



JAMAICA CONSTABULARY FORCE

Lock-up Administration Policy and Standard Operating Procedures

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Table of Contents

1.0	Introduction	3
2.0	Purpose	3
3.0	Scope	3
4.0	Abbreviations and Acronyms	3
5.0	Definitions	4
6.0	Responsibilities.....	4
7.0	Policy Statement	5
8.0	Standard Operating Procedures	6
8.1.	Admission of Persons into Police Custody	6
8.2.	Detainee Record, Identification and Property	8
8.3	Procedure for facilitating positive identification and accountability of Prisoner	9
8.4	Procedure on the release of Prisoner from Police Custody	10
8.5	Procedure for Accepting Articles from Visitors for Prisoner	10
8.6	Cell Security	11
8.7	Cell Block Capacity	17
8.8	Procedures following jail break or prisoner escape.....	18
8.9	Female and Children in Custody.....	19
8.10	Prisoner's Meals or Other Supplies.....	21
8.11	Prisoner Under the Influence of Drugs or Alcohol	22
8.12	Guarding of Prisoner at Hospitals.....	23
8.13	Private Medical Attention	23
8.14	Attorney's Visits to Prisoner.....	25
8.15	Prisoner's Court Appearance.....	25
9.0	Legislative Authority/Guiding Principles	26
10.0	Relevant Records and Forms	26
11.0	Roles and Functions	26
APPENDIX 1 -ARRANGEMENTS TO PROVIDE SERVICES TO CHILDREN IN POLICE CUSTODY		32

1.0 Introduction

The Jamaica Constabulary Force (JCF) has a responsibility to ensure that all persons taken into custody are treated in a respectful and dignified manner, and that their human rights are upheld. To this end policy, standard operating procedures and directives governing Lock-ups Administration have been promulgated over the years for the information and compliance of members. The 2014 revised Lock-up Administration policy and procedures consolidated numerous Force Orders and directives as well as an extract from the International Convention Governing Interrogation and Detention of Prisoners (Geneva 1955)

All members of the JCF and its auxiliary shall take the requisite steps to ensure the safety and effective management of all prisoners while in police custody. This Lock-ups Administration Policy and Standard Operating Procedures (SOP) 2017 is republished for strict compliance. Breaches will be dealt with by the JCF disciplinary process.

2.0 Purpose

The purpose of this policy and SOP is to ensure that:

- 2.1** all members of the Jamaica Constabulary Force, working within the Lock-up System fully comply with the Policies and Standard Operating Procedures governing safe custody of prisoners.
- 2.2** responsible officers are held accountable for the provision of the proper management, safe custody and welfare of all prisoners within their facilities.
- 2.3** the human rights and dignity of all persons taken into police custody are upheld, through the proper administration of all aspects of the Lock-up Administration Policy and Standing Operating Procedures and all other force policies and regulations treating on the human rights, care and safety of persons during any form of interaction.

3.0 Scope

This Policy and Standard Operating Procedures on Lock-up Administration applies to all sworn and unsworn members of the JCF and Rural Police. It covers the management of all lock-ups within the organization and the safe custody of persons taken into police facilities.

4.0 Abbreviations and Acronyms

CCTV	Close Circuit Television
CIB	Criminal Investigation Branch
CPFSA	Child Protection and Family Services Agency

DCS	Department of Correctional Services
DIU	Divisional Intelligence Unit
INDECOM	Independent Commission of Investigations
IPOB	Inspectorate and Professional Standards Oversight Bureau
JCF	Jamaica Constabulary Force
NIB	National Intelligence Bureau
NSWMA	National Solid Waste Management Authority
OCA	Office of the Children Advocate
PCOA	Police Civilian Oversight Authority

5.0 Definitions

For the purpose of this policy and standard operating procedures the following shall be adopted:

- 5.1 Detainee-** someone who is kept in jail/lock-up and has not yet been convicted of a crime.
- 5.2 Gaol Delivery-** means a sworn accounting of prisoners in police custody presented by the Divisional Officer to the Judge at the end of a Circuit Court session, showing the status of prisoners at the beginning, throughout and ending of Circuit within the respective division.
- 5.3 Lay Visitors-** persons not connected with the police who are authorized to inspect and report on the ways in which arrested persons are dealt with and the conditions in which they are held, and include Justices of the Peace, judges, attorneys-at-law, Public Defender and members of PCOA and INDECOM.
- 5.4 Lock-up -** a facility in which persons who are detained are held for the purposes of appearing before the court.
- 5.5 Process-** refers to the serving of summons and subpoena and the execution of warrants and commitments.

6.0 Responsibilities

The following summarizes key responsibilities:

- 6.1** The Deputy Commissioner of Police i/c Administration has overall responsibility for the effective management of lock up facilities in the JCF and for the proper administration of safety and security of all prisoners in police custody
- 6.2** Divisional Commanders are responsible to:

- 6.2.1** ensure the proper management of lock up facilities in their respective divisions and the assignment of appropriate staff to ensure the safety and security of prisoners in their police custody
 - 6.2.2** hold members accountable for breaches of this policy and SOP and take the necessary disciplinary actions for non-compliance
 - 6.3** The Assistant Commissioner of Police in-charge Training is responsible to ensure the inclusion lock-up administration policy and procedures within all levels of the training curriculum.
 - 6.4** The Assistant Commissioner of Police i/c PRDB is responsible to conduct periodic review of the policy in accordance with legislative and/or operational changes and best practices.
 - 6.5** The Inspector General is responsible for:
 - 6.5.1** ensuring that divisions and formations are compliant with policies and guidelines treating on prisoners in police custody
 - 6.5.2** conducting investigation in the escape of prisoners, jail breaks and death of prisoners in custody.
 - 6.6** The Superintendent of Police i/c Detention and Courts is responsible for coordinating all matters relating to police lock-ups and shall conduct visits and inspections on a regular basis and report on their condition.

