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FOI Reference number: FOI 50/2023

Date: 24 October 2023

Request:

Please supply a copy of

Independent Custody Visiting Report 2017-2018

It is missing from the list at

<https://www.nipolicingboard.org.uk/independent-custody-visiting-reports>

Answer:

Please find attached a copy of the Custody Visiting Annual Report 2017-18.

If you have queries about this request or the decision, please contact the Board quoting the reference number above. If you are unhappy with the service you have received and wish to make a complaint or request a review you should contact the Board's Chief Executive -

Via Email: foi@nipolicingboard.org.uk

Or in writing at the following address:

Northern Ireland Policing Board
James House
Block D
2 – 4 Cromac Avenue
The Gasworks
Belfast
BT7 2JA

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or in writing at:

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Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Telephone: - 0303 1231114

Email: - ni@ico.org.uk

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Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

VOLUNTEERS
CUSTODY SUITES
VOLUNTEERS CHECKING ENTITLEMENT
INDEPENDENT
DETENTION REPORTING
OBSERVING AND EVALUATING
HUMAN CUSTODY SUITES
RIGHTS CONDITIONS
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
WELLBEING

**ANNUAL
CUSTODY
VISITORS
STATISTICS
2017/18**

Annual Custody Visitors Statistics 2017/18

Report produced by:
Engagement Branch
Northern Ireland Policing Board

Data extracted: 4 May 2018

CONTEXT:

Section 73 of the Police (Northern Ireland) Act 2000 requires The Board to make, and keep under review, arrangements for designated places of detention to be visited by lay visitors. This function is carried out by the Independent Custody Visitor (ICV) Scheme. Custody Visiting is linked to the Police and Criminal Evidence (PACE) (Northern Ireland) Order 1989 in line with Code C and the Terrorism Act 2000 (referred to as TACT).

Independent Custody Visitors (ICVs) are 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 PSNI and the Board 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.

There are currently 27 ICVs based in 3 Custody Visiting Teams across Northern Ireland; North West (NW), South East (SE) and Tyrone Fermanagh (Tyfer).

CUSTODY VISITING ANNUAL REPORT

This Annual Report highlights, for April 2017-March 2018, statistical information in relation to the Custody Visiting scheme. It includes figures in relation to visits, detainees in custody, and satisfactory / unsatisfactory visits. It, alongside quarterly statistical reports, are produced by the Engagement Branch and presented to the Board/Partnership Committee, as applicable.

KEY

Custody Visits are categorised by 2 types - valid and invalid.

1. **Valid Visit** - where ICVs gain entry to a custody suite and carry out a visit. The outcome of this visit will be either:
 - **Satisfactory** - no issue(s) identified within the suite by the ICVs and no issue(s) raised by any Detained Person(s); no PSNI response required.
 - **Unsatisfactory** - issue(s) identified within the suite by the ICVs and/or issue(s) raised by any Detained Person(s). PSNI response required to advise of action(s) taken to explain/resolve the issue(s).

2. **Invalid Visit** - where ICVs are unable to gain entry to a custody suite to carry out a visit for an identified reason.

SECTION 1

MONITORING THE TREATMENT OF DETAINEES

(in line with PACE, Human Rights provisions and Code of Ethics)

1. VISITS (Satisfactory / Unsatisfactory)

ICVs made **517 total visits** during April 2017-March 2018, 18%¹ less than the number of visits carried out in April 2016-March 2017. Of these, **31 visits** were not completed (Table 2) and were deemed invalid, hence there were **486 valid visits**.

ICVs classified 458 out of the 486 valid visits (94%) as satisfactory. The NW team recorded the highest level of satisfaction (99%), with the SE team recording the highest rate of unsatisfactory visits (10%).

TABLE 1

Number of visits Satisfactory / Unsatisfactory by station and team

Team	Station	Satisfactory Visits	Unsatisfactory Visits	Valid Visits
South East (SE)	Musgrave	63	6	69
	Antrim	32	12	44
	Banbridge	50	0	50
	Lurgan	10	0	10
	Armagh	17	3	20
	Musgrave SCS	6	1	7
	Musgrave SCS Announced	30	0	30
	Sub-total	208	22	230
North West (NW)	Coleraine	70	1	71
	Strand Road	74	1	75
	Strabane	1	0	1
	Sub-total	145	2	147
Tyrone/Fermanagh (Tyfer)	Dungannon	32	1	33
	Enniskillen	31	3	34
	Omagh	42	0	42
	Sub-total	105	4	109
TOTAL VALID VISITS		458	28	486

TABLE 2

Invalid Visits by Team

Team	Total Visits	Incomplete Visits	% of Visits Incomplete
SE	250	22	9
NW	151	3	2
Tyfer	116	6	5
TOTAL VISITS	517	31	6

