

HM Inspectorate of Prisons

EXPECTATIONS

FOR COURT CUSTODY

Criteria for assessing the treatment of and conditions for detainees in court custody

Version 2, 2020 (updated March 2020)

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- Leadership and multi-agency relationships
- Performance management data supports the safe delivery of custody.

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Introduction

This is the second version of *Expectations for detainees in court custody*, the standards by which we inspect outcomes for detainees in court custody facilities and the transfer of detainees to and from those facilities. Court custody inspections form part of a wider range of inspections, including police custody, prisons and immigration removal centres.

These *Expectations* allow us to fulfil our responsibility to deliver independent and objective assessments of outcomes for detainees in court custody facilities. This is in accordance with the UK's responsibilities as signatory to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Expectations for detainees in court custody sets out the framework and criteria used by HMI Prisons to assess court custody arrangements and the outcomes for those detained in court custody facilities. The expectations were drawn up after consultation and are based on and referenced against relevant international and regional human rights standards. They also draw on the cumulative learning of our court custody inspections to date and best practice.

The *Expectations* will be used to assess the treatment of and conditions for those transported to and from and those held in court custody facilities in the UK. It also offers a guide to the public, HMCTS, HMPPS and the private contractors that work in court custody facilities to the outcomes for detainees that we expect to see.

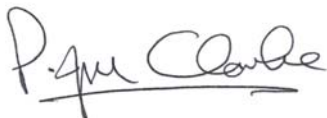
The expectations are grouped into five inspection areas:

- Leadership and multi-agency relationships
- Transfer to court custody
- In the custody suite: reception processes, individual needs and legal rights
- In the custody cell, safeguarding and health care
- Release and transfer from court custody.

Expectations set out the outcome we expect court custody agencies to achieve.

Indicators suggest evidence that may demonstrate whether the outcomes have been met. Agencies do not have to meet each indicator; the list is not exhaustive and does not exclude other means of achieving the outcome.

This version of the *Expectations* takes effect from March 2020.



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HM Chief Inspector of Prisons

Section 1: Leadership and multi-agency relationships

There is a shared strategic focus on custody, including the care and treatment of all those detained, during escort and at the court, to ensure the well-being of detainees.

Expectations – Leadership and multi-agency relationships

1.1 Each court cluster has a strategic, multi-agency focus on custody and escort provision which promotes shared working among all the organisations involved to ensure the safe and respectful delivery of custody.

Indicators

- There is an effective management structure within HM Courts and Tribunal Services (HMCTS), HM Prisons and Probation Service Prisoner Escort and Custody Services (PECS), and court custody and escort contractors to ensure policies and procedures are in place. The policies and procedures are fully implemented and reviewed regularly to ensure appropriate care and treatment of detainees in court custody and while travelling under escort to and from court. Policies and procedures are accessible and staff understand them.
- There is constructive engagement between all relevant partner agencies – including HMCTS, PECS, court custody and escort contractors, criminal justice agencies (including prisons, police and the Crown Prosecution Service), health and substance misuse services and youth offending services – to support the safe and respectful delivery of custody. Outcomes for detainees can be clearly demonstrated.
- There are sufficient resources to carry out the custody and escort functions to ensure the safety and well-being of detainees. Custody and escort staff are vetted and trained with the right skills, they understand how to respond to detainees, and their training needs are assessed and met so that they perform the requirements of their respective roles.
- Agencies involved in the delivery of court custody have clear whistleblowing procedures, and all staff know how to raise concerns.
- Safeguarding of children and vulnerable adults is embedded at a strategic level, and supported by clear policies and procedures specific to their needs. Court custody and escort staff are trained to recognise safeguarding issues and to understand the need to safeguard and promote the welfare of children and vulnerable people, and are supported to do so.
- Staff understand how to refer a potential victim of trafficking to the National Referral Mechanism (NRM). Any referral to the NRM is made with informed consent whenever possible.
- Services provided to support court custody are monitored and scrutinised to hold providers to account.