7.0 Policy Statement

It is the policy of the JCF that:

- 7.1** the proper management of all police lock-ups and the safety and welfare of all prisoners in police custody shall be the responsibility of the JCF
- 7.2** the police lock-up is the recognized place provided for the safe custody of persons in police custody
- 7.3** Lock-ups shall be a place provided for the confinement of persons awaiting trial, remanded in custody, sentenced to a short term imprisonment or detained otherwise by due process of law.

8.0 Standard Operating Procedures

The management of all lock-ups within the JCF shall be treated in accordance with the following:

8.1. Admission of Persons into Police Custody

- 8.1.1 The Sub-officer on duty or other police personnel receiving a prisoner at any police station shall ensure that the prisoner is properly committed or detained under the law, examining all commitments, warrants or other documents on which a prisoner is committed and be satisfied that the papers are genuine and complete for this process.
- 8.1.2 The Custody Officer or Sub-Officer in charge of lock-ups has the right to refuse a charge if he found it to be frivolous, malicious, or unlawful. He/she may instruct that a summons be served for minor offences and grant bail providing the identity of the accused person can be ascertained.
- 8.1.3 Whenever a prisoner is brought to a station for admission the following information shall be recorded in the appropriate registers whether at the station or lock-ups:
 - a) the date and time of each entry and the name, rank, number and signature of the person who brought the prisoner into custody;
 - b) name, age, sex, address, occupation of the person in custody;
 - c) the date, time and place of arrest;
 - d) the offence or suspected offence for which the person is arrested;
 - e) a summary of the circumstances of the arrest;
 - f) the physical condition of the person at the time when he is brought to the lock-up including any marks, bruises or other signs of injury observed or complained of by such person;
 - g) the condition of the clothing of the person when brought to the lock-up;
 - h) any property taken from the prisoner;
 - i) the name, rank and number of the person who made the arrest.

8.1.4 Station Registers and recording information on Prisoners

The following station registers will record arrest or detention:

8.1.4.1 Station Diary

- a) name of the arresting Constable, and where stationed;

- b) name, age, sex, address and occupation of the person arrested;
- c) day, date, time and place of occurrence;
- d) offence for which arrested or reason for detention;
- e) how the offence was committed;
- f) physical condition of the person arrested;
- g) any complaint made by the person arrested;
- h) arrival at station and other movements of the prisoner;
- i) complaints made by or concerning person detained;
- j) Reports made by Sub-officer in charge lock-ups to visiting Officer. (Section 6 of Prisoners, Lock-ups Regulations 1980);
- k) Daily inspections by "Visiting Officer" to lock-ups.

8.1.4.2 Charge and Prisoners Property Book

- a) To record names of all persons charged and placed into custody. (Force Orders No. 1809, Part I dated 4.2.82 and its Appendix refer).

8.1.4.3 Visitors Register

- a) names, addresses, relationship and occupations of persons visiting detainee;
- b) if visit is not permitted - reason to be recorded;
- c) articles taken to be given to detainee to be listed whether accepted or refused. If refused, reason MUST be stated.

8.1.4.4 Prisoners' Medical Journal

- a. This is use to record all sickness reported by prisoners in custody at the station.
- b. The Sub-officer in charge station will ensure that all relevant records are completed.
- c. The Sub-officer or Constable recording this information shall endeavour to obtain the truth from the prisoner as this will help to establish his identity in order to prevent the risk of mistaken identity whenever the question of bail or discharge is contemplated. The procedure outlined in the prison

d. (Lock-ups) Regulation, dated 10.9.80 shall be followed.

- 8.1.5** Every prisoner received in custody shall be thoroughly searched before being placed in lock-up.
- 8.1.6** A female must only be searched by another female.
- 8.1.7** The police have a responsibility to secure all property taken from prisoners in police custody until their release or their case is disposed of by the court.
- 8.1.8** All personal property including cash taken from a prisoner shall be carefully checked and properly recorded in the appropriate register. Cash shall be recorded in the same denominations as received, e.g. one fifty dollar note, serial number, four ten cents, etc. This entry shall be signed by the prisoner and witnessed by two police personnel.
- 8.1.9** Where a prisoner is searched before arriving at the Lock-ups, particulars of every article taken from such prisoner is to be checked in his or her presence and recorded in the Station Registers as soon as practicable and signed accordingly.
- 8.1.10** It shall be the responsibility of the Sub-officer in charge lock-ups or the Station Officer/Guard to ensure that all these items are properly tagged and thereafter secured in storage receptacle provided for prisoner's property.
- 8.1.11** Where any property is taken from a prisoner, and retained for evidentiary purpose, same shall be sealed in the prisoner's presence where practicable and tagged using the J.C.F. Property/Exhibit Card (See Force Order #2247 dated 28.6.90 with instructions on its use), and stored in the exhibit storeroom
- 8.1.12** All members are reminded to be extremely careful when taking possession of prisoners' property, not only to avoid against articles being used to cause injury to themselves and others but to guard against destruction of irreplaceable evidence.

8.2. Detainee Record, Identification and Property

- 8.2.1** The Sub-officer in charge lock-ups will maintain records securely with the confidentiality necessary. This function includes prisoner and or detainee records.

8.2.2 To ensure confidentiality of such records, the following procedure shall be adopted:

1. The record of a prisoner or detainee shall not be improperly disseminated to any person or group of persons;
2. It shall be the responsibility of the Sub-officer in charge (lock-ups) to secure the Registers used for the proper administration of documents as they form a part of the Station Records (lock-ups);
3. Access to these records shall be limited and on a need-to-know basis, same may be verbal or written and shall be channeled through the Custody Officer or the Sub-officer in charge lock-ups;
4. The procedures outlined in Force Orders #2274 dated 3.1.91 on Station Records, Policy and Procedures for Records Management are relevant.

8.2.3 The Force receives from outside agencies:

- i. Person or persons detained;
- ii. Prisoners already confined to penal institutions but required by a court of law or tribunal to give evidence.

(Outside agencies include prisons, Places of Safety, the Military or employees of National Solid Waste Management Authority (N.S.W.M.A.), etc.

