rooms had been equipped with both audio and video recording, with remote viewing facilities in place as required. This is recognised as good practice.

73. There were, however, some inconsistencies in the arrangement of the furniture in interview rooms. In some locations the furniture was either fully fixed to the floor or had no fixings at all. In others, everything was fixed except for the chairs of the interviewing officers. There are competing interests here: officers are taught in their interview training to set up the room in a manner appropriate to the interview, whereas health and safety assessments will stress the risks with moveable furniture if a prisoner becomes aggressive. We accept that some staff will prefer furniture that can be moved, particularly during extended interviews. Nevertheless, as some locations were able to accommodate fully fixed furniture without detriment to the interview process, we are persuaded that this should be standard practice.

74. Forces may also wish to consider providing one room with at least six fixed seats, to accommodate the number of people who could be present during the interview of a juvenile, vulnerable adult or foreign national. By leaving adequate space beside the table in one interview room, wheelchair users could also be accommodated.

Intoximeter/Fingerprint/Photo/DNA Facilities

75.   Constraints on space meant that some of these functions shared the same accommodation or were located with other facilities. We had been informed, however, that fingerprinting/photographing and DNA processing should have its own accommodation, as should drink driver processing and any other sampling. Ideally these rooms should be inside the custody suite near to the charge bar, in keeping with the concept of logical prisoner movement. CCTV and affray alarms should be installed in each room for the protection of both prisoners and police staff. Here too, the question of whether or not to have fixed furniture should be considered, as should the installation of freestanding items that could cause injury.

Prisoner Exit

76.   A factor that must be considered in custody suite design is how prisoners will leave the facility on their release. Options include prisoners exiting via the secure entrance, leaving via access routes used by general police staff, or exiting directly into the public reception. There may not be a single suitable approach, as different prisoners may necessitate alternative approaches, but one principle to be followed where possible should be that any observing members of the public should not know that a person leaving a police building has been in custody.

Prisoner Visits

77.   A number of custody suites incorporated closed visit cubicles. These are rooms, divided by a secure screen, with a seat on either side for the prisoner and their visitor/solicitor. The optimum design allows access to the public side of the room from outside the custody suite, and access to the prisoner side from inside the suite. While forces were not obliged to accommodate prisoner visits, we believe that reasonable requests should be allowed where staff levels permit. Bespoke facilities, such as those described above, can help to manage visits more effectively. However we stress again that wheelchair users be taken into account when designing rooms.

78.   The Home Office Guide suggests separate consultation rooms for solicitor visits, a feature that is considered good practice in England and Wales. Arrangements for and entitlements to consultation with solicitors are different in Scotland, and we support the view that closed visit cubicles, where available, are the most suitable option for secure, controlled, solicitor visits.

Identification Parade/VIPER

79.   The introduction of video identification parades (VIPER) has reduced the need for full identification parades, even though the potential for an occasional parade means that existing facilities should be maintained. The specification for the layout of VIPER suites presented a challenge for forces wishing to include them in existing custody facilities, this being considered the ideal situation. It will be difficult for forces to resolve these problems during refurbishment projects, but new build facilities should be able to house VIPER facilities within the secure custody area. Ideally they would be designed to provide witness/solicitor access and egress directly via a public area. These rooms should also incorporate CCTV and affray alarms, as outlined earlier.

Life Signs Monitoring

80. The forthcoming HMICS thematic inspection of medical services for people in police custody will deal with these issues in more detail but clearly physical facilities can assist in exercising duty of care responsibilities. Life signs monitoring systems for prisoner care had been introduced in some UK forces recently. These systems use microwave sensors to identify the movement of a person breathing and activate an alarm if there is no movement over a defined period. They are available in numerous locations in England and Wales, but police use in Scotland at the time of our inspection was restricted to some of the Grampian Police cells at Elgin. Although a developing technology, they have been found to operate effectively. By alerting staff almost immediately to a prisoner in difficulties, they present a real opportunity to save life, particularly when used in conjunction with defibrillators, other life-saving equipment and appropriate training.