- Court custody is open to external scrutiny. Issues and complaints raised by lay observers are responded to appropriately. This includes dealing with immediate complaints and issues raised during visits.

1.2 Performance management data supports the safe delivery of custody.

Indicators

- Accurate data (including for example, custody throughput, demographics, adverse incidents, use of force and complaints) are routinely collated and analysed to identify trends. They are used to inform organisational learning and to improve outcomes for detainees, including in relation to equality and diversity.
- Quality assurance processes promote the safe and respectful treatment of detainees and continuing professional development of staff.

References

In relation to expectations 1.1–1.2: Human rights standards require that all places of detention are managed to ensure that detention is prescribed by law and that detainees' human rights are respected, protected and fulfilled. That means that the humanity and inherent dignity of each and every detainee is recognised in policy and practice, that vulnerable detainees are identified and safeguarded and that managers ensure that all staff have the requisite knowledge, aptitude and skill to perform their duties and to meet the needs of different individuals. Policy and practice should ensure that staff and detainees are able and encouraged to raise concerns about safety or care at any time. A child (any person under the age of 18 years) must be treated as vulnerable by reason of age and their best interests must be a primary consideration. See ECHR 2, 3, 5; ICCPR 9, 10(1); ICESCR 12(1); CERD 2, 5; CAT 2, 10, 11, 12, 13, 16; OPCAT 19, 20, 21, 22; BOP 1, 2, 4, 5, 7, 9, 29; EPR 76, 81.2, 81.3; DEDRB 2; DRM 4; DHRIN 5(a); YP 9(a), (f), (g), (i), (j), 10. In relation to children specifically see CRC 3, 19, 24, 33–37, 40; HR 17, 84. See also CPT/Inf(2004)28-part, Combating impunity and CPT/Inf(2018)4-part, Complaints mechanisms.

Section 2: Transfer to court custody

Escort staff are aware of detainees' individual needs, and these needs are met during escort.

Expectation – Transfer to court custody

2.1 Detainees are transported to court safely and in accordance with their needs.

Indicators

- Escort staff are aware of detainees' individual needs. All necessary information identifying any issues relating to risk or self-harm is recorded in the person escort record which is completed thoroughly and accompanies the detainee on their journey. Confidential information that travels with the detainee is securely sealed and is only accessed in an emergency (see expectation on release and transfer from court custody).
- Detainees who will require medication have sufficient supplies transferred with them.
- Cellular vehicles are safe, clean, comfortable, well ventilated, of a suitable temperature, provide sufficient light and space for detainees and are fully equipped (for example, with bottles of water, food, a first aid kit and sickness bags) to cater for all needs.
- Suitable alternative vehicles are available where necessary to meet individual needs, including for pregnant women, women with babies, children and those who have experienced previous trauma which makes use of a cellular vehicle inappropriate.
- Escort staff can easily observe detainees, and escort staff and detainees are able to communicate directly at all times. Escort staff regularly check on detainees' welfare.
- Escort staff can quickly and safely evacuate vehicles in the event of an emergency.
- Women, children and adult men are transported in separate vehicles.
- Women and girls are transported in vehicles with a female escort.
- Detainees are safeguarded from violence and intimidation from other detainees during transfer.
- Detainees do not experience long journeys and all efforts are made to reduce journey time.
- Detainees are offered rest stops or comfort breaks at appropriate intervals and the frequency of stops considers any individual circumstances, including health needs and the needs of women, children and detainees with disabilities.
- Detainees are disembarked quickly and are not made to wait outside the custody suite in cellular vehicles.

- Detainees arrive wearing suitable clothing for their transfer and court appearance.
- Personal belongings accompany a detainee during their transfer to and from court.
- During their transfer and on arrival at the court detainees have their privacy and dignity maintained and are protected from insult, curiosity, publicity and media attention, including photography.
- Detainees know where they are going.

