



## FREEDOM OF INFORMATION REQUEST

**FOI Reference number: 05/2020**

**Date: 7 July 2022**

### **Request:**

Please could you disclose under the Freedom of Information Act 2000 records you may hold regarding the following contacts with the ISF, specifically:

- a) On 1 March 2018, representatives of NI-CO's Lebanon Study Group presented a small "Internal Security Forces Visit Plaque" to the vice-chair of the Northern Ireland Policing Board as a "thank you gift for hosting visitors". This suggests visitors from the ISF were in Belfast on and around 1 March 2018. Please disclose any documents relating to their visit.
- b) In March 2019, the PSNI provided assistance through NI-CO to Lebanon for a week, under approval from the Department for Justice. Please disclose the trip planning documents, itinerary and evaluation.
- c) On 13 March 2019, the PSNI sent a letter to the Northern Ireland Policing Board's resources committee which provided information on the likely number of forthcoming secondments. Please disclose a copy of this letter.
- d) On 21 November 2019, the Policing Board received PSNI secondment evaluation reports relating to its work in Lebanon. Please disclose copies of these evaluation reports.

Please note, I am particularly interested in documents about any public order assistance Northern Ireland has given the ISF, such as in the realm of tear gas, plastic bullets, command and control, dogs, water cannons and intelligence gathering.

### Answer a)

The Board has identified 5 pieces of correspondence as falling within the scope of this question.

4 pieces of correspondence are enclosed. Where redactions have been made this is because the following exemptions are engaged –

Section 27 International Relations  
Section 31 (1) Law Enforcement  
Section 40 (2) Personal Data

Sections 27 and 31 are qualified exemptions and the Board has conducted public interest tests to determine whether the public interest in engaging these exemptions to withhold information outweighs the arguments towards disclosure. A copy of these public interest tests are attached as Annex A.

Section 40 is an absolute exemption and the Board is not required to consider whether there is a public interest in disclosure.

A fifth document has been withheld as the exemptions at Section 27 and 31 are engaged.

Answer b)

There is no documentation as trip did not take place.

Answer c)

This document has been withheld as the exemption at Section 27 is engaged. Section 27 is a qualified exemption and the Board has conducted a public interest test to determine whether the public interest in engaging the exemption to withhold information outweighs the arguments towards disclosure. Please see a copy of this public interest test which is attached as Annex A.

Answer d)

The Board has identified 1 document as falling within the scope of this question. This document has been withheld as the exemptions Sections 27 and 31 are engaged. Sections 27 and 31 are qualified exemptions and the Board has conducted public interest tests to determine whether the public interest in engaging these exemptions to withhold information outweighs the arguments towards disclosure. Please see a copy of these public interest tests which are attached as Annex A.

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 write to the Board's Chief Executive at the following address:

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

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

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner. Generally, the Information Commissioner's Office cannot investigate or make a decision on a case unless you have exhausted the complaints procedure provided by the Board. The Information Commissioner can be contacted at:-

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
SK9 5AF

Telephone: - 0303 1231114  
Email: - [ni@ico.org.uk](mailto:ni@ico.org.uk)

Please be advised that Policing Board replies under Freedom of Information may be released into the public domain via our website @ [www.nipolicingboard.org.uk](http://www.nipolicingboard.org.uk).

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

Kedactions -  
Sect 40(2) Personal Dat

[REDACTED]

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**From:** Calvert, Lorraine  
**Sent:** 16 February 2018 12:59  
**To:** [REDACTED]@nico.org.uk  
**Cc:** [REDACTED]  
**Subject:** RE: NI-CO Lebanon ISF Study Visit

Hi [REDACTED]

We can facilitate Thursday morning ( 1<sup>st</sup> March) at the Board's offices 10:00 – 11:30.

Can you confirm by return if this is suitable so we can secure the Vice Chair's ( Debbie Watters).

If you can provide a list of attendees and also whether car parking will be necessary.

Many thanks

Lorraine

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**From:** [REDACTED]@nico.org.uk]  
**Sent:** 16 February 2018 09:53  
**To:** Calvert, Lorraine  
**Subject:** NI-CO Lebanon ISF Study Visit

Hi Lorraine

I know you said it would take a few days to get things lined up on your side but I have just spoken with the PSNI who have said that they can only deliver Monday and Tuesday of the week which means that of the week only Wednesday and Thursday are available. Of the two the Wednesday would be preferable but I know you have a conference already booked in for that day!

Can you check the capacity of presenting to the group on wither the Wednesday 28<sup>th</sup> Feb or Thursday 01 Mar?