81. As well as the normal tragedy associated with unexpected loss of life, any deaths in custody have a significant personal impact on the people concerned and can adversely affect public confidence in the police. The Service has a responsibility to take all reasonable steps to avoid such tragedy. Life signs monitoring systems are expensive, costing up to several thousand pounds per cell. However, the financial and emotional costs of a death in custody and consequent Fatal Accident Inquiry may be considerably higher. The introduction of these systems, either in a limited number of cells or in whole custody suites, is an area of policy that we believe forces across Scotland should consider. We also believe that police authorities will wish to ensure that everything possible is being done to prevent deaths in custody. We hope that they will lend their support to funding such schemes, if forces confirm their value.

CCTV/Audio Recording

82. Most police custody facilities had CCTV coverage. It was standard practice for these systems to cover the charge desk where prisoners were processed and corridors throughout the custody suite. Some ancillary rooms, such as those used for fingerprinting or drink driving procedures, also had cameras. We would encourage forces to introduce systems that cover as far as possible a prisoner's movements from arrival until departure, including rooms where they are processed. Exceptions to be considered include cells, interview rooms (which are covered by recording for different purposes) and medical rooms.

83. It was increasingly common for digital recording systems to be used. In some locations recordings were linked to sensors so that images were only captured when there was movement. This is a sensible approach that serves to maximise recording space. We also noticed that the number of instances of microphones being used to record sound was increasing. We would suggest that forces consider making this standard practice. Custody CCTV systems are there to enhance the safety of staff and prisoners and to provide evidence in the case of allegations. Audio recording can help to support or dismiss such allegations.

84. Provision must also be made for adequate review facilities. These should be easy to use for operational staff, custody staff or those involved in the investigation of police complaints. They should also be subject to appropriate security, audit and control procedures.

Access Control

85. The Home Office Guide suggests that custody staff should control access into and through the custody suite. Our inspection found some control of access in many locations, but this was often limited to the need for officers to use their identity card. While such systems may allow custody staff to track those who enter the suite, this alone does not prevent an officer having access to a prisoner without first seeking custody staff approval. The preferred solution would be to install an intercom system for officers wishing to enter the custody suite. However we recognise that the layout, design or staffing levels of some locations can make this impractical. It would be inappropriate to unduly complicate processes, but we suggest that forces aim for the principle of custody staff control and where possible introduce processes to support this. That said, where access is completely controlled by custody staff, some system of override that allows access to incoming officers in the event that custody staff require assistance should be implemented.

Affray Alarms

86. The most common approach to alarm systems was to have strike strips in corridors and ancillary rooms that staff could reach out and activate if in difficulty. A number of places had strike buttons, but being a smaller target there is a greater risk that someone may not be able to reach the button. We consequently favour the use of strike strips over strike buttons. The most readily accessed system is to equip staff with personal alarms that they can pull from their belt if they encounter difficulties. There are however some problems in practice with these systems: some sensors can have blind spots; regular testing regimes are required to ensure that they are working properly, and some staff appear unwilling to use them. We found that where the latter resulted in staff being reluctant to carry the alarms, this meant that health and safety requirements could not be met. Whichever alarm system is chosen, activation should cause the location of the member of staff to be highlighted on a panel at the charge desk. In some larger custody suites it may also be beneficial to have a repeater panel near custody access points so that people coming to the aid of their colleagues know where help is needed.

Airwave

87. An alternative method of alerting colleagues to a staff member in difficulty is to use Airwave digital radios. In some locations all staff had been issued with Airwave handsets. Airwave coverage in custody suites was generally reported to be good, although one location required a gateway system via a base station to operate effectively. Once again, we found usage to be inconsistent, particularly in places where the high volume of radio traffic was found to be a distraction. Forces should consider these factors before opting to rely on Airwave as a safety mechanism.

