



David Whalley  
 Chair of Lay Observers' National Council  
 3<sup>rd</sup> Floor, Post Point 2  
 10 South Colonnade  
 Canary Wharf  
 London  
 E14 4PU

**MoJ ref:** 122325

14 March 2025

Dear David,

### **LAY OBSERVERS' NATIONAL ANNUAL REPORT 2023 - 2024**

Thank you for your national annual report. I value the independent scrutiny of the Lay Observers (LO) and its role in monitoring the treatment and conditions of Detained Persons in custody and during transport. I am grateful to you and your members for their continued dedication and the independent insight you provide.

I share your recognition of the dedication of many of our court staff to ensure people are well cared for. However, I also understand your concerns about insufficient staffing levels; the need for children to be accompanied by trained staff and transported separately from adults and housed in non-cellular accommodation where possible; the need to improve the quality and comfort of custody suites; and the requirement to ensuring interpreting services are available for those in need. I recognise these findings, and I take your concerns regarding safety and welfare seriously. I have outlined the actions we are taking to address your recommendations in the annex to this letter.

I recognise that Detained Persons being negatively impacted by a lack of staff is a common theme throughout your concerns. I assure you that Prisoner Escort and Custody Services (PECS) have robust monitoring processes in place for monitoring supplier recruitment to ensure they are adequately staffed to deliver court and transportation services. The suppliers maintain proactive recruitment campaigns and have a healthy pipeline of new starters to replace leavers through natural attrition. Our management information indicates that we are making good progress and currently have more staff in post now than during the period covered by the report. Presently, if including new starters in training, both suppliers staffing levels are above the contracted target, ensuring safety, security, and decency at all times.

However, I acknowledge that staffing shortages have previously impacted on the overall experience of some Detained Persons in our care, including delays in arriving and departing court, and assure you this will be a continued area of focus.

I understand your concerns that all children should be accompanied by appropriately trained staff, and separately from adults. However, I assure you that the PECS contract provides a bespoke service for children, with specially trained teams of staff looking after children collected from Secure Children Homes and, Secure Training Centres. PECS will continue to work with suppliers to minimise the number of occasions children are transported with adults, however it is right that where resources are stretched, we prioritise the youngest and most vulnerable children.

I note your concerns that all children should be housed in non-cellular accommodation unless there are exceptional circumstances and can confirm that both PECS and HM Courts and Tribunals Service (HMCTS) are working towards increasing the number of non-cellular rooms in courts which can be adapted to further improve the care of children attending court. Funding has been secured, through HMPPS, to present a more welcoming, interactive, and supportive environment.

I recognise the concerns over the quality and comfort of seating in custody suites. Regrettably, fixed seating in cells poses challenges, such as managing allocation for those in need, maintaining hygiene and upholding safety requirements. We are currently examining these issues to find effective solutions and considering a feasibility study to assess potential improvements.

I acknowledge the need for interpreting services for those who lack the ability to communicate well in English. I can confirm that PECS suppliers have committed to undertaking a review of the telephone interpreting services. This will be closely monitored by the contract management team to ensure that all needs are met

I hear your concerns on the need for additional clothing or blankets, or alternative methods of keeping people warm while in cells. A process agreed between PECS and HMCTS monitors cells temperature. Where temperatures fall below or are above the agreed range immediate action is taken. If this is not effective the decision is taken either not to open, or if Detained Persons are present, close the custody suite and move them immediately. This should eliminate the need to introduce blankets or clothing as to do so only creates additional fire and safety risks.

I once again thank you and your members for your continued scrutiny of our court custody suites and during transportation.

A handwritten signature in blue ink, appearing to read 'yours truly' followed by a name.

**Lord Timpson**

**Minister for Prisons, Probation and Reducing Reoffending**