8.3 Procedure for facilitating positive identification and accountability of Prisoners

To facilitate positive identification and accountability of detainees and agency representatives during this exercise, the following procedure shall be adopted:

8.3.1 Whenever an inmate is removed from a penal institution and or a Place of Safety and handed over to the police, it shall be the responsibility of the police receiving such inmate to establish a positive identification of both inmate and escort by examining accompanying documents, identification badge, card or booklet, and record appropriate entries in relevant registers noting vehicle registration, etc.;

8.3.2 Where a private citizen apprehends any person found committing, attempting to commit or who has reasonable cause to believe that such person has committed an offence hands over such person to the police, it shall be the responsibility of the police personnel receiving such person to:

- i. enquire into the circumstances for veracity;

- ii. establish identity of the apprehending party;
- iii. collect statements for court procedures;
- iv. carry out any other police action relevant to such investigation, e.g. visiting the scene, collecting physical evidence to be used as exhibit.

8.4 Procedure on the release of Prisoners from Police Custody

The release of prisoners from custody is a daily activity by the police. To ensure that the right person is released at all times the following procedure shall be adopted:

- 8.4.1** The Sub-officer in charge lock-ups will ensure that a positive identification is made of all prisoners before release by way of:
- i. checking with the investigator or contacting members of cell staff;
 - ii. Interviewing and examining prisoner for marks, scars, complexion, colour of hair, eyes or any deformity observed as recorded at the time he was received into the lock-up.

8.4.2.1 The personal property of each prisoner shall be returned to him upon release from custody;

- 8.4.2.** The prisoner's personal property will accompany him/her to another lock-up or agency provided that property is not the subject of police investigations;

- 8.4.3.** The Sub-officer in charge lock-ups, after establishing proper identity of prisoner to be released from his/her custody, shall check Station Records for an inventory of such prisoner's property and ensure that the prisoner signs for his/her property in the appropriate column of the relevant Station Register and witnessed by two other persons;

- 8.4.4.** If such prisoner is unable to sign his/her name, the Sub-officer shall instruct such prisoner to make his/her mark in the appropriate column which shall be witnessed by two (2) other persons and an entry made in the Station Diary to that effect.

8.5 Procedure for Accepting Articles from Visitors for Prisoners

The Prisons (Lock-up) Regulations, 1980 make provision for the police to accept articles from visitors for prisoners in police custody so long as the security of the lock-ups is not threatened by this activity. The police shall institute appropriate systems to inspect all incoming articles including letters/mail in order to intercept unauthorized items/contraband.

To facilitate a proper process of inspection the following procedure shall be followed:

- 8.5.2** All letters, packages, food, clothing, etc. taken to any police station/lock-up for prisoners in custody shall be handed over to the Station Officer/Guard or the Sub-officer in charge lock-ups for inspection;
- 8.5.3** It shall be the responsibility of the Station Officer or Guard or the Sub-officer in charge lock-ups to receive, open and inspect all incoming letters, packages, food, clothing, etc. for prisoners in the presence of the bearer and police witnesses;
- 8.5.4** Any cash, cheque or money orders received during such exercise shall be recorded in the appropriate Station Registers, e.g. Station Diary, Prisoners' Property Register, and a receipt given to the bearer. The prisoner shall be informed, then asked to signed or make his/her mark in the appropriate column and same witnessed by two police personnel. The property shall be labelled/tagged and secured with prisoner's property already in police custody;
- 8.5.5** Unauthorized items include cellular phones; cutlery (knife, fork, spoon); glassware including bottles with drinks, alcoholic beverages; matches; cigarettes; drugs; hacksaw blade or any article not conducive to lock-up or personal security;
- 8.5.6** Any unauthorized item/contraband found concealed in any letter, package or food shall be confiscated, the matter investigated with a view of preferring criminal charge(s) against the bearer or sender and the article(s) disposed of as outlined in Force Orders #2235 dated 5.4.90 on Custody, Security and Disposal of Property in Police Custody.

8.6 Cell Security

To minimize the opportunity for escape of prisoners from police lock-ups it shall be the responsibility of the Sub-officer in charge lock-ups to ensure the security of all cells

8.6.1 Precautionary Measures to Minimize Prisoners' Escape from Police Lock-ups.

The following precautionary measures must be taken to minimize prisoners escape:

- 8.6.2.1** No cell shall be entered without the knowledge of the Sub-officer in charge lock-ups;
 - 8.6.2.2** No single member of staff shall enter an occupied cell;
 - 8.6.2.3** Where the police have to enter an occupied cell the Sub-officer in charge lock-ups shall ensure that adequate personnel are deployed to control the number of inmates in that particular cell;
 - 8.6.2.4** No prisoner shall be appointed orderly and allowed to let out prisoners from their cells;
 - 8.6.2.5** No prisoner shall be allowed to remain in the passage of the cell block without reasonable cause;
 - 8.6.2.6** The Custody Officer shall have possession of duplicate keys or a master key for the lock-ups which shall be accessible or readily available in emergency;
 - 8.6.2.7** All doors leading to vacant units, unoccupied cells, or storage rooms inside the lock-ups shall be locked when not in use. Doors shall be tested for vulnerability after they are secured;
 - 8.6.2.8** All keys for the lock-ups shall be properly labelled and secured;
 - 8.6.2.9** A twenty four (24) hour duty forecast shall be posted on a daily basis to identify the various duties each day in order that proper arrangements can be made as to the cell doors that are to be secured;
 - 8.6.2.10** All unoccupied cells and passages are to be searched for weapons or other contraband before prisoners are placed in them;
 - 8.6.2.11** Lock-up staff is required to exhibit maximum alertness at all times, as well as the highest level of observation, being mindful always of the sensitive area in which they are deployed;
 - 8.6.2.12** Any unusual conditions or occurrence observed in the cells should immediately be reported to the Sub-officer in charge
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lock-ups whether verbally or in writing depending on the nature of the occurrence for appropriate action to be taken;