References

In relation to expectation 2.1: Human rights standards require detainees to be transported safely and in conditions which maintain their dignity and take into account their differing individual needs. Detainee's privacy must be maintained; personal and health information must only be accessed by those who require it and detainees should be exposed to public view as little as possible. Detainees must always know where they are going. See ECHR 2, 3, 5, 8, 14; ICCPR 6(1), 7, 10(1), 17, 26; ICESCR 12; CAT 2, 16; CEDAW 2, 4; CRPD 9, 10, 14, 15, 17, 22; EPR 1, 11, 15, 16, 20, 22, 31.7, 33, 34.1, 35.4, 36.1, 97; SMR 1, 2, 7, 9, 11, 20, 73; BOP 16, YP 5(a), 6(f), 9(a), (d). In relation to children see CRC 3, 24(1), 37 and HR 21, 22, 26, 29, 35, 36. See also CPT/Inf(2018)24, Transport of detainees.

Section 3: In the custody suite: reception processes, individual needs and legal rights

Detainees receive respectful treatment in the custody suite and their individual needs are met. Detainees are held in court custody for no longer than necessary, are informed of their legal rights and can freely exercise these rights while in custody. All risks are identified at the earliest opportunity.

Expectation – Respect

3.1 Detainees are treated with dignity while in custody.

Indicators

- Staff are easily identifiable and engage with detainees courteously. All detainees are treated with dignity from the first point of contact and throughout their detention.
- Detainees can disclose confidential information, and any situation or condition that makes them vulnerable, in private.
- Staff take into consideration the stress that detainees may be feeling when responding to and communicating with them.

Expectation – Meeting individual and diverse needs

3.2 Staff understand how to promote equality and diversity and recognise and respond to the specific needs of people with protected and other minority characteristics. All detainees are treated according to their individual needs.

Indicators

- Staff have a good understanding of and can meet the specific individual needs of people from diverse groups, such as older people, women (including women who are pregnant or breastfeeding), detainees from all racial and ethnic groups, detainees with disabilities, (including non-physical disabilities), detainees of all religions and beliefs, detainees of all sexual orientations, and transgender and intersex detainees. Staff understand that individuals may have multiple needs.
- There are sufficient female custody staff and appropriate provision and facilities to respond to the welfare needs of detained women. Female detainees are routinely provided (without having to ask) with menstrual care products suitable for their needs. Women are held separately from men.
- Reasonable adjustments are made for detainees with disabilities, including non-physical disabilities.
- There is a range of religious observance materials, and detainees are searched in a religiously and culturally sensitive way.
- Custody staff can identify and meet the distinct needs of older detainees, such as signs of mental and physical health problems, including the onset of dementia.

- Custody staff understand that young adults may have distinct needs and respond appropriately to differing levels of maturity.
- Custody staff identify and appropriately address the individual needs of transgender detainees.
- Staff have access to accredited translation and interpreting services where needed to help detainees understand their rights and other custody processes, and whenever accuracy or confidentiality is important.
- Telephone interpretation is conducted using equipment that enables effective communication in privacy and staff are confident in using it.
- Legal rights and other documents are provided for detainees to access information in a language and format they can easily understand, for example, easy read format, Braille and in languages which reflect the population in the relevant area. Detainees who experience difficulties in reading or understanding are helped with clear explanations by staff when needed (see expectations on individual legal rights).

Expectation – Risk assessments

3.3 All detainees are held safely and any risk they pose to themselves and/or others is competently assessed and kept under review. Staff recognise they have a positive obligation to intervene to protect detainees from harm to themselves and from others.

Indicators

- Staff know how to effectively assess and respond to any risk detainees pose to themselves and/or others.
- Escort staff communicate all relevant information to custody staff to contribute to the risk assessment process.
- A systematic risk assessment is carried out with all detainees on arrival into court custody.
- Staff make sufficient enquiries to ascertain whether there is any additional information which they should be aware of to reduce the risk of harm to the detainee or to others.
- Staff demonstrate awareness and understanding of the diverse ways in which detainees may present physical and mental health problems and other vulnerabilities, and respond appropriately.
- Observation levels reflect presenting risk. Assessments are ongoing and are reviewed throughout the period of detention and responded to where necessary.
- Levels of observation are conducted at the necessary frequency and custody staff engage proactively with detainees.

