

**VOLUNTEERS**  
**CUSTODY SUITES**  
**VOLUNTEERS** CHECKING ENTITLEMENT  
**INDEPENDENT**  
**DETENTION REPORTING**  
OBSERVING AND EVALUATING  
**HUMAN RIGHTS** CUSTODY SUITES  
WELLBEING INDEPENDENT  
**HEALTH** INDEPENDENT  
**HEALTH** CUSTODY MONITORING  
**CHECKING SUITES VOLUNTEERS**  
**ENTITLEMENTS** CONDITIONS  
INSPECTING FACILITIES  
**WELFARE** HUMAN RIGHTS  
HEALTH WELFARE  
OBSERVING AND EVALUATING  
**VISITING**  
**INDEPENDENT**  
**MONITORING** INSPECTIN  
JMAN RIGHTS VOLUNTEERS FACILITY  
WELFARE  
**WELLBEING**

**ANNUAL  
CUSTODY  
VISITORS  
REPORT**

**APRIL 2020 -  
MARCH 2021**

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## 1. INTRODUCTION

Independent Custody Visitors (ICVs) are impartial volunteers from the community who make unannounced visits to police custody suites to check on the rights, health and wellbeing, and conditions of detention of people being held in custody by inspecting facilities, speaking to detainees and checking custody records. From these visits any issues or concerns are brought to the attention of the Board and PSNI for addressing. Custody Visiting is an essential role to assist the Board in delivering effective independent oversight of policing and helps us ensure the PSNI meet their human rights responsibilities.

At the time of preparing this report there are 30 ICVs with a mixed composition of gender, age and community background based in 3 Custody Visiting Teams regionally across Northern Ireland, namely; the North West; the South East; and Tyrone Fermanagh, referred to throughout the report as TyFer.

## 2. DEFINITIONS

The majority of visits carried out by ICVs will be to detainees held under the Police and Criminal Evidence Act (1984), known as a **PACE** arrest. ICVs are also required to visit the Serious Crime Suite in Musgrave Police Station and visit those detained under the Terrorism Act (2000) known as **TACT** detainees.

Custody visits are categorised by two types, namely; **Valid** and **Invalid**. A Valid visit is where ICVs gain entry to a custody suite and carry out a visit. An Invalid visit is where ICVs are unable to gain entry to a custody suite to carry out a visit for an identified reason.

Where a **Valid** visit takes place, there can be one of two potential outcomes, namely;

- A **Satisfactory** Visit - defined as a visit where no issue(s) within the suite are identified either by the ICVs or raised by the detained person in custody – in this situation no PSNI response or action is required; and
- An **Unsatisfactory** visit - defined as a visit where issue(s) within the suite have been identified by the ICVs and/or raised by the detained person – in this situation a PSNI response is required to advise of action(s) taken to either explain or resolve the issue(s).

### 3. OVERVIEW OF ANNUAL PERFORMANCE

This Annual Report is for the period April 2020 - March 2021 and highlights the statistical information available in relation to the Custody Visiting Scheme. It includes figures in relation to all visits, including those defined above. The report also provides information in relation to detainees in custody, the review of custody records and provides a breakdown of those detained in the Serious Crime Suite (SCS) at Musgrave Street Station.

#### KEY FACTS

- PSNI advised that **24,872** detained persons were processed through custody during the period April 2020 to March 2021 with a total of **1,160** detainees at the time of the ICV visits;
- There were a total of **438** visits made by ICVs between April 2020 – March 2021;
- **19** visits (4%) were not completed (invalid), thus there were **419 valid visits**; **9** of the valid visits were classified as unsatisfactory (2%) with **410** classified as satisfactory (98%);
- The North West (NW) team recorded the highest level of satisfaction at 100%; and
- The highest level of unsatisfactory visits was captured by the Tyfer team at 8%.

#### OVERALL VISITS ANALYSIS

- The length of visits ranged from 10 minutes to 1 hour 35 minutes, with the average length of time spent on a visit being 32 minutes;
- The highest number of visits were made on a Wednesday (20%);
- In comparison to 2019 - 2020 there has been an 8% reduction in unsatisfactory visits;
- The highest number of visits were made between noon and 3pm (30%); and
- There were 8 occasions when ICVs were delayed for more than 10 minutes when gaining entry to a custody suite, with these delays being between 11 and 39 minutes.