Apologies for the additional stress and for moving the goal posts! I'm available today all day to discuss should you need

Best  
[REDACTED]

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[REDACTED]  
Project Manager

NI-CO  
Landmark House  
5 Cromac Quay  
Belfast  
BT7 2JD

NI-CO [REDACTED]

Redactions -  
Sect 40(2) Personal Data

**From:** Calvert, Lorraine  
**Sent:** 13 February 2018 16:11  
**To:** [REDACTED]  
**Cc:** McNamee, Adrian; Stewart, Amanda  
**Subject:** FW: NI-CO Lebanon British Policing Support Project Study Visit February 2018  
**Attachments:** NIPB Letter.pdf; BPSP ToR Study Visit Inspections 2018.pdf

[REDACTED]

As the Chair is on leave between the 26 Feb – 1 March, can you check with the Vice Chair if she would be happy to speak to this NICO visit from the Lebanon.

They have asked for the Board to cover:

- An overview of the role, function and mandate of the Policing Board with specific reference to its inspection and accountability functions; and
- An insight into the Custody Visitors Scheme and how it provides reassurance, accountability and independent scrutiny of detained persons.

With the seminar session on Wednesday 28 and plans already in place for Monday with the group – Tuesday morning or afternoon seems the most suitable day for the Board to host.

Can you check and let me know.

Thanks

Lorraine

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**From:** [REDACTED]@nico.org.uk]  
**Sent:** 13 February 2018 15:30  
**To:** NIPB Information; [REDACTED]@nipolicingboard.org.uk  
**Subject:** RE: NI-CO Lebanon British Policing Support Project Study Visit February 2018

Dear Sirs

I have been trying to contact [REDACTED] regarding a NI-CO study Visit from Lebanon that is travelling to NI in February. Is there someone in the NIPB who could assist with the below email and attached ToR?

Many thanks

[REDACTED]

[REDACTED]  
Project Manager

NI·CO [REDACTED]

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**From:** [REDACTED]  
**Sent:** 07 February 2018 15:20  
**To:** [REDACTED]@nipolicingboard.org.uk; [REDACTED]@nipolicingboard.org.uk  
**Subject:** FW: NI-CO Lebanon British Policing Support Project Study Visit February 2018

Dear [REDACTED]

I trust this finds you well

I was wondering if you have had an opportunity to review the below email sent in January?

Many thanks

[REDACTED]  
[REDACTED]  
Project Manager

**NI·CO** [REDACTED]  
Web: [www.nico.org.uk](http://www.nico.org.uk)

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From: [REDACTED]  
Sent: 16 January 2018 15:01  
To: [REDACTED]@nipolicingboard.org.uk [REDACTED]@nipolicingboard.org.uk>  
Subject: NI-CO Lebanon British Policing Support Project Study Visit February 2018

Dear [REDACTED]

You may recall previous correspondence relating to a request for support in hosting a study visit from the Internal Security Forces (ISF) Lebanon in 2016. The project we are delivering has moved on since 2016 and whilst at that time the main focus of the visit was to inform the delegates of the role of an independent oversight body there is a now a need to provide assistance in more specific areas namely the inspection and accountability functions of the board.

I have attached a letter which provides more detail on the purpose of the project and this request. I would be grateful if you could consider the attached and let me know by return if a representative of the board would be available to present to the delegation between 26/28 February 2018.

Should you require any additional information you can of course come back to me or I can put you in touch with the Project Director [REDACTED]

Many thanks in advance

Regards

[REDACTED]  
Project Manager

NI-CO  
Landmark House  
5 Cromac Quay  
Belfast  
BT7 2JD

**NI·CO** [REDACTED]  
Web: [www.nico.org.uk](http://www.nico.org.uk)

Northern Ireland Policing Board  
31 Clarendon Rd  
Belfast BT1 3BG

Dear [REDACTED]

I am writing to seek your support to a planned Lebanese Internal Security Forces (ISF) Study visit to Northern Ireland. The visit is scheduled between Monday 26 February and Thursday 1 March 2018. As you may be aware NICO are implementing this policing project, through the British Policing Support Team with financial support and endorsement through the UK Government Conflict Security and Stabilisation Fund. The Policing Board have in the past supported previous ISF study visits with helpful inputs. The focus of this study visit relates to internal and external police inspections. The aim of the study visit is to provide the six senior ISF participants with an insight on how inspections of the PSNI are planned, implemented and followed up on a practical level. Additionally to demonstrate the PSNI benefits from inspection reports for continuous organizational development purposes. The PSNI are hosting the majority of the visit with support from the Criminal Justice Inspectorate Northern Ireland.

There is a specific request for a Northern Ireland Policing Board presentation. The purpose of the presentation would be two fold. Firstly, an overview of the role, function and mandate of the Policing Board with specific reference to its inspection and accountability functions. Secondly, an insight into the Custody Lay Visitors scheme and how it provides reassurance, accountability and Independent scrutiny of PSNI detained persons.