- Custody and escort staff have knowledge and understanding of self-harm and support detainees at risk of harming themselves.
- Staff explain to detainees how to use the cell call bell and activations are responded to promptly.
- There is a confidential process in place to ensure all staff are aware of any risks associated with detainees.
- Where there is a need for detainees to share cells, decisions are based on a systematic risk assessment that is undertaken before cells are shared.
- Staff undertaking cell visits always carry anti-ligature knives.

Expectations – Individual legal rights

3.4 Detention in court is only used where necessary and detainees are held for the shortest possible period.

Indicators

- Detainees are brought into court custody only when it is necessary to detain them.
- Detainees are accepted into custody without undue delay.
- Detainees held in court custody can inform someone of their whereabouts.
- Court custody cases are prioritised and progressed effectively to allow detainees to be released or transferred at the earliest opportunity.
- Information on vulnerability and associated risk factors is communicated between custody and court staff to inform decisions on the prioritisation and progression of cases. This ensures that children and vulnerable detainees spend as little time in custody as possible (see expectation on children).
- There are no delays in transferring detainees from the custody suite to the court room.

3.5 Detainees understand and receive their rights while in court custody. Detainees are given sufficient time before and after a court appearance to obtain legal advice and can communicate with a legal representative in private.

Indicators

- All detainees receive and are helped to understand their rights.
- Custody staff ensure that a detainee's legal representative has been contacted prior to their appearance in court. Custody staff provide information about legal aid and how to contact lawyers to detainees without legal representation.
- Detainees are given access to suitable consultation rooms to meet with their legal representatives in private.

- Detainees can retain their legal documents and are offered and provided with writing materials.
- Detainees who are foreign nationals can contact their relevant consulate, embassy or high commission, and are able to consult with them on request.

Expectation – Complaints

3.6 Detainees know how to make a complaint and are enabled to do before they leave court custody.

Indicators

- Complaints procedures are well promoted. On arrival detainees are told how to complain, including that someone may make a complaint on their behalf should they wish, and are provided with relevant information in a language and format that they understand.
- All detainees are asked if they would like to make a complaint before they leave custody. Complaints are taken and recorded before detainees leave custody.
- Detainees can make a confidential complaint and are able to request to make a complaint to a senior member of staff.
- Detainees' complaints are investigated fairly and swiftly and are monitored, with any significant concerns addressed and outcomes recorded.
- Detainees are not discouraged or deterred in any way from complaining. They are not subjected to any form of intimidation or disadvantaged in any way because they have made a complaint.
- Detainees are informed of the outcome of their complaint promptly.
- Detainees are not discouraged from or disadvantaged in any way because of speaking to inspectors or lay observers while in custody.

References

In relation to expectations 3.1 to 3.6: Human rights standards prescribe a range of measures which apply to safeguard the rights of detainees as they arrive in custody and in the early stages of detention. The measures aim to ensure that detainees are treated in a manner that respects and meets their individual needs, that their vulnerabilities (including from detention itself) are identified and met and that they are safe from harm (whether self-harm or from others) from the outset of detention. They also require that detainees should be provided with and assisted to understand their rights, including: to contact those concerned for their welfare; to seek legal representation of their choice; to speak with their legal representative in private; to speak with other independent persons such as lay visitors; and to complain without fear of adverse consequences. Moreover, nothing should be done to infringe a detainee's right to a fair trial. See ECHR 2, 3, 5, 6, 8, 9, 10, 14; ICCPR 6(1), 7, 9, 10(1), 14, 17–19, 26; ICESCR 12(1); CAT 2, 10–13, 16; OPCAT 19–22; CERD 2, 5; CEDAW 2–4, 12; DEDRB 2, 4; CRPD 5–7, 13–15, 21, 22; BR 5, 25; BOP 1, 2, 5, 6, 11, 13, 14, 16–18, 24, 29, 33, 36–39; YP 7(b), 8; DHRIN 5; BPRL 1–3, 5–8. In relation to children specifically see CRC 3, 37, 40 and HR 2, 17, 18(a), 75–78, BeiR 7.1, 10, 13, 15. See also CPT/Inf(2004)28-part,

Combating impunity; CPT/Inf(2018)4-part, Complaints mechanisms; and CPT/Inf(2000)13-part, Women deprived of their liberty.