- 8.6.2.13** The Sub-officer in charge lock-ups shall endeavour to record in the appropriate registers any incident reported to him that may threaten the facility or persons therein and prepare a documented report forwarding same through the appropriate channel;
- 8.6.2.14** In case of emergency situations the Sub-officer in charge lock-ups may communicate verbally to the Custody Officer or Divisional Officer depending on the nature of the emergency, but in any event as soon as possible thereafter a comprehensive report shall be submitted by him through the proper channel for administrative review.
- 8.6.2.15** To achieve proper administrative control and to ensure the security of lock-ups, a documented security inspection of the physical facilities should be carried out at regular intervals, but at least once weekly. Such exercise will help to ensure the safety of police and prisoners and minimize opportunity for escape. During security inspection emphasis must be placed on areas through which prisoners are generally known to escape such as:-
- a. Doors – whether grilled or otherwise
 - b. Openings which afford ventilation
 - c. Roofs and walls which abut or adjoin premises not owned by the police.
- 8.6.2.16** All steel bars, locks, windows, walls, floors, ventilator covers, glass panels, access plates, protective screens, doors and other security devices shall be checked carefully for operational wear and inmate tampering. Search should also checking of apertures or crevices for weapons, drugs, matches or any other implements or materials that can be used to inflict injuries or assist in escape.
- 8.6.2.17** It shall be the responsibility of each Custody Officer to submit in writing the results of these inspections clearly indicating all defects or otherwise, to their Divisional Officers to be channeled through the Custody Officer.
- 8.6.2.18** Sub-Officers in-charge stations with lock-ups shall channel

their reports through their Custody Officer to their Divisional Officer.

- 8.6.2.19** It shall be the responsibility of the Custody Officer to forward a comprehensive report on all lock-ups or holding facilities island-wide to the Assistant Commissioner, Services on a weekly basis

8.6.3 Access to Lock-up Facilities

The following procedure shall be adopted to gain access to lock-up:

- 8.6.3.1** The lock-ups or cell shall be out of bounds to all personnel not required for duty;
- 8.6.3.2** Any person desirous of entering the lock-ups shall first seek the permission of the Custody Officer or the Sub-officer in charge lock-ups, giving a valid reason;
- 8.6.3.3** Where any person is granted access to the lock-ups the Sub-officer in charge lock-ups shall ensure that such person is thoroughly searched before entering. In addition, the person shall be escorted in and out by a member of the lock-ups staff;
- 8.6.3.4** Where any person is entering the lock-ups to effect repairs, the Sub-officer in charge lock-ups shall make a list of the tools such person is taking inside and ensure that such person is accompanied by members of the lock-ups staff. On completion of repairs the tools taken out shall be tallied with this list to ensure that none is left inside. On completion of any repairs, all debris or dangerous material must be removed before any person is placed in the cells. Similarly all utensils taken into lock-ups must be checked to ensure that they are removed therefrom.
- 8.6.3.5** The Sub-officer in charge lock-ups shall ensure that the presence of persons in the lock-ups does not:
- i. violate the prisoners' privacy, especially female prisoners;
 - ii. impede the administration and operations of the lock-ups;
 - iii. prejudice criminal investigation.

8.6.3.6 Members or other persons with firearms are strictly prohibited from taking or introducing firearms into lock-ups or cells.

8.6.3.7 No member of the lock-up staff or any other member of the JCF shall be armed with a firearm whilst performing duties inside the cell block.

8.6.3.8 Personnel performing perimeter patrol duties shall be properly armed at all times and if possible equipped with a two-way radio communication system to communicate with Cell Block, Guard Room or Control.

8.6.3.9 Other personnel, whether in uniform or plain clothes, that may wish to interview an inmate, visit cells, make preparation for identification parade or other legitimate purpose shall hand over at the Guard Room any firearm in their possession before proceeding into the cells.

8.6.4 Procedure for Maintaining Proper Supervision of Lock-ups

To maintain proper supervision of lock-ups with an accurate accountability of prisoners within, the following procedure shall be followed:

8.6.4.1 The Sub-officer in charge lock-ups and or the Station Guard shall be responsible for the security of the cell and the safety and welfare of all prisoners in custody;

8.6.4.2 The Sub-officer in charge lock-ups or Station guard on taking over duty shall physically check all cells and prisoners and ensure that the cells are secured and that all prisoners are present and accounted for as per station records;

8.6.4.3 Prisoners shall be visited and visually observed at least once in each hour. In cases of “drunks,” mentally challenged or other exceptional cases, they will be observed once in each half hour and at least three (3) times every hour between 7:00 p.m. and 5:00 a.m. each day. Each visit shall be recorded in the Station Diary or Cell Diary as appropriate.

8.6.4.4 At facilities where Close Circuit Televisions (CCTV) are installed, sub-officers must ensure that they are in good working condition. Cameras must be correctly position so that administrators have a clear view of occurrences in the cells, hallways and outer perimeter.

8.6.5 Mandatory Cell Searches

In light of the regular spate of jail breaks and the continuous discovery of cell phones, weapons, implements of breaking and other contraband in the lockups, the following procedures should be adopted:

- 8.6.5.1 All cells are to be searched thoroughly once every 48 hours in addition to the regular daily searches.
- 8.6.5.2 It shall be the responsibility of the Administrative Officer in each division to assemble a team independent of the lockup staff to effect such searches at the large lockup facilities.
- 8.6.5.3 The Administrative Officer is also responsible for ensuring that these mandatory searches are conducted at each facility within the division.
- 8.6.5.4 Divisional Commanders are to ensure that these directives are adhered to by those under their command.
- 8.6.5.5 Area Administration Officers are to monitor the divisions to ensure that these searches are carried out and update the Area Commander of the level of compliance.
- 8.6.5.6 A weekly return of the searches for each Area is to be compiled the respective area officers and forwarded to Administration Portfolio and the Inspector General (IG).