#### DETAINEES

- At the time of ICV visits, a total of 1,160 detainees were in custody and ICVs interviewed 541 (47%) detainees, a small increase from the 2019 - 2020 uptake rate of 482 detainees (42%);
- The most common reasons for detainees not being seen was 'asleep' (58%);

- The overall refusal rate for April 2020 - March 2021 was 2% which is 1% less than that recorded in the previous year's report; and
- During the visits 74% (864) of Custody Records were inspected to check on the rights, health and wellbeing of detainees and conditions of detention which is an increase from 2019 – 2020 (814).

## **TACT VISITS ANALYSIS**

- There were 40 visits made to detainees held under the Terrorism Act 2000 (TACT), 3 visits were **invalid**, which resulted in 37 **valid** TACT visits;
- There were 57 detainees held during this period, compared to 64 in the previous year, ICVs saw 24 (42%) detainees, compared to 15 (23%) in the previous year;
- 25 detainees gave permission for their Custody Records to be checked by ICVs meaning that 44% of Custody Records were checked compared to 27% in the previous year; and
- 0 TACT visits were classified as unsatisfactory, compared to 31% (15) TACT visits classified as unsatisfactory in the previous year.

## 4. KEY ACHIEVEMENTS

In addition to the statistics, a number of key developments occurred during the year:

### OUTCOMES

The ICV Scheme Manager liaised with Mr Johnathan Hall, the Independent Reviewer of Terrorism Legislation (IRTL) and Mr John Wadham, the Board's Human Rights Adviser (HRA) on completing a review of the processes involved in providing oversight of how detainees are treated by PSNI in the Serious Crime Suite (SCS) for those arrested under the Terrorism Act 2000 (TACT). This was based on recommendations from the IRTL and in conjunction with the Board's HRA. A review has been underway by the Scheme Manager to consider suggested changes to the way in which ICVs gather information, however, the ongoing COVID restrictions have impacted the progress of this piece of work. In addition, a review of the processes for visits made to Detainees who have been arrested under PACE is also taking place with the HRA. It is hoped that the results of this review will be finalised by June 2021.

### CORONAVIRUS

On 19<sup>th</sup> March 2020, the Board took the decision to suspend the Custody Visiting Scheme due to the enforced lockdown in place as a result of the COVID crisis. This decision took into consideration the safety of ICVs, detainees and custody staff; the essential oversight the Scheme provides; and the request of the Chief Constable to reduce immediate pressures in Custody at an extremely challenging time. As expected, and due to this suspension, this report shows an overall decrease in the number of visits in comparison to previous years.

Throughout the suspension of the ICV Scheme, Board Officials had ongoing, frequent collaboration with Stakeholders including the Independent Custody Visiting Association (ICVA), the National Preventative Mechanism (NPM), the National Experts Forum (NEF) and the Terrorism Network via video conferencing and emails. Board Officials were also in weekly contact with the PSNI to obtain information and provide remote monitoring to allow for any key concerns to be raised and actions to be taken where required.

Following assurances from the PSNI that ICV's would have full access to PPE in order to mitigate the risk of spreading the infection within Custody Suites it was agreed at the Board meeting in May 2020 to reinstate the Scheme and face to face visits recommenced on 7<sup>th</sup> May 2020.

Upon commencing face to face visits ICV's came into contact with detainees who were being held in custody to attend 'virtual' courts. Guidance from the ICVA was issued to ICV's to allow them to do so.

## **TRAINING AND RECOGNITION**

Due to the restrictions, the Board were unable to hold the Annual Volunteer Conference in the traditional way to acknowledge the work of the volunteers. However a virtual event was held in June 2020 which was hosted by the Board Chair and the Partnership Director to coincide with National Volunteers Week.

To ensure ICVs remain confident and capable in their roles, the Board aims to deliver 2 training sessions each year. Despite the limitations on training and recognition events, due to the restrictions, ICVs took part in virtual focus groups to help inform the Board's 'Thematic Review of the Policing Response to Covid-19, attended online resilience training sessions during July/August 2020 and Mental Health Awareness training during March 2021. In addition, guidance was also provided to all ICVs on how to speak with those detainees in custody who were being held for Virtual Remand Hearings.

The Scheme Administrator and an ICV from the North West team also attended the Police College on three occasions during the year to provide training to new Custody Sergeants on the ICV Scheme. This provides an opportunity for Custody Sergeants to be made aware of the purpose of the ICV scheme and have an understanding of the role.

