

NORTHERN IRELAND INDEPENDENT CUSTODY VISITING SCHEME

# REPORT ON CUSTODY VISITING IN NORTHERN IRELAND DURING 2006/2007

## INTRODUCTION

This leaflet is about the work carried out in 2006/07 by Northern Ireland Independent Custody Visitors. It also contains general information about Custody Visiting and details of how to contact the Northern Ireland Policing Board if you are interested in this voluntary work.

## BACKGROUND

Custody Visitors are volunteers from the community who make unannounced visits to police custody suites to check on the welfare of people being held in custody. They look, listen and report on what they find. In this way Custody Visiting means that people unconnected with the police or the criminal justice system can inspect and report on how arrested people are dealt with by the police and the conditions in which they are held. The work of the Independent Custody Visitors is reported to the Policing Board and this assists the Board in monitoring how the PSNI meets its responsibilities under the Human Rights Act.

**There are currently four custody visiting teams covering Northern Ireland.**

**These teams are based in:**

- Belfast/Antrim
- Down/Armagh
- North West
- Tyrone/Fermanagh

Custody Visiting has been taking place in Northern Ireland since 1991, and was made statutory by the Police (Northern Ireland) Act 2000.

## THE WORK OF THE BELFAST/ANTRIM CUSTODY VISITING TEAM DURING 2006/2007

Between April and September 2006 the Belfast and Antrim teams carried out their visits as two separate teams. The Belfast team consisted of 14 members and they carried out visits in pairs to the custody suites in Antrim Road, Grosvenor Road, Musgrave Street, Strandtown and the Serious Crime Suite (SCS) at Antrim.

They made a total of 147 visits to these suites between 1st April and 30th September 2006. The Antrim team consisted of 11 members and they carried out visits in pairs to the custody suites in Antrim, Ballymena and Lisburn and the Serious Crime Suite at Antrim. They made a total of 62 visits to these suites between 1st April and 30th September 2006.

In September 2006 the Board decided to amalgamate the previously separate Belfast and Antrim Custody Visiting teams into one Belfast/Antrim team. This was done to enable enhanced communication between those Custody Visitors who were conducting visits to the Antrim Serious Crime Suite and to ensure that any issues in this suite could be discussed. Between October 2006 and March 2007 the Belfast/Antrim Custody Visiting Team made a total of 183 visits to custody suites throughout the Belfast and Antrim areas.

The overall visits for the 2006/07 year are shown in the following table:-

Station	No of visits (1 April 06 to 31 March 07)
Antrim Road	68
Grosvenor Road	74
Musgrave Street	54
Strandtown	72
Antrim	49
Ballymena	42
Lisburn	33
<b>Total</b>	<b>392</b>

There were 751 detainees in custody during these visits, and the Custody Visitors saw and spoke to 433 (58%) of the detainees. Custody Visiting is based on the consent of the detainee to see the visitors. Some 152 (20%) of the detainees did not want to see the Custody Visitors and the remaining 166 detainees were not seen for some other reason, for example because they were being interviewed or were asleep. The Custody Visitors found that 300 (78%) of the 384 valid visits\* were entirely satisfactory and raised

no issues about the treatment of detainees or the conditions in which they were being held. Most of the visits they found unsatisfactory were to do with the conditions of detention, such as cleanliness of cells or repairs being needed. These matters were brought to the attention of the PSNI and the Policing Board so that they could be addressed appropriately. In relation to the treatment of detainees, if a detainee complains about their treatment, it is not the Custody Visitor's role to investigate complaints - their role is to make sure that such complaints have been referred to the Police Ombudsman for investigation. There were no complaints recorded by the Belfast/Antrim team regarding the treatment of detainees.

Custody Visitors reported that during their visits, nine detainees had asked to make a phone call to either their solicitor or a family member and Custody Visitors were able to check that this request had been dealt with by custody staff. Five detainees asked the Custody Visitors about access to medication or to see a doctor. The Custody Visitors were able to refer these issues to the custody staff for immediate attention.