¹ 629 visits

TABLE 3
Reasons for **invalid** visits

Date	Custody Suite	Reason
1 April 2017	Musgrave	20 minutes plus wait
14 Apr 2017	Antrim	1 ICV failed to attend (forgot)
25 Apr 2017	Enniskillen	Custody suite closed until 13:00 - ICV's not informed
27 Apr 2017	Antrim	No one in attendance to get ICVs
25 Jan 2017	Antrim	1 ICV failed to attend
8 May 2017	Banbridge	Phoned police exchange, no answer from custody desk
30 May 2017	Omagh	1 ICV failed to attend
8 Jun 2017	Musgrave	No-one came to get them, too busy
22 Jun 2017	Antrim	No access
23 Jun 2017	Omagh	Facility closed
1 Jul 2017	Antrim	No staff available to collect ICVs
13 Jul 2017	Musgrave	Custody suite extremely busy and medical emergency ongoing
19 Jul 2017	Musgrave	No staff available to collect ICVs
26 Jul 2017	Musgrave	No staff appeared to collect ICVs
1 Aug 2017	Musgrave	Custody suite extremely busy
8 Oct 2017	Strand Road	Custody suite closed, Scheme Administrator not informed
20 Oct 2017	Banbridge	1 ICV stuck in traffic, visit aborted after 30 minute wait
3 Nov 2017	Antrim	Custody suite busy
5 Dec 2017	Enniskillen	1 ICV failed to attend
17 Dec 2017	Antrim	Custody suite very busy with both floors being in operation
17 Dec 2017	Musgrave	Custody suite busy, no response to phone call from reception to inform of arrival of ICVs
30 Dec 2017	Strand Road	Custody suite busy
31 Dec 17	Antrim	1 ICV failed to attend
14 Jan 2018	Antrim	Reception closed and no-one appeared from the custody suite to escort ICVs
18 Jan 2018	Omagh	No staff at enquiry office desk when ICVs arrived, no-one appeared after a 12 minute wait so visit aborted
21 Jan 2018	Antrim	After a 15 minute wait
7 Feb 2018	Musgrave	After a 20 minute wait, custody suite too busy to escort
7 Feb 2018	Musgrave	After a 20 minute wait reason for delay unknown
7 Mar 2018	Dungannon	Custody suite closed for refurbishment, Scheme Administrator not notified in advance of closure
15 Mar 2018	Coleraine	Custody Suite closed for maintenance
17 Mar 2018	Banbridge	1 ICV failed to attend
TOTAL VISITS NOT CARRIED OUT: 31		

2. REASONS FOR CONCERN

TABLE 4

The reasons for concern regarding the **treatment** of detainees

Reason		SE	NW	Tyfer	OVERALL TOTAL
Treatment/Rights of Detainees	Code of Practice	0	0	0	0
	Being told their rights	0	0	0	0
	Informing somebody	0	0	0	0
	Legal advice	0	0	0	0
	Checks on detainees carried out	0	0	0	0
	Requiring an appropriate adult	0	0	0	0
	Requiring Interpreter	0	0	0	0
	Review of detention	0	0	0	0
	Other	0	0	0	0
	Total	0	0	0	0
Health and Well Being	Adequate bedding	0	0	0	0
	Adequate food and drink	0	0	0	0
	Dietary needs	0	0	0	0
	Access to loo/washing	0	0	1*	0
	Replacement clothing	0	0	0	0
	Medical attention	0	0	0	0
	8 Hours rest in 24	0	0	0	0
	Exercise	0	0	0	0
	Oxygen checks	0	0	0	0
	Other	0	0	0	0
	Total	0	0	1	1

* A pregnant female detainee was uncomfortable using the toilet provided within her cell and requested to use another one. When the ICVs were present the request was denied. Subsequently, the Scheme Administrator was advised, by PSNI, that the detainee was provided access to a different toilet outside of the cell.

TABLE 5

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

Conditions	SE	NW	Tyfer	TOTAL
Heating	0	0	0	0
Lighting	0	0	0	0
Ventilation	1	0	0	1
Alarm	0	0	0	0
Cleanliness	1	0	0	1
Safety/Security Hazards	8	0	0	8
Sanitation	9	0	1*	10
Faulty Equipment	3	0	0	3
Other	14	0	0	14
TOTAL	36	0	1	37

* Only 2 cells operational in custody suite at time of visit - all other cells closed due to a Hepatitis C breakout.

SECTION 2

MONITORING THE EFFECTIVENESS OF THE SCHEME

3. VISITS MADE

As noted earlier ICVs made 517² visits (valid and invalid) during April 2017-March 2018. A comparison of the number of actual visits made to each station during this period, against the number of guideline visits, is provided below.