## **INVESTING IN VOLUNTEERS AWARD**

In June 2020, the Board entered into the process of assessment for re-accreditation of the Investing in Volunteers (IiV) quality standard through Volunteer Now (NI) who locally manage the Standard in Northern Ireland.



liV is the UK quality standard for excellence in volunteer management for all organisations which involve volunteers in their work; and provides the framework for high quality volunteering from the perspective of both the Volunteer and the organisation.

The Standard, which consists of 9 quality areas, enables organisations to comprehensively review their volunteer management, ensure meaningful volunteering and also publicly demonstrates their commitment to volunteering. Following the process of assessment the Board was re-accredited with the liV in October 2020.

### **ICV HANDBOOK REVIEW**

A detailed review of the ICV Handbook took place in 2020/21 in preparation for the Induction of the newly appointed ICVs. The review, which was completed in conjunction with team leaders, ICVs, the PSNI and ICVA, looked at sections relating to recruitment, selection and training of ICVs, arrangements and information on support for ICVs, the ICV Code of Practice and the specific arrangements for TACT visits. It also provided an opportunity to review and update practical information for ICVs such as dealing with complaints, administration responsibilities and the performance review process.

### **RECRUITMENT**

During the reporting year, the Board conducted a successful Recruitment Campaign which resulted in 13 new ICVs being recruited into the Scheme. Whilst this is very positive in relation to bringing new ideas and enthusiasm into the teams, a number of very experienced and well respected volunteers came to the end of their tenure which has been challenging. Induction training was provided to the 13 new ICVs and they formally commenced their role in October 2020 and will be shadowed by a mentor for their initial 6 months and beyond if required.

### **EXTERNAL ENGAGEMENT**

The Board engages and reports information provided by ICVs to the following key stakeholders aligned to Custody Visiting:

- The Independent Custody Visiting Association (ICVA) who promote and support the effective provision of Custody Visiting in police forces in the UK;

- The National Expert Forum (NEF) which brings together ICV Scheme Managers from all regions to share good practice and networking;
- The Terrorism Act (TACT) Network which shares practice, learning and expertise, and discusses contemporary issues on TACT custody visiting, most notably for the Independent Reviewer of Terrorism Legislation (IRTL). We continue to share reports with the IRTL from our visits to the SCS and there have been no serious issues of concern raised in this reporting year; and
- The UK National Preventive Mechanism (NPM) who strengthen the protection of people in detention through independent monitoring and adherence to Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) in order to prevent torture and other ill-treatment, as required by OPCAT.

## **CUSTODY PATHFINDER PROGRAMME**

Following a number of drivers for change, including recommendations arising from the Criminal Justice Inspectorate (NI) CJINI 2016 inspection report; *Police Custody in Northern Ireland* and the Regulation and Quality Improvement Authority (RQIA), the PSNI is working collaboratively on a transformational project with the Department of Health (DoH), the Department of Justice (DoJ), the Public Health Agency (PHA) and the Health and Social Care Trusts (HSCTs). This aims to deliver a person centred, fit for purpose custody healthcare model, delivered by an HSCT, including appropriate management of medications and referral pathways from custody, for people with addictions to alcohol/drugs and/or mental ill health.

A nurse-led “pathfinder” programme, delivered by Belfast Health and Social Care Trust has been in place in Musgrave custody suite since October 2018. In Belfast, Custody Nurse Practitioners (CNPs), employed by BHSCT, carry out mental health screening, assessment, signposting and brief motivational intervention, of all detainees referred to them, CNPs may refer more complex cases to the Mental Health Practitioner.

There have been a number of barriers to rolling out this service across the police custody estate, including the impact of COVID 19. Currently BHSCT is recruiting nursing staff, for planned outreach to Antrim in summer 2021, the planned end date for rollout of this service is spring 2022.

ICVs have actively participated in developing the review methodology and been involved as a key stakeholder on the group

## 5. ANALYSIS OF DATA

This section outlines the data collected on the Custody Visiting Scheme. Information is predominantly presented in table format and covers the three (3) main areas of treatment, effectiveness and the Serious Crime Suite.

### PACE AND TACT VISITS

As previously noted, the majority of detainees visited by ICVs are held under the Police and Criminal Evidence Act (1984) known as a PACE arrest. However, ICVs are also required to visit the Serious Crime Suite in Musgrave Police Station and visit detainees arrested under the Terrorism Act (2000) known as a TACT detainee.

As highlighted in table 1 below, ICVs carried out a total of 438 visits during the reporting year. 19 visits were not completed so deemed invalid, hence there were 419 valid visits. These include 40 detainees held under TACT. Table 2 which follows shows the breakdown of the 19 invalid visits across stations with table 3 highlighting the reasons for the visit being deemed invalid.

