



Lay Observers Annual Report 2024-2025

February 2026



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Introduction from the Lay Observer National Chair

Lay Observers play a vital role in providing independent oversight of how people are treated while held in court custody and during escorts, helping to ensure that standards are upheld and concerns are identified early. I would like to begin by thanking every Lay Observer for their commitment, professionalism and persistence over the past year. Collectively, Lay Observers have spent close to 2,000 hours in custody suites across England and Wales this year. This figure only reflects the time they spent in court custody itself and sits alongside the substantial additional time that Lay Observers give to preparing for visits, writing detailed reports and engaging with follow-up work, all to provide independent oversight and to ensure that the experiences and welfare of detained people are not overlooked.

The impact of this work extends beyond routine monitoring. This year, Lay Observers published their first thematic report on the impact of inadequate transport on those in court custody, drawing together evidence from across the country to examine systemic issues in greater depth. Lay Observers have also contributed to several consultations, bringing frontline observations into policy discussions and helping to inform decision-making across the justice system. This wider engagement reflects the value of independent regular monitoring not only in identifying concerns, but in supporting learning and improvement.

The findings set out in this annual report are grounded in that extensive body of evidence and present a mixed picture. There have been some welcome improvements. Dedicated accommodation for children has been introduced in 20 custody suites, representing a meaningful step forward where it is used effectively. The worst examples of unclean custody environments and overtly poor treatment are now less common, due in large part to the efforts of HMCTS and custody staff, and across the country Lay Observers regularly see staff who prioritise welfare and who go above and beyond to support detained people, often under significant pressure.

However, these improvements sit alongside deep and persistent systemic problems. Detained people continue to spend excessive periods in custody suites and escort vehicles, environments that are not designed for prolonged detention. Transport delays, avoidable journeys and late arrivals remain common, disrupting court proceedings and causing distress. Inflexible practices, such as rigid rules around mealtimes, too often prioritise process over basic welfare needs.

Staffing remains a central challenge. Although overall numbers have improved nationally, staffing models frequently assume an absence of additional needs. In reality, custody suites regularly manage people with significant mental health needs, language barriers, disabilities and safeguarding risks. Staff are often overstretched and rely on personal commitment to maintain standards. This is not sustainable and increases the risk of poorer outcomes for both detained people and staff.

Poor coordination between agencies compounds these pressures. Information sharing is inconsistent, escort records are often incomplete, and responsibility for detained people's welfare is too easily deflected between organisations. Lay Observers frequently find that when concerns are raised, they are met with

explanations about contractual boundaries or organisational responsibility rather than action to resolve the issue. For detained people, these distinctions are meaningless. Responsibility for their safety and wellbeing must be shared and owned collectively.

The findings in this report underline the need for sustained and coordinated action. Improvements cannot depend on the goodwill of individual staff or isolated examples of good practice, nor can they continue at the slow pace observed in recent years. Meaningful progress will require stronger cross-agency working, adequate resourcing, and a renewed commitment to treating detained people with decency and respect. The recommendations set out in this report focus on a small number of clear, practical and achievable actions. While they will not address every issue identified, their implementation would represent an important step towards improving the experience of those held in court custody and supporting the more effective functioning of the justice system.

David Whalley

10 February 2026

Lay Observers National Chair

About Lay Observers and this report

Lay Observers are unpaid public appointees who monitor the treatment of those held in court custody, providing independent oversight of all areas of the court custody and transfer process. They regularly visit and report on custody suites in England and Wales.

LOs are part of the UK's [National Preventive Mechanism](#) (NPM).

Our remit

Our remit is set out in the Criminal Justice Act 1991 and has been agreed with the Ministry of Justice in our [Protocol with the MoJ](#).

Our monitoring approach

Monitoring focuses on the outcomes for people being brought to and from court and held in court custody.

LOs report on whether the individuals held are being treated with decency and respect and whether their welfare is being looked after.

This report

This report is based on LO findings from 1 November 2024 to 31 October 2025.

Our impact

During this reporting year Lay Observers:

- Completed 759 visits to court custody suites.
- Spent nearly 2000 hours directly monitoring conditions for those in custody.
- Attended or observed a range of meetings and forums with His Majesty's Courts and Tribunal Service (HMCTS)/ Prisoner Escort and Custody Service (PECS) and providers.
- Published a thematic monitoring report titled: 'Broken Journeys, Broken System The impact of poor transport on court custody'.¹
- Contributed Lay Observer findings to the NHS 10-year plan² and the Autism Act 2009 committee³ calls for evidence.

