

OBAN

LEGALISED POLICE

CELLS

VISITING COMMITTEE

ANNUAL REPORT

2013/2014

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Legalised Police Cells (LPC's), which are unique to certain parts of Scotland, derive historically from the inaccessibility of the Scottish Courts in outlying districts and islands. These police cells have been "legalised" and as such are used to hold prisoners awaiting trial locally, or who have been returned from prison for sentencing or following conviction, pending transfer to prison. Prisoners held in the LPC's are detained under the provisions of the Prison and Young Offenders Institutions (Scotland) Rules 2011.

Since the introduction of the private prisoner Escort Service, currently undertaken by G4S the cells are not being used by Police Scotland to hold legalised prisoners, however on Court days, The Scottish Court Service lease from Police Scotland the upper floor cells at Oban Police Station an arrangement which allows the prisoners more space to move around while waiting to appear in Court or return to prison.

Since its induction this arrangement has worked well but the Court Authorities continue to seek a more permanent solution either by building Court Cells or constructing a stairway to separate the upper floor cells from the ground floor but due to lack of space their options are limited.

Oban Police Station is approximately a 200 mile round trip from the nearest prison, and the prisoners have to make this lengthy journey over roads which are in poor condition and are often subject to lengthy closures and major landslips which result in very long detours or delays.

As Police Scotland have almost no responsibility for committed prisoners it may be necessary on occasions for prisoners to make this long journey on two or more consecutive days if the Court did not conclude.

The Legalised Police Cells, like prisons, are the responsibility of HM Chief Inspector of Prisons and as such are subject to triennial inspections. Mr. Mick Armstrong, Inspector, HMCIP last inspected the cells on 6th July 2011 when he recommended that the Legalised Police Cells at Oban be closed. The cells are due to be inspected once again by the HMCIP in 2014 but a telephone call to his office has confirmed that no visit is schedule for 2014.

Prisoners held in the LPC's are detained under the provisions of the Prison and Young Offenders Institution (Scotland) Rules (2011).

MEMBERSHIP

Oban Legalised Police Cell's Visiting Committee constituted under Rule 155 of the Prisons and Young Offenders Institutions (Scotland) Rules 2011. In terms of Schedule 3 of the Rules the Committee comprises of three members all of whom are appointed by Argyll and Bute Council and are non-elected members. Membership has remained unchanged throughout the year with Mr. Ian Smyth, Chair and representative on the Association of Prison Visiting Committees, Mr. Kenneth McIntyre, Depute Chair and Mr. Alexander Cameron. Mrs. Isabella Soudan continues as Clerk.

MEETINGS

During the year 1st April 2013 to 31 March 2014 the Committee met on 1 occasion at Oban Police Station. Member's attendance at these meetings was as follows, Mr. Smyth -1.

The lack of business makes it difficult for members to retain an interest.

CELLS

The six male and one female cell in Oban Police Station are located over two floors. The female cell, which is on the top floor, is separated from the other cells by a grille gate when in use. Each cell contains a concrete plinth and a stainless steel toilet, but has no modesty screen or hand washing facilities within the cell.

On Court days, The Scottish Court Service lease from Police Scotland the upper floor cells at Oban Police Station an arrangement which allows the prisoners more space to move around while waiting to appear in Court or return to prison. While this arrangement works well The Court Authorities continue to seek a more permanent solution either by building Court Cells or constructing a stairway to separate the upper floor cells from the ground floor. This arrangement does not affect the day to day running of the Police Station it does not however give the Committee Members access to speak with the prisoners, as while members can inspect the empty cells either before or after they have been occupied by the legalised prisoners, they are not allowed entry when the cells are occupied.

At the start of year 1 April 2013 to 31 March 2014 the Members agreed that they would not carry out inspections as they were achieving nothing other than being an inconvenience to the Police staff so the cells have never inspected this year.

The Custody Division of Police Scotland has responsibility for the care and maintenance of the cells in the Station.

PRISONER TRANSPORT

Since January 2012 the Prisoner Escort Service has been provided by G4S.

LEGALISED PRISONERS

For several years now members have expressed concern over the fact that they have no prisoner contact and the fact that there has been no change to their remit to allow them access.

During the period from 1 April 2013 to 31 March 2014 no committed prisoners were detained in the lower floor cells of Oban Police Station under the care of Police Scotland.

BEDDING, ETC.

All prisoners are supplied with a clean issue of towels and bedding by Police Scotland and all are of good quality.

LAUNDRY FACILITIES

Laundry services are provided by a local contractor with the Police delivering and collecting the laundry as required.

WASHING FACILITIES

There is a shower unit and washbasin on each floor with the female prisoners using the upper floor facilities. Toiletries are supplied by the Police but with no legalised prisoners using the cells there is no call for these and liquid soap dispensers have replaced the communal bar of soap as it was felt that this was more hygienic.

MEDICAL EXAMINATIONS

If required a local General Practitioner would carry out medical Examinations. The local hospital is within easy reach of the Police Station should this facility be required but this has never been used in the life of the Committee. There is also an air ambulance service from the hospital should it be required. All medicines are kept in secure medical boxes.

TRANSLATORS AND ETHNIC REQUIREMENTS

Police Scotland has ready access to translators if required and hold prayer mats, compasses and washbasins. To date, none of these have ever been used. A bible is also available.

OUTSIDE EXERCISE FACILITY

As there are no legalised prisoners using the Police Cells exemption from Rule 85 of the Prisons and Young Offenders Institutions (Scotland) Rules 2011 does not raise any concerns.

FOOD PROVISION

If a committed prisoner required to be fed there is a supply of microwave meals available for use. Food required by prisoners in the care of G4S is sourced and/or provided by them.

FIRE PRECAUTIONS

Written procedures are in place for evacuation and secure custody of prisoners in the event of a fire. Regular fire drills and weekly Fire Alarm tests are carried out and logged.

CLOTHING

The local British Red Cross shop and/or WRVS help supplement the small supply of clothing which is held in the Station.

COMPLAINTS/GRIEVANCE PROCEDURES

A supply of Complaints and Grievance Procedure forms are held in the Station and the Committee are pleased to report that these have never been used since the Committee was formed.

READING MATERIALS

A small selection of donated reading materials is available for use by the prisoners and daily newspapers are provided if requested.

VISITING COMMITTEE AWARENESS

A Solicitor's room is available for routine visits and interviews and notices informing prisoners of the Visiting Committee and their Prisoner Rights are displayed at the Charge Desk, but as the legalised and remand prisoners are never in the Station they cannot see the notices. The practice of posting notices in the cells has been stopped as these were being continually ripped off and if chewed were deemed a risk.

MAJOR INCIDENTS

There have been no major incidents within the cells during the year.

SUMMARY

The Committee would like to record their thanks to all staff at Oban Police Station for their assistance and co-operation throughout the year.

Signed *Ian Smyth*

Chair

Date 31 October 2024