**TABLE 1**  
Breakdown of Valid/Invalid Visits by Team

Team	Total Visits	Invalid Visits	% of Invalid Visits
SE	228	14	6
NW	123	2	2
TyFer	87	3	3
<b>TOTAL VISITS</b>	<b>438</b>	<b>19</b>	<b>4</b>

**TABLE 2**  
Breakdown of **Invalid** Visits by Station

Team	Station	Invalid Visits
<b>SE</b>	Musgrave	2
	Antrim	2
	Banbridge	1
	Lurgan	6
	Musgrave SCS Unannounced	0
	Musgrave SCS Announced	3
	<b>Sub-total</b>	<b>14</b>
<b>NW</b>	Coleraine	0
	Strand Road	2
	Strabane	0
	<b>Sub-total</b>	<b>2</b>
<b>TyFer</b>	Dungannon	1
	Enniskillen	0
	Omagh	2
	<b>Sub-total</b>	<b>3</b>
<b>TOTAL INVALID VISITS: 19</b>		

**TABLE 3**  
Reasons for **Invalid** Visits

Date	Custody Suite	Reason
25 May 2020	Musgrave SCS Unannounced	Enquiries phoned custody to advise we had arrived. Custody phoned back to advise that they were moving Covid DPs in Block D, so we had to wait for area to be cleared.
05 June 2020	Musgrave SCS	No staff available to escort us
07 Aug 2020	Dungannon	Custody Sgt Allison came to reception at 10:03am to advise us that he has a DP in custody with Covid symptoms and he will be closing custody for a couple of hours to contain the situation. We were unable to enter the custody suite
12 Aug 2020	Omagh	Closed - work ongoing in custody suite
06 Sep 2020	Lurgan	Suspected Covid on site. Aborted visit
23 Sep 2020	Musgrave	Suite busy. No one came

Date	Custody Suite	Reason
26 Sep 2020	Lurgan	Abandoned due to Covid scare
29 Sep 2020	Lurgan	Suite closed for maintenance
20 Oct 2020	Musgrave SCS Unannounced	No reason given
29 Oct 2020	Omagh	Custody suite closed
04 Nov 2020	Musgrave	Partner didn't show
01 Dec 2020	Antrim	Didn't gain access after 15 minutes. Security rang several times - no reply
06 Dec 2020	Lurgan	No reason given
09 Jan 2021	Strand Road	Closed for deep clean re suspected Covid DP
16 Jan 2021	Lurgan	Waited 12 minutes. Constable went down to check and they said it was extremely busy
06 Feb 2021	Strand Road	No reason given
14 Feb 2021	Banbridge	Suite closed due to Covid positive
27 Feb 2021	Lurgan	Outside lift not working.
03 Mar 2021	Antrim	Waited 10 minutes. No access
<b>TOTAL VISITS NOT CARRIED OUT: 19</b>		

As highlighted in table 4 which follows, 410 out of the 419 valid visits (98%) were classed as satisfactory, in comparison to 90% of visits in April 2019 - March 2020 which were classified as satisfactory. The North West Team recorded the highest level of satisfactory visits at 100%, with the Tyfer Team recording the highest rate of unsatisfactory visits at 8%.

## UNSATISFACTORY VISITS (Reasons for concern)

There can be a number of reasons why a valid visit can be classified as unsatisfactory, including the treatment, rights and health and wellbeing of detainees or issues with conditions of detention recorded by ICVs. Table 4 below provides a breakdown of all visits by station and team. Tables 5 and 6 which follow provide a breakdown of the reasons recorded for unsatisfactory visits relating to the treatment, rights and wellbeing of detainees and “other” relevant issues which required a response from the PSNI.

Overall unsatisfactory visits account for just 2% of visits in this reporting year, compared to 10% in the previous reporting year. This significant reduction can be attributed to a more effective method of capturing and reporting on issues raised around visits, where minor issues for e.g. a detainee requesting a drink of water via the ICVs is no longer being captured as an unsatisfactory visit as this is a minor issue that can be resolved at the time of the visit.

Some of the reasons highlighted may not affect detainees but require a response from PSNI e.g. protection of information/data.

