

Justice Sub-Committee on Policing

Police Scotland's Custody Provision

Supplementary written submission from the Scottish Police Federation

I refer to the above and to your correspondence dated 20 February 2018. I thank you for inviting the Scottish Police Federation (SPF) to continue to contribute to the work of the Sub-Committee on this subject.

From the outset we wish to make clear that there has been a considerable amount of work done in recent months to address the issues surrounding Custody provision within the Police Service of Scotland (PSoS) at present, and to develop a sustainable Custody model fit for the future.

PCSO Vacancies / Police Officer Backfill

The SPF understands that in April 2017 the Support Superintendent within Custody Division documented the number of national PCSO vacancies as 140. In essence this meant that every day 140 Police Officers from frontline duties were required to backfill to ensure that Custody Division could operate.

As we detailed in previous submissions it is our understanding that most of these vacancies were simply deleted for accounting purposes.

When Assistant Chief Constable Mawson assumed the portfolio for Custody Division a decision was taken to second approximately 100 police officers to Custody Division for 12 months to allow the Division to operate whilst allowing time to develop a new "sustainable" operating model.

The agreement that was reached with the Divisional Commanders and Heads of Department was that if these Police Officers were seconded then Custody Division would not continually require backfilling.

Approximately 60 police officers were to come from local policing divisions with the remainder coming from specialist departments and corporate functions. To date however only local divisions have actually supplied the numbers requested and as far as we are aware no further requests to supplement the shortfall is being made.

The interim uplift was insufficient to enable Custody Division to become self-sufficient and means that in effect staffing levels within Custody centres have been reduced. This leads to risks, challenges and delays like increasing waiting times for prisoner processing, and presents risks when caring for the prisoners, with increased responsibilities being placed on less staff.

In reality, this means that if the starting position in April 2017 was indeed one of 140 PCSO vacancies and we now have 60 Police Officers seconded to Custody Division there are still 80 vacancies to be filled, not 18. Of course, when the Police Officers return to frontline duties this would leave another 60 vacancies.

It is also worth noting that the interim uplift did not include Sergeants or those within the Inspecting Ranks. The SPF are advised that there is no resilience to cover for Sergeants who are on leave, sick or other absences and that this is dealt with by means of backfill from local Divisions or by offering overtime to the other Custody Sergeants.

This is not sustainable and given the introduction of the Criminal Justice (Scotland) Act 2016 on 25 January 2018 the workload of the Custody Sergeants has increased substantially.

In respect of the Inspecting Ranks the lack of resources is even more alarming. At present there are only 12 individuals carrying out the roles of Force Custody Inspector/Custody Review Inspector (FCI/CRI). This is not a realistic operating number as these individuals would require to undertake constant 12 hours shifts for it to work. This is not acceptable and the current proposal to address this can at best be described as a 'sticking plaster'.

Future Operating Model

The SPF would agree that it is difficult to determine the final number of PCSOs that will be required until a future operating model is established.

It is the opinion of members working within Custody Division that there is no 'magic' formula but if they are consulted by the Project Team developing the future operating model they would provide a wealth of experience to assist in establishing a workable ratio of PCSO to prisoner.

The SPF cautions that the ratio must be as a consequence of the evidence and must not be as a result of the evidence being made to fit a pre-determined ratio. This is not a baseless concern as we have experience of the latter with recent rank ratio increases (absent supporting evidence).

CJSD Police Staff Uplift by 45

The SPF is aware of the recruitment exercise to increase the number of Police Staff posts within the Criminal Justice hubs. This is welcome and it is our view this will provide respite to hard working existing staff. However recruiting 45 will still leave 35 vacancies which will rise to 95 when the seconded Police Officers return to the frontline.

Phase 1 – Hubs

The idea of Hubs seems sensible, bringing together all of the Criminal Justice functions with staff trained in multi-disciplines who can be deployed in terms of the most pressing demand at the relevant time.

Of course, this is all predicated on the fact that suitable staff can be recruited and training takes place timeously and is appropriate. The SPF is aware that training in PNC and CHS is already experiencing delay. With a backlog of existing staff and attempts to recruit more staff the demand will be considerably increased.

Consequently we would generously describe a timescale for completion by November 2018 as optimistic.

As the SPF has not been involved in developing the implementation, training or communication plans to deliver Phase 1 we would ask if the effect on existing staff has been assessed and how this will impact on the delivery of local services, particularly for rural communities.

Phase 2 – New National Custody Operating Model

The SPF has a place on the Custody Project Board and are aware of the ambitious timescale set for presenting the business case for a new National Custody Operating Model to the Force Executive by 2018/2019.

Those involved are working hard to achieve this timescale but they cannot control every aspect of this, for example training provision for PNC/CHS and especially the financial implications.

In addition, the timescale was based upon Custody Division receiving an interim uplift of approximately 100 Police Officers from frontline and specialist divisions, which has not yet been achieved.

Prisoners continue to be transported excessive distances due to the current reduction in the number of Custody centres which deprives local communities of the services of the Police Officers involved in the transportation for several hours. The time taken to actually drive to a Custody centre is then exacerbated by the delays in processing prisoners when they arrive. We are aware of examples where 45 minutes to an hour was quoted as the process time for a prisoner.

On 15 February we were notified of a 3 hour wait to process a prisoner during which time he was held in the rear of the Police van. Unfortunately such delays are not the exception and we consider that the introduction of the Criminal Justice (Scotland) Act 2016 has added to this problem.

Turning to your question as to any short to mid-term changes that could be made. The SPF considers that the Custody Division silo operating model demands that regardless of the number of prisoners the Custody centres are open 24/7 and are staffed to the maximum. We consider this to be a luxurious use of resources.

When Custody centres were controlled locally they could be opened, closed and resourced based on demand. Indeed part of the final long term vision for Custody may be to return Custody to the control of Divisional Commanders. Custody would be national insofar as training, processes, inspection etc but for day to day operation would be under the control of the local Divisional Commanders allowing for far greater flexibility and reduced risk.

As we have previously observed there is a marked difference to the custody care regime within the PSoS and its previous constituent forces. We recognise the risk appetite for ending the silo operating model may well be low. That being said Custody creates significant pressures across the service and we believe

consideration should be given to investing in some of the Custody centres which have been closed to bring them up to standard and provide staff locally who can resource when required.

Of course if this is done there has to be recognition of the pressure that will be placed upon other parts of the service, particularly financially.

I trust the foregoing assists your deliberations and as ever, should the Committee have any requests for further information, we will be only too happy to help.

Calum Steele
General Secretary
5 March 2018