Religious Needs

88. Forces demonstrated an awareness of different religious needs and the type of facilities necessary to accommodate prayer and associated requirements. Additional research into this area revealed the possibility that some Muslim prisoners may consider cells with toilets an inappropriate place to pray. Where forces maintain a dry cell with no toilet, this should be easier to accommodate. Alternatively, some prisoners may be comfortable using a standard cell for prayer provided the toilet is not located in the direction of prayer. Some prisoners may also wish to wash before prayer and as this can include washing their feet a standard wash hand basin is inappropriate. Such washing can be facilitated without a physical solution, but these requirements should be considered during design.

Washing Facilities

89. Custody facilities generally provided both showers and wash hand basins for prisoners to use. Almost all those we saw were fit for purpose, minimised the risk of ligature and provided some form of modesty screening to balance privacy with security. Some locations had shower curtains that were not load bearing, but we preferred the use of fixed modesty screens or doors which allowed better observation. An approach not witnessed but suggested by HMIP was to use an opaque screen, which might best meet the competing demands of privacy and supervision. Where showers were provided it was seen as advantageous to incorporate isolator valves to cut the water supply in the event of problems. In some places staff ensured that prisoners were offered the opportunity to shower, while in others the staffing levels dictated that the same opportunity was rarely offered. HMICS believes that the ability to wash all over may be a basic human right, particularly for people retained in custody for more than 24 hours. We understand that staffing levels in the past have dictated whether this is offered as an option or not, but believe that this may no longer be acceptable. Forces may have to increase staffing levels or re-configure custody accommodation (for instance closing down smaller custody facilities and/or combining with neighbouring forces) to achieve this.

90. As a general point on hygiene, most locations provided anti-bacterial dry hand wash for staff. Good practice recommends that this be available from wall-mounted dispensers at points of access to the custody block, with suitable signage, to encourage use by escorting as well as custody staff. It is also good practice for prisoners to be given the opportunity to use this cleanser before meals if their cells have no integral hand wash unit.

Prisoner Exercise

91. Few police custody suites have dedicated facilities for prisoner exercise. In England and Wales an exercise yard is routinely included in designs in accordance with the requirements of the Police and Criminal Evidence Act 1984 (PACE). For some Scottish forces it would be possible to use the vehicle dock for this purpose, though this would prevent new prisoners from coming into custody while it was in use. Whether the police should be responsible for providing exercise for prisoners is a matter for debate, but it should be considered in any evaluation of custody facilities as there can be occasions when a prisoner might spend up to four days in a police cell. It is also worth pointing out that, while not wishing to encourage smoking, it is a fact that many prisoners become more settled and cooperative if they have the occasional opportunity to smoke outside. While recognising that staffing levels would cause some holding centres to struggle to provide adequate exercise, it is an appropriate time for forces to review their obligations in this regard and to determine whether provision for exercise should be included in new custody projects.

Medical Facilities

92. The best arrangement for dealing with medical issues is a dedicated room with en suite toilet facilities, situated within the secure custody facility. Basic design, furniture and equipment specification for these facilities is defined in guidance provided by the Faculty of Forensic and Legal Medicine. Our inspection found that the vast majority of medical rooms had freestanding furniture and heavy items of equipment. These present potential risks to medical and police staff. Indeed in at least one station a chair had been lifted and thrown by a prisoner causing some damage. We would encourage the use of fixed furniture and a layout which minimises prisoner access to equipment that can be lifted.

93. Policy on escorting prisoners during medical examination varied, but it was common for medical examiners to seek a private consultation with the prisoner. This was routinely accommodated by having a member of police staff standing outside the medical room door, ready to enter in case of emergency. One example of good practice was for the medical room door to have a window with an integral blind. This arrangement permitted private examination when necessary and also enabled escorting staff to view the room and react swiftly to any behaviour that caused concern.

94. As mentioned elsewhere in this report, a separate HMICS inspection will consider medical provision in police custody. A number of forces had either introduced or were considering different initiatives in relation to prisoner care, including the introduction of nursing support to complement the services provided by the medical examiner. In that scenario it should not be presumed that it will be appropriate for such staff to share medical facilities with each other, and so the impact of having to create further accommodation and the specification for same may have to be considered.