I would be most grateful if you would advise as to the Policing Board's availability to present to the study visit in the terms outlined. It would also assist in developing the detailed itinerary if you could advise when between Monday 26 and Wednesday 28 you would be available. The suggestion is the presentation should last for approximately two hours. The study visit group will be led and supported by the British Policing Support Team, Project Director [REDACTED]. He is available to discuss further if any clarification is required on purpose and scope of the visit.

Finally, I have enclosed the wider Study Visit Terms of Reference for your information and guidance.

Yours Sincerely,

[REDACTED]  
[REDACTED] Project Manager  
NI-CO, Landmark House  
5 Cromac Quay Belfast  
BT7 2JD

*Withheld as exemptions  
at Sect 27 International Relations  
and Sect 31(i) Law Enforcement  
are engaged.*



**Presentation to Lebanese Internal  
Security Forces  
Thursday 1<sup>st</sup> March 2018**

## **Who We Are**

- **Board established 4 November 2001**
- **19 Members:**
  - 10 Political Members**
  - 9 Independent Members**

**Debbie Watters  
Policing Board Vice Chair**

**Overview of the work of the  
Policing Board**

## **What we do – Key Statutory Duties**

- **Oversight and accountability**
- **Board meetings**
- **Monitoring strategies and budget**
- **Composition of PSNI**
- **Inspections**

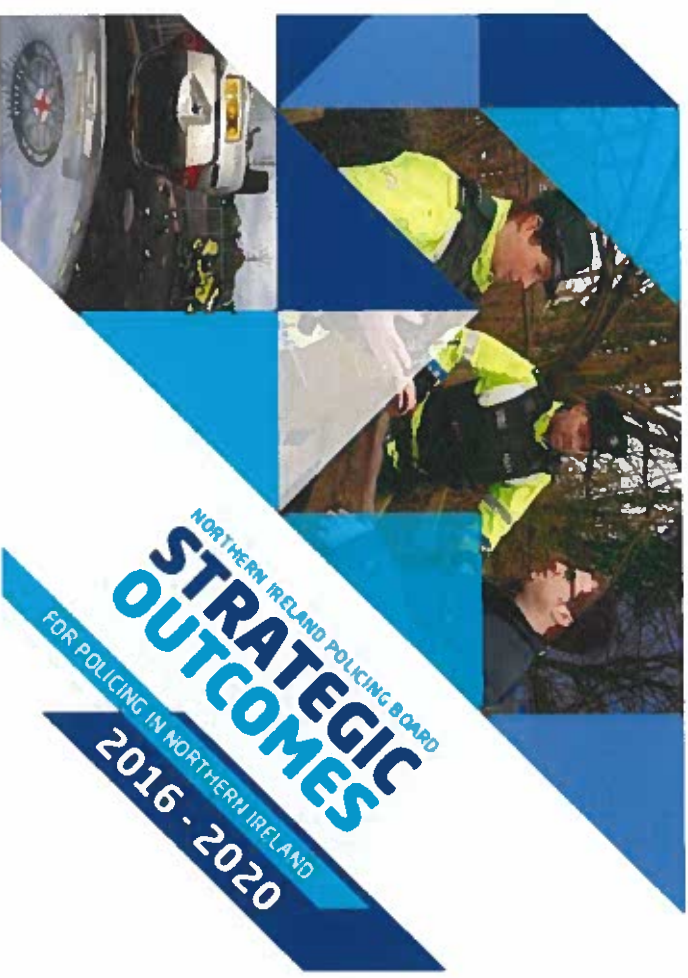


## Policing with the community

- PCSPs
- Outreach and engagement

## Strategic Outcomes for Policing 2016-2020

- Consult on the Policing Priorities
- Develop and publish Annual Policing Plan
- Monitor performance against the Policing Plan



## Human Rights

- Human Rights Act 1998
- Code of Ethics – published February 2003; revised February 2008
- Monitor trends and pattern in complaints against the police



## Independent Custody Visiting

- What they record on a visit
- What ICVs can't do
- Reporting back to the Policing Board

## Independent Custody Visiting Scheme

- Who ICVs are
- How they are appointed
- What their role is

## Questions?

## **Presentation to Lebanese Internal Security Forces**

**Thursday 1st March 2018**

**SLIDES 1+2 Introduction**

**SLIDE 3 – Who We Are**

- The Board was created on 4 November 2001 under the Police (Northern Ireland) Act 2000. The act sets out the statutory duties of the Board which I will go through with you in a short while. Overall the Board are responsible for oversight and scrutiny of the PSNI. The Board and the model of police governance it provides through its 10 political and 9 independent members has delivered democratic accountability of policing.
- As the Assembly is currently suspended, the Board is not fully constituted. The Chair, Vice Chair and Chief Executive have, however, delegated authority to carry out a number of key pieces of work.