TABLE 6

Team	Station	Guideline Number of Visits ³	Actual Number of Visits
SE	Musgrave	108	78
	Antrim	48	51
	Banbridge	36	53
	Lurgan ⁴	0	10
	Armagh ⁵	18	21
	Musgrave SCS	36	7
	Musgrave SCS Announced	24	30
	Sub-total	270	250
NW	Coleraine	72	72
	Strand Road	72	78
	Strabane ⁶	0	1
	Sub-total	144	151
Tyfer	Dungannon	36	35
	Enniskillen ⁷	36	36
	Omagh	48	45
	Sub-total	120	116
TOTAL VISITS		534	517

TABLE 7

Days on which visits were carried out

Day	SE	NW	Tyfer	Number of visits	%*
Monday	24	18	19	61	12
Tuesday	23	18	21	62	12
Wednesday	50	18	24	92	18
Thursday	31	26	20	77	15
Friday	32	24	19	75	14
Saturday	36	20	11	67	13
Sunday	54	27	2	83	16
TOTAL	250	151	116	517	100

*Percentages may not sum due to rounding

² Figure includes the 31 invalid visits

³ Guideline Number takes into account any station closures.

⁴ Lurgan was closed April 2017, reopened in December 2017, no guideline number of visits yet set

⁵ Permanently closed December 2017 following re-opening of refurbished Lurgan Custody Suite

⁶ Strabane remains closed, but was opened for 1 week in February 2018 when this visit took place

⁷ Enniskillen closed on 19 March 2018 for commencement of works

Of the 517 visits, the majority, 18%⁸, were carried out on a Wednesday; the fewest, 12%⁹, were carried out on Mondays and Tuesdays.

TABLE 8
Visits carried out by time of day

Time	SE	NW	Tyfer	Number of visits	%
00.00 - 9am	8	0	2	10	2
9am - noon	30	34	18	82	16
noon - 3pm	39	49	24	112	22
3pm - 6pm	54	36	32	122	23
6pm - 9pm	100	25	36	161	31
9pm - 00.00	19	7	4	30	6
Total	250	151	116	517	100

There is a requirement for 10% of visits to be undertaken during unsociable hours. During the reporting period, April 2017-March 2018 ICVs under took 39% of visits within unsociable hours (outside of the 09:00-18:00 period), as outlined below.

4. DETAINEES SEEN BY ICVs

There were 968 detainees held at the time of the 486 valid visits, of which ICVs saw 421 (43%). 54 detainees refused to be seen and 529 detainees were not seen for other reasons; as outlined in the table below

TABLE 9

Team	Valid Visits	Detainees Held	Detainees Seen	Detainees Refused	Detainees Not Seen - Other Reason
SE	234	545	254	37	288
NW	148	348	128	12	210
Tyfer	113	75	39	5	31
TOTAL	486	968	421	54	529

5. REASONS DETAINEES NOT SEEN BY ICVs

TABLE 10

Reason	SE	NW	Tyfer	TOTAL
Refusal	36	12	5	53
Being interviewed	55	37	7	99
Being processed	12	1	2	15
Being discharged	1	1	0	2
Asleep	164	118	13	295
Intoxicated/drugs	0	5	0	5
Abusive/dangerous	13	9	4	26
With solicitor/GP/ Appropriate Adult	21	11	1	33
Attending Hospital/Court	10	18	1	29
Other/Unknown	12	10	3	25
Total	324	222	36	582

⁸ 92 visits

⁹ 61 and 62 visits respectively

6. REFUSAL RATE

The overall refusal rate for April 2017-March 2018 was 5%, a slight decrease when compared with the same period last year (6%¹⁰). The NW team had the lowest refusal rate of 3%¹¹ with the Tyfer team having the highest refusal rate at 7%¹².

TABLE 11
Refusal rate by station

Team	Station	Valid Visits	Detainees Held	Detainees Refused	% Refusal Rate
South East	Musgrave	69	230	11	5
	Antrim	44	103	2	2
	Banbridge	50	96	1	1
	Lurgan	10	22	0	0
	Armagh	20	45	2	4
	Musgrave SCS	37	49	18	37
	Sub-total		230	545	34
North-West	Coleraine	71	119	4	3
	Strand Road	75	227	8	4
	Strabane	1	2	0	0
	Sub-total	147	348	12	3%
Tyrone/Fermanagh	Dungannon	33	44	3	7
	Enniskillen	34	16	1	6
	Omagh	42	15	1	7
	Sub-total	109	75	5	7%
Total		486	968	51	5%

7. CUSTODY RECORDS CHECKED

There were a total of 705 custody records checked by visitors, meaning that the custody records of 73% of detainees, across all 3 teams, were checked.