**TABLE 4**  
Number of visits Satisfactory/Unsatisfactory by Station and Team

Team <sup>1</sup>	Station	Satisfactory Visits	Unsatisfactory Visits	Valid Visits
<b>South East (SE)</b>	Musgrave	81	1	82
	Antrim	37	1	39
	Banbridge	20	1	20
	Lurgan	36	0	36
	Musgrave SCS Unannounced	6	0	6
	Musgrave SCS Announced	31	0	31
	<b>Sub-total</b>		<b>211</b>	<b>3</b>
<b>North West (NW)</b>	Coleraine	59	0	59
	Strand Road	62	0	62
	Strabane	0	0	0
	<b>Sub-total</b>		<b>121</b>	<b>0</b>

<sup>1</sup> Totals for the SE and NW Teams appear different when compared to Table 1. This is due to the NW Team carrying out visits to Antrim when Coleraine was closed. Tables throughout this report which are broken down into stations will capture visits to Antrim against Antrim under the SE Team's section, whereas tables only depicting data against Teams will capture the Antrim visits against both the SE and NW Teams as applicable

Team	Station	Satisfactory Visits	Unsatisfactory Visits	Valid Visits
Tyrone/Fermanagh (TyFer)	Dungannon	34	2	36
	Enniskillen	0	0	0
	Omagh	44	4	48
	<b>Sub-total</b>	<b>78</b>	<b>6</b>	<b>84</b>
<b>TOTAL VALID VISITS</b>		<b>410</b>	<b>9</b>	<b>419</b>

**TABLE 5**

Unsatisfactory visits regarding the **treatment, rights and health and wellbeing** of detainees.

Team	ICV Comments	Outcomes
South East	Made allegations but on checking records all was in order. Time line was ok (not seeing doctor, drinks, food, way was handled by staff)	Area Commander - Noted
	Understood all rights and entitlements. Was happy but concerned about his diabetes eqpt. Advised if required would be given to him	Area Commander - Noted
TyFer	Informed custody officer DP wished to make complaint of ill-treatment and assault against police	A log entry was put on at 1617hrs outlining my actions in relation to the DP making a complaint. He declined for me to initiate the complaint and documentation was left in the DP's property
	Wants to make a complaint about police ill-treatment. Has been to hospital. Unable to make phone calls. No numbers provided. On meds from hospital. 3 times refused solicitor	The DP was offered the services on a number of occasions but declined and this is noted on the log. In relation to phone calls the DP did not request anyone to be informed and on the following day we were unable to find a contact number and the DP could not provide one. It was only when a family member contacted the suite that a number was available and the DP was afforded a phone call. A PONI leaflet would have been left in the DP's property and the options available explained.
North West	Force used in custody to remove clothes so he could not harm himself	Area Commander - Noted



**TABLE 6**

Relevant issues and outcomes captured as ‘Other’ - regarding the **conditions of detention** of detainees

Team	ICV Comments	Outcomes
South East	Cell 2 out of order, faulty lights been reported. Medical room - 3 x sharps bins sitting out with no lids. One sharps bin has blood in bottom of it	Contractor will empty & replace sharps bin including one with blood in it. Direction that bins do not be placed in cupboard. Email to FMO to request that they are placed back in cupboard after each use
	Custody suite all in order. Medical room - email will be sent re sharps bins. Spoke to custody sergeant who removed bin at the time	Area Commander - Noted
TyFer	Upon inspection of medical room there was a rape kit sitting which had not been disposed of.	E-mail from Insp to the FMO had recently been in and had opened one of these kits and took samples from a suspect. These samples were taken away in the normal manner for forensic examination. The box containing the remaining unused items were then left on the FMOs table. The room was then closed and was awaiting cleaning. No other persons had been in the room in the interim. No risk to any DP or members of staff. Staff have been advised to check rooms after FMOs have used to dispose of items.
	Smell from drains in custody area. Used toilet roll also in drain. Shower room not cleaned. Used towels on floor	No comment provided
North West	Nothing noted	

Table 7 which follows provides a breakdown of other reasons for concern which have not resulted in the visit being classified as unsatisfactory but are provided to Board officials for monitoring purposes.