During their visits Custody Visitors met four detainees who were foreign nationals, all of whom spoke little or no English. In each case the Custody Visitors were able to check that an interpreter had been requested. Custody Visitors also met twelve detainees who were being held under Immigration Law awaiting the Immigration Authorities. The Custody Visitors were able to check their custody records and were content that they had received satisfactory care whilst in police custody. Also during their visits, Custody Visitors encountered three detainees who had been assessed by custody staff as being at risk of self-harm. The Custody Visitors were able to check that the detainees had been seen by the FMO (Forensic Medical Officer) and custody staff were carrying out regular checks on the detainees' well-being.

## THE SERIOUS CRIME SUITE

Between 1 April 2006 and 31 March 2007, those from the Belfast/Antrim team trained to conduct visits to the Serious Crime Suite made 62 visits to the suite. During these visits 81 detainees were being held in custody, 29 (36%) of which had consented to a custody visit or to have their interviews observed, however during most of the visits no interviews were in progress. Custody Visiting is based on the consent of the detainee to see the visitors. Some 34 (42%) of the detainees did not want to see the

Custody Visitors or to have their interviews observed and the remaining 18 detainees were not seen for some other reason, for example because they were asleep.

Overall, the Custody Visitors found that 36 (59%) of the 61 valid visits\* were entirely satisfactory and raised no issues about the treatment of detainees or the conditions in which they were being held. Most of the visits they found unsatisfactory were to do with the conditions of detention, such as cleanliness of cells or repairs being needed. These matters were brought to the attention of the PSNI and the Policing Board so that they could be addressed as soon as possible.

## THE WORK OF THE DOWN/ARMAGH CUSTODY VISITING TEAM DURING 2006/2007

During 2006/07 there were 12 people in the Down/Armagh team and they carried out visits in pairs to the custody suites in Armagh, Banbridge, Downpatrick, Lurgan, Newtownards and Newry. During 2006/2007 the Down/Armagh Custody Visiting Team made a total of 277 visits to custody suites in the Down and Armagh areas, as shown in the following table:-

Station	No of visits (1 April 06 – 31 March 07)
Armagh	41
Banbridge	66
Downpatrick	34
Lurgan	57
Newtownards	65
Newry	14
<b>Total</b>	<b>277</b>

There were 247 detainees in custody during these visits and the Custody Visitors saw and spoke to 132 (53%) of the detainees. Custody Visiting is based on the consent of the detainee to see the visitors. Some 51 (21%) of the detainees did not want to see the Custody Visitors and the remaining 64 detainees were not seen for some other reason, for example because they were being interviewed or were asleep.

The Custody Visitors found that 175 (63%) of the 276 valid visits\* were entirely satisfactory and raised no issues about the treatment of detainees or the conditions in which they were being held. Most of the visits they found unsatisfactory were to do with the conditions of detention, such as cleanliness of cells or repairs being needed. These matters were brought to the attention of the PSNI and the Policing Board so they could be addressed as soon as possible.

In relation to the treatment of detainees, three detainees complained to Custody Visitors about their treatment on arrest. Custody Visitors do not investigate complaints - their role is to make sure that such complaints have been referred to the Police Ombudsman for investigation.

During their visits, Custody Visitors encountered eight detainees who had been assessed by custody staff as being at risk of self-harm. The Custody Visitors were able to check that the detainees had been seen by the FMO, and custody staff were carrying out regular checks on the detainees' well-being. Custody Visitors met twelve detainees who were foreign nationals. Whilst Custody Visitors saw and were able to communicate with some of them, others spoke little or no English. In these cases Custody Visitors were able to look at their custody records and reported that in all cases interpreters had been requested. On a couple of occasions the interpreter was present and the Custody Visitors were able to talk to the detainee via the interpreter. Custody Visitors also encountered three detainees who were being held under Immigration Law, awaiting the Immigration Authorities. Custody Visitors were able to speak to one of these detainees and found that the detainee was satisfied with their care whilst in police custody.