¹ [Broken journeys, broken system – Lay Observer thematic report on transport](#)

² [Lay Observer response to the NHS 10 year plan consultation](#)

³ [Lay Observer response to the Autism Act 2009 Inquiry](#)

Recommendations

1. **Liaison and Diversion teams and on call paramedics must have timely access to complete health and risk information for detained people.** This should include medication details, mental and physical health indicators and information, and safeguarding risks.
2. **Liaison and Diversion teams should be available in every court and permanently stationed in high-volume courts.** Their mental health assessment services must be proactively offered to every detained person, not only those identified by custody staff. This will ensure early intervention and reduce the risk of information being missed due to rushed reception processes.
3. **There should be a greater use of video calls for short procedural or information only appearances where in person attendance is unnecessary.** Video calls should no longer be the exception and should also apply where travel would disproportionately impact welfare or where there is a high risk of a late arrival resulting in delays to court.
4. **Provide essential comfort items in all custody suites to reflect the extended time people spend in detention.** These should include blankets, warm clothing, and padded benches, supported by clear hygiene and safety protocols such as those already implemented in police custody.
5. **Interpretation services should be used during the reception process for all detained people who do not have a good understanding of English.** This is critical for safeguarding, accurate risk assessment, and reducing distress.

Progress against 2023-2024 Lay Observer annual report recommendations

Recommendation	Progress
Contractors should continue their efforts to increase staffing levels until there is suitable staffing for both custody suites and transportation services.	Partial progress. Staffing levels within custody suites have improved nationally. However, this improvement is uneven, with significant regional variation. The target staffing model remains inadequate, not accounting for the complexity of needs routinely encountered in custody suites. In contrast transportation staffing levels has shown no improvement.
All children should be accompanied by appropriately trained staff, both in the custody suite and while being transported, and should be transported separately from adults.	No progress. Children continue to frequently be transported alongside adults, particularly from police custody.
All children should be housed in non-cellular accommodation unless there are exceptional circumstances.	Partial progress. Dedicated non-cellular rooms for children have been introduced in 20 courts, representing a significant improvement, where they have been implemented well. However, many courts that regularly hold children still lack suitable non-cellular spaces.
The quality and comfort of the seating in custody suites should be improved	No progress. Despite ministerial commitments in response to the 2022-2023 and the 2023-2024 Lay Observer annual reports to consider a feasibility study on seating improvements, there is no evidence that this work has begun, and conditions remain almost universally poor.
The telephone interpreting service should be used for all detained people who lack the ability to communicate well in English.	No progress. Although PECS suppliers committed to reviewing the use of telephone interpretation services, there is no evidence of increased uptake during this reporting period.
Additional clothing or blankets, or an alternative method of keeping people warm, should be provided to all detained people who feel cold while they are in cells.	No progress. Detained people continue to report discomfort due to cold conditions. Some courts do make ad hoc efforts to provide blankets or increase temperatures; however, these measures remain inconsistent and rely on staff initiative which often conflicts with existing policy.

Safety

Reception

Reception into the custody suite is one of the most important stages for safeguarding a detained person's welfare and safety. It is often staff's first and best opportunity to identify needs and risks by assessing the detained person's physical, mental and emotional state. Done well, reception can prevent problems from developing and set a constructive tone for the rest of the detained person's time in court custody. However, Lay Observers report significant variation between courts, and many do not meet an acceptable standard.

During a visit to Southwark Crown Court, receptions were observed by Lay Observers to be cold and impersonal, with questions "barked" at detained people. Comments made by detained people were either ignored or not acted upon. No attempt was made to use the translation service, The BigWord, to ensure that those with limited English understood what was being asked of them. In addition, there was a poster near the Court Custody Manager's office emphasising the need to process receptions quickly due to financial penalties, evidencing that speed was being prioritised over safety.

Lay Observers' main concern is that key information is sometimes missed during the reception process. These primarily include the detained person's language needs, medication requirements, mental/emotional wellbeing, and any expectations or worries about the court process.

Both the PECS contractors have produced checklists for staff to use which should reduce omissions, which can be helpful. However, where a reception relies on a checklist alone, it can become rushed and impersonal, making it easier to miss important details and harder to judge how the detained person is coping emotionally. The best practice that Lay Observers see is when the receiving custody officer takes time to engage with the detained person in a confidential area, explaining what will happen, responding to concerns, and establishing a calm, respectful relationship. In these circumstances, a checklist supports the conversation rather than replacing it.

Language barriers

Detained people who do not understand English well can be among the most vulnerable in court custody. They are often more confused and distressed and are completely dependent on others to help them communicate with the staff responsible for their care.

Lay Observers have identified several stages where the use of interpretation services is particularly important. These include legal visits and courtroom proceedings, where Lay Observers find that interpreters are generally provided when needed, with

approximately 97% of requests being met.⁴ Where problems arise, they are typically linked to interpreter availability at magistrates' courts, particularly for less common languages and when operating as remand courts. For example, during a visit to Crawley Magistrates' Court, a Georgian-speaking detained person requested an interpreter, but none was available. This is concerning because legal proceedings are inherently complex and rarely fully understood in a second language, even by individuals with a good grasp of English. The absence of translation may therefore undermine a person's ability to participate fairly in proceedings, access effective legal counsel, and may increase confusion and stress.