**TABLE 7**

The reasons for concern regarding the **conditions of detention** of detainees

<b>Conditions</b>	<b>SE</b>	<b>NW</b>	<b>TyFer</b>	<b>TOTAL</b>
Heating	0	0	0	<b>0</b>
Lighting	0	0	0	<b>0</b>
Ventilation	0	0	0	<b>0</b>
Alarm	0	0	0	<b>0</b>
Cleanliness	1	0	3	<b>4</b>
Safety/Security Hazards	0	0	0	<b>0</b>
Sanitation	0	0	0	<b>0</b>
Faulty Equipment	8	0	1	<b>9</b>
Other	12	1	13	<b>26</b>
<b>TOTAL</b>	<b>21</b>	<b>1</b>	<b>17</b>	<b>39</b>

## 6. MONITORING THE EFFECTIVENESS OF THE SCHEME

### VISITS MADE

ICVs made 438 visits (valid and invalid) during April 2020 - March 2021. Table 8 shows a contrast of the number of actual visits made to each station during this period, compared to the number of guideline visits as set by the Board which is based on the footfall of detainees through each station and agreed budgets.

**TABLE 8**  
Comparison of guideline visits against actual visits carried out

Team	Station	Guideline Number of Visits <sup>2</sup>	Actual Number of Visits
SE	Musgrave	108	84
	Antrim	60	41
	Banbridge	36	21
	Lurgan	36	42
	Musgrave SCS Unannounced	12	6
	Musgrave SCS Announced	48	34
	<b>Sub-total</b>	<b>300</b>	<b>228</b>
NW	Coleraine	72	59
	Strand Road	72	64
	Strabane <sup>3</sup>	0	0
	<b>Sub-total</b>	<b>144</b>	<b>123</b>
TyFer	Dungannon	60	37
	Enniskillen <sup>4</sup>	0	0
	Omagh	60	50
	<b>Sub-total</b>	<b>120</b>	<b>87</b>
<b>TOTAL VISITS</b>		<b>564</b>	<b>438</b>

<sup>2</sup> Guideline Number takes into account any station closures including closures due to COVID

<sup>3</sup> Strabane is used as a contingency suite so there are no guideline visits set

There is a requirement for 10% of visits to be undertaken during unsociable hours (outside of 09:00-18:00). During the reporting period, April 2020 - March 2021 ICVs undertook 99 (23%) of visits during unsociable hours, as outlined in table 9 which follows. There were 3 completed forms which failed to state the times of the visit.

**TABLE 9**  
Visits carried out by time of day

Time	SE	NW	TyFer	Number of visits	%
00.00 - 9am	0	0	0	0	0
9am - noon	41	28	10	81	18
noon - 3pm	68	45	16	130	30
3pm - 6pm	66	35	27	128	29
6pm - 9pm	52	14	32	98	21
9pm - 00.00	0	0	1	1	1
Not stated	1	1	1	3	1
<b>TOTAL</b>	<b>228</b>	<b>123</b>	<b>87</b>	<b>438</b>	<b>100</b>

\*Percentages may not sum due to rounding

As highlighted in table 10 below, the majority of visits (20%) were carried out on Wednesday; with the fewest visits (8%) carried out on Monday.

**TABLE 10**  
Days on which visits were carried out

Day	SE	NW	TyFer	Number of visits	%*
Monday	15	13	7	35	8
Tuesday	29	22	21	72	16
Wednesday	53	26	9	88	20
Thursday	38	17	17	72	16
Friday	34	20	15	69	16
Saturday	28	16	11	55	13
Sunday	31	9	7	47	11
<b>TOTAL</b>	<b>228</b>	<b>123</b>	<b>87</b>	<b>438</b>	<b>100</b>

\*Percentages may not sum due to rounding

<sup>4</sup> Enniskillen closed on 19 March 2018 for commencement of works and is still to reopen

## DETAINEES SEEN BY ICVs

Table 11 below highlights that there were 1,160 detainees held at the time of the 419 valid visits, of which ICVs saw 541 detainees (47%). In comparison during April 2019 - March 2020 ICVs saw 5% fewer detainees (42%) equating to 482 out of the 1,139 held.

**TABLE 11**

Details of detainees interviewed/not interviewed

Team	Valid Visits	Detainees Held	Detainees Seen	Detainees Refused	Detainees Not Seen - Other Reason
SE	214	648	342	23	284
NW	121	406	147	1	258
TyFer	84	106	52	1	53
<b>TOTAL</b>	<b>419</b>	<b>1160</b>	<b>541<sup>5</sup></b>	<b>25</b>	<b>595</b>

Only 2% of detainees refused to be seen, a slight decrease on the 2019 - 2020 reporting year. There were 595 detainees not seen for other reasons as outlined in table 12 below, in comparison to 625 in the previous year.