Section 4: In the custody cell, safeguarding and health care

Detainees are held in a safe and clean environment in which their safety is protected at all points during custody.

Expectation – Physical environment

4.1 Detainees are held in a custody suite that feels and is safe, and is in a good state of repair.

Indicators

- Cells and communal areas are clean, free from potential ligature points and graffiti, of a suitable temperature, and well ventilated, with access to natural light. There are working fire alarms and equipment throughout the custody suite.
- Staff conduct daily checks of the court custody facilities to ensure these are fit for purpose. Any defects or faults identified are reported and addressed promptly.
- All cells are equipped with working call bell systems that cannot be permanently muted.
- The route to the court room does not pass through a public area and has sufficient alarms to call for assistance.
- There are adequate arrangements in place for daily cleaning, removing any biological hazards, regular deep cleaning and prompt repair of any defects.
- Staff can safely evacuate the custody area in the event of an emergency and evacuations are regularly practised and recorded.

Expectation – Use of force

4.2 Any force used from first point of contact is strictly necessary, proportionate and lawful. It is used as a last resort and subject to robust governance to ensure accountability. It is carried out by trained staff using approved techniques.

Indicators

- All staff are trained in and use effective de-escalation techniques.
- Where force is used, staff only use approved techniques in line with their training, with no more force and for no longer than is strictly necessary and proportionate.
- Detainees are only handcuffed in secure and controlled court custody environments when justified by an individual risk assessment.
- All staff involved in the use of force against a detainee complete individual use of force statements promptly, which clearly explain what happened and why force was used. Documentation is subject to robust quality assurance to ensure that the force is necessary and proportionate.

- When force is used, it is routinely recorded and monitored, with data analysed and action taken to address any concerns and trends.
- Staff can demonstrate awareness of the risks associated with forms of restraint and of how these risks can be minimised. When force is used detainees are examined by a health care professional if requested, or if there are any health care concerns.
- Court custody and escort staff are made aware when a female detainee is pregnant and are specifically trained in the control and restraint of pregnant women. Following restraint, pregnant women are routinely asked if they wish to see a health care professional.
- Detainees in need of mental health care who are restrained for their own or others' safety are treated as a medical emergency.
- Detainees are only subject to proportionate searching which is sensitively and properly conducted.

Expectation – Detainee care

4.3 Detainees are well looked after.

Indicators

- Detainees are offered sufficient nutritious food and drink in accordance with their dietary, cultural and religious requirements.
- Detainees are routinely offered suitable activities, including reading materials in a range of common languages and accessible formats.
- Detainees can use the toilet in private and toilet paper is readily available. Hand washing and drying facilities are provided.
- Detainees are presented to court appropriately dressed.

Expectation – Safeguarding

4.4 Detainees are protected from harm and neglect. They receive effective care and support.

Indicators

- Custody and escort staff understand the obligations and duties arising from safeguarding (protection of children and adults at risk).
- Staff are trained in safeguarding. They have the knowledge required to communicate with and protect vulnerable groups in their care and make suitable referrals to partner agencies.
- Current government and local guidance about safeguarding children and vulnerable adults is accessible, and safeguarding procedures are known and used by all staff.

- There are arrangements in place to inform the local youth offending service immediately if a child is held in custody.
- There are opportunities for the most vulnerable detainees, including children, to receive a family visit in exceptional circumstances. If a visit is not practicable, detainees may make a phone call to family members if appropriate.
- Staff engage with all relevant agencies to ensure detainees are appropriately cared for and supported.