Translation is also crucial within the custody suite itself, especially during reception. Despite this, Lay Observers rarely see interpretation support used consistently at this stage. While all courts have access to telephone interpretation through The BigWord, its use is seldom observed. Following the ministerial response to the previous annual report, Lay Observers were assured that steps were being taken to improve uptake. Disappointingly, there has been no clear evidence of improvement.

At a visit to Birmingham Crown Court, Lay Observers observed reception staff failing to use the telephone interpretation service even though some detained people visibly could not understand what was being asked of them. Later the Lay Observer was able to speak to these individuals through their legal translators; they confirmed that they had been unable to understand the questions during reception and reported feeling confused and anxious at the time.

Without effective interpretation, staff cannot reliably identify risks or needs, and a detained person's inability to understand what is being communicated is likely to increase any feelings of fear and uncertainty. Lay Observers have seen that good practice is achievable, even under pressure. Westminster Magistrates' Court provides a strong example of a busy court that makes effective use of translation services despite high demand and a higher-than-average number of non-English-speaking detained people. This demonstrates that there is no justification for failing to use available interpretation when asking critical safeguarding and welfare questions.

Risk management

Risk management in custody suites is inconsistent. While staff often respond appropriately once risks are clearly identified, Lay Observers continue to see weaknesses in how risks are identified, recorded, prioritised, and communicated. These weaknesses increase the likelihood that significant risks are overlooked or that control measures are applied inconsistently or without sufficient justification.

⁴ [Criminal court statistics quarterly: July to September 2025 - GOV.UK](#)

A persistent concern is the overuse and poor quality of risk flagging on digital person escort records (DPERs)⁵. Risk markers are frequently applied with limited detail, making it difficult for staff to understand the nature, severity, or current relevance of the risk. In some cases, flags appear to relate to historic incidents, but records do not state when the incident occurred or whether it remains relevant. Treating all risks as equally serious can dilute attention from the most significant concerns and, over time, risks undermining the value of risk markers altogether.

Poor timing further undermines effective risk management. Lay Observers often find that DPERs are completed shortly before detained people arrive at the custody suite, sometimes less than an hour in advance. This leaves limited time for custody staff to familiarise themselves with key risks and plan appropriate controls, particularly where numerous risks are flagged without prioritisation. These pressures are compounded when transportation staff are relied upon to supplement custody suite staffing, as they typically arrive after morning briefings, meaning critical information must be shared once the suite is already busy.

Risk identification on the day is also variable. As already established, rushed or impersonal reception processes can limit opportunities to identify emerging needs, vulnerabilities, or changes in presentation. Where risks are not fully explored at this stage, staff may rely too heavily on pre-existing records rather than dynamic assessment.

Lay Observers are particularly concerned about how risk is managed during the loading and unloading of detained people in insecure areas. The use of handcuffs should be based on an individual risk assessment and applied proportionately. However, Lay Observers frequently observe that almost all detained people are routinely handcuffed in these situations, with little evidence of individualised assessment. For example, at Oxford Magistrates' Court, Lay Observers saw a detained person who required a walking stick being handcuffed when leaving the vehicle. Although the individual was single cuffed to allow use of the stick, it was unclear how they had been assessed as posing a flight or safety risk that justified the use of restraints, raising concerns about proportionality and the quality of risk assessment, especially as the limited mobility had not been recorded on the individual's DPER.

Within the custody suite, responses to identified heightened risk are generally more appropriate. Where detained people require increased observations, these usually take place and often involve more than a basic check. However, welfare checks for the wider detained population vary significantly between courts and, in some sites, are limited to minimal engagement. When staffing is stretched, Lay Observers have seen attentiveness fall. For example, during a visit to Manchester Magistrates' Court,

⁵ DPERs are records completed by police and prison staff containing key details about a detained person, including risks, medical needs, offence information and property information to support safe transfer and custody management.

Lay Observers observed that cell cameras were not monitored consistently, even for cells holding highly vulnerable detained people, including one who had threatened to self-harm. This is concerning, as individuals in distress may deliberately alter or escalate their behaviour in view of a camera to prompt intervention or signal that they need help. Inconsistent monitoring risks such indicators going unnoticed, delaying intervention and increasing the risk of serious harm. Similarly, during a visit to Birmingham Magistrates' Court, staff were observed as unable to respond promptly to call bells, leading detained people to bang on doors to attract attention. In an emergency, delays of this nature could be critical.

Underlying many of these issues is a reliance on staffing models that assume stable and predictable demand. Lay Observers find that this assumption rarely holds true in busy custody suites, where unexpected incidents, high vulnerability, or fluctuating custody numbers are common. While staff frequently maintain standards by going above and beyond, this reliance on goodwill is neither sustainable nor safe. Lay Observers regularly hear staff express fatigue and frustration, including at Portsmouth Magistrates' Court, where staff remarked that they "never see their partners and children". Such pressures increase the risk of reduced vigilance, delayed responses, and errors in judgement, all of which directly undermine effective risk management.

Transportation of women, children and men

Lay Observers expect children, adult women, and adult men to be transported separately. However, mixed transport remains common, most notably on journeys from police stations to courts.