Kitchen

95. The ways in which prisoners' meals were provided differed between forces, as did the kitchen facilities to support these. Most police personnel interviewed felt that the kitchen should be located centrally in the custody suite so that staff preparing meals could react swiftly to any incidents. The equipment required to prepare food also needs to be considered at the design stage and will dictate the size and layout of the room. We saw no reason why the same facility could not service the catering needs of prisoners and supply refreshment for staff where required, as the same high standards of hygiene should apply.

General Storage

96. In a number of locations there was pressure on storage facilities, as a result of changes over time in demands, processes and expectations. When designing new facilities it is important to consider the requirements of the custody process and to ensure that sufficient space is built in to store all necessary items and equipment.

Staffing Arrangements

97. This report supports the installation of extensive CCTV coverage in custody suites. However, a side effect of this is that custody staff may spend almost their entire working life being recorded. We believe that staff should have some respite from constant surveillance. It is important to consider this aspect in custody suite design and to provide office accommodation away from the charge desk where staff can work away from that scrutiny.

98. In the main holding centres, custody was a continuous operation. As a consequence it was difficult to plan for a quiet period for staff to take a refreshment break. In areas where staffing levels were more resilient this was a minor issue, but in most custody suites the result was that custody staff did not take their break away from the custody suite. This was not ideal, but working conditions could be improved if there was a suitable place in the custody suite for staff to take their break. Often, however, no such space had been provided and staff made the best of what facilities they had. Whilst emphasising our expectation that staff should be able to take a break away from the custody suite, we would encourage forces to consider allocating some space in which staff can take their break, within the custody suite but away from the functional elements.

99.   Some locations contained locker and changing facilities for staff. Whilst this may be beneficial in some situations, it is not considered a necessity if appropriate facilities are nearby.

Management responsibility for custody

100.   In many cases we found that approaches to custody management differed not only across forces, but also between different areas of the same force. This has undoubtedly arisen from the fact that custody staff and facilities have traditionally been line-managed by the territorial policing command area in which they are situated. However, we believe that the increasingly specialised and technical nature of custody management requires a consistent national, let alone force-wide approach, rather than being an issue for local commanders to determine. We were encouraged to see that some forces had introduced the role of custody manager to oversee all custody matters. This arrangement promotes increased professionalism and can help to identify and resolve issues of concern at an early stage. It may also help to identify inefficiencies and provide a mechanism to address them. If custody managers were to be identified for each force a system of lateral communication and discussion could be introduced (including a custody manager's forum) to share experiences, good practice and assessment of equipment. This could go some way to achieving the co-ordinated approach suggested earlier in this report, working under the strategic direction of ACPOS.

ICT Provision

101.   A trial of the national computerised custody recording system was underway at the time of our inspection in Dumfries and Galloway Constabulary. From the demonstration we were given, it appeared broadly consistent with systems in use elsewhere. Though there were some reservations that the new system might increase processing time, experience at the trial site suggested that this was unlikely. In general, the process of developing the system should ensure that all information recorded is necessary to the custody process and that any impact on prisoner processing and facilities is minimised. HMICS notes that development of the system includes specification for the recording of visits to prisoners in their cells and we would support developments which make recording easier than at present. This would improve overall care, monitoring and safety and consideration should include technological solutions, such as hand-held terminals and single-button recording of different pieces of information. We also believe that the management information available from the system should include the kind of throughput data mentioned in paragraph 17, as well as performance against standards of care such as the number of visits per hour per normal prisoner and per vulnerable prisoner, and total medical staff attendance hours.

Waste and Laundry Management

102.   The disposal of waste and removal/delivery of laundry must also be considered in custody suite design. Suitable storage areas and a clear plan for where waste or laundry is to be uplifted are essential to avoid disruption to the custody process and to maintain security. Facilities with a secure vehicle dock may find this easiest to accommodate; items stored in appropriate receptacles can be left for collection in the vehicle dock, so that contractors have no need to enter the secure custody area.