Custody Visitors also reported that during their visits four detainees had asked them to see a doctor or about access to medication and these issues were referred to the custody staff for immediate attention. One detainee asked the Custody Visitors to make a phone call to his solicitor and this was brought to the attention of the custody staff.

## THE WORK OF THE NORTH WEST CUSTODY VISITING TEAM DURING 2006/2007

There were 10 members of the North West team during 2006/2007 and they carried out visits in pairs to the custody suites in Coleraine, Limavady, Strand Road and Waterside.

During 2006/2007 the North West Custody Visiting Team made a total of 202 visits to custody suites in the North West area, as shown in the following table:-

Station	No of visits (1 April 06 – 31 March 07)
Coleraine	77
Limavady	42
Strand Road	62
Waterside	21
<b>Total</b>	<b>202</b>

There were 284 detainees in custody during these visits and visitors saw and spoke to 145 (51%) of the detainees. Custody Visiting is based on the consent of the detainee to see the visitors. Some 58 (29%) of the detainees did not want to see the Custody Visitors and the remaining 81 detainees were not seen for some other reason, for example because they were being interviewed or were asleep.

The Custody Visitors found that 143 (71%) of the 201 valid visits\* were entirely satisfactory and raised no issues about the treatment of detainees or the conditions in which they were being held. Most of the visits they found unsatisfactory were to do with the conditions of detention, such as cleanliness of cells or repairs being needed. These matters were brought to the attention of the PSNI and the Policing Board so that they could be addressed as soon as possible. In relation to the treatment of detainees, three detainees complained to Custody Visitors about their treatment on arrest. Custody Visitors do not investigate complaints – their role is to make sure that such complaints have been referred to the Police Ombudsman for investigation.

During their visits, six detainees asked Custody Visitors to see a doctor or about access to medication and these issues were referred to custody staff for immediate attention. Seven detainees also asked the Custody Visitors if they could make a phone call to either their solicitor or family to inform them of their detention. Again the Custody Visitors referred these issues to the custody staff for attention.

At one of their visits Custody Visitors encountered a detainee who had been sprayed with CS spray at arrest. Custody Visitors were able to check that the detainee was being given the appropriate care since arriving in custody. The detainee requested water and the Custody Visitors referred this request to the custody sergeant.

Custody Visitors encountered a detainee who could not speak any English and found that custody staff had made arrangements for an interpreter to attend.

## THE WORK OF THE TYRONE/FERMANAGH CUSTODY VISITING TEAM DURING 2006/2007

There were 8 members of the Tyrone/Fermanagh team during 2006/2007 and they carried out visits in pairs to custody suites in Cookstown, Dungannon, Enniskillen, Omagh and Strabane.

During 2006/2007 the Tyrone/Fermanagh Custody Visiting Team made 201 visits to custody suites throughout the Tyrone and Fermanagh areas, as shown in the following table:-

Station	No of visits (1 April 06 – 31 March 07)
Cookstown	43
Dungannon	28
Enniskillen	49
Omagh	43
Strabane	38
<b>Total</b>	<b>201</b>

There were 143 detainees in custody during these visits and visitors saw and spoke to 79 (55%) of the detainees. Custody Visiting is based on the consent of the detainee to see the visitors. Some 32 (22%) of the detainees did not want to see the Custody Visitors and the remaining 32 detainees were not seen for some other reason, for example because they were being interviewed or were asleep.

The Custody Visitors found that 181 (92%) of the 197 valid visits\* were entirely satisfactory and raised no issues about the treatment of detainees or the conditions in which they were being held. Most of the visits they found unsatisfactory were to do with the conditions of detention, such as cleanliness of cells or repairs being needed. Such matters are brought to the attention of the Board to ensure they were addressed as soon as possible.

In relation to the treatment of detainees, if a detainee complains about their treatment, it is not the Custody Visitor's role to investigate complaints - their role is to make sure that such complaints have been referred to the Police Ombudsman for investigation. There were no complaints recorded by the Tyrone/Fermanagh team regarding the treatment of detainees.