In July 2025, Lay Observers found that in 64% of visits where at least one woman was in custody, one or more women had been transported alongside a man. Of particular concern, in 44% of these mixed journeys, one or more of the accompanying men had been charged with, or convicted of, sexual offences or domestic violence against women. Lay Observers noted an incident where a woman was transported to Coventry Magistrates' Court in the same vehicle as two men, despite her evident discomfort around men. This was demonstrated by her refusal to see the duty solicitor because he was male.

In the same month, Lay Observers found that in 38% of visits where children were in custody, at least one child had been transported with an adult. Lay Observers expect children to be transported separately, usually in non-cellular vehicles, and with appropriately trained specialist staff.

Although a separation screen was used in most mixed-transport cases, Lay Observers do not consider this an adequate safeguard. Screens do not prevent sound, and their presence can signal a vulnerable detained person, potentially attracting the attention and abuse they are intended to prevent.

Fair and humane treatment

Temperature in custody suites

A fundamental aspect of humane treatment is ensuring that detained people are held in accommodation that is kept at a safe and comfortable temperature. PECS guidance states that a custody suite should close if temperatures cannot be maintained within the required range.⁶ While Lay Observers have not observed any breaches of this requirement, detained people frequently report discomfort with the temperature, most often saying that they feel cold. This suggests that the current prescribed temperature range does not effectively ensure that people in detention remain comfortable.

This is not an isolated issue. For example, during a visit to Uxbridge Magistrates' Court, almost all those in detention complained of feeling cold, despite it being August and the custody suite remaining within the 'acceptable' temperature range. Conditions were so uncomfortable that one custody officer even gave their own fleece to a 63-year-old man. It is wholly unacceptable that staff should feel compelled to use personal belongings to meet the basic welfare needs of detained people.

Lay Observers have identified several contributing factors to this problem. People in detention often arrive inadequately dressed, either because they are wearing the clothes they were arrested in or because they have not brought additional layers from prison. They also spend long periods sitting in cells with limited space to move, which can make them feel colder than staff who are moving around the suite. In addition, Lay Observers are seeing increasing numbers of older or otherwise vulnerable individuals, who may be more susceptible to the cold.

While Lay Observers do see efforts made to raise cell temperatures, such as increasing corridor heating, this is not always possible or effective, particularly in older buildings. In some proactive courts staff have sourced additional items to keep detained people warm, often at their own expense. For example, Tameside Magistrates' Court keeps blankets, fleece tops, trousers and shoes for those who are cold. In most courts, however, this is not an option, leaving many detained people feeling unacceptably uncomfortable. Furthermore, there is an understanding that the provision of such items may conflict with central policy. This has raised concern among Lay Observers that, following our reporting, the response may focus on curtailing these local practices rather than recognising the reasons staff felt compelled to introduce them, and considering whether the learning could inform a more consistent national approach.

As individuals experience temperature differently, access to additional clothing and blankets would be a practical, person-centred safeguard and is likely to be more effective than attempting to increase temperatures across entire custody suites. While

⁶ PECS guidance states that court custody temperatures must remain between 19 and 26 degrees.

storage and cleaning arrangements would need to be managed, similar provision is routine in police custody. Police forces clearly consider these items safe, have identified ways to maintain cleanliness, and do not believe they increase the risk of self-harm. If police custody can provide these items, then other custody environments, such as courts, should be able to do so too.

Comfort in custody cells

Lay Observers are increasingly seeing people in detention who are unable to get comfortable in cells. Most court custody cells contain only a hard wooden bench, which Lay Observers frequently find has been inadequately cleaned. Benches are often too short to lie down on, and this is an increasing concern because people can be held in these cells for significant periods – far longer than originally intended. Custody suites were designed for short stays, with the expectation that individuals would arrive shortly before court and leave soon after. The benches are uncomfortable for everyone, but they can be particularly distressing for older people and those with injuries, disabilities or chronic pain.

Lay Observers have occasionally seen staff try to help. For instance, during a visit to Oxford Magistrates' Court staff provided a detained person who was recovering from a broken pelvis a jumper to offer some cushioning. In most courts, however, there are no suitable options. During a visit to Southampton Magistrates' Court, a detained person with spinal injuries said that sitting on the bench caused them significant discomfort and asked for something to cushion it, but nothing could be provided.

Given the length of time people often spend in cells, a basic level of comfort should be available, such as the padded benches commonly seen in police custody. If the police have found ways to mitigate concerns around hygiene and safety, then there must be ways for courts to introduce more comfortable options, especially those courts that are directly attached to police stations. In the ministerial responses to our two previous annual reports, it was stated that options such as padded benches would be reviewed and that a feasibility study would be considered. At the time of writing, Lay Observers have seen no evidence to indicate that this review has even begun.

Decor and environment

Overall, the environment in many custody suites is bleak. These are highly utilitarian spaces, often located underground with little or no natural light, and designed primarily for security rather than wellbeing. People in custody may already be distressed due to arrest, uncertainty about their situation, or underlying vulnerabilities, and these environments offer little to mitigate that distress. Prolonged exposure to such conditions may also affect staff working in custody suites, which in turn can influence the quality of engagement, decision-making, and outcomes for detained people.