**SLIDE 4 - Oversight & Accountability**

- Over the last 15 years, a major programme of policing reform has been progressed. Injecting greater oversight and accountability was central to this and that is the Board's primary role - independent oversight of policing.
- A major focus of our work has been around police effectiveness and efficiency, human rights issues and the composition of the service, and it has of course become more representative of the community.

- The Board is responsible for holding the PSNI to account through the Chief Constable. We do this in a number of ways - for example, by having meetings in public. But much of our work is taken forward through scrutiny by Board committees.
- What this means in practice is that the Chief Constable must answer to the Board on any aspect of policing here. However, we cannot and do not direct or control the Chief Constable. He still has the right to take independent policing decisions based on the need to uphold law and order as he has operational responsibility for the Service.
- There is a clear distinction between the role of the Policing Board and the Police in that the Policing Board has an oversight role and a responsibility to hold the Chief Constable to account.
- The Board has 4 Committees which cover:
  - Performance
  - Resources
  - Partnership
  - Audit and Risk Management
- These Committees monitor specific areas such as the
  - Estates
  - IT
  - Human Resources
  - Community Engagement
  - Training Education and Development

## **Budget**

- The Policing Board has a role in negotiating the annual policing budget for the PSNI and for holding the Chief Constable to account for how that budget is spent.
- The Chief Constable has delegated authority in relation to the day to day responsibility for the police budget but must report to the Board on how the money is spent. The Board is responsible for making sure that the funds are spent in an effective and efficient manner and in line with the objectives outlined in the Policing Plan.

## **Composition of the PSNI**

- Ensuring representation in policing has been an important part of the change and confidence building process. The Board keeps a close watch on the trends and patterns in recruitment to the police service. There is also a statutory duty to monitor the representation of women.
- Police recruitment statistics show just how attractive policing has become as a career and also how the composition of the service has changed over the last 15 years. 50:50 recruitment, which was introduced in 2001, was without doubt controversial but it was necessary to build community support. The target of 30% catholic representation of police officers was met and the 50:50 recruitment provisions ended on 28 March 2011.
- Over 50% of police officers have less than 10 years' experience and the average age of a police officer serving in the PSNI is 40.

- There are currently 6760 serving Police Officers. This compares to a total of almost 13,000 officers in the RUC pre-Patten – a regular service of 8,500, a Full Time Reserve of 2,900 and a Part Time Reserve of 1,300.
- In relation to Police Staff, pre-Patten, 12% were Catholic and as of 1 February 2018 this stands at 31.60%.
- The Board also monitors gender balance and currently 29.08 of officers are female.
- The Board is also responsible for Senior Officer appointments – to date the Board has appointed 3 Chief Constables, 3 Deputy Chief Constables and 10 Assistant Chief Constables.
- The Board also has legislative power to dismiss senior police officers and civilian staff should the need arise.

## **Inspections**

- Legislation requires DOJ to appoint HMIC to inspect PSNI on an annual basis on the areas of Efficiency and Effectiveness. Under the current HMIC methodology there are a number of areas that can be inspected under these headings and the Board is consulted regarding specific areas that members think should be inspected – although this is not in legislation. When the fieldwork of the inspection concludes, the Board is briefed by HMIC on the findings.

- Again, whilst not in legislation, CJINI operate on a similar level with their inspections and consult the Board annually on specific areas of policing the Board thinks they should focus on. The Board will then ask for regular updates from PSNI on recommendations emanating from these reports by way of accountability.

### **SLIDE 5 – Policing with the community**

- Patten envisaged that a successful policing service would not only be representative of the community but would also have policing with the community at its core.

### **PCSPs**

- The success of the policing change process has been the willingness of people to step forward from the community and get involved in the new policing structures. Partnerships have been created in the community to bring grassroots engagement between the police and local people.

Best described as mini boards, the partnerships comprise both political and independent members from our 11 council areas and look at policing and community safety issues. They are funded by both the Board and the DOJ.

### **Outreach and engagement**

- The Board has put a firm priority on outreach and engagement. It is fair to say that whilst confidence in policing has grown, there is

still a lot of work to do in building confidence and particularly with communities which have not previously engaged or supported policing. So we have invested in that area.

- Policing with the community is important in building trust and confidence with the public. The policing style here has changed but there is more work to do in this area.

