



COURT CUSTODY

THE DETENTION OF PERSONS IN THE CUSTODY OF THE COURT IN NORTHERN IRELAND

MARCH 2022

WHAT WAS THIS INSPECTION ABOUT?

- ▶ This inspection looked at the standard of court custody services in Northern Ireland (NI) and the experience of detainees. Detainees are adults and children who are usually brought from police stations, prisons or the Juvenile Justice Centre (JJC) to attend court in person. They wait in cells at the courthouse until their case is heard and they are released from court or they are transferred to prison or the JJC.
- ▶ At the time of this inspection most court appearances were by remote video links, usually from police custody suites, a prison or the JJC, because of the COVID-19 pandemic.
- ▶ Court custody services are delivered in partnership between:
 - the Prisoner Escorting and Court Custody Service (PECCS), a part of the Northern Ireland Prison Service, that brings detainees to and from court and looks after them while they are in court cells;
 - the Northern Ireland Courts and Tribunals Service (NICTS) that is responsible for courthouse accommodation and the operational delivery of the courts; and
 - the Police Service of Northern Ireland (PSNI) usually bring detainees to courts for their first appearance but during the COVID-19 pandemic they were heard from police custody suites.

WHY DID CJI DO IT?

- ▶ Inspections of court custody in NI are carried out by CJI as a United Kingdom (UK) National Preventive Mechanism (NPM) designated body to carry out visits to places of detention and to monitor the treatment of and conditions for detainees in line with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).
- ▶ The OPCAT is an international human rights treaty that the UK Government has agreed to. It is designed to strengthen protection for people who are detained.
- ▶ The OPCAT requires that treaty Governments designate a NPM to carry out visits to places of detention, to monitor the treatment of and conditions for detainees and to make recommendations about the prevention of ill-treatment.
- ▶ In the UK the NPM is made up of 21 visiting or inspecting bodies that visit places of detention including prisons, police custody, immigration detention centres, children's secure accommodation and mental health detention. More details about the UK NPM can be found on the website www.nationalpreventivemechanism.org.uk
- ▶ This is the second full inspection of court custody by CJI since the UK NPM was established.

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HOW DID YOU DO THIS INSPECTION?

- ▶ The inspection used standards for court custody developed by partner inspectorates in England and Wales, adapted for use in NI, to assess the delivery of court custody and ensure consistency of practice with other UK jurisdictions.
- ▶ The inspection involved consultation with stakeholders who had an interest in court custody, surveys of detainees who had experienced court custody, interviews and focus groups with staff working in or with court custody and 13 unannounced visits to operational custody suites.
- ▶ Inspectors assessed data and documentation provided by the PECCS, the NICTS and the PSNI.

WHAT DID INSPECTORS FIND?

- ▶ Detainees were generally positive about their experiences of court custody and their treatment by PECCS staff.
- ▶ There was good partnership working between the PECCS, the NICTS and the PSNI. This was particularly the case at individual courthouses where the PECCS staff worked with NICTS staff, the judiciary and local police custody suites to try and ensure detainees were not held for long periods of time as well as supporting them during their time at court.
- ▶ PECCS staff were skilled in dealing with vulnerable and challenging detainees and committed to doing a good job.
- ▶ Joint training with staff from the JJC on methods of dealing with conflict involving children was positive.

WHAT NEEDS TO BE BETTER?

Inspectors have made **13 recommendations for improvement including:**

At a strategic level (leadership level):

- ▶ Improvements to the PECCS staffing model and training for staff.
- ▶ The use of information technology systems to record data and enable analysis to inform decision making.
- ▶ Improvements in the escorting arrangements for detainees between police custody, courts and prisons.
- ▶ The standards of court custody accommodation in some courthouses.

At an operational level (on the ground level):

- ▶ A PECCS plan for court custody services recovery from and after the COVID-19 pandemic.
- ▶ A review of how information on risks to and from detainees is shared and how risks can be better managed should be undertaken.
- ▶ Improvements in meeting detainees health care needs.
- ▶ Ensuring that detainees have access to their property like money, keys and a phone when they are released from court so they can get home safely.

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