To make custody suites more welcoming, PECS has provided artwork to all courts. Despite this provision, Lay Observers have found that, aside from a small number of exceptions, only GEOAmev-operated courts have displayed it. Some Serco-operated courts, such as Cambridge Crown Court, initially put up the artwork but quickly removed it following instructions from Serco management. No satisfactory explanation has been given as to why one supplier permits this while another does not.

The art pieces were created by prisoners at HMP Doncaster, who were asked to reflect on their own experiences of court and produce artwork to brighten the environment. Although a small change, Lay Observers report that the art improves the feel of custody areas that display it.

Examples of artwork introduced to courts



Cleanliness also has a significant impact on the custody environment. Positively, Lay Observers have seen fewer instances of very dirty custody suites compared with previous years. Graffiti also appears less prevalent, and courts are often quick to remove offensive graffiti. Despite these improvements, many suites still feel tired and grubby due to ingrained dirt and would benefit from more regular deep cleans. An unclean custody suite can undermine the morale of detained people and staff and may indicate a wider tolerance of sub-standard conditions, increasing the risk that poor practice becomes normalised elsewhere.

Accommodation for children

In previous annual reports, Lay Observers have highlighted that children are too often held in locked cells in the same way as adults. Unfortunately, this remains the case in many parts of the country, where the only alternative is to hold children in legal rooms or adult cells with the door open. However, there have been notable improvements at some courts.

PECS has funded furniture in 20 courts to create dedicated spaces for children. Where these spaces exist, they represent a significant improvement. However, the funding has been limited to furniture; any additional decoration or environmental improvements depend on future funding. The first court to introduce dedicated child-friendly accommodation, Sheffield Magistrates' Court, paired the furniture with redecoration, demonstrating the potential of this approach when the environment is improved as well as the fixtures.

**Non-cellular accommodation space for children
at Sheffield Magistrates Court**



Credit: HM Inspectorate of Prisons

This feels like a missed opportunity. Providing furniture alone limits the extent to which these spaces can become genuinely child appropriate. Furthermore, the new rooms have not always been introduced in the courts that receive the highest numbers of children. In many cases, courts were selected because they had suitable space available. While this is logistically easier, it means that many children are still being held in unsuitable locked cells. Lay Observers would welcome the scheme being extended to courts that routinely receive larger numbers of children.

Even where dedicated rooms exist, they are not always used when a child is held in custody. At Southampton Magistrates' Court, staff explained that this was due to insufficient staffing that day to supervise the space safely. This is of particular concern, as it indicates that staffing levels may be inadequate to safely manage a child in custody at all, regardless of location. Failure to use dedicated child-appropriate spaces risks exposing children to environments that are unsuitable and potentially harmful, undermining the purpose of providing such facilities. Lay Observers therefore expect that, as these rooms become embedded in local practice, staffing arrangements will be aligned to ensure their consistent and appropriate use.

Release

Lay Observers expect detained people to be released promptly, with clear information and appropriate support. However, the quality of information provided at the point of release is highly inconsistent. Many courts offer little more than basic information and travel warrants, while stronger practice includes tailored signposting to relevant services.

For example, during a visit to Bristol Magistrates' Court, staff provided details of a men's mental health charity to a detained person who appeared to be struggling. In addition to mental health support, courts can direct people to homelessness services and substance misuse support. Court custody is a rare point of structured contact for some individuals, including those reluctant to engage elsewhere. It is therefore a missed opportunity when people leave without meaningful information about available support.

For most, releases happen quickly, often within minutes of returning from court. However, Lay Observers continue to observe unacceptable delays, primarily affecting those who have come from prison. Before release, courts must seek confirmation from the prison or the Home Office to ensure that there are no outstanding issues and to prevent errors (for example, where a person has been remanded or sentenced on other matters, or may be subject to a deportation order). Unfortunately, prisons can be slow to respond. When delays occur, people may be placed back in a cell due to a lack of alternative spaces. This can be highly distressing for someone who has been told they are free but is treated as if they are not. During a visit to Cardiff Crown Court, Lay Observers witnessed a person who had been released by the court wait six hours before being transported back to the prison, only to then be released there. Lay Observers recognise the need for safeguards, but these checks should not result in unnecessary delays once a court has ordered release.

The release process for those coming from prison should be streamlined so that decisions can be implemented without delay. DPERS already state if an individual is for release. This information should be accurate and reliable, with checks being completed in advance whenever a detained person is due to be sentenced. As an alternative, in November 2025 it was announced that a sentencing hotline would be set up for prisons to check the status of people being released. If a similar approach was extended to courts, it could help prevent avoidable delays and reduce the risk of people being detained beyond the point at which release has been authorised.