During their visits, one detainee asked Custody Visitors if they could see a doctor. The Custody Visitors informed the custody sergeant and were able to check that the detainee had already been examined by the FMO and a member of their family was bringing their medication to the police station. They also met four detainees who spoke very little English and were able to check that in each case custody staff had already made arrangements for an interpreter to attend.

*\* Valid visits are those where a custody visit successfully took place. Invalid visits are typically those where the visit was aborted for any reason. Therefore there are small discrepancies between the number of visits conducted and the number of visits classified as valid.*

# THE NORTHERN IRELAND POLICING BOARD'S ROLE

The Northern Ireland Policing Board supports and administers the Independent Custody Visiting Scheme. This includes recruiting volunteers for the scheme through open advertising and competency based interviews.

#### **The key skills we look for in volunteers are:**

- concern for the welfare of others;
- the ability to work as a member of a team;
- impartiality and confidentiality;
- effective communication skills, and;
- time to carry out visits and attend team meetings.

To prevent any possible conflict of interest, police officers, police support staff, some people involved in the criminal justice system and members and staff of the Policing Board cannot become Custody Visitors. We try our best to make sure that the custody visiting teams are as representative as possible in terms of community background, gender and age.

The Policing Board's Human Rights & Professional Standards Committee carefully monitors the Custody Visitor's reports on a quarterly basis. This includes looking at the treatment of detainees in terms of Code C of the Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE), and the PSNI Code of Ethics with particular reference to the treatment of people held in custody and human rights provisions.

In March 2007 ten custody visitors left the scheme on completion of their 6 year term of appointment. In preparation for this the Policing Board launched a recruitment campaign for new Custody Visitors in June 2006 to fill these and existing vacancies within each of the Custody Visiting teams. Twenty new Custody Visitors were appointed in total. These new volunteers completed Induction Training during February 2007 and commenced custody visits in April 2007.

In addition to the regular recruitment, training and monitoring of visits conducted, the Board also delivers a range of events and contributes to consultation exercises in order to ensure the continued smooth running of the Scheme. For example: During 2006/2007 the PACE legislation and Codes of Practice were reviewed. The Board contributed to this review giving careful consideration to the issues which may affect persons held in police custody. The amended PACE legislation and new codes of practice came into effect on 1st April 2007 and Custody Visitors will be conducting their role in line with these changes.

The Custody Visitors Annual General Meeting was held on 31 May 2006 in Enniskillen. This provided the forum for Custody Visitors to discuss relevant issues and was an occasion to acknowledge the important work of Custody Visiting and express our thanks to the volunteers involved in this role.

Over the past number of years Custody Visitors have increasingly found a higher number of foreign nationals and illegal entrants being held in police custody. These, mostly, non English speaking detainees have particular entitlements whilst in custody. In November 2006 the Board facilitated training for Custody Visitors, assisted by the Association of Voluntary Immigration Detainees and the NI Law Centre, to better educate Custody Visitors on the entitlements of such persons and to discuss practical issues of how to communicate with non English speaking detainees. This assisted Custody Visitors to more effectively conduct their role.



## MORE INFORMATION

If you would like more information about custody visiting or you are interested in volunteering for this role, you can contact the Custody Visiting Scheme Administrator as shown below:-

### ONLINE FORMAT

This document is available in PDF format from our website.

### OTHER FORMATS

This document is also available on request in alternative formats. It can also be made available in minority languages or on audio cassette. Request for alternative formats should be made to the Northern Ireland Policing Board.

Northern Ireland Policing Board  
31 Clarendon Road  
Clarendon Dock  
Belfast BT1 3BG

**Tel:** 028 90408562

**Fax:** 028 90408564

**Textphone:** 028 90527668

**Email:** [information@nipolicingboard.org.uk](mailto:information@nipolicingboard.org.uk)

**Website:** [www.nipolicingboard.org.uk](http://www.nipolicingboard.org.uk)

### DISCLAIMER

While every effort has been made to ensure the accuracy of the information contained in this document, neither the Northern Ireland Policing Board nor its consultants will be held liable for any inaccuracies that may be contained within.