



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2008-04091

Keyword: Organisational Information/Governance

Subject: Details of the location and number of non-designated detention cells

Request:

Q1. Please provide details of the location and number of non-designated detention cells in Northern Ireland, by District.

Q2. Given the information provided in the PSNI Human Rights Programme of Action 2007/08, which stated that having been accepted by Operations Branch the role of custody visitors would be extended to apply to non-designated detention cells by January 2008, please provide details of a) the reason for the delay in implementing this and b) an update on the current situation with an indicative time frame for implementation.

Answer:

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information you requested. The decision has been taken to disclose the located information to you in full.

Answer 1.

The Police And Criminal Evidence (NI) Order 1989 directs that, when for a variety of reasons it is not possible to take an arrested person to a designated station the person should be taken to any police station. Any police station would be **any operational station** throughout Northern Ireland. Article 30 of the Police and Criminal Evidence (NI) Order 1989 directs that an arrested person must be taken to a designated station unless certain conditions apply. When these conditions are met an officer can take an arrested person to any police station and again certain conditions will restrict the time an arrested person can be held in any police station before being transferred to a designated station. The fact that an arrested person can be taken to 'any police station' will in some instances mean that they will be taken to police stations that do not have a cell. This fact will be a consideration when the officer makes the decision to go to any police station. The legislation does not require 'any police station' to have a cell. If a police station other than a designated station does have a cell it may not be to the required Home Office standard. Therefore, a detained person would not be held in that cell, but would still be held in compliance with the legislation as it is still any police station. Therefore, The Police Service of Northern Ireland has provided a list of operational stations (other than designated stations) which contain cells. Please refer to the attached document 0000001660pdf – Appendix A.

Answer 2.

The Police Service of Northern Ireland have accepted the principal that custody visitors can visit non-designated stations, however, current legislation does not permit this and access to detained persons has to be supported in legislation which provides safeguards for all concerned. The NIPB have confirmed that they do not intend to pursue the legislation to visit non-designated stations.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this email.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that all PSNI replies under Freedom of Information will be released simultaneously into the public domain via our website @ www.psnipolice.uk.

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

Non – PACE cells

LOCATION	NUMBER OF CELLS	DETAILS
BALLYNAFEIGH	3	NOT IN USE
BESSBROOK	2	NOT IN USE
BROUGHSHANE	1	NOT IN USE
BUSHMILLS	1	NOT IN USE
CASTLEDERG	1	NOT IN USE
CLOGHER	1	NOT IN USE
CLOUGHMILLS	2	NOT IN USE
COMBER	1	NOT IN USE
CROSSGAR	1	NOT IN USE
DONEGALL PASS	2	NOT IN USE
DONEMANA	1	NOT IN USE
DROMARA	1	NOT IN USE
DUNGIVEN	1	NOT IN USE
GILFORD	1	NOT IN USE
KELLS	1	NOT IN USE
KESH	1	NOT IN USE
LISBURN ROAD	2	NOT IN USE
MOUNTPOTTINGER	1	NOT IN USE
NEWCASTLE	2	NOT IN USE
POMEROY	1	NOT IN USE
PORTGLENONE	1	NOT IN USE
PORTRUSH	2	NOT IN USE
PORTSTEWART	1	NOT IN USE
RATHFRILAND	1	NOT IN USE
TANDRAGEE	1	NOT IN USE
WILLOWFIELD	1	NOT IN USE
WOODBOURNE	10	NOT IN USE