Food

Lay Observers continue to raise concerns about the quality and availability of food in court custody suites. Issues are more frequently raised in Serco managed courts, as GEOAmey provides a greater variety of food, including sandwiches and snacks. Following the ministerial response to the 2022–2023 Annual Report, a review of custody suite food provision was commissioned, and Lay Observers have participated

as observers. While this review should help reduce variation between providers, the pace of change has been glacial, leaving food provision inadequate throughout the period.

A further concern is that people often arrive at the custody suite hungry. Lay Observers have heard several reasons for this, including individuals not being offered breakfast before early morning departures, or being given an insufficient amount of food. For example, at Teesside Magistrates' Court detained people complained that they were hungry after only receiving a cereal bar at the police station that morning. Court staff said they were not permitted to provide food before 11:30 and that breakfast was the responsibility of the police. Lay Observers find this unacceptable. Custody staff should prioritise meeting the basic welfare needs of people in detention, regardless of what should have happened before their arrival. Courts should have the flexibility to provide food when required, not be constrained by arbitrary and inflexible rules.

Ministerial consideration:

It is also unacceptable that other custody environments fail to ensure that those in their care are sufficiently fed before transfer, and Lay Observers would welcome ministerial action to address this.

Lay Observers have also seen cases where dietary needs were ignored entirely. During a visit to Reading Crown Court a detained person reported an allergy to onions and explained that, having only one tooth, he could not eat biscuits. His DPER did not record the allergy, and the Custody Court Manager refused to accommodate him, stating he did not want to gain a reputation for being "easy to manipulate". As a result, the person did not eat during his time in custody and was one of the last to leave the suite. Here, the welfare of the detained person was not remotely prioritised.

Occasionally, Lay Observers see courts provide food earlier than rules allow or offer more food than is permitted. However, staff report fearing reprimand from senior management despite the need being clear. It is unacceptable that staff should fear punishment for using their professional judgement to meet basic needs. This points to wider cultural issues within the system that do not prioritise the welfare of detained people.

Providing adequate food is not only a matter of dignity, it also supports the effective running of custody suites. Detained people are more likely to feel safe and trust staff when their needs are met, which improves engagement and cooperation. Everyone benefits when food is provided promptly and appropriately.

Avoidable delays delivering people to court

In most cases, detained people can see their legal advisers and are produced to court in good time. However, Lay Observers continue to see too many avoidable delays. The most serious impact occurs when a detained person arrives too late for a hearing to proceed, and the matter is adjourned to the next available date. While this is not common, the consequences are significant, meaning such instances should be minimal.

For example, during a visit to Warwickshire Justice Centre, two detained people left prison at midday but were routed via Wolverhampton Court, only arriving three hours later. They then spent three and a half hours in the custody suite before being returned to prison without appearing in court. This resulted in their hearings being adjourned, an entirely avoidable outcome.

More frequently, Lay Observers observe shorter, but still significant, delays, such as courts starting late or a detained person being brought straight to court without time to consult their legal representative. When a detained person cannot speak with their legal adviser before a hearing, this may undermine their right to legal advice and effective participation in proceedings. Rushed arrivals and uncertainty are also distressing, as many detained people want to avoid delays in their cases and benefit from time to settle into the custody suite before being taken to court.

Lay Observers also expect detained people to be prioritised for court where possible, to minimise time spent in court custody cells. In practice, staff report that prioritisation is difficult when arrival times cannot be predicted reliably.

Where there is a significant risk of late arrival, Lay Observers have occasionally seen courts use alternative arrangements, such as a video link from a police station. However, this is rare. Given the scale of the crown court backlog, it is unacceptable for hearing dates to be lost due to delays that are often preventable. Furthermore, considering the use of video links should be acceptable when the alternative is to delay a case.

Ministerial consideration:

Lay Observers would welcome *ministerial consideration of increasing the use of video links for a wider range of situations could reduce the burden on detained people, who would no longer need to be transported to court, and free up resources to focus on those who need to attend in person.*

Finally, staffing shortages can compound delays once detained people are on site, affecting escorts to legal visits and courtrooms. For example, during a particularly short-staffed day at Wolverhampton Magistrates' Court, multiple courtrooms requested detained people at the same time, but this could not be facilitated, resulting in delays and an external custody officer being redeployed to cover the shortfall. While this appears less common than in previous years, it still occurs. If a custody

suite is unable to carry out these basic functions reliably, it is likely to struggle to meet detained people's needs in other areas as well.

Unnecessary journeys

Lay Observers continue to see a high number of journeys that are unnecessary or difficult to justify given the length and purpose of a detained person's court appearance. For example, Lay Observers sometimes observe detained people being transported to court when they are not listed to appear. This is usually the result of prison or court listing errors and points to weak communication and coordination between agencies.

These avoidable journeys can be highly disruptive and distressing for detained people, who may then spend many hours waiting in court custody before being returned. For those already in a fragile mental state, the impact can be severe. For example, during a visit to Birmingham Magistrates' Court, a woman was produced in error from HMP Foston Hall. When she was informed of the mistake, she became extremely distressed and attempted to self-harm. During efforts to restrain her safely, staff were kicked. This incident was avoidable and illustrates the risks created when people are transported unnecessarily.