**TABLE 12**

Reasons for detainees not being seen

Reason	SE	NW	TyFer	TOTAL
Being interviewed	46	33	15	94
Being processed	4	9	2	15
Asleep	160	165	23	348
Intoxicated/drugs	5	3	0	8
Abusive/dangerous	16	8	5	29
With solicitor/GP/ Appropriate Adult	13	8	3	24
Attending Hospital/Court	19	13	2	35
Being discharged	0	3	0	3
Other/Unknown	19	18	3	40
<b>TOTAL</b>	<b>282</b>	<b>260</b>	<b>53</b>	<b>595</b>

<sup>5</sup> ICVs may see more than 1 detainee in a visit

## DETAINEE REFUSAL RATE

As highlighted in table 13, 2% (25) of detainees refused to be seen/interviewed, a slight decrease from the 2019 - 2020 reporting year. The following table provides a breakdown of the 25 detainees across stations with the highest refusal (4%) in the South East area which can be explained due to the higher refusal rates in the Serious Crime Suite.

**TABLE 13**  
Refusal rate by station

Team	Station	Valid Visits	Detainees Held	Detainees Refused to be interviewed	% Refusal Rate
South East	Musgrave	82	321	9	3
	Antrim	39	124	2	2
	Banbridge	20	53	1	2
	Lurgan	36	93	2	2
	Musgrave SCS	6	0	0	0
	Musgrave SCS Announced	31	57	9	16
	<b>Sub-total</b>		<b>214</b>	<b>648</b>	<b>23</b>
North West	Coleraine	59	140	1	1
	Strand Road	62	266	0	0
	Strabane	0	0	0	0
	<b>Sub-total</b>	<b>121</b>	<b>406</b>	<b>1</b>	<b>0</b>
Tyrone / Fermanagh	Dungannon	36	43	0	0
	Enniskillen	0	0	0	0
	Omagh	48	63	1	1
	<b>Sub-total</b>	<b>84</b>	<b>106</b>	<b>1</b>	<b>1</b>
<b>TOTAL</b>		<b>419</b>	<b>1160</b>	<b>25</b>	<b>2</b>

## CUSTODY RECORDS CHECKED

Custody records are checked to ensure that detainee’s rights and entitlements have been adhered to for example, detention review times. 864 of the 1,160 detainees (74%) gave permission for their custody records to be checked by the ICVs. ICVs checked 814 custody records in the 2019 – 2020 reporting year and based on the number of detainees held it equated to 72% of records checked. Therefore, the percentage of custody records checked in this reporting year shows a slight increase of 2% on the previous year.

**TABLE 14**  
Custody Records Checked

Team	Valid Visits	Detainees Held	Custody Records Checked	% Checked
<b>SE</b>	214	648	502	77
<b>NW</b>	121	406	292	72
<b>TyFer</b>	84	106	70	66
<b>TOTAL</b>	<b>419</b>	<b>1160</b>	<b>864</b>	<b>74</b>

## DELAY TO VALID VISITS

On occasion ICVs can be delayed entry to a custody suite. If the delay is greater than 10 minutes, but upon waiting the ICVs do gain access and carry out a visit, the visit is classed as a valid visit and also recorded against our statistics as a delayed visit.

Of the 419 valid visits made there were 7 occasions when ICVs were delayed entry to a custody suite, compared to 2 visits with delayed entry in the previous reporting year. Table 15 which follows provides a breakdown of these delays across the teams. The longest recorded delay was 39 minutes, which is greater than in the previous reporting year, where the longest delay was 25 minutes. Table 15 provides an overview of any delays by team and station and Table 16 outlines the reason/s and the time delay/s.

**TABLE 15**  
Delays to visits by Team and Station

Team	Station	Total Number of Delays Greater than 10 mins
SE	Musgrave	2
	Antrim	2
	Banbridge	0
	Lurgan	0
	Armagh	0
	Musgrave SCS	0
	Musgrave SCS	1
NW	Coleraine	0
	Strand Road	2
	Strabane	0
TyFer	Dungannon	0
	Enniskillen	0
	Omagh	0
<b>TOTAL valid visits (which were delayed): 7</b>		

**TABLE 16**  
Time delay details and reason/s

Date	Custody Suite	Time Delay (mins)	Reason for Delay
02 Jun 2020	Antrim	20	Computer issues
12 Jun 2020	Musgrave	39	We were brought upstairs first as downstairs was busy. We called down after D suite
12 Jun 2020	Musgrave	11	Persons at counter so staff were busy
02 Jul 2020	Musgrave SCS Announced	11	Busy with interview
08 Sep 2020	Antrim	15	Staff busy
18 Dec 2020	Strand Road	13	No reason given
10 Jan 2021	Strand Road	12	No reason given



## 7. MONITORING THE SERIOUS CRIME SUITE (SCS)

This section provides a breakdown of statistics captured in relation to those detainees held in the SCS in Musgrave Police Station. As highlighted in table 17 below, 37 valid visits to the SCS were recorded across the reporting year with 57 detainees. ICVs interviewed 42% of detainees (24), which is an increase of 2% compared to 2019 - 2020, and an increase of 10 detainees spoken to.