Expectation – Children

4.5 Children are kept safe in custody and treated according to their needs. They are held for the minimum time possible.

- Children are kept safe in custody and separate from adults and those who might pose a risk to them. Where it is appropriate to do so, children are not held in cells.
- Children have a named member of staff they can turn to if they have a problem. Staff build positive relationships with children and effectively respond to children's concerns.
- Girls under the age of 18 are allocated and informed of the identity of a named female officer who is responsible for meeting their welfare needs while detained.
- Custody staff seek to prioritise and progress cases involving children so that they spend as little time in custody as possible.
- Children are offered age-appropriate activities.
- Only age-appropriate and approved restraint techniques are used for children. When force is used, children are always examined promptly by an appropriately qualified health care professional.

Expectation – Health

4.6 Detainees are cared for by health care practitioners who have the appropriate skills and training, in a safe, professional and caring manner that respects their decency, privacy and dignity.

Indicators

Governance

- The requirements for health services for detainees in court custody is assessed and the services provided are appropriate for the need.
- Clinical governance arrangements include regular meetings between providers and commissioners, robust incident management and learning, a confidential complaints process, and monitoring of response times for all the health and associated patient outcomes.

- Detainees are assessed and treated by easily recognisable, competent health care practitioners who can meet their needs. Health care practitioners receive ongoing training, supervision and support to maintain their professional registration and development.

Access and care

- Detainees are physically and mentally well enough to attend court, and clear escalation processes are in place if they are deemed not well enough to attend.
- Court staff are all aware of how to access timely health advice and attendance, and make referrals as appropriate.
- Detainees have ready access to liaison and diversion health professionals who can support individuals as required to ensure they can participate in court proceedings. Liaison and diversion staff provide timely advice about diversion out of the criminal justice system.
- All staff know what to do in an emergency, and a joint protocol is in place for obtaining emergency health care for detainees.
- An adequate number of court custody staff are trained in how to administer first aid. They have access to first aid and suitable resuscitation equipment, including an automated external defibrillator, which is regularly checked, maintained and ready to use.
- Health care practitioners are sensitive to detainees' diverse needs. Detainees can request a health care practitioner of the gender of their choice. Health care practitioners have access to professional confidential interpretation for both face-to-face and telephone consultations.
- Health staff have access to detainees' clinical and social care records, and manage them in line with professional practice and within appropriate information sharing protocols.
- Subject to data sharing legislation and guidelines, health care professionals ensure relevant health information is shared with other agencies to ensure continuity of care and medicines. Health information is transferred confidentially if it travels with the person escort record.
- Court custody staff support the role of health care staff in assessing and treating detainees needing health care.
- Clinical examination and health consultations are risk managed and undertaken within an appropriate environment that maintains privacy, dignity and decency.

Medicines

- Medicines are handled and transported safely, and stored securely. A protocol is in place for the administration of medication and, where clinically appropriate, detainees can access ongoing opiate substitution therapy and/or continue to receive symptomatic relief if detoxifying, including alcohol and nicotine withdrawal.

- Where medicines are not kept on site there are arrangements in place for the legal prescribing and obtaining of relevant medicines.

References

In relation to expectations 4.1–4.6: Human rights standards require detainees to be held in safe and sanitary conditions that pay due respect to their dignity. The individual needs of detainees, including their health needs, must be met. There is a positive obligation to protect detainees from harm, including self-harm, while also giving due weight to the detainee’s other rights, such as the right not to be subjected to inhuman or degrading treatment or punishment and the right to privacy and personal autonomy. See ECHR 2, 3, 8; CAT 2, 10–13, 16; OPCAT 19, 20; ICCPR 6, 7, 10; ICESCR 12(1); CRPD 3, 5–7, 13–17, 21, 22; CERD 2, 5; CEDAW 2, 12; YP 9, 10; EPR 18.2, 19.3, 19.7, 20.4, 22.3, 22.5, 54.3–54.5, 68.1; BR 5–8, 10, 19, 20, 26, 28; BOP 1, 5, 6, 19, 24, 26, 28, 29, 31; PME 1. In relation to children specifically see CRC 3, 6, 24(1), 31, 33–37, 40, HR 1, 17, 18, 34, 37, 41, 51, 52, 59, 81, 85 and BeiR 1.1 and 8.1. See also CPT/Inf(2018)24, Transport of detainees and CPT/Inf(2000)13-part, Women deprived of their liberty.