Health and Safety

103. Part of the evolution of custody suite design has involved learning from the problems of the past. Forces will wish to incorporate appropriate health and safety advice in their design planning from an early stage. In this vein we were encouraged by custody facilities that had clear reporting processes, not only for accidents, but also for near-misses that can reveal useful pointers for improvements to design. As well as influencing future design, such information should be shared with practitioners and supervisors. Regular inspections by health and safety advisors and representatives should help to identify design improvements and should be encouraged. In terms of promoting a good practice culture in the police service, it would be helpful if there was also a way for forces to share their learning experiences, perhaps through the mechanisms described in paragraph 100.

Cell Cleaning

104. The need for adequate cleaning in the custody environment has become increasingly apparent. Suites must have adequate, dedicated cleaning facilities and storage for equipment. Forces should have arrangements in place for prompt specialist cleaning of body fluids and infestations. Annual 'deep cleaning' and at least partial redecoration of cells should also be considered. This will help both to maintain appropriate standards of hygiene and to identify, and thereby reduce, graffiti.

Fire Safety

105. As with other buildings, fire safety requirements in custody suites are governed by the Fire (Scotland) Act 2005 and the Fire Safety (Scotland) Regulations 2006. The safety measures to be taken must be driven by a fire safety risk assessment. This will determine what precautions such as smoke detection or sprinkler systems are appropriate. The inspection found that the use of smoke detectors in the ventilation system of each cell appeared to be good practice. An indicator panel should be situated at or near the custody staff office to allow any problem to be quickly identified. Noisy sensor equipment should, however, be avoided. Forces found sprinkler systems in the custody suite to be unnecessary, given the constant presence of staff and the monitoring arrangements in place. This is not an unreasonable view but any decisions should be driven by the risk assessment. Given the additional need for security, fire escape procedures in custody areas will differ from those in other buildings. Ideally there should be more than one exit route from all parts of the suite, though this is often constrained by limited site space. Sites with vehicle docks will have the most suitable, first choice, evacuation route, provided doors and gates from the dock to the open air do not rely solely on any unprotected electrical power supply to open them. Elsewhere, individual fire evacuation plans will evidently be greatly influenced by what is available or possible at custody sites. The principle to be borne in mind is that the need for security of prisoners must always be secondary to the need for safety: consequently evacuation plans cannot be compromised by security considerations. When reviewing fire safety for custody suites, or indeed for police premises in general, forces may care to refer to the Scottish Government website[1] which contains relevant guidance.

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1   www.infoscotland.com/firelaw

Drainage Provisions

106.   The frequent need to clean cells because of deliberate soiling, or flooding caused by prisoners blocking toilets, means that good drainage in cell areas is vital. Drains situated inside cells are undesirable because they add to potential safety risks, so suitable drainage should be installed in corridors. We observed various options that would be suitable during the inspection. One of these was cell corridors that gently sloped down to a drain, requiring only a mop or wet and dry vacuum cleaner in addition. Another was drainage channels running the length of the cell corridor in front of cell doors. This may be a better solution, although trip hazards must be avoided.

Heating and Ventilation Arrangements

107.   The quality of heating and ventilation systems in cells varied considerably. In general, given that cells had two-way ventilation, a warm air heating system was favoured. It was suggested, however, that this could be comparatively expensive in some smaller facilities. There were a number of concerns too about custody complexes being too hot or cold for both staff and prisoners. In the interests of welfare for all, forces should assess existing arrangements in their custody facilities, and will of course wish to consider this matter in any new projects.

Lighting Arrangements

108.   While we noted no major concerns concerning lighting arrangements, the need for appropriate brightness to help those with visual impairment was raised. That said, an environment that is too bright can be uncomfortable for others. Forces will wish to consider variable lighting levels for the charge desk area, corridors and office space. Dimmers, uplighters and glazing film might also be usefully considered.

