



GUIDANCE FOR EXTERNAL AGENCIES ATTENDING POLICE SCOTLAND ESTATE TO SUPPORT INTERVIEWS OF ARRESTED PERSONS DURING CORONAVIRUS PANDEMIC

Interviewing of Arrested Persons during Coronavirus Pandemic.

The decision to undertake an interview, especially if COVID-19 symptoms are displayed or disclosed, should be made by the Officer in Charge (OIC) of the case.

If an interview is to proceed, a policy should be documented, to include a risk assessment, extending to the risks and control measures for solicitor consultations and as to how the interview itself will be conducted.

Police interviews with Arrested Persons

Government advice on social distancing will affect police interviews with arrested persons and all reasonable steps will be taken to protect visitors to the custody suite from infection with COVID-19. The structure and location of the interview is a decision for the OIC.

The primary consideration will be whether, in the circumstances, the interview is necessary and proportionate. The decision will be made by the OIC and will take cognisance of all information, such as, but not limited to:

- The health of all interview participants including the arrested person and medical advice should be sought where appropriate
- The gravity of the offence
- The evidence/information already available
- The conduct and health of the arrested person and medical advice will be sought where appropriate
- Any exculpatory information or line of defence which could be provided by the arrested person
- Whether other services are required, such as Appropriate Adult (AA) and/or Interpreting Services. If required, arrested persons will NOT be interviewed out with the presence of same
- The availability and access to a room/area large enough for allow for social distancing

Full PPE equipment will be worn by police officers who have direct contact with arrested persons who are confirmed as, or suspected as having COVID-19.

It is the responsibility and duty of employers of non- police personnel attending such interviews to provide them with suitable and sufficient PPE to allow them to carry out their role.

Video Conference Capability Scoping/Remote Audio Monitoring

Police Scotland are at this time assessing the possibility to move towards a bespoke video conference capability which would permit external/remote secure access for interviews with persons arrested. This however is not in place at this time. The use of any existing facilities

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for remote audio monitoring may however be considered for use. In some circumstances, it may be possible to facilitate an interview with a legal representative via audio link. In these circumstances, and where all parties agree, the informed consent of the arrested individual should be obtained (in the presence of an AA if required) and endorsed. Where an interview proceeds with any party via audio link this interview should be visually recorded by police.

Legal advice for suspect persons will continue to take place, wherever possible, by telephone. Secure interview rooms equipped with screens should be utilised for consultations and interviews where appropriate, where social distancing can be maintained.

Police Scotland

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