### **SLIDE 6+7 – Strategic Outcomes for Policing 2016-2020**

- Under Section 25 of the Police (Northern Ireland) Act 2000, as amended, the Board is authorised to determine the objectives for policing taking account of the Minister of Justice's long term objectives for policing.
- To fulfil this statutory duty the Board has developed Strategic Outcomes for Policing 2016 - 20 and works with the PSNI to develop Annual Policing Plans in support of this.
- The Strategic Outcomes include:
  - To ensure increased trust and confidence in policing
  - To reduce harm caused by crime and ASB
  - To work in partnership to address paramilitary activity
  - To demonstrate an efficient and effective Policing Service
- A Monitoring framework has been developed which allows the Board to monitor police performance against the Strategic Outcomes



## **SLIDE 8 – Human Rights**

- There have been a number of critical areas to building confidence in policing. Embedding human rights principles into day to day policing has been one where the Board's work has been in many respects ground-breaking – and has set the standards for policing across the UK and Ireland.
- The Board is responsible for monitoring how the PSNI meet its responsibilities under the Human Rights Act.
- Police in NI must comply with a Code of Ethics which was first published by the Board in February 2003 and enshrines human rights principles.
- This Code when first published was unique in the UK and Ireland. The Code sets out the standards of behaviour which are acceptable for police officers. The Code makes it very clear, to officers and members of the public, what behaviours are acceptable and provides an ethical framework for police decisions and actions.
- The Board closely scrutinises how police meet these important responsibilities and a number of thematic reports have been published including how police deal with domestic abuse, children and young people, Lesbian, Gay, Bisexual and Transgender individuals, Stop and Search and Race Hate Crime.

- The Board also oversees the workings of the internal police and discipline systems and monitors trends and patterns in complaints against the police.
- However, the Board is not responsible for dealing with complaints made against police officers. The Police Ombudsman deals with these and the Ombudsman forms an important part in the policing architecture here in providing independent investigation of complaints against police officers – so that has also been an important confidence building measure.
- The Board also has responsibility for oversight of the work of the National Crime Agency (NCA) in Northern Ireland. Under an MOU, the Agency is required to submit a quarterly report and appear before the Board every 6 months at their meeting in public.

### **SLIDE 9 - Custody visiting Scheme**

The Board is responsible for administering the Custody Visiting Scheme, a UK-wide scheme which ensures that people held in police custody are treated in line with their human rights. Volunteers visit custody suites in police stations, make an assessment on the conditions of detainees and report back to the Board.

### **SLIDE 10 - Who are Independent Custody Visitors (ICVs) ?**

The Northern Ireland Independent Custody Visiting Scheme was first established in 1991 by the then Police Authority. The importance of an

independent Scheme was recognised in 1999 by the Report of the Independent Commission on Policing for Northern Ireland (the Patten Report). Custody Visiting was given a statutory footing in Northern Ireland in April 2001 by virtue of article 73 of the Police (Northern Ireland) Act 2000 - (The Act refers to Custody Visiting as 'Lay Visiting').

Custody Visiting is linked to the Police and Criminal Evidence (PACE) (Northern Ireland) Order 1989 and its revised Codes of Practice, 2007 edition and in particular, Code C, which deals with detention, treatment and questioning of persons by police officers. PACE sets out the rights and entitlements of people detained in custody.

The ICV Scheme also has a statutory role to visit people detained in custody under TACT. This is governed by PACE (Northern Ireland) Code of Practice H (Code of Practice for the Detention, Treatment and Questioning of Persons under Section 41 and Schedule 8 of the Terrorism Act 2000).

It is an oversight role that monitors the effectiveness and quality of the custody services offered by PSNI.

### **How are ICVs Appointed?**

ICVs are volunteers who are recruited through open advertising in various media outlets, including social media, and by contacting a range of statutory and voluntary organisations. The process for the recruitment of volunteers is in line with good volunteer management practice. The Board is committed to encouraging participation in the Scheme from all communities in Northern Ireland.

People wishing to become ICVs will be asked to complete an application form as part of a formal selection process. This is followed by a shortlisting exercise and an interview. The process will seek to gain information about an individual's suitability for the role based on the key qualities, skills and attributes deemed essential for the role of an ICV. At the end of the process, applicants will be deemed to be either 'selected' or 'not selected'. All applicants will be made aware when applying that not all applications will be successful.

The key qualities, skills and requirements needed for the role are:

- Ability to showing concern for the welfare of others;
- Ability to volunteer as a member of a team;
- Impartiality;
- Confidentiality;
- Effective communication skills;
- Aged over 18;
- Driving licence and access to vehicle (ICVs must advise their insurance company that they are carrying out volunteering);
- Ability to meet the necessary time commitments involved in carrying out visits set by the Board (including weekends and unsociable hours);
- Participation in bi-monthly team meetings;
- Participation in necessary training to carry out the role; and
- No direct involvement in the criminal justice system, to ensure that the ICV Scheme remains independent.

ICVs are selected on the basis of merit and regardless of religious belief, political opinion, gender, marital status, having or not having a dependent, ethnicity, disability, age or sexual orientation.

