



Opening Hours

Monday to Friday
9.00am - 8.00pm

Saturday and Sunday
10.00am - 3.00pm

Custody

My family member/partner has been remanded in custody. What does this mean?

When a person is remanded in custody it means that they will be detained in a prison until a later date when a trial or sentencing hearing will take place. The majority of prisoners held on remand have not been convicted of a criminal offence and are awaiting trial following a not guilty plea.

If a person is convicted and remanded into custody until a sentencing hearing this is known as 'Judges Remand'. A prisoner subject to 'Judges Remand' is no longer entitled to the privileges available to unconvicted individuals and is treated as a sentenced prisoner.

Why has my family member/partner been remanded into custody?

The reasons a prisoner may be held in custody leading up to a trial vary. The prosecution can indicate one or more of the following as reasons a person should not be released on bail:

- The individual has previous convictions for similar offences.
- There is reason to believe that the individual may fail to turn up at the trial otherwise known as abscond.
- There is reason to believe that the individual may interfere with witnesses.
- There are reasonable grounds to believe an individual would commit further offences before their trial.

However, the Bail Act of 1976 intends that unless one or more of the reasons outlined above can be demonstrated by the prosecution, then the individual in question should be remanded on bail, meaning they are free to leave the court but must attend on the next occasion. This is called the 'presumption in favour of bail'.

The bail may be 'unconditional' or may come with a set of conditions such as residence at a particular address. This is known as 'conditional bail' and aims to allay any fears raised by the prosecution by putting in place measures that combat the reasons put forward for refusing bail.

In serious cases where an individual has been charged with murder, attempted murder, manslaughter, rape or attempted rape there is no presumption in favour of bail and the individual will automatically be remanded into custody.

If my family member/partner is taken into custody can I visit them at court after the hearing?

Unfortunately it is not possible once a hearing is complete, and an individual has been remanded into custody or sentenced, for relatives or partners to have contact with their loved one. In the time immediately after the hearing the individual who has been remanded or sentenced will be taken back to the cells in the court building and from there will be transferred to a local prison establishment. It is often the case at court that not even solicitors are allowed to visit the prisoner directly after a hearing.

So where will my family member/partner be taken if they are remanded into custody or sentenced?

The answer to this question will depend on the area of the country the case is being heard in and the specific court at which the hearing has taken place. In most cases a court will allocate prisoners to a prison in the local area. There are normally specific prisons that support specific courts. The solicitor handling the case should be able to tell you the name of the prison to which your loved one has been taken.

However it may be that on some occasions the local prison is full or that the situation of the prisoner requires they be sent to a specific institution that may be a bit further away. For example, female prisoners from across the North West will, in the main, be taken to HMP Styal in Cheshire as it is the only female institution in the area.

When will I be able to visit my family member/partner after the hearing?

Once a prisoner has been taken back to the court cells it usually takes a bit of time before they are transferred from the court to a local prison. On arrival at the prison they will then be interviewed and logged onto the prison system. It is only possible to book a visit once this process is complete and it may be the following day before a prisoner's details appear on the computer system.

Consequently it is unlikely that you will be able to book a visit for the same day. However it should be possible, with the exception of cases falling just prior to a weekend, to book a visit within 48 hours of a court appearance.

What happens when they arrive at prison?

When a prisoner first arrives at prison they go through an induction process known as 'reception'. The reception procedure ensures a prisoner has everything they need and identifies any issues such as medical conditions that may require medication, or mental health issues that may need to be addressed.

The first thing to occur is the listing of a prisoner's property. A prisoner will be allowed to

keep certain items with them but anything else is labelled and stored for safe-keeping. Any items stored by the prison should be returned on release.

Once this is complete a prisoner is then allowed to take a shower and will be allocated their prison number.

The prisoner will then be interviewed by a member of the healthcare team who will assess the prisoner's wellbeing to ensure they receive the proper care they require whilst in prison. This includes finding out what medication they are currently taking and ensuring where necessary they receive any immediate treatment. The information provided by the prisoner is treated as confidential.

The healthcare assessment is followed by a reception interview conducted by a prison officer or member of the probation service. During the interview the officer talks through the basic procedures, addressing any questions a prisoner might have and identifying any further issues. A 'personal' or 'group' officer is assigned to the prisoner who is their first point of contact should they require any additional advice or support or if they need to make a complaint.

The final stage of a prisoner's reception involves an induction presentation which focus's on informing the prisoner about the way the prison works, the services available to them and the responsibilities that each prisoner must undertake to fulfill.



What are the differences between prisoners on remand and sentenced prisoners?

A prisoner on remand is treated according to the principle that a person is innocent until proven guilty. Accordingly they receive greater entitlement to privileges such as visits and money and the regime differs. In general prisoners on remand are held separately to convicted prisoners although due to space constraints it may be necessary at times for an unconvicted prisoner to share a cell with a sentenced prisoner.

How do I find a family member/relative I think is in prison?

If your relative has just been taken into custody then their solicitor may be able to advise you as to which prison they will be taken. If you are not present at court then you may be able to telephone the court and ask to speak to the cells who may advise you.

If you wish to trace someone who you believe is in prison custody, who may have been there for more than a few days, but whose exact whereabouts you do not know, the Prisoner Location Service can help you. The Prisoner Location Service cannot tell you where a prisoner is being held without their permission. After your initial enquiry, your details will be passed to the prisoner and permission sought to inform you of their location. If the prisoner does not want the person making the enquiry to know where they are being held then they can refuse permission.

To contact the **Prisoner Location Service** you should send a letter or an email to:

Prisoner Location Service
PO Box 2152
Birmingham
B15 1SD

Email:
prisoner.location.service@noms.gsi.gov.uk

The enquiry should include the following information:

- Your full name
- Your date of birth
- Your full address including postcode
- Reason for enquiry
- Full name of the person you want to contact
- Any other name/s by which they may have been known
- His/her date of birth

I know the name of the prison which my family member/partner is in but how do I find out the address and visiting times?

For more detailed information about specific prisons in England and Wales including:

- Address
- Booking line telephone number
- Public transport information and travel directions
- Visiting times
- Prison regime and category

Visit the Justice website at:

www.justice.gov.uk

