

# **Visit Report**

## **The Southern Iceland Commissioner of Police Police Cells**

**2023**

**OPCAT monitoring of facilities where  
persons deprived of their liberty reside**

## Summary

The Althingi Ombudsman visited the police detention facility of the Southern Iceland Commissioner of Police in Selfoss on 4 July and again in the night preceding 8 July 2023, on the basis of the office's OPCAT mandate. The exact timing of the second visit was not announced in advance. The Ombudsman's examination focused on the detention of individuals in police cells, the facilities there and the general procedure, as well as police practices in relation to the detention.

Persons arrested in the police district of Southern Iceland are usually kept in the police station in Selfoss, where there are six single-person cells. In 2022, 333 persons were arrested in the district and 126 of them were detained in the police cells.

The Ombudsman has emphasized the need for room for individual assessment of the necessity of single decisions. The report mentions, among other things, the confiscation of items in the possession of persons detained in police cells, as according to the current procedure, all belongings are removed from the person before they are taken to a cell. Due to this, the recommendation is made to the Southern Iceland Commissioner of Police that they ensure that the implementation of confiscation of items allows room for individual assessment of the need to remove individual items, for example, eyeglasses and hearing aids.

During the visit, it was learned that continuous video surveillance is maintained of all police cells. Due to this, the recommendation is addressed to the Southern Iceland Commissioner of Police that the implementation of video surveillance be reviewed and an assessment made in each individual case as to whether an arrested person needs to be subjected to continuous video surveillance. The recommendation is also made that the Commissioner remove a non-functional camera in the reception room of the detention facilities directed at the area where body searches take place. The recommendation in previous reports of the Ombudsman to the National Commissioner of Police, that it be examined whether there is cause to make proposals for a general procedure for video surveillance of police cells, is reiterated.

The premises of the police station in Selfoss place some limits on the police's activities, e.g. with regard to security, the privacy of detainees and work facilities. Considering this, as well as other comments made in the report, the recommendation is addressed to the Minister of Justice that they consider whether the building that currently houses the police station and the police cells meets the requirements set for the nature and scope of their activities.

The recommendation is addressed to the Southern Iceland Commissioner of Police that harmful items in the detention facility be stored in such a way that they are not accessible to arrested persons who may pass through the area and likewise to ensure disposal of refuse so that it does not pose a biohazard.

The report makes various recommendations regarding facilities in the police cells, such as concerning the possibilities of detainees to monitor the passage of time, the lighting control, lack of daylight in the cells and the location of emergency buttons.

The report mentions the mechanism on the door of the sanitary facility available to detainees, which is such that it does not exclude that staff can observe them. Therefore, the recommendation is addressed to the Commissioner of Police that they consider whether it is possible to have detainees use a toilet where privacy is guaranteed if there is no reason why the person needs to be in view during use of the toilet. Furthermore, the recommendation is directed to the Commissioner that they arrange procedures in the detention area so that a request by detainees to use the toilet is acted upon without delay.

During the ombudsman's visit, it was learned that the police station lacks menstrual products specifically intended for women kept in police cells. In light of this, the recommendation is addressed to the Commissioner of Police that they ensure that menstrual products are available free of charge and to inform detainees that it is possible to request such products. It must also be ensured that the menstrual products that are available satisfy the different needs of women and that the products are accessible in a manner making it uncomplicated for women to request them and dispose of them after use.

Adequate supervision of persons kept in police cells is one of the basic prerequisites for the police to be able to guarantee their safety. Police procedures recommend that detainees be checked every twenty minutes or more often. However, in conversations with the staff of the police station, it was learned that, in general, checks on detainees do not take place on a regular basis. Instead, video surveillance is used to a large extent to monitor detainees. The report points out, among other things, that surveillance cameras do not replace actual supervision, although they can be an important part of ensuring the safety of those staying in police cells. The recommendation is made to the Commissioner of Police that they organize a procedure for active supervision by employees of individuals in police cells which ensures checking in on them no less frequently than every twenty minutes, and more often if deemed necessary according to the evaluation of employees at any given time.

The police cells have a buzzer system, which enable detainees to contact the staff of the police station, e.g. to request food or drink, to go to the toilet or if in need of emergency assistance. In one instance during the Ombudsman's visit, more than thirty minutes elapsed from the time the buzzer signal sounded until the person was attended to. The recommendation is made that the Commissioner of Police make sure that detainees are attended to without delay after an emergency signal is received from a cell, and that a clear procedure applies to this matter.

According to the regulation on the legal status of detainees, police questioning etc., a detention report must be written on the detention of every person in a police cell. The provisions of the regulation specify the information that must be included in the report, such as who made the decision on detention, whether the detainee was visibly injured when placed in a police cell, when the detainee was provided with food, etc. An examination of the detention reports received by the Ombudsman in connection with the visit indicates that the recording of aspects required in the regulation was lacking in many respects. This practice seemed to some extent to be explained by the fact that the employees did enter some of these aspects in the police system (LÖKE) instead of in the detention report. Therefore, the recommendation is made to the Commissioner of Police that it be ensured that the aspects listed in the regulation are always recorded in detention reports. The recommendation is also made that the Commissioner see to it that all items confiscated from an arrested person are included in a personal property report and ensure that the person signs this report when the property is returned following the conclusion of detention.

The Ombudsman's report refers to the training and education of police officers, including weapons training and arrest exercises. It points out that substitute staff do not receive training or formal guidance in the supervision of persons held in police cells. The recommendation is made to the Commissioner of Police that they ensure, as appropriate in co-operation with the National Commissioner of Police and the Minister of Justice, adequate training, instruction and continuous and continuing education of police officers, so that they know the main human rights standards and legislation, methods of using force and first aid, and that sufficient consideration is given to the obligations incumbent on the police when detaining arrested persons.

Right at the beginning of detention, there may be a reason to seek the assistance of medical personnel to assess the detainee's health, for example, in order to ascertain whether hospitalization or other healthcare is needed. The report raises issues concerning the current

procedure in relation to healthcare assistance for detainees, which does not specify, for example, which employee is responsible for assessing whether the condition of a detained person is such that a doctor's assistance should be requested. Due to this, the suggestion is made to the Southern Iceland Commissioner of Police, as appropriate together with the National Commissioner of Police, that work procedures regarding responsibility for and implementation of the assessment of the need for healthcare services of an arrested person be clarified. The recommendation is also made to the Southern Iceland Commissioner of Police that they ensure that an individual assessment is carried out as to whether the presence of the police is needed during medical consultations. In connection with the examination of the data received from the Commissioner on registration and administration in connection with suicides and suicide attempts, the Ombudsman also points out to the Commissioner to ensure the correct registration of incidents in the police cells and to take due note of the updated registration options that are available in this regard.

The authorities may be obliged to take the initiative in providing guidance to citizens, including on channels for complaints in the public administration. In this regard, the recommendation is made that the Police Commissioner ensure that information on appeal and complaint channels is presented systematically and that employees are specifically instructed on how to safeguard these rights of persons held in detention.

The procedures on which the operation of the police cells is based have not been updated since 1995. In preparing this report, information was received that their review was well advanced. The suggestion is made to the Southern Iceland Commissioner of Police that they follow up on the planned review.

The Ombudsman will continue to monitor the development of these issues, but requests that the Southern Iceland Commissioner of Police, and other authorities to whom recommendations are directed, account for their responses to the report by 1 June 2024.

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