Unnecessary journeys also place additional pressure on already stretched resources. They increase demand on escort and custody staff and reduce capacity for those who do need to be produced. Lay Observers have also seen detained people transported for hearings that last only a few minutes. For example, at Swindon Magistrates' Court, a detained person spent 10 hours in transport and the custody suite for only a nine-minute hearing. Where a short appearance is expected, greater use of alternatives, such as video-link appearances from prison, could reduce disruption for the detained person and allow both escort and custody suite resources to be used more effectively.

Case study – Avoidable transport for a remote court appearance

A disabled detained person on remand at HMP Thameside was scheduled to appear via video link for a hearing listed at Portsmouth Magistrates' Court, which lacks disabled access. Rather than hosting the link from his home prison, he was transported alone on a five-hour journey to Portsmouth Crown Court to access the video link.

During the hearing, the individual suffered a seizure and required hospital treatment. Escort staff remained with him until 2am, despite being scheduled to work the following morning.

This incident highlights significant inefficiencies and welfare risks. Extensive resources were used to facilitate a video appearance that could have been managed from prison, raising questions about planning, accessibility, and the prioritisation of the detained individual's wellbeing.

Finally, Lay Observers have seen instances where detained people are brought from police custody to magistrates' courts despite being unfit to appear, such as those who are experiencing substance withdrawal symptoms. These cases highlight the need for better pre-transfer checks and communication between agencies to prevent unnecessary and harmful journeys.

Length of time on vehicles

Lay Observers continue to see detained people spending too long in escort vehicles. Vehicle cells are confined spaces with little room to move and often no meaningful distraction available. When detained people need to use the toilet, they are typically required to use a specialist liquid bag. These bags are not dignified to use, particularly for women, and many actively avoid using them. Privacy is further compromised by CCTV within vehicle cells. Lay Observers have occasionally seen toilet access facilitated during stops at other courts, but this remains rare.

Despite vehicles being unsuitable for prolonged periods, Lay Observers are seeing increasing numbers of unnecessarily long journeys. A common cause is multi-stop routing to pick up and drop off detained people along the way. While limited detours may be efficient, significant diversions are not acceptable. For example, a journey from HMP Birmingham to Walsall Magistrates' Court that should have taken 45 minutes instead lasted 3 hours and 45 minutes having made a stop at Wolverhampton Magistrates' Court. Due to this logistical choice the individual arrived at court custody an hour after they were due to appear, eventually resulting in a two-hour delay in their court appearance. This highlights how multi-stop routing can turn short journeys into prolonged, uncomfortable experiences and impact on the functioning of courts.

A particularly wasteful delay occurs when vehicles wait outside a prison for admission. Lay Observers have reported delays of up to two and a half hours. This is a poor use of scarce escort resources and compounds wider transport pressures. It also creates welfare risks, as vehicles are often turned off while waiting, disabling heating and air conditioning. As a result, conditions can become uncomfortable very quickly, especially in summer when staff and detained people describe vehicles as "sweat boxes".

In August 2025, PECS issued guidance stating that internal vehicle temperatures should remain between 18°C and 22°C, and if these conditions cannot be maintained during loading and unloading, detained people should not remain on board for more than 20 minutes. Lay Observers welcome this guidance but remain sceptical that guidance alone will be sufficient without operational changes to reduce waiting times. Lay Observers will monitor this situation closely.

Health and wellbeing

Mental health

Court can be a highly stressful experience for detained people, many of whom have complex mental health needs. Detained people should therefore be able to access timely and appropriate mental health support while in the custody suite.

Courts can draw on liaison and diversion teams whose role is to provide this support, but Lay Observers find that their visibility and effectiveness vary significantly between courts. In the strongest examples, liaison and diversion staff attend the custody suite proactively and are available to see any detained person who wants support. In many courts, however, Lay Observers rarely see these teams in the custody area. During a visit to Manchester Magistrates' Court, Lay Observers saw no evidence of liaison and diversion staff attending despite significant need. There were many detained people struggling with their mental health, including one shouting that they were frightened, one who had self-harmed the previous day, and another threatening self-harm that day.

A common explanation is that liaison and diversion teams attend only when requested by custody staff. This approach is clearly insufficient. As noted in the reception subsection, reception processes are sometimes rushed or impersonal and do not consistently explore a detained person's emotional or mental state. As a result, people who would benefit from support may not be identified, and referrals to liaison and diversion may not be made. Mental health provision cannot depend solely on custody staff spotting concerns and escalating them.

Lay Observers are also concerned about the limited access that liaison and diversion teams have to key information needed to carry out their role effectively. These teams do not routinely have direct access to DPERs or other relevant risk, vulnerability, and health information, and instead must rely on information relayed by custody staff. This reliance creates a risk that important details are delayed, incomplete, or not shared, particularly in busy custody environments. Without timely access to comprehensive records, liaison and diversion teams are less able to identify vulnerability at an early stage, prioritise individuals who require urgent support, or tailor appropriate interventions. Providing liaison and diversion teams with appropriate access to relevant records would support earlier identification of need, improve safeguarding, and enable a more proactive and effective response for people in custody.

Physical health

Physical healthcare in court custody has improved in recent years. A private remote healthcare contractor now provides telephone healthcare support, and where necessary they can dispatch paramedics who can provide treatment and administer medication. Where these contracted paramedics are embedded on site, such as at Westminster and Bristol Magistrates' Courts, Lay Observers report that they are a

significant asset and markedly improve the support available to detained people. In both of these courts, Lay Observers have reported that paramedics are proactive in seeing vulnerable detained people. Additionally, there is evidence that these courts are also more proactive in their mental health support, suggesting that the presence of a paramedic has improved the wider healthcare culture in these courts.

However, as with liaison and diversion staff, paramedics are unable to directly access detained people's medical records and are therefore also reliant on information being passed on by custody staff. This reliance creates significant risks when information is incomplete or inaccurate, particularly regarding medication requirements. Records sometimes fail to state when medication is due, in what quantity, when it was last taken, or even that an individual is taking medication. This lack of reliable information increases risk and limits the effectiveness of paramedics, because they cannot confirm what has been prescribed or when it was last administered.

Lay Observers have witnessed examples of this risk in practice. During a visit to Warwickshire Justice Centre, a detained person's records of healthcare provided while in police custody stated that the frequency, last dose and next dose of their required medication were "as per records". This vague reference delayed the administration of medicine as the paramedic had to contact the police directly to obtain the information. All information provided should be accurate and in sufficient detail to be useful and should certainly not point to other inaccessible records.

Lay Observers have also seen cases where detained people are delivered to court without their required medication. For example, during a visit to Bristol Crown Court a detained person was due to take her medication but did not have it with her. When the court phoned her prison, HMP Eastwood Park, staff responded that "she had gone without it before in the past". This blatant disregard for the individual's health needs and persistent gaps in health information point to a wider culture and acceptance of bad practice across the criminal justice system.

Length of time spent in custody suites

Lay Observers frequently find that detained people spend excessive periods in court custody cells. This often occurs because people are transferred many hours before their scheduled court appearance and remain in custody long after their case has concluded. For example, during a visit to Bristol Magistrates Court, Lay Observers observed an individual who was in court custody for 11 and a half hours, only leaving the custody suite after 11:30pm. These delays mean that people are held in conditions that are not designed for prolonged detention, which has serious implications for health and wellbeing.

Court custody cells are typically small, bare and uncomfortable, offering limited space for movement and little to occupy individuals during extended waits. Prolonged confinement in such environments can increase stress, anxiety, and feelings of isolation. This is particularly concerning given the number of detained people with mental health issues and a heightened risk of self-harm.

Late finishes also create downstream consequences. When people are returned to prison late, staff may have reduced capacity to process arrivals, and individuals can miss essential needs, such as hot meals and showers. For those involved in lengthy trials, such as those held at the Central Criminal Court, Lay Observers frequently find that detained people have been unable to wash for an entire week because they consistently arrive back at prison too late. This is highly degrading and harmful to both physical and mental wellbeing.

These delays also have an impact on staff. Court and escort teams may be required to work late into the night and, given tight staffing, may then be expected to work again the following day. This is unsustainable. Fatigue and burnout reduce attentiveness, increase the risk of mistakes, contribute to high staff attrition rates, and compromise the quality of care provided to detained people.

Distraction materials

Lay Observers expect all detained people to be offered suitable distraction materials while in custody suites. However, reports frequently show that these are either not offered or are of poor quality. As a result, many detained people spend long periods in their cells with little to occupy them, conditions that can negatively impact mental health and overall wellbeing.

Prolonged isolation in bare cells without meaningful activity can increase anxiety, frustration, and feelings of hopelessness. For individuals already vulnerable or experiencing mental health challenges, this lack of stimulation can exacerbate distress and heighten the risk of self-harm. Providing distraction materials is therefore not a matter of convenience; it is a critical component of safeguarding a detained person's psychological wellbeing.

In many courts materials are not offered proactively. Instead, staff often state that detained people can request them if they wish. This approach is problematic, as unless someone is familiar with court custody procedures, they may not know these items exist and therefore will not ask. In addition, the standard materials provided are basic, typically consisting of a small pack containing crosswords and simple puzzles, which many detained people decline. Some courts have chalkboards painted on cell walls, which can be popular, but Lay Observers often find that staff are reluctant to provide chalk, or that the boards are in too poor a condition to use.

Lay Observers have also seen examples of good practice. In some courts staff take a proactive approach and offer a wider range of options, sometimes purchased personally by staff. For example, at Crawley Magistrates' Court, detained people are actively offered a choice of newspapers, distraction packs, chalk and books. Keeping detained people occupied benefits everyone: staff are likely to experience fewer behavioural issues and a safer working environment, and detained people are generally calmer, less distressed and less likely to damage cells.