Following the commencement of self-introduction within the SCS in March 2018, the refusal rate for detainees reduced from 34% in 2017 – 2018; to 20% in 2018 – 2019. The refusal rate for the 2019 – 2020 reporting year increased to 27% (17 detainees out of 64 held at the time of the visits refused an interview with ICVs). The positive trend marked initially by self-introduction has this year seen a marked decrease in refusal rates with 16% or 9 of 57 detainees refusing to speak to ICVs as highlighted in table 17.

**TABLE 17**

Details of detainees interviewed/not interviewed in the SCS

Team	Valid Visits	Detainees Held	Detainees Seen	Detainees Refused	Detainees Not Seen - Other Reason
<b>SCS</b>	37	57	24	9	24

### OBSERVATION OF CCTV INTERVIEWS

0 CCTV Interviews were observed by ICVs as shown in table 18, this was due to changes in procedures within the PSNI's booking in process whereby detainees were asked if ICV's could view CCTV interviews and no access was permitted. The HRA and the IRTL are currently reviewing this process also. It should be noted that ICVs may only watch proceedings in relation to CCTV; no sound is available.

**TABLE 18**  
Observation of CCTV Interviews

<b>Station</b>	<b>Valid Visits</b>	<b>Detainees Held</b>	<b>CCTV Interviews Observed</b>	<b>% Observed</b>
<b>Musgrave SCS Unannounced</b>	6	0	0	0
<b>Musgrave SCS Announced</b>	31	57	0	0
<b>Total</b>	<b>37</b>	<b>57</b>	<b>0</b>	<b>0</b>

## 8. CONCLUSION

The Board is committed to ensuring that the human rights of those detained in custody is maintained to the highest standard by the PSNI. It is apparent from the data analysed that improvements have been made in terms of both the preservation of human rights and the conditions of custody suites compared to previous reporting years. This is of particular note given the challenges and restrictions presented by COVID.

In addition, it is evident through the data provided in the ICV reports that there is a high standard and high volume of monitoring taking place by very committed volunteers. The Board are also committed to supporting and enhancing the role of ICVs through ongoing training and recognition events and the provision of a conference to recognise the contribution made by all volunteers during the Co-vid pandemic period.

Specifically with regards to the SCS refusal rates, it is recognised that there needs to be additional work in this area which officials are progressing with the relevant stakeholders.

# GLOSSARY

<b>Board</b>	Northern Ireland Policing Board
<b>CJINI</b>	Criminal Justice Inspectorate (NI)
<b>CCTV</b>	Closed Circuit Television
<b>CNPs</b>	Custody Nurse Practitioners
<b>DOH</b>	Department of Health
<b>DOJ</b>	Department of Justice
<b>FMO</b>	Forensic Medical Officer
<b>HRA</b>	Human Rights Advisor
<b>HSCT</b>	Health and Social Care Trust
<b>ICVA</b>	Independent Custody Visiting Association
<b>ICVs</b>	Independent Custody Visitors
<b>liV</b>	Investing in Volunteers
<b>IRTL</b>	Independent Reviewer of Terrorism Legislation
<b>NEF</b>	National Expert Forum
<b>NPM</b>	National Preventive Mechanism
<b>NW</b>	North West Team
<b>OPCAT</b>	Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
<b>PACE</b>	Police and Criminal Evidence Act (1984)
<b>PCSPs</b>	Policing & Community Safety Partnerships
<b>PPE</b>	Personal Protection Equipment
<b>PSNI</b>	Police Service of Northern Ireland
<b>PHA</b>	Public Healthcare Agency
<b>RQIA</b>	Regulation and Quality Improvement Authority
<b>Scheme</b>	Independent Custody Visiting Scheme
<b>SCS</b>	Serious Crime Suite
<b>SE</b>	South East Team
<b>TACT</b>	Terrorism Act 2000
<b>TyFer</b>	Tyrone-Fermanagh Team



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Annual Custody Visitors Report April 2020 – March 2021

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