The following people are excluded from being ICVs:

- Former or serving police officers;
- Police support staff;
- People involved in the Criminal Justice System (where there is deemed to be a conflict of interest); and
- Former or serving Members and staff of the Board.

It is a key priority that ICV teams should be, as far as possible, representative of the community. Therefore, in allocating selected ICVs to their teams, every effort is made to ensure the team is balanced in terms of age, gender, ability and ethnicity.

Given the sensitive nature of Custody Visiting, a Counter Terrorism Check (CTC) into the background of those individuals deemed selected at interview will be undertaken. This is carried out by United Kingdom Security Vetting (UKSV). The Board will also seek a reference for all individuals deemed selected at interview. All appointments of ICVs are subject to successful security clearance and receipt of a satisfactory reference.

The Board currently have 28 active ICVs and they are assigned across the 3 teams; South East, North West and Tyrone/Fermanagh.

Each ICV team has a Team Leader, Deputy Team Leader and Team Secretary. They are voluntary position, elected annually. Each team meets bi-monthly.

## **What their role is**

ICVs 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. They have been trained for their role and carry out visits in pairs on a rota basis dictated by a calculated number of guideline visits for each custody suite which is driven by the footfall through each custody suite on a monthly basis. The average time commitment for an ICV is between 2-3 visits per month.

Consent is sought and if the detainee agrees then ICVs can see any detained persons. Discussions between detainees and ICVs must, wherever practicable, take place in the sight, but out of the hearing, of the escorting officer. Where this is not possible, the officer will not take any active part in the conversation. Officers should not actively listen to conversations between ICVs and detainees. For detainees held under the Terrorism Act (2000), discussions may take place in either the interview room; the solicitor's consulting room or some other convenient place.

## **TACT Custody Visiting**

TACT Custody Visiting takes place in Musgrave Police Station (located in Belfast), within the Serious Crime Suite (SCS) (with an overflow capability in Antrim) and the visits are carried out by volunteers from the South East Team who must have completed at least 6 months as an ICV and received specific TACT training.

The ICV role in visiting detained terrorist suspects is very similar to the role when visiting PACE detainees, with 2 distinct differences:

- Visits to TACT detainees are normally 'announced' (explained below); and
- The ICVs have the ability to observe interviews with terrorist suspects (with the detainee's consent) via a live video stream. During the 2017/18 reporting period, (April-December 2017) across PACE and TACT, ICVs have carried out 403 visits, of which 26 were to TACT detainees.

## **SLIDE 12 - What is recorded during a visit?**

ICVs capture the following information:

### **General information:**

- The name of the custody suite being visited;
- The date the visit is taking place on;
- Time of arrival at the front desk in the custody suite;
- ICVs get escorted through the police station to the custody suite, any delay longer than 10 minutes to be escorted from reception to the actual custody suite is reported, so the time of entry to the actual custody suite is recorded;
- The name of each of the ICVs;
- The reason for delayed access to the custody suite if longer than 10mins;
- Time the visit ended;
- Signatures of both ICVs; and
- Signature of custody officer

### **Detainee information:**

- Custody number of the detainee;
- If the detainee is Adult or Juvenile;
- If the detainee is Male or Female;

- Did the ICVs interview the detainee – Yes or No;
- If the detainee gave permission for the ICVs to check the custody record – Yes or No;
- Any comments noted about the detainee from the interview;
- If the detainee was sleeping and a check was performed to note their breathing through the cell window this should be noted; and
- If the detainee was unable to be interviewed, for e.g. if they were with their solicitor, would also be noted in this section.

**Items noted during the visit:**

- Details of any issues that the ICVs noted within the custody suite, for e.g. a ligature point; a faulty toilet; and issues around the facilities which are detrimental to the detainees' human rights.

There is 1 original (top copy) and 4 carbon copies of each CV2. The top copy is returned to the Board for processing; copy 2 is sent to the District Commander for any unsatisfactory issues to be investigated and reported back to the Board upon resolution or with an explanation; the 3rd copy is retained by the custody officer as a record of the visit; and copies 4 & 5 are kept by the ICVs for their records and to allow them to complete their travel claim forms correctly with dates, custody suites visited etc.

**What ICVs Cannot Do**

- ICVs cannot carry out visits alone, they must visit in pairs;
- ICVs cannot gain access to a custody suite without their ICV pass being shown;



- ICVs are unable to watch interviews in PACE or speak to the Forensic Medical Officer (FMO);
- TACT ICVs are unable to watch pre-recorded interviews of TACT detainees, only live interviews;
- ICVs are not in a position to provide legal or medical advice to detainees and if a detainee wishes to complain about PSNI, ICVs can signpost them on how to do this, but they are unable to take details of the complaint;
- ICVs must adhere to the agreed confidentiality policy and are not permitted to share details of what they witness whilst carrying out a custody visit with anyone other than the Board;
- ICVs are unable to commence their role until they have fully completed their induction training (including TACT as applicable); and
- ICVs are unable to take part in any other role that may be a conflict of interest whilst they are an active ICV.