TABLE 12
Custody Records Checked

Team	Valid Visits	Detainees Held	Custody Records Checked	% Checked
SE	230	545	398	73
NW	147	348	246	71
Tyfer	109	75	61	81
Total	486	968	705	73

8. DELAY TO VALID VISITS

Of the 486 valid visits made during April 2017-March 2018, there were 12 occasions¹³ when ICVs were delayed entry to the Custody Suite by more than 10 minutes but on waiting they did gain access and carried out a valid visit. Table 13 provides an overview of the delays with table 14 outlining the reason and the time delay; with the longest delay being 25 minutes.

¹⁰ 68 detainees refused out of 1180 held in custody

¹¹ 12 detainees refused out of 348 held in custody

¹² 5 detainees refused out of 75 held in custody

¹³ 3%

TABLE 13
Delays to visits by Team and Station

Team	Station	Total Number of Delays Greater than 10 mins
SE	Musgrave	4
	Banbridge	2
	Lurgan	0
	Armagh	1
	Musgrave SCS	0
	Antrim	4
NW	Coleraine	1
	Strand Road	0
	Strabane	0
Tyfer	Omagh	0
	Dungannon	0
	Enniskillen	0
Total valid visits (which were delayed): 12		

TABLE 14
Reason for Delays to Visits

Date	Custody Suite	Time Delay (mins)	Reason for Delay
27 Apr 2017	Antrim	15	No-one in attendance to get them
25 Jun 2017	Antrim	13	No reason stated on CV2 form
5 Jul 2017	Antrim	15	Custody Suite very busy
8 Jul 2017	Musgrave	15	Custody Suite very busy
12 Jul 2017	Banbridge	15	Violent DP
31 Jul 2017	Banbridge	15	Reason not recorded
27 Aug 2017	Armagh	15	Detainee was being processed
25 Sept 2017	Coleraine	25	Custody Suite busy
18 Oct 2017	Musgrave	20	No reason stated on CV2 form
16 Nov 2017	Musgrave	20	No reason stated on CV2 form
17 Dec 2017	Antrim	23	Custody Suite very busy
3 Jan 2018	Musgrave	18	Shift Changeover Time

SECTION 3

TACT & MUSGRAVE SERIOUS CRIME SUITE

During the reporting period, April 2017-March 2018, 62 detainees were held in Musgrave Serious Crime Suite (SCS) across the 38 valid visits. Within these 20 detainees were seen, and in turn 21 detainees refused to speak to ICVs and 21 were not seen for other reasons.

TABLE 15
Detainees seen by ICV Team

Team	Valid Visits	Detainees Held	Detainees Seen	Detainees Refused	Detainees Not Seen - Other Reason
SE	38	62	20	21	21

SUMMARY

OVERALL VISITS: SATISFACTORY/UNSATISFACTORY

- There were a total of 517 visits made between April 2017 - March 2018
- 31 visits were not completed (invalid), thus there were **486 valid visits**
- 28 visits were classified as unsatisfactory (6%) with 458 classified as satisfactory (94%)
- The NW team recorded the highest level of satisfaction at 99%¹⁴
- The highest level of unsatisfactory visits was captured by the SE at 10%¹⁵

VISITS ANALYSIS

- The highest number of visits were made on Wednesdays (18%¹⁶)
- The highest number of visits were made between 6pm and 9pm (31%¹⁷)
- The length of visits ranged from 3 minutes to 80 minutes, the average length of time spent on a visit was 23 minutes
- There were 12 occasions when ICVs were delayed for more than 10 minutes; the longest delay being 25 minutes

DETAINEES

- Of the 968 detainees held during this reporting period, ICVs saw 421 detainees.
- The most common reasons for detainees not being seen were; asleep (51%); and being interviewed (17%)
- The overall refusal rate for April 2017 - March 2018 was 5%¹⁸
- 73%¹⁹ of custody records were checked by ICVs.

PACE VISITS

- There were a total of 479 visits made under PACE
- 31 PACE visits were not completed, so there were a total of **448 valid PACE visits**
- There were 906 detainees held during this period, ICVs saw 421 detainees
- 27 PACE visits were classified as unsatisfactory and 422²⁰ classed as satisfactory

TACT VISITS - MUSGRAVE SERIOUS CRIME SUITE (SCS)

- **38 valid TACT** visits made between April 2017-March 2018, none were aborted
- There were 62 detainees held during this period, ICVs seen 20 detainees
- 1 TACT visit was classified as unsatisfactory.

SUMMARY OF PACE & TACT REFUSAL VISITS

	Valid Visits	Refusal Percentage
PACE	448	3%
TACT	38	34%

¹⁴ 145 satisfactory visits out of 147 valid visits

¹⁵ 22 unsatisfactory visits out of 230 valid visits

¹⁶ 92 visits

¹⁷ 161 visits

¹⁸ 54 detainees refused out of 968 detainees held

¹⁹ 705 Custody Records checked

²⁰ 87% of 486 valid visits



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DOCUMENT TITLE

Annual Custody Visitors Statistics 2017-18

ONLINE FORMAT

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