



FREEDOM OF INFORMATION REQUEST



Request Number: F-2016-00175

Keyword: Operational Policing

Subject: Female Offenders

Request and Answer:

Question 1

I'd like to make a Freedom of Information request under the FOIA Act relating to female offenders: What provisions are in place to deal with the differential needs of women at point of arrest and custody in police stations?

Answer

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act I can confirm that the Police Service of Northern Ireland (PSNI) does hold information to which your request relates. The decision has been taken to disclose the following.

The PSNI follows the College of Policing, Authorised Professional Practice (APP) which states that female detainees should have access to a female member of custody staff responsible for their welfare needs. Police should provide this access promptly and as soon as practicable. If a female member of custody staff is unavailable, a female police officer or female member of police staff (preferably designated as a detention officer) who is on duty at the station or unit should be assigned this role.

The PSNI provides all female detainees with access to feminine hygiene pack upon arrival at Police custody.

People arrested by Police are detained in accordance with the Police and Criminal Evidence (Northern Ireland) 1989 (PACE) and Codes of Practice. On arrival in Police Custody detainees may be searched, in accordance with PACE, searches on a female detainee will be facilitated by female Custody detention officers (CDOS) or Police gaolers.

Custody Officers will risk assess all detainees in accordance with PACE and detainees may be examined by a Forensic Medical Officer (FMO). If the duty FMO is male, female detainees are chaperoned by a female CDO or police gaoler during her examination. If a female CDO or gaoler is not available there is provision for the medical examination to take place in the cell, which is covered by closed-circuit television (CCTV).

Question 2

What provision are in place for diversion out of the criminal justice system at point of arrest of low-level offending women and/or those with complex problems such as substance addiction or mental health needs?

Answer

For females under 18 years of age, the Community Resolution process and Youth Engagement Clinics are in place as a form of disposal for those young females who have been arrested for their first offence. Youth Justice Agency and PSNI Youth Diversions Officers are key to this process. Consultation with Social Services and Education may also be part of this process if complex needs are identified, e.g. drugs, alcohol and mental health. In these cases fast track referrals are made.

For females over 18 at point of arrest it will depend on the nature of the offence if a decision is made for a disposal other than prosecution and if they have a previous record for a similar type offence. Disposals will be in consultation with the Public Prosecution Service (PPS).

In respect of drug, alcohol or mental health issues there is no provision for a referral process from Police Custody for those females over 18 although if identified as a problem, information regarding support services may be given to the individual.

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 letter.

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 PSNI replies under Freedom of Information may be released 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.