### **Reporting back to the Policing Board and the Board's Role**

ICVs report their findings to the Board by completing agreed paperwork. This allows the Board to get an impartial picture of how people are dealt with in custody and makes sure that custody suites meet minimum standards. The Board use the information captured for a variety of different means - deciding upon what action needs to be taken; the creation of an Annual Report; statistics collation for ICV teams; and information sharing with UK bodies, such as the Independent Custody Visitor Association (ICVA) and the National Preventative Mechanism (NPM). This is an essential role in making sure the rights and entitlements of detainees are protected; and helps the Board to ensure that PSNI meet their human rights responsibilities.

The Scheme Administrator is responsible for the day-to-day management of the ICV Scheme and the volunteers. The Scheme Administrator is the first point of contact for help and support between the Custody Visiting team and the Board.

The Scheme Administrator reports to the Scheme Manager and the Scheme falls into the strategic management portfolio of the Board's Director of Partnership.

### **Associated bodies**

The Northern Ireland Policing Board is currently represented on 4 organisations in relation to the ICV Scheme. They are the:

- Independent Custody Visiting Association (ICVA);
- National Expert Forum (NEF)
- Terrorist Act (TACT) Network; and
- National Preventive Mechanism (NPM)

**Independent Custody Visiting Association (ICVA);** is a Home Office funded organisation set up to promote and support the effective provision of custody visiting nationally. As a national resource on custody visiting, ICVA works closely with government and criminal justice organisations to:

- Raise public awareness on the rights, entitlements, health and wellbeing of people held in police custody;
- Advise on best practice for independent custody visiting Schemes nationally; and
- Provide training, publicity and support.

It provides support to ICVs across the UK, from initial training to regional and national conferences and publications, keeping them up to speed on latest policies and sharing best practice. ICVA encourages feedback in the form of queries, concerns or suggestions relating to custody visiting.

### **Benefits to the Board**

- Induction training package supported by train the trainer events to allow Scheme Administrators to train ICVs;
- Members' website providing a library of resources / forum for discussion;
- A quality assurance Scheme with recognition/rewards for good practice;
- ICVAs attendance at a regional engagement event;
- Policy guidance and regular communication (weekly newsletter);
- Access to NEF to share practice, learning, resources and conduct joint projects;
- Invite to Scheme Managers' Conference;
- Invite to ICVA Annual National Conference;
- National guidance on data collection during visits; and
- Regular meetings with national bodies, including the Home Office, to give ICV Schemes a national voice on custody matters.

### **Commitments of the Board**

The Board provides quarterly statistics to ICVA for the NEF meetings and highlights any positive changes our ICVs have been responsible for and any reoccurring themes that would be of interest on a national scale.

## **National Expert Forum (NEF)**

This forum brings together Scheme Managers from all regions to share learning practice and resources. This new forum will further support Scheme Managers and will ensure that Schemes are working as efficiently as possible.

## **Benefits to the Board**

Membership of the NEF provides the opportunity for Scheme Managers to work together on joint projects; agree on a national level what statistics are to be collected and for what use; and is a learning tool for new developments that other Schemes may have already introduced - for e.g. online completion Custody Visiting forms.

## **Commitments of the Board**

The Board provides quarterly statistics to ICVA for the NEF meeting, including:

- Total number of detainees through custody for given time period (PSNI provide);
- Total number of ICV visits for given time period;
- Total number of detainees in custody at the time of ICV visits for the given time period; and
- Total number of detainees available and agreeing to visit/interview.

## **Terrorist Act (TACT) Network**

This is an informal network set up by ICVA as a response to a request from ICV Schemes and Max Hill QC, the current UK Independent Reviewer of Terrorism Legislation. The aim of this network will be to share practice, learning and expertise and discuss contemporary issues

on TACT custody visiting for Max Hill to feedback on any themes, for e.g. reporting forms, general terrorism picture in UK.

Membership only includes Schemes with TACT suites (Northern Ireland, West Yorkshire, MOPAC, Thames Valley, West Midlands, Manchester and Scotland).

### **Benefits to the Board**

Offer an opportunity to discuss best practice with other TACT Schemes with an aim to improve procedures.

### **Commitments of the Board**

The Scheme Manager will feed into the conference calls and provide any relevant updates as required in advance of the meetings.