Floor Coverings

109.   The quality of floor finishing had caused problems in a number of custody facilities. The challenge is to deliver a finish that is durable, non-slip, non-abrasive and which cannot be easily damaged by prisoners. In some locations prisoners have been able to pick away at floor paint and concrete and to break off pieces with which to cause self-harm. A number of forces favoured a resin finish, although other solutions were available and used elsewhere. It was also suggested that a key factor was the quality of floor preparation, not just the paint or other coating applied.

110.   Forces would benefit from a system where different floor coverings were recorded and assessed against relevant criteria. Sharing this information would highlight good practice and help forces to develop specifications for future projects. The requirements of procurement processes may prevent forces naming a particular product, but it may be possible at least to require that a solution be equal and approved.

Wall Coatings

111.   Forces generally use anti-graffiti paint on cell walls, with various degrees of effectiveness. In Northern Constabulary, where the priority was stated as hygiene rather than countering vandalism, an anti-bacterial paint is used. This is a further area where forces could benefit from a common approach to recording and assessing different paint solutions, and sharing information.

112.   An important aspect highlighted by our review of disability issues was the effect of colour choice in the custody suite. Particular examples included the potential difficulty for visually impaired individuals in suites where there was little difference in colour between the furniture and the floor. The Design Guide also refers to the use of psychologically uplifting positive pastel colours. Forces will wish to consider the associated Best Practice document and to seek the advice of appropriate experts when choosing colour schemes to reduce the negative impact of custody suites on those with visual impairment or mental illness. This is particularly important given the increasing recognition that mental illness affects a number of people who enter police custody, and is yet another area which could more efficiently be tackled from a national perspective.

Mobile Custody Facility

113.   Though no Scottish forces ran a mobile custody facility, some made use of vehicles operated by their prisoner escort contractor when policing major events. Our inspection remit did not extend to examining mobile facilities, but we would encourage forces to be aware of their potential.

Temporary Custody Facility

114.   Two temporary custody facilities, both owned by the Scottish Court Service and most recently used in Dundee during major electrical works, are the only such facilities known to be available in Scotland. It is, however, possible to hire portable cabin units. In the opinion of the force concerned, of the two units, the Titan facility was the most suitable. It comprises a craned unit, measuring some 15m x 5m, and provides five fully secure cells, two toilets, an interview room and a kitchen area. Again, we would encourage forces to be aware of these options.

Annex B

METHODOLOGY AND ACKNOWLEDGEMENTS

1.   HMICS thematic reports are prepared after careful but focused inspection of the subject matter. Our broad methodology is explained on our website. This shorter report contains far less detailed evidence than has been presented in past thematic inspection reports; this is a deliberate effort on our part to present accurate but concise and focused reports on a wider range of issues than has previously been the case.

2.   The project initiation document (PID) was adapted from our standard inspection format, based on the EFQM model and circulated to forces. Following an initial consultation exercise and desktop research, we visited all eight police forces in Scotland. We also liaised with the British Transport Police, HMIC (England and Wales), HM Inspectorate of Prisons, the Scottish Disability Equality Forum and the Independent Custody Visiting Association.

3.   Liaison was established with the following: representatives of ACPOS; the Association of Scottish Police Superintendents (ASPS); the Scottish Police Federation; ACPOS National Custody Forum; and the Estate Management Forum.

4.   An initial questionnaire was circulated, the resulting responses and information forming the foundation of our later fieldwork visits. These visits included some to principal police custody facilities where we believed good practice to be followed and interviews with relevant police staff. We are grateful for the valuable assistance of the nominated liaison officers and all those involved in the fieldwork.

5.   The report focuses very specifically on the areas related to the five recommendations. In addition to these recommendations, we identified significant areas of good practice and opportunities for further improvement. These are listed in Annex A. We anticipate that forces will consider all of the comments in the report and the annex when undertaking building projects involving custody facilities.

6.   The inspection was carried out by Superintendent Alan Douglas, assisted by Sergeant Bruce Fyfe under the direction of Paddy Tomkins QPM, HM Chief Inspector of Constabulary.