8.6.6 Prevention of Fire and Other Health Hazard at Lock-Ups

A fire is a serious threat to human life and Government property in and around the lock-ups or cell block. The Sub-officer in charge lock-ups shall ensure the following anti-smoking measures:

- 8.6.6.1 That there is no smoking in and around the cell
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block, whether by police personnel or prisoners;

- 8.6.6.2 That no naked light is taken into the cell block;
- 8.6.6.3 That no inflammable matter is taken into or stored near the cell block;
- 8.6.6.4 Ensure that no rubbish is burnt near the cell block. If this activity is inevitable same shall not be left unattended;
- 8.6.6.5 In case of fire in the cell block the Sub-officer in charge lock-ups shall:
 - i. Mobilize the lock-up staff and spare no effort in saving life and property;
 - ii. Summon the fire brigade;
 - iii. Inform the station officer who will inform the Divisional Officer and Control;
 - iv. Remove prisoners from affected areas;
 - v. Render first aid to the injured if any;
 - vi. Use equipment/resources at disposal to contain or extinguish the fire until the fire unit arrives;
 - vii. If the fire is threatening the security of the prisoners, the Divisional Officer or his deputy shall arrange alternate accommodation and ensure their safe removal.

8.7 Cell Block Capacity

Under normal circumstances, officer must ensure that the maximum capacity for the cells is not exceeded. However, there may be instances where the police carry out police operations, which result in the arrest or detention of a number of persons which exceeds the maximum capacity of the cell block area for the zone where such operation took place. Whenever such a situation exists the following procedure shall be adopted:

- 8.7.1 The Divisional Officer or the officer in charge of the operation shall provide adequate personnel to ensure safe custody of the persons arrested;
- 8.7.2 The sub-officer in charge lock-ups shall examine the charge(s) against the person(s) arrested, with a view of granting bail to those persons who can be released on recognizance or bond with or without surety observing the points to be considered before granting bail;

- 8.7.3 Where the process of bail has been exhausted and there remains a problem of accommodating the remaining prisoners, the Divisional Officer shall arrange for their transfer to other holding facilities within the division;
- 8.7.4 Where there is no more available accommodation within the division the Divisional Officer shall notify the area officer of the situation who will make arrangements to have these prisoners accommodated in other divisions within the Area.

8.8 Procedures following jail break or prisoner escape

- 8.8.1 It shall be the responsibility of the entire cell staff at all times to exercise vigilance in preventing escape.
- 8.8.2 In the event a prisoner escapes from custody (lock-ups), it shall be the responsibility of the member who has information of the escape immediately to report the matter verbally to the Sub-officer in charge of the lock-ups.
- 8.8.3 It shall be the responsibility of the Sub-officer in charge lock-ups or the station commander (where applicable) to communicate to the Custody Officer, Divisional Officer and Police Emergency Communication Centre (PECC) by police radio, telephone or other means. The following information shall be made available to the receiver:
- i. Name, age, address and occupation of prisoner;
 - ii. Type of clothing being worn by prisoner at the time;
 - iii. Personal description of the prisoner;
 - iv. Offence for which charged;
 - v. Exact location where prisoner escaped;
 - vi. Whether or not the prisoner was handcuffed.
- 8.8.4 It shall be the responsibility of the Divisional Officer to initiate action to recapture the prisoner and alert the C.I.B. staff, patrol units and mobilize resource personnel.
- 8.8.5 It shall be the responsibility of the Sub-officer in charge lock-ups or station commander (where applicable) to submit a written preliminary report through the Custody Officer to the Divisional Officer within twenty-four (24) hours for information and appropriate action.
- 8.8.6 Upon the receipt of the preliminary report the Divisional Officer shall:

- i. Instruct the Crime Officer to direct an investigation into the jail break/prisoner escape and cause the appropriate statements to be recorded and the scene to be processed by Scene of Crime Investigators.
- ii. Inform Area Officer, IPROB, SP i/c Detention and Courts and INDECOM for their appropriate action.

8.8.7 Within 24 hours of receipt of the preliminary report the Divisional Officer shall forward a written report of the jail break/prisoner escape to the Area Officer for the information of the Deputy Commissioner i/c Strategic Operations and Commissioner of Police.

8.8.8 The Crime Officer shall submit the completed investigation case file (including all statements) to the Divisional Officer within five (5) days of the jail break/prisoner escape.

8.8.9 The Divisional Officer shall submit the completed file along with his recommendation(s) to the Commissioner of Police through the Area Officer within seven (7) days of jail break/prisoner escape.

8.8.10 The Commissioner of Police shall take administrative and other actions as he/she deems necessary.

8.9 Female and Children in Custody

8.9.1 Supervision of female prisoners

The supervision of female prisoners by lock-up staff of opposite sex is a sensitive task, bearing in mind that their privacy must not be violated. To ensure a smooth lock-up supervision of female prisoners the following procedures shall apply:

8.9.1.1 It shall be the responsibility of the Sub-officer in charge Head Station and the Sub-officer in charge other stations with lock-ups facilities to ensure that at least one female attendant is detailed on each shift for lock-ups or cell duties on a daily basis to attend to female prisoners;

8.9.1.2 Whenever a female attendant is not available to work on a particular shift, the Sub-officer in charge lock-ups for that shift shall inform the senior person on duty at the station and record an entry in the Station Diary to the effect;

8.9.1.3 It shall be the responsibility of the senior person mentioned at **8.9.1.2**

to:

- i. Contact the Divisional Shift Commander to arrange for female police personnel to be temporarily assigned to the lock-ups staff to supervise female prisoners;
- ii. Instruct the Sub-officer in charge lock-ups (in case of smaller stations the Sub-Officer on duty) to supervise the female prisoner and report accordingly. An entry shall be recorded in the Station Diary as soon as practicable after such activity;
- iii. Monitor the actions of these male attendants in relation to female prisoners and ensure that they are in accordance with the rules governing lock-ups;
- iv. Visit the lock-ups himself during the shift and ascertain from the male and female prisoners if there is a complaint and if any, initiate investigation without delay.

8.9.2 Separation of Male and Female Prisoners

To ensure separation of male and female prisoners in custody, the following procedure shall be adopted:

- 8.9.2.1 Female prisoners shall be separated by sight and sound from male prisoners although both may be in the same cell block;
- 8.9.2.2 Where both male and female prisoners have to use the same bathroom facilities, the Sub-officer in charge lock-ups shall ensure:
 - i. alternate use of the facility by both sexes;
 - ii. the privacy of each sex is not violated during such activity.