### **National Preventive Mechanism (NPM)**

The aim of this group is to strengthen the protection of people in detention through independent monitoring. There are 21 statutory bodies that independently monitor and inspect places of detention. The NPM focuses attention on practices in detention that could amount to ill-treatment or torture as required by OPCAT and works to ensure its own approaches are consistent with international standards for independent detention monitoring. The NPM must have, as a minimum, the powers to:

- Regularly examine the treatment of persons deprived of their liberty in all places of detention under the UK's jurisdiction and control;
- Make recommendations to relevant authorities with the aim of improving the treatment and conditions of persons deprived of their liberty; and

- Submit proposals and observations on existing or draft legislation.

### **Benefits to the Board**

Membership of this group allows the Board to be part of investigations that identify variations in the practices, procedures, safeguards against harm and experiences of detainees with the aim to improve consistency of approach. It also allows the Board to identify and promote good and improved practice and inform detention practice and policy. It gives the Board the chance to feed into NPM's annual report, which is presented to Parliament by the Lord Chancellor and Secretary of State for Justice.

ICVA represent England and Wales on the NPM, Northern Ireland and Scotland represent themselves.

### **Commitments of the Board**

The Board provide information for the NPM Annual Report about the ICV Scheme and national healthcare issues in custody. The Board reviews the NPM Annual Report for accuracy and provides a written regional update for the quarterly meetings.

NPM have very recently established 4 subgroups (Children and Young People, Police Custody, Mental Health and Scottish). The Board has indicated that we would like to provisionally participate in the police custody subgroup.

### **SLIDE 12 Questions?**

## **Appendix A**

### **FOI 05/2020 – Section 27 Exemption “International Relations”**

“**Section 27** – International Relations (1) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice— (a) relations between the United Kingdom and any other State, (b) relations between the United Kingdom and any international organisation or international court, (c) the interests of the United Kingdom abroad, or (d) the promotion or protection by the United Kingdom of its interests abroad.

#### **Public Interest Test**

The above exemption is a qualified exemption, and a Public Interest Test must be carried out to decide whether the public interest in maintaining the exemption outweighs the public interest in disclosure.

#### **Arguments in favour of disclosure of the requested information**

Section 27(1) (a), (c) and (d) are relevant to this request. The Board accepts that releasing information about the PSNI’s international work, including specific detail on the training provided to particular countries would be of interest to the public. It is agreed that disclosing this information would bring greater transparency and aid the public in being able to see the nature of the work PSNI does and how it supports international policing.

Additionally, it would also provide reassurance that the PSNI is sharing best practice with other forces around the world. This international sharing of knowledge contributes to tackling crime globally which, in turn, is likely to strengthen public perceptions of personal safety.

#### **Arguments in favour of engaging the exemption and withholding the requested information**

Section 27(1) (a), (c) and (d) recognises that the effective conduct of international relations is reliant upon an open dialogue between the PSNI and its international clients, partners and other stakeholders in maintaining the trust and confidence of those that they choose to work with. If the PSNI fail to maintain this trust, the interests of the United Kingdom abroad may be adversely affected. Providing detail on the specific training delivered (such as may be detailed or inferred by an itinerary) to particular countries and regions could potentially damage the bilateral relationship between the UK and international clients. This would significantly reduce the PSNI’s ability to promote UK interests abroad and may potentially affect the relationships with those clients, as well as any prospective clients that may wish to work with the PSNI in the future.

#### **Result**

Taking into account all of the deliberations above, it is felt that the public interest in engaging the exemption to withhold the information does outweigh the arguments towards disclosure at this point in time.

As a result, the requested information should be withheld.

## **FOI 05/2020 – Section 31 Exemption ‘Law Enforcement’**

**Section 31** – Law Enforcement (1) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice (a) the detection and prevention of crime.

### **Public Interest Test**

The above exemption is a qualified exemption, and a Public Interest Test must be carried out to decide whether the public interest in maintaining the exemption outweighs the public interest in disclosure.

### **Arguments in favour of disclosure of the requested information**

The Board acknowledges that there is a public interest in increasing transparency around the nature of the international training provided by the PSNI and how that helps other police forces and organisations.

### **Arguments in favour of engaging the exemption and withholding the requested information**

The Board must consider the wider impact of disclosing specific details about the PSNI's international training. Disclosing such details carries the potential risk of highlighting areas of weakness in the law enforcement capabilities of a particular country which may have a negative impact on law enforcement operations, both in the UK and abroad. This in turn could increase the risk to the safety of the public and indeed law enforcement personnel in those countries within which the PSNI engage.

Disclosure of information that undermines the operational integrity of law enforcement capabilities is highly likely to have an adverse impact on public safety and a negative effect on law enforcement generally.

Any risk to public safety cannot be said to be in the public interest.

### **Result**

Taking into account all of the deliberations above, it is felt that the public interest in engaging the exemption to withhold the information does outweigh the arguments towards disclosure at this point in time.

As a result, the requested information should be withheld.