Section 5: Release and transfer from court custody

Detainees are released or transferred from court custody promptly and safely.

Expectation – Release and transfer arrangements

5.1 Arrangements are in place for ensuring detainees are safely released or transferred, without delay.

Indicators

- Staff conduct good quality pre-release risk assessments in the presence of the detainee. These are documented and identify and mitigate any risks and vulnerability throughout a detainee's period of detention. Action is taken to reduce any risks and welfare concerns prior to release.
- Detainees with caring responsibilities are able to make a telephone call to dependants to organise care if this is not yet in place.
- Appropriate relevant information about risk, vulnerability, health or safeguarding is communicated confidentially to relevant agencies and support organisations.
- Vulnerable detainees and children are released safely and detainees who lack the means to return home receive appropriate assistance.
- The transfer or release of detainees is not delayed unnecessarily.
- Detainees who have travelled from prison, who are directed by the court to be released, are released without undue delay.
- There is up-to-date information, including contact details, for support organisations, and this is provided to detainees in a format and language they can easily understand.
- Warrants of further detention to support transfer to custodial establishments are issued in a timely manner.
- Detainees are given information, in a format they can understand, about the place to which they are being transferred.
- The transfer of children remanded or sentenced to remain in custody is prioritised and timely, and takes place in appropriate vehicles.
- Detainees who are being transferred to another custody facility are escorted safely and with consideration to their individual needs. Person escort records are completed clearly and accurately and include all relevant details, especially any issues relating to risk or self-harm. Any health information is shared confidentially.

References

In relation to expectation 5.1: Human rights standards require consideration be given to a detainee's need for assistance on release, including health needs. Release must occur without undue delay to ensure that detention is for the shortest possible duration. Detainees

being transferred must be told where they are going. See ECHR 2, 3, 5, 6, 8; ICCPR 9, 10(1), 14; ICESCR 12; EPR 14, 33, 39; BOP 1, 13, 16, 31, 36, 37, 38, 39; PME 1. In relation to children specifically see CRC 3, 24(1), 37; HR 17, 20. See also standards relating to the transfer of prisoners (expectation 2.1).

Glossary of acronyms

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| BeiR | United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) |
| BOP | Body of Principles for the Protection of all Persons under any Form of Detention or Imprisonment |
| BPRL | Basic Principles on the Role of Lawyers |
| BR | United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) |
| CAT | United Nations Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment |
| CEDAW | Convention on the Elimination of All Forms of Discrimination against Women |
| CERD | Convention on the Elimination of all Forms of Racial Discrimination |
| CRC | Convention on the Rights of the Child |
| CRPD | Convention on the Rights of Persons with Disabilities |
| DEDRB | Declaration on the Elimination of all Forms of Intolerance and of Discrimination based on Religion or Belief |
| DHRIN | Declaration on the Human Rights of Individuals who are not Nationals of the Country in which they live |
| DRM | Declaration on the Rights of Persons Belonging to National Minorities or Ethnic, Religious and Linguistic Minorities |
| ECHR | European Convention for the Protection of Human Rights and Fundamental Freedoms |
| EPR | European Prison Rules |
| ICCPR | International Covenant on Civil and Political Rights |
| ICESCR | International Covenant on Economic, Social and Cultural Rights |
| HR | United Nations Rules for the Protection of Juveniles Deprived of their Liberty (known as the Havana Rules) |
| OPCAT | Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment |
| PME | Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment |
| SMR | UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) |

YP

The Yogyakarta Principles: Principles on the application of international human rights law in relation to sexual orientation and gender identity (including the plus 10 Additional Principles)