8.9.3 Children in Police Custody

- 8.9.3.1 Children should not be taken in custody for petty offenses but should be cautioned or dealt with in accordance with the Child Diversion Act 2018 and sent or taken home to parents or guardians - A record of which must also be made in the Caution or Child Diversion Register kept at stations;
 - 8.9.3.2 Where a child is taken into police custody:
 - i. Child Protection and Family Services Agency (CPFSA) must be informed immediately.
 - ii. He or she must be placed before the Court within forty-eight (48) hours of being arrested. Where no appropriate Court is sitting within the specified time, members are
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reminded that they may take the child before a Parish Judge in Chambers.

- iii. Children who are remanded in custody by the court should immediately be transferred to Metcalfe Street and South Camp Road Remand Centres for children or any other facility specified by the Court. (**Appendix 1** relevant) Members must also be reminded that the Department of Correctional Service (DCS) will not admit children unless they are so remanded by the court.
- iv. Arrangements must be made to transport children to Court when so required.
- v. The police do not have the authority to charge a child for the offence of ‘Uncontrollable Child’.
- vi. Under no circumstances should children and adults be transported together or placed in the same cell or holding area whether at the court or police lock-ups.
- vii. The CPFSA and the Office of the Children Advocate (OCA) should be given weekly updates on children in police custody.

8.10 Prisoner’s Meals or Other Supplies

- 8.10.1 Meals are supplied to all prisoners in police custody three (3) times daily.
 - 8.10.2 Diets are supplied to prisoners at the rate and in accordance with orders issued by the Government from time to time.
 - 8.10.3 Diets shall not be supplied by any member of the Force or by a person connected in any way to such member.
 - 8.10.4 No intoxicating liquor shall be allowed to prisoners.
 - 8.10.5 The Divisional Officer or his nominee shall inspect diets supplied to prisoners at reasonable intervals to ensure that satisfactory meals are being provided within the cost allowed.
 - 8.10.6 Sub-officers in charge stations shall make these inspections once per week and an entry to this effect shall be made in the Station Diary.
 - 8.10.7 While breakfast, lunch and supper are normally served, no more than fourteen (14) hours shall elapse between meals, except when a different dietary regime is recommended by a Government Medical Practitioner.
 - 8.10.8 Rule 7 (4) of the Jamaica Constabulary Force Book of Rules states:
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"Whenever a prisoner is being escorted by a member over any long period of time or distance, every effort must be taken to have such prisoner supplied with his/her regular diet as though he was confined to an institution."

- 8.10.9 Before a prisoner is released from custody after serving a short term or before being sent off to prison, diet is to be ordered. Diet ordered before a prisoner is released should be served before being released.

8.11 Prisoner under the Influence of Drugs or Alcohol

There are instances where a person or persons appear to be under the influence of alcohol or other drugs and are violent or self-destructive, to such an extent that they pose a danger to the public or themselves. In such instances:

- 8.11.1 The police has power to arrest any person found to be in charge of a vehicle whilst under the influence of alcohol or drugs under Section 34 (3) of the Road Traffic Act which empowers the police to arrest without warrant any person who, when driving or attempting to drive, or when in charge of a motor vehicle on a road or other public place is under the influence of drink or drug to such an extent as to be incapable of having proper control of the vehicle.
- 8.11.2 Whenever an accused person is taken into custody by the police for driving under the influence of alcohol the police shall:
- i. charge and caution the accused in the usual manner;
 - ii. inform the accused that a medical doctor will be sent for to examine him;
 - iii. inform the accused that, if he wishes, he may have present a doctor of his own choice and he should be asked to give the name of a doctor who would come;
 - iv. summon the medical doctor mentioned in paragraph (ii) above, who should proceed to examine the accused, unless he objects. This examination need not be delayed until the medical doctor mentioned in paragraph (iii) arrives;
 - v. Take into consideration that:
 - a. If the accused refuses to be examined by the police medical doctor, he should not be forced;
 - b. The medical doctor may, however, persuade the accused person to consent to an examination;
 - c. Where the medical doctor summoned by the police proposes to do anything of a drastic nature to the accused, e.g. administering an injection, taking the accused's blood or urine for determining the alcohol contents, during the course of his examination, this should not be done without the specific consent of the accused;
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- d. If the accused objects to being examined, the medical doctor may nevertheless observe him (without actually touching him) and give evidence of what he is able to find.

- 8.11.3 When a person other than a motorist is under the influence of alcohol or drugs, is self-destructive and endangering the public, the police may take such person in custody;
- 8.11.4 In handling such person the police shall be courteous, using patience and good judgement at all times;
- 8.11.5 No person (at **8.11.3**) shall be placed in a cell with other prisoners. Where there is a temporary holding facility separate and apart from the cell block, such person or persons shall be placed therein under close supervision of the cell staff and/or Guard Room Personnel;
- 8.11.6 Where a person is arrested (at **8.11.2**) and has to be placed in a cell, the police shall visit such prisoner once every half hour and each visit recorded in the appropriate station registers.

8.12 Guarding of Prisoners at Hospitals

In ensuring the safe custody of prisoners, a member is put at grave risk when he/she alone is detailed to guard prisoners at hospitals. If a prisoner is to be taken to the hospital or other medical facility the following shall apply:

- 8.12.1 Conduct a risk assessment around the mode of transportation, member's safety and the safety of health care staff at the medical facility, propensity for violence by the prisoner and the risk of escape, etc.
- 8.12.2 On no account must a single member, that is, Constable or District Constable be detailed to guard prisoners at hospitals etc., irrespective of the risk classification.
- 8.12.3 Whenever a prisoner is hospitalized under police guard, not less than two (2) persons shall be detailed to guard that prisoner.
- 8.12.4 Where the prisoner is classified as 'high risk', the police guard should be strengthened and kept under constant review.

8.13 Private Medical Attention

In keeping with the Constitution of Jamaica and international conventions

governing the interrogation and detention of prisoners, un-convicted prisoners which include persons awaiting trial, detained or remanded in custody are presumed innocent and shall be allowed to be visited and treated by their medical doctor or dentist if there is reasonable ground for the application and the prisoner is able to pay the expense incurred. Where a prisoner in custody requires private medical attention the following procedure shall apply to ensure that the security of the lock-up is not compromised:

- 8.13.1 The Custody Officer in each division or the sub-officer in charge lock-up or the station guard as the case may be shall be responsible to ensure that all requests for private medical treatment are properly assessed to determine if they are reasonable
- 8.13.2 If found reasonable, the name and business address of the medical practitioner must be submitted immediately to National Intelligence Bureau or Divisional Intelligence Unit (NIB/DIU) for security vetting and risk analysis.
- 8.13.3 If the medical practitioner is authentic and no security risk is identified, the necessary arrangement must be made forthwith with the medical practitioner for the visit and treatment.
- 8.13.4 The medical examination/treatment shall be conducted at a safe facility at the station under the supervision of the police.
- 8.13.5 The medical practitioner shall be searched before entering the facility designated for the examination/treatment and then escorted to and from the facility by a member of the cell staff.
- 8.13.6 It shall be the responsibility of the medical practitioner to make available all drugs prescribed by him/her for the prisoner.
- 8.13.7 The sub-officer i/c lock-up or station shall make the appropriate entries in the Station Diary/Cell Diary to include the following:
 - i. The name of the prisoner who made the request
 - ii. The date and time of the request
 - iii. If denied, the reason for the denial
 - iv. Name and business address of the medical practitioner
 - v. The date and time of treatment
 - vi. Time of arrival and departure of the medical practitioner
 - vii. Whether medication was prescribed and if so the name of drug
- 8.13.8 Make appropriate entries in the Prisoner Medical Journal which must be signed by the medical practitioner.

- 8.13.9 Notwithstanding this policy, all medical emergencies involving prisoners shall be referred to the nearest public hospital/health centre without delay.

8.14 Attorney's Visits to Prisoner

Prisoners have a right to legal representation, hence the Custody Officer or Sub-Officer in charge Lock-ups should ensure that the prisoner's legal representative is allowed to visit his/her client. The following procedure shall apply:

- 8.14.1. A secure room should be identified to facilitate the visit between the Attorney and the prisoner.
- 8.14.2. The prisoner should be searched before being allowed into the secure room with the Attorney.
- 8.14.3 Once in the room, the prisoner must be in the view but not in the hearing of the police at all times during the visit.
- 8.14.4 Once the visit is over, the prisoner should again be searched before being returned to the cell at the Lock-up

8.15 Prisoner's Court Appearance

The fundamental rights and freedoms of an individual are of paramount importance in any democratic society. It shall be necessary therefore, to establish a procedure to ensure the timely court appearance of any person arrested and ensure the constitutional rights of such person. To facilitate the timely court appearance of any person arrested, the following procedure shall be adopted:

- 8.15.1 Where a person is arrested and charged with a crime or other breach of the peace, the investigator shall carry out his/her investigation accurately and intelligently in the highest traditions of the Force in accordance with the principles of the Constitution and Laws of Jamaica and ensure the appearance of such person before a court of Law as soon as practicable;
- 8.15.2 Section 16(2) of the Constitution of Jamaica requires that an accused shall be given a fair hearing within a reasonable time by an independent and impartial court established by law;
- 8.15.3 To prevent undue delay in compliance with Section 16(2) of the Constitution, an investigator shall promptly prepare his/her case, have same vetted by a senior Sub-officer and thereafter submitted to the court for the initiation of the legal process;
- 8.15.4 Where any person is arrested and charged by the police under

Section 5(a) of the Unlawful Possession of Property Act the police shall take such person before a Parish Judge sitting in court along with anything found in his possession or under his control;

- 8.15.5 Section 5(b) of the Unlawful Possession of Property Act states: "If the Parish Judge is not sitting in court within forty-eight (48) hours after the arrest, the arresting officer or authorized person shall take the accused before a Justice of the Peace who may grant bail or remand in custody to appear at the earliest convenient date before a Parish Judge sitting in court."

9.0 Legislative Authority/Guiding Principles

This policy and standard operating procedure on lock-up administration shall be read in conjunction with the following:

- 9.1 [The Jamaica \(Constitution\) Order in Council, 1962](#)
- 9.2 [The Corrections Act, 1985](#)
- 9.3 [The Child Care and Protection Act, 2004](#)
- 9.4 [The Child Diversion Act, 2018](#)
- 9.5 [The Bail Act, 2000](#)
- 9.6 [INDECOM Act, 2010](#)
- 9.7 [The Road Traffic Act, 2018](#)
- 9.8 [The Prisons \(Lock-Ups\) Regulations, 1980](#)
- 9.9 [The Jamaica Constabulary Force Book of Rules](#)
- 9.10 Chapter 41 of Standing Orders
- 9.11 [Extract from the International Convention Governing Interrogations and Detention of Prisoners, \(Geneva 1955\)](#)
- 9.12 Arrangements to provide services to children in police custody

10.0 Relevant Records and Forms

The following registers must be used as appropriate:

- 10.1 Station Diary
- 10.2 Cell Diary
- 10.3 Prisoner's in Custody Register
- 10.4 Prisoner's Charge and Property book
- 10.5 Prisoner Medical Journal
- 10.6 Visitor's Register

11.0 Roles and Functions

The following summarizes specific roles and functions:

11.1 Divisional Commander/Officer

- 11.1.1 The Divisional Commander/Officer is accountable to the Area Officer for the overall management of the various police stations, units, lock-up facilities and the delivery of police service throughout the division.
- 11.1.2 Conduct periodic inspection to ensure that the lock-up facilities are structurally secure and where there are weaknesses, take steps to ensure corrective measures are taken, and give directives that they are not used until rendered safe.
- 11.1.3 Conduct risk assessment pertaining to internal and external security arrangement and make necessary request for the installation of close circuit monitoring system where none exist.
- 11.1.4 Ensure that all staff, especially those with direct responsibility for the safe custody of prisoners are trained and lectured on the Lock-Ups Administration Policy and procedures and related policies dealing with Bail, Use of Force and Human Rights.
- 11.1.5 Ensure that all lock-ups/cells within his/her command are physically inspected at least once in every twenty-four **(24) hours** and a record made in the Station Diary as to the physical condition of prisoners and the structure of the lock-ups/cells.

11.2. Administrative Officer

The Administrative Officer in the division is accountable to the Divisional Commander/Officer to:

- 11.2.1 Supervise Lock-Ups, Courts and Process in the division.
- 11.2.2. Ensure that adequate personnel are detailed at all times to man all lock-up facilities throughout the division.
- 11.2.3. Monitor the Prisoners in Custody Register, the Prisoners' Charge and Property book and other records pertaining to prisoners in the police custody within the division.
- 11.2.4. Ensure that prisoners in custody are properly remanded, or are not denied bail if they can be bailed, and that those convicted are dispatched to the

respective Adult Correctional facility on a timely basis.

11.2.5. Ensure that the Lock-up Administration Policy and Procedures are strictly complied with.

11.3 Custody, Detention and Courts Officer (Custody Officer)

The Custody, Detention and Courts Officer in the division are accountable to the Divisional Administrative Officer and shall ensure that:

- 11.3.1 They are conversant with all the laws, rules and regulations governing the treatment, procedure and handling of prisoners.
 - 11.3.2 persons taken into custody are properly received, detained and supervised to safeguard their human rights.
 - 11.3.3 persons taken into police custody are lawfully arrested/detained by interviewing such person(s) in the presence of the arresting officer.
 - 11.3.4 arrested persons are released on bail when appropriate and to complete relevant forms.
 - 11.3.5 arrested persons are aware of their rights and take appropriate action to notify legal representative.
 - 11.3.6 the relevant station and custody records relating to the arrest/detention are completed and maintained.
 - 11.3.7 when non-Jamaican citizens are arrested/detained, the appropriate authorities are notified.
 - 11.3.8 when persons request that relatives or other persons be notified of their arrest/detention, appropriate action is taken to do so, unless operational reasons preclude this.
 - 11.3.9 detained/arrested persons are facilitated visits.
 - 11.3.10 arrested/detained persons receive regular meals.
 - 11.3.11 arrested/detained persons do not escape.
 - 11.3.12 medical attention is given to prisoners when required.
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- 11.3.13 the highest possible hygiene and health conditions in cells, holding areas and surroundings are maintained.
- 11.3.14 where prisoners are removed from cells or holding areas for interview, attendance at Court, etc., they are properly escorted and records made.
- 11.3.15 prisoners attending Court are properly fed and clothed prior to departure.
- 11.3.16 adequate arrangements are made for the transfer of prisoners to other penal or correctional institutions.
- 11.3.17 children taken into custody are dealt with in accordance with the provisions of the Child Care and Protection Act.
- 11.3.18 prisoners' records are reviewed daily and all irregularities are reported immediately to senior officers.
- 11.3.19 bail bonds, warrants or other required documents accompany the prisoner to Court.
- 11.3.20 gaol Delivery is prepared for each sitting of the Circuit Court.
- 11.3.21 lay Visitors are assisted during their formal visits to police station.
- 11.3.22 direct, supervise, monitor, develops and train police staff with respect to Custody Officer's duties.

11.4 Station Officers/Sub-Officers in-charge Stations/Lock-ups

He/she is the chief jailor for that facility under his command, and is accountable to the Custody Officer, Administrative Officer and the Divisional Officer.
He/she shall have the following responsibilities:

- 11.4.1 ensure that all cells are searched before admitting prisoners.
- 11.4.2 ensure that all prisoners are thoroughly searched before admitting to lockups.

- 11.4.3 ensure all articles of clothing, food, letters etc. taken to lockups by families, relations, friends of prisoners in custody are searched.
- 11.4.4 ensure all entrances and access ways to cells are kept clear of rubble, loose tools, sticks, metal bars and any other offensive or potentially offensive weapons.
- 11.4.5. retain safe custody of all cell keys for entrances and exits to the lockups
- 11.4.6 deploy staff at all times to ensure that physical control is exercised over prisoners in custody i.e. they are seen and observed during each tour of duty.
- 11.4.7 cells are kept locked at all times except when prisoners have to be taken out for feeding, ablutions, transportation etc.
- 11.4.8 frequent rotation of prisoners in cells is done.
- 11.4.9 ensure cells are opened only when adequate man power is available and they are properly equipped with batons; **(NO FIREARMS MUST BE TAKEN INTO CELLS)**
- 11.4.10 frequent visits are made to the cells and all prisoners observed to be in custody and in apparent good health; and all such visits to be recorded in the appropriate register.
- 11.4.11 ensure that appropriate diets are ordered and recorded for all prisoners and they are fed on time.
- 11.4.12 personnel in charge lock-ups are charged with the responsibility for the cleanliness and security of the cells, and the safety of all prisoners in custody.

APPENDIX 1 -ARRANGEMENTS TO PROVIDE SERVICES TO CHILDREN IN POLICE CUSTODY

The Metcalfe Street was established as a remand centre for boys which houses children in police lock-ups island-wide. A programme was developed to provide medical, psycho-social and other basic services to these children.

Phase I

Two (2) Nurse Practitioners and coordinator (Nurse/Social Worker) will administer two screening tools to the children to capture medical and mental health data. The nurses are required to make appropriate referrals for treatment. The nurses will come to the Police lock-ups to carry out the exercise.

Phase 2

Based on the referrals made the children will be taken to the health centres/hospitals for treatment (medical, psychiatric assessment, psycho-social assessment). At this stage special arrangement will be made with the Ministry of Health to have the children attended to in the health centres/hospitals.

Phase 3

The services referred to in phase I and II will be established at Metcalfe Street so there will be no need to have the children access medical services externally except in cases where hospitalization is required. Requirements of the Jamaica Constabulary Force to facilitate the successful completion of the project:

1. To allow the Nurses and Coordinator access to police lock ups where the children are located at mutually agreed times.
2. To ensure the safety and security of the Nurses and Coordinator while they are attending to the children.
3. To submit a list of Administrative/Court Officer and telephone contacts to the Ministry of National Security for distribution